

**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
THURSDAY, AUGUST 19, 1993**

The Legislature convened at 4:00 p.m. with a Call To Order by the Chairman, Arthur J. Shafer.

The Clerk, Richard R. Blythe, read the fire exit announcement and then called the Attendance roll: Present-19, Absent-0.

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

Mr. Augostini moved, seconded by Mr. Pasquale that the minutes of the July 22, 1993 Regular Session and August 3, 1993 Special Session be approved as prepared and as presented by the Clerk. **Carried.**

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

COMMUNICATIONS:

1. 1993-94 Adopted Budget from Broome Community College.
2. Letter from Town Attorney regarding Town of Fenton Proposed Zoning Map, Public Hearing Notice, September 1, 1993.
3. Minutes from:
  - a. Waste Reduction Management Team.
  - b. Cornell Cooperative Extension.
  - c. EMC Ad Hoc Committee on Composting.
  - d. Public Library
4. News Release from Broome Administrative & Professional Association: Open letter to County Executive and Chairman of the Legislature regarding proposed suggestions to reduce County expenses.
5. Copy of letter to County Attorney from Willkie Farr & Gallagher (Proposed Securitization of Tax Sale Certificates).
6. Public Safety Complex (Evaluation of Financing Alternatives).
7. Letter announcing meeting in Legislative Chambers: NYS Division of Equalization and Assessment, October 27, 1993, 9:00 a.m. to 4:00 p.m.
8. Copy of memo from Personnel Officer, Michael Klein, regarding voluntary work week reduction survey.
9. Letter from State Director of Election Operations encouraging funding for new elections technology called signature digitization.

REPORTS:

1. Monthly Report: Broome Community College (Above Minimum Hires, June

1993).

2. Quarterly Report of Pending Projects from Department of Public Works.
3. Department of Audit and Control: Payroll Audit (Central Kitchen, Probation Department, Office of County Executive, Department of Law); Fixed Asset Inventory Audit (Department of Finance); Audit (Sole Source Selection and Approval Procedures; MRB Group, Engineering, Architecture, Surveying, P.C.; Department of Mental Health Contract Agencies).
4. Letter from Purchasing Agent regarding Broome County's 10th Annual Auction with Property Accounting Inventory Report.

Mr. Lindsey moved, seconded by Mr. Pasquale to receive and file the above noted reports and to publish any pertinent portions thereof in the 1993 Journal of Proceedings. **Carried.**

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

Letters from the Chairman, Arthur J. Shafer:

1. Appointing Daniel A. Schofield as voting representative for Kelly J. Wagstaff and Wanda Hudak as voting representative for Wayne L. Howard, Finance Committee, July 22, 1993.
2. Appointing Chris W. Burger as Acting Chair and Daniel A. Schofield as voting representative for Michael P. Pazzaglini, County Administration, Economic Development and Planning Committee, July 22, 1993.
3. Appointing Merry Harris as voting representative for Margaret M. Coffey, Finance Committee, August 3, 1993.
4. Appointing Andrew Kavulich as voting representative for Daniel A. Schofield and George Harbachuk as voting representative for Michael P. Pazzaglini, Inter-Governmental Relations Committee, August 5, 1993.
5. Appointing the following as voting representatives for Andrew Kavulich: Mark R. Whalen, Public Safety and Emergency Services Committee, August 10, 1993; Vincent A. Pasquale, Personnel Committee, August 11, 1993.
6. Appointing the following as voting representatives for Wayne L. Howard: Louis P. Augostini as Acting Chair and Chris W. Burger as voting representative, Environment Committee, August 10, 1993; Michael P. Pazzaglini, Finance Committee, August 12, 1993.
7. Appointing Audrey Taylor as voting representative for Margaret M. Coffey, Public Safety and Emergency Services Committee, August 10, 1993.
8. Appointing Merry Harris as voting representative for Margaret M. Coffey, Finance Committee, August 12, 1993.
9. Appointing Merry Harris as voting representative for George Harbachuk,

Environment Committee, August 10, 1993.

Mrs. Hudak moved, seconded by Mr. Pasquale that **RESOLUTION NO. 329** be brought back for reconsideration, in order correct the square footage figures and subsequent extensions in the resolution. **The reconsideration carried.**

Mrs. Hudak moved, seconded by Mr. Pasquale that **RESOLUTION NO. 329** be amended to reflect a square footage of 22,967. **The amendment carried.**

The resolution **as amended carried.**

The resolution as amended is reproduced in its entirety:

**RESOLUTION NO. 329**

By Health & Human Services and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING AGREEMENT WITH COURT AND HENRY STREET DEVELOPMENT, INC. FOR LEASE OF PREMISES AT ONE WALL STREET TO BROOME COUNTY HEALTH DEPARTMENT FOR 1993 THROUGH 1998.**

WHEREAS, the Public Health Director requests authorization for an agreement with Court & Henry Street Development, Inc. for lease of premises at One Wall Street, Binghamton, NY for a five year period commencing on August 1, 1993 and terminating on July 31, 1998, said space consisting of approximately 22,967 square feet and

WHEREAS, it is requested that said lease provide for an option for a five year renewal upon the same terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Court & Henry Street Development, Inc. 151 Laurel Avenue, Binghamton, NY, 13905 for the lease of 22,967 square feet of space at One Wall Street, Binghamton, NY payable as follows:

ANNUAL		SQUARE	ANNUAL	MONTHLY	
<u>FROM</u>	<u>TO</u>	<u>FOOTAGE</u>	<u>RATE</u>	<u>RATE</u>	<u>RENTAL</u>
8/1/93	7/31/94	22,967	\$ 8.25	\$15,789.81	
					\$189,477.75
8/1/94	7/31/95	22,967	\$ 8.25	\$15,789.81	
					\$189,477.75
8/1/95	7/31/96	22,967	\$ 8.25	\$15,789.81	
					\$189,477.75
8/1/96	7/31/97	22,967	\$ 8.50	\$16,268.29	
					\$195,219.50

8/1/97 7/31/98 22,967 \$ 8.84 \$16,919.02  
 \$203,028.28

and be it

FURTHER RESOLVED, that said Lease shall be for a five-year term commencing August 1, 1993 and terminating on July 31, 1998, and be it

FURTHER RESOLVED, that said agreement shall provide for an option to renew said agreement for an additional five-year period at the following rate schedule:

ANNUAL		SQUARE	ANNUAL	MONTHLY	
<u>FROM</u>	<u>TO</u>	<u>FOOTAGE</u>	<u>RATE</u>	<u>RATE</u>	<u>RENTAL</u>
8/1/98	7/31/99	22,967	\$ 9.19	\$17,588.89	
					\$211,066.73
8/1/99	7/31/00	22,967	\$ 9.56	\$18,297.04	
					\$219,564.52
8/1/00	7/31/01	22,967	\$ 9.94	\$19,024.33	
					\$228,291.98
8/1/01	7/31/02	22,967	\$10.34	\$19,789.90	
					\$237,478.78
8/1/02	7/31/03	22,967	\$10.75	\$20,574.60	
					\$246,895.25

and be it,

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480046.4422.101000 (Building and Land Rental), and be it

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

The following resolutions (**340, 342, 344, 347**) that were heldover from the previous regular session were again presented for consideration.

**RESOLUTION NO. 340** by Finance and Public Works Committees, heldover by Mr. Augustini.

**RESOLUTION AUTHORIZING BUDGET NOTE RESOLUTION DATED:  
 RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,098,750 BUDGET  
 NOTES OF THE COUNTY OF BROOME TO PAY THE COST OF THE  
 CONSOLIDATED LOCAL STREET & HIGHWAY IMPROVEMENT  
 PROGRAM (CHIPS) HIGHWAY CAPITAL PROJECTS.**

Mr. Brown moved, seconded by Mr. Warner to **table** this resolution. **Tabled.**

**RESOLUTION NO. 342** by County Administration, Economic Development & Planning and Charter Review Committees, heldover by Mr. Augostini.

**RESOLUTION AUTHORIZING ADOPTING LOCAL LAW INTRO. NO. 8, 1993, ENTITLED "A LOCAL LAW AMENDING THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE IN ACCORDANCE WITH RECOMMENDATIONS OF THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE REVIEW COMMITTEE."**

Mr. Augostini moved, seconded by Mr. Warner the following amendment relating to the placement of gender neutral language throughout the Charter and Code. (Legislative Note: These sections follow Section 32 of the base document as 32.1, 32.2, 32.3, etc.)

**SECTION 32.1.** The first two sentences of paragraph 4 of § C201 of the Broome County Charter are hereby amended to read as follows:

Each County Legislator shall be a resident elector of the district he/she represents at the time of his/her nomination and election throughout his/her term of office. He/she shall also be a resident elector of the district he/she represents if he/she is appointed to fill a vacancy throughout that term of office.

**SECTION 32.2.** § C203(K) of the Broome County Charter is hereby amended to read as follows:

To create and establish the office of deputy or deputies to the head of any department, administrative unit or to any principal executive county officer with power vested in such deputy to act generally for and in place of his/her principal.

**SECTION 32.3.** § C204 of the Broome County Charter is hereby amended to read as follows:

§ C204. [Chairman] Chair of the County Legislature.

The County Legislature shall elect one (1) of its members to be [Chairman] Chair for a term for which the members of the County Legislature were elected.

Said [Chairman] Chair shall have all the powers and perform all the duties prescribed by applicable statutes, local laws or resolutions heretofore and hereafter adopted until the same shall be amended or repealed.

**SECTION 32.4.** The fourth sentence of § C205 of the Broome County

Charter is hereby amended to read as follows:

Such appointee shall be a resident elector of the district he/she represents at the time of his/her appointment and throughout his/her term of office.

**SECTION 32.5.** The first paragraph of § C206 of the Broome County Charter is hereby amended to read as follows:

Except as otherwise provided in this Charter and Administrative Code, the County Executive shall have power, within ten (10) days after its presentation to him/her by the Legislative Clerk, to veto any legislation passed by the County Legislature, except local laws and any such legislation which relates to the internal organization and operation of the County Legislature, and appointments made by the Legislature required by law or by this Charter. A copy of such legislation shall immediately after its passage be separately certified by the Clerk of the County Legislature and filed by the Clerk with the County Executive within five (5) days after its passage. If the County Executive approves it, he/she shall sign it and return it to the Clerk, and the legislation shall thereupon take effect. If he/she vetoes it, he/she shall return it to the Clerk with his/her objections stated, in writing, and the Clerk shall present the same with such objections to the County Legislature at its next regular or special meeting called for that purpose, and such objections shall be entered in its journal. The County Legislature, within forty-five (45) days after its return to the Clerk, may, by a three-fifths vote of the whole number of its members, override such veto. Only one (1) vote shall be had to override such veto, which shall be taken by roll call and entered in the journal. If any of such legislation shall not be returned by the County Executive within ten (10) days after it shall have been presented to him/her, or if it shall be returned within such period without the County Executive's approval or veto, it shall be deemed to be adopted with like effect as if he/she had approved and signed it.

**SECTION 32.6.** The second paragraph of § C301 of the Broome County Charter is hereby amended to read as follows:

An elective County Executive shall be elected at the general election in November 1969 and shall serve for a three-year term. He/she shall thereafter be elected at the general election in November 1972 for a four-year term of office and shall be elected every fourth year thereafter.

**SECTION 32.7.** The fourth paragraph of § C301 of the Broome County Charter is hereby amended to read as follows:

Effective January 1, 1977, the County Executive shall be required to give his/her whole time to the duties of his/her office and shall not engage in the practice of any profession or the conduct of any business, trade, occupation or employment. Nothing contained herein, however, shall preclude the County Executive from receiving income derived from personally held investments or securities, from rentals or from businesses, partnerships or corporations in which he/she may have an interest so long as he/she does not actively participate in the operation or conduct thereof.

**SECTION 32.8.** § C302(B) of the Broome County Charter is hereby amended to read as follows:

(B)Supervise and direct the internal organization and reorganization of each department or other administrative unit the head of which he/she has the power to appoint.

**SECTION 32.9.** § C302(I) of the Broome County Charter is hereby amended to read as follows:

(I)Appoint a member of the County Legislature to serve as [Chairman] Chair of such board for the remainder of the calendar year, in case the County Legislature has failed to select a [Chairman] Chair on or before February 1, or for the unexpired term of the previous [Chairman] Chair, in case the County Legislature has failed to select a [Chairman] Chair within thirty (30) days after a vacancy has occurred in the office of the [Chairman] Chair.

**SECTION 32.10.** § C302(K) of the Broome County Charter is hereby amended to read as follows:

(K)Perform such other duties and have such other powers as may be prescribed for him/her by law.

**SECTION 32.11.** § C302(L) of the Broome County Charter is hereby amended to read as follows:

(L)Have all necessary incidental powers to perform and exercise any of the duties and functions specified above or lawfully delegated to him/her.

**SECTION 32.12.** § C307(B) of the Broome County Charter is hereby amended to read as follows:

(B)Initiate such as the County Executive, the County Legislature or [he himself] the Director may deem necessary, except that any such studies shall have some bearing or relation to county government.

**SECTION 32.13.** The second sentence of § C401 of the Broome County Charter is hereby amended to read as follows:

He/she shall serve for a term of four (4) years, commencing January 1, 1969.

**SECTION 32.14.** § C402(H) of the Broome County Charter is hereby amended to read as follows:

(H)Perform such other and related duties as shall be required or delegated to him/her by the County Executive or County Legislature.

**SECTION 32.15.** § C502(G) of the Broome County Charter is hereby amended to read as follows:

(G)Perform such other and related duties as shall be required or delegated to him/her by the County Executive or County Legislature.

**SECTION 32.16.** The first sentence of § C604 of the Broome County Charter is hereby amended to read as follows:

The County Executive shall also submit with the proposed budget a message explaining the main features of the budget, including, among other things, a general summary thereof with such supporting schedules as he/she may deem desirable, or the County Legislature may by resolution require.



**SECTION 32.17.** The second and third sentences of § C607(B) of the Broome County Charter are hereby amended to read as follows:

If, however, the budget as passed by the County Legislature contains any changes, the same shall be presented by the Clerk of the County Legislature to the County Executive not later than the 15th day of November for his/her examination and consideration. If the County Executive approves all the changes, he/she shall affix his/her signature to a statement thereof and return the budget, together with such statement, to the Clerk of the County Legislature, and the budget, including the changes as part thereof, shall then be deemed to be adopted.

**SECTION 32.18.** § C607(C) of the Broome County Charter is hereby amended to read as follows:

(C)If the budget, with any changes, is not returned by the County Executive to the Clerk of the County Legislature with his/her objections on or before the 19th day of November, it shall be deemed adopted.

**SECTION 32.19.** The first sentence of § C607(D) of the Broome County Charter is hereby amended to read as follows:

If the County Executive objects to any one (1) or more of the changes, he/she shall append to the budget a statement of changes to which he/she objects, setting forth his/her reasons therefor, and shall, not later than the 19th day of November, return the budget with his/her objections to the Clerk of the County Legislature, who shall present the same to the County

Legislature at a meeting to be held not later than the 25th day of November.

**SECTION 32.20.** § C607(E) of the Broome County Charter is hereby amended to read as follows:

(E)If a budget has not been adopted as herein provided on or before the 27th day of November, then the proposed budget as submitted by the County Executive, plus all changes as to which he/she has failed to object, shall be the budget for the ensuing fiscal year.

**SECTION 32.21.** The first sentence of § C610 of the Broome County

Charter is hereby amended to read as follows:

If, at any time during the fiscal year, it appears that the revenues available will be insufficient to meet the amounts appropriated, the County Executive shall report to the County Legislature without delay the estimated amount of the deficit, remedial action taken by him/her and his/her recommendations as to further action.

**SECTION 32.22.** The second sentence of § C702 of the Broome County Charter is hereby amended to read as follows:

In addition thereto, he/she shall perform such other and related duties as shall be required or delegated to him/her by the County Executive or the County Legislature.

**SECTION 32.23.** The second sentence of § C703 of the Broome County Charter is hereby amended to read as follows:

The [Chairman] Chair of the County Legislature shall be a member of this Board.

**SECTION 32.24.** The second sentence of the second paragraph of § C901 of the Broome County Charter is hereby amended to read as follows:

He/she shall be appointed on the basis of his/her administrative experience and his/her qualifications for the duties of the office.

**SECTION 32.25.** The second paragraph of § C1301 of the Broome County Charter is hereby amended to read as follows:

The Commissioner shall be appointed on the basis of his/her administrative experience and his/her qualifications for the duties of the office as prescribed by the Social Services Law and the rules and regulations made pursuant thereto.

**SECTION 32.26.** § C1302(C) of the Broome County Charter is hereby amended to read as follows:

(C)Perform such other and related duties as shall be required of or delegated to him/her by the County Executive or the County Legislature.

**SECTION 32.27.** The first two sentences of § C1403 of the Broome County

Charter are hereby amended to read as follows:

On or before March 1 in each year, the Administrator shall make an annual report for the immediately preceding calendar year covering generally the work of {his} the Department. He/she shall make such other reports at such times as may be required by the County Legislature, County Executive or any other applicable law.

**SECTION 32.28.** The second sentence of § C1502 of the Broome County Charter is hereby amended to read as follows:

He/she shall perform such other and related duties as shall be required or delegated to him/her by the County Executive or County Legislature.

**SECTION 32.29.** The second sentence of the first paragraph of § C1602 of the Broome County Charter is hereby amended to read as follows:

He/she shall serve for a term as provided by the Civil Service Law.

**SECTION 32.30.** The first sentence of the second paragraph of § C1602 of the Broome County Charter is hereby amended to read as follows:

The Personnel Officer shall be appointed on the basis of [his] administrative experience and [his] qualifications for the duties of the office.

**SECTION 32.31.** § C1603 of the Broome County Charter is hereby amended to read as follows:

§ C1603. Powers and duties.

The Personnel Officer shall have, with reference to the civil service of the county, the powers and duties of a County Personnel Officer as provided in the Civil Service Law, and he/she shall be subject to such supervision and control by the State Civil Service Commission as are County Personnel Officers. He/she shall perform such other and related duties as shall be required of or delegated to him/her by the County Executive or the County Legislature.

**SECTION 32.32.** The second sentence of the first paragraph of § C1901 of the Broome County Charter is hereby amended to read as follows:

Three (3) such Board members so appointed shall be members of the Broome County

Legislature, including the [Chairman] Chair of the Public Safety Committee of said County Legislature; nine (9) members so appointed shall be members of the Board of Directors of the Broome County Fireman's Association; and nine (9) members so appointed shall be members of the Board of Directors of the Broome County Fire Chief's Association.

**SECTION 32.33.** The third sentence of the second paragraph of § C1901 of the Broome County Charter is hereby amended to read as follows:

The Fire Advisory Board shall elect annually from among its members a [Chairman] Chair, Vice [Chairman] Chair and Secretary.

**SECTION 32.34.** § C1902(A) of the Broome County Charter is hereby amended to read as follows:

(A)To develop and maintain fire training and mutual aid in cases of fire and other emergencies in which the services of [firemen] firefighters would be used.

**SECTION 32.35.** § C1902(C) of the Broome County Charter is hereby amended to read as follows:

(C)To act as an advisory body to the Broome County Legislature and to the County Fire Coordinator, if any, in connection with the County participation in such programs for fire training and mutual aid and in connection with any county establishment and maintenance of a county fire training school and mutual aid programs in cases of fire and other emergencies in which the services of [firemen] firefighters would be used.

**SECTION 32.36.** § C1902(F) of the Broome County Charter is hereby amended to read as follows:

(F)To perform such other duties as the County Legislature may from time to time prescribe in relation to fire training and mutual aid in case of fire and other emergencies in which the services of [firemen] firefighters would be used.

**SECTION 32.37.** The second paragraph of § C1904 of the Broome County

Charter is hereby amended to read as follows:

The Fire Coordinator shall be a County Officer and the amount of his/her compensation, if any, shall be fixed by the County Legislature.

**SECTION 32.38.** § C1905 of the Broome County Charter is hereby amended to read as follows:

§ C1905. Powers and duties of Fire Coordinator.

The Fire Coordinator shall administer the county programs for fire training and mutual aid in cases of fire and other emergencies in which the services of firefighters would be used. He/she shall act as chief liaison officer between the county government and the fire-fighting forces in the county and the governing boards and bodies thereof and shall perform such other duties as the County Executive or the County Legislature may direct.

**SECTION 32.39.** § C2001 of the Broome County Charter is hereby amended to read as follows:

§ C2001. Department of Records; County Clerk; election; term; qualifications.

There shall be a Department of Records headed by a County Clerk. The election of the County Clerk, together with his/her term of office, shall be as provided in Article XIII of the New York State Constitution. At the time of his/her election and throughout his/her term of office, he/she shall be a qualified elector of the county. Throughout his/her term of office, the County Clerk and his/her deputies shall devote their whole time to the duties of their offices, shall hold no other elective office and shall hold no other public office or be engaged in any employment, business or professional activity with any governmental unit without compliance with § C2610 of the Charter.

**SECTION 32.40.** The first three sentences of § C2101 of the Broome County Charter are hereby amended to read as follows:

There shall be a District Attorney's Office headed by a District Attorney. The election of the District Attorney, together with his/her term of office, shall be as provided in Article XIII of the New York State Constitution and § 400 of the County Law of the State of New York. At the time of his/her election and

throughout his/her term of office, he/she shall be a qualified elector of the county. Throughout his/her term of office, the District Attorney and his/her assistants shall devote their whole time to the duties of their office, shall hold no other elective office and shall hold no other public office or be engaged in any employment, business or professional activity with any governmental unit without compliance with § C2610 of the Charter.

**SECTION 32.41.** Subsection 4 in the third paragraph of § C2201 of the Broome County Charter is hereby amended to read as follows:

4.One (1) representative from the Broome County Legislature, appointed by the [Chairman] Chair.

**SECTION 32.42.** § C2301 of the Broome County Charter is hereby amended to read as follows:

§ C2301. Sheriff; election; term; qualifications.

There shall be an Office of Sheriff headed by a Sheriff. The election of the Sheriff, together with his/her term of office, shall be as provided in Article XIII of the New York State Constitution. At the time of his/her election and throughout his/her term of office, he/she shall be a qualified elector of the County.

Throughout his/her term of office, the Sheriff shall devote his/her whole time to the duties of his/her office and shall hold no other elective office; and the Undersheriff, throughout his/her term of office, shall devote his/her whole time to the duties of his/her office and shall hold no elective office; and neither shall hold any other public office or be engaged in any employment, public or professional activity with any governmental unit without compliance with § C2610 of the Charter.

**SECTION 32.43.** The first sentence of the second paragraph of § C2301-A of the Broome County Charter is hereby amended to read as follows:

In addition to any notices required by law, the Board shall notify the [Chairman] Chair of the Education, Culture and Recreation Committee and the County Executive or his/her designee of its meetings to afford the sponsor the ability to participate in the Trustees' meeting.

**SECTION 32.44.** The first paragraph of § C2410 of the Broome County

Charter is hereby amended to read as follows:

There shall be and there hereby is created a Broome County Ambulance Advisory Board, which Advisory Board shall consist of twenty-eight (28) members, all of whom shall be appointed by the County Executive, subject to confirmation by a majority of the County Legislature. The Advisory Board shall consist of one (1) member from each of the following ambulance units: Binghamton Fire Department EMS, Broome Security Division Med Team, Broome Volunteer Emergency Squad, Castle Creek Fire Company Med Team, Chenango Fire Company Ambulance Squad, Chenango Fire Company Med Team, Chenango Forks Fire Department Med Team, Colesville Volunteer Ambulance Service, Deposit Emergency Squad, East Maine Fire Department First Response Team, Edwin A. Link Field CFR First Response, Harpur's Ferry Student Volunteer Ambulance Service, Lisle Med Team, Maine Fire Department Emergency Squad, Port Crane Fire Department Team, Port Dickinson Fire Department Med Team, Sanitaria Springs Fire Department First Response, Shangri-La Ambulance Services, Inc., Superior Ambulance Service, Inc., Triangle Fire Department First Response Team, Union Volunteer Emergency Squad, Vestal Volunteer Emergency Squad, West Colesville Fire Department Med Team, West Windsor Fire Company Ambulance Squad, Whitney Point Fire Department Emergency Squad, and Windsor Fire Department Emergency Squad, the County Executive or his /her designee, and the [Chairman] Chair of the Public Safety [and Justice] Committee or the Broome County Legislature or his/her designee. Each of the aforesaid squads shall annually recommend an individual from its squad to the County Executive for appointment of the Advisory Board. Members of the Ambulance Advisory Board, except for the [Chairman] Chair of the Public Safety [and Justice] Committee of said County Legislature, shall serve at the pleasure of the County Executive. The members of the Broome County Ambulance Advisory Board shall be county officers and shall serve without compensation, but may, within the limitation of any funds provided for such purpose by the County Legislature, receive reimbursement for the approved reasonable value of expenses incurred in the performance of their appointed duties as members of said Ambulance Advisory Board. The Ambulance Board shall elect annually, from among its members, a [Chairman] Chair, Vice [Chairman] Chair and Secretary.

**SECTION 32.45.** The second sentence of § C2603 of the Broome County Charter is hereby amended to read as follows:

Except as otherwise provided in this Charter, the terms of all county officers whose appointment under this Charter is vested in the County Executive shall terminate on December 31, 1968, provided that any such officer, unless removed, shall continue to serve until his/her successor is appointed and has qualified or until an interim appointment is made.

**SECTION 32.46.** The first sentence of § C2607 of the Broome County Charter is hereby amended to read as follows:

Except as otherwise provided in this Charter, a vacancy in the office of the head of any administrative unit the head of which by virtue of this Charter the County Executive or the County Legislature shall have the power to appoint or remove shall be filled by a person who shall be appointed on the basis of his/her administrative experience and his/her qualifications for the duties of such office by the County Executive, subject to confirmation by the County Legislature.

**SECTION 32.47.** The second sentence of the second paragraph of § C2608 of the Broome County Charter is hereby amended to read as follows:

He/she shall have the power to issue subpoenas requiring witnesses to attend at such investigations for examination in reference to any matter within the scope of said investigation and, in the proper case, to require the production of all books, records, papers and documents material or relevant to such investigations and to administer oaths or affirmations in connection therewith.

**SECTION 32.48.** § C2609 of the Broome County Charter is hereby amended to read as follows:

§ C2609. Officers and employees engaging in other transactions.

No officer or employee of the county or member of the County Legislature shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature which is in substantial conflict with the proper discharge of his/her duties in the public interest.

**SECTION 32.49.** The first sentence of § C2610 of the Broome County



Charter is hereby amended to read as follows:

No officer or employee of the county shall accept employment or engage in any business or professional activity with any other governmental unit, including an elective office, unless prior written consent is given by a [three-man] Board, consisting of the County Executive, the [Chairman] Chair of the County Legislature and the Personnel Officer.

**SECTION 32.50.** The first two sentences of subdivision D of § A201 of the Administrative Code are hereby amended to read as follows:

Each County Legislator shall be a resident elector of the district he/she represents at the time of his/her nomination, his/her election and throughout his/her term of office. He/she shall also be a resident elector of the district he/she represents if he/she is appointed to fill a vacancy throughout her/her term of office.

**SECTION 32.51.** § A204 of the Administrative Code is hereby amended to read as follows:

§ A204. [Chairman] Chair of the County Legislature.

The County Legislature shall elect one (1) of its members to be [Chairman] Chair for a term for which the members of the County Legislature were elected. The [Chairman] Chair shall have all the powers and perform all the duties prescribed by the Charter, applicable statutes, local laws or resolutions not inconsistent with the Charter heretofore or hereafter adopted.

**SECTION 32.52.** The third sentence of § A205 of the Administrative Code is hereby amended to read as follows:

The Clerk may, when such positions are authorized by the County Legislature, and within the budgetary appropriation provided therefor, appoint to serve at his/her pleasure such deputies as he/she may deem necessary for the performance of his/her duties.

**SECTION 32.53.** The last sentence of § A206 of the Administrative Code is

hereby amended to read as follows:

Such appointee shall be a resident elector of the district he/she represents at the time of his/her appointment and throughout his/her term of office.

**SECTION 32.54.** The first sentence of § A207 of the Administrative Code is hereby amended to read as follows:

Except as otherwise provided in the Charter and Code, the County Executive shall have power, within ten (10) days after its presentation to him/her by the Legislative Clerk, to veto any legislation passed by the County Legislature, except local laws and any legislation which relates to the internal organization and operation of the County Legislature, and appointments made by the Legislature required by law or by the Charter.

**SECTION 32.55.** The third, fourth and fifth sentences of § A207 of the Administrative Code are hereby amended to read as follows:

Except as otherwise provided in the Charter and Code, the County Executive shall have the power, within ten (10) days after presentation to him/her, to veto any such legislation, except local laws and any legislation which relates to the internal organization and operation of the County Legislature, and appointments made by the Legislature required by law or by the Charter. If the County Executive approves it, he/she shall sign it and return it to the Clerk. If he/she vetoes it, he/she shall return it to the Clerk with his/her objections stated in writing, and the Clerk shall present the same with such objections to the County Legislature at its next regular or special meeting called for that purpose, and such objections shall be entered in its journal.

**SECTION 32.56.** The seventh and eighth sentences of § A207 of the Administrative Code are hereby amended to read as follows:

Only one (1) vote shall be had to override such veto, which shall be taken by roll call and entered in the journal. If any of such legislation shall not be returned by the County Executive within ten (10) days after it shall have been presented to him/her, or if it shall be returned within such period without the County Executive's approval or veto, it shall be deemed to be adopted with like effect as if he/she had approved and signed it.

**SECTION 32.57.** The first sentence of § A214 of the Administrative Code is hereby amended to read as follows:

The [Chairman] Chair of the County Legislature shall have the power to designate and authorize any member, officer or employee of the Legislative Branch to attend an official or unofficial convention, conference or school for the betterment of county government.

**SECTION 32.58.** The third and fourth sentences of the third paragraph of § A 301 of the Administrative Code are hereby amended to read as follows:

The County Executive shall be required to give his/her whole time to the duties of his/her office and shall not engage in the practice of any profession or the conduct of any business, trade, occupation or employment. Nothing contained herein, however, shall preclude the County Executive from receiving income derived from personally held investments or securities from rentals and from businesses, partnerships or corporations in which he/she may have an interest, so long as he/she does not actively participate in the operation or conduct thereof.

**SECTION 32.59.** § A 302(B) of the Administrative Code is hereby amended to read as follows:

(B)Supervise and direct the internal organization and reorganization of any administrative unit the head of which he/she has the power to appoint, which supervision and direction may include the organization and reorganization of any such administrative unit into divisions, bureaus, sections or other subordinate parts, and make such assignments of powers and duties among them as he/she may consider advisable.

**SECTION 32.60.** The second sentence of § A302(D) of the Administrative Code is hereby amended to read as follows:

On or before the first day of November in each year, after reviewing the proposed county tax equalization rates submitted to him/her by the Commissioner of

Finance, and after obtaining such additional information or holding such hearings thereon as he/she may deem necessary or advisable, the County Executive shall file said rates, together with an abstract of evidence upon which the rates are based, with the County Legislature.

**SECTION 32.61.** § A302(F) of the Administrative Code is hereby amended to read as follows:

(F)File an annual report to the County Legislature required by § C302(H) of Article III of the Charter; present to the County Legislature, from time to time, pertinent information concerning the affairs of county government as he/she may deem necessary, or the County Legislature by resolution may require; and recommend, from time to time, such measures in connection with the affairs of county government as he/she shall deem necessary.

**SECTION 32.62.** § A302(M) of the Administrative Code is hereby amended to read as follows:

(M)Appoint a member of the County Legislature to serve as [Chairman] Chair of such Legislature:

(1)For the remainder of the calendar year, in case the County Legislature has failed to select a [Chairman] Chair on or before February 1;

(2)For the unexpired term of the previous [Chairman] Chair, in case the County Legislature has failed to select a [Chairman] Chair within thirty (30) days after a vacancy has occurred in the office of the [Chairman] Chair.

**SECTION 32.63.** § A302(P) of the Administrative Code is hereby amended to read as follows:

(P)Perform such other duties and have such other powers as may be prescribed for him/her by law.

**SECTION 32.64.** The first two sentences of § A309(D) of the Administrative Code is hereby amended to read as follows:

Unless otherwise provided by the Charter or Code, each administrative head shall appoint his/her deputies, officers and employees in his/her administrative unit as may be authorized by the County Legislature and within the appropriations provided therefor. He/she shall designate, in writing, the relative rank of the deputies, including the order of temporary succession to the duties of the administrative head during absence or disability, and delegate among them such of his/her powers and duties as he/she may determine.

**SECTION 32.65.** The first two sentences of § A309(F) of the Administrative Code are hereby amended to read as follows:

The County Executive may remove an administrative head, officer or employee appointed by him/her to serve at his/her pleasure by written notice of his/her removal and the effective date thereof. The notice may be served on the administrative head, officer or employee personally or by registered mail sent to his/her last known address.

**SECTION 32.66.** The first two sentences of § A302-A(B)(11) of the Administrative Code are hereby amended to read as follows:

Maintain a written inventory of all county property. On or before July 15 in each year, and as often as the Commissioner may direct, the head of each administrative unit or authorized agent shall furnish the Commissioner, using the procedure and method prescribed by the Comptroller, a written certified inventory of county property used in his/her administrative unit or agency, showing a complete inventory as of July 1 immediately preceding.

**SECTION 32.67.** The third sentence of § A401 of the Administrative Code is hereby amended to read as follows:

The qualifications of the Comptroller shall be as follows: he/she shall be graduated from an approved four-year college course with a major in accounting and four (4) years of experience in responsible accounting or auditing work, or graduated from an approved two-year college course with a major in accounting and eight (8) years of experience in responsible accounting or auditing work.

**SECTION 32.68.** The first three sentences of § A402(B) of the Administrative Code are hereby amended to read as follows:

The Comptroller shall approve and certify all payrolls for salaries and compensation of all county employees and officers; he/she shall furnish a certified transcript of said payrolls, as approved, to the Commissioner of Finance. All original payrolls shall be filed with the Comptroller. Before the payrolls are presented to the Comptroller, they shall be certified, in writing, by the head of the appropriate administrative unit or his/her deputy to the effect that each person named therein was properly appointed to the position set forth therein and that the salary or compensation stated in such payroll is true and correct.

**SECTION 32.69.** § A402(F) of the Administrative Code is hereby amended to read as follows:

The Comptroller shall prepare and submit to the Director of Budget and Research, annually on such date and on such forms as the Director shall designate and prescribe, the information required by the Director to assist him/her in the preparation of the proposed budget and capital program.

**SECTION 32.70.** Subdivisions (2) and (3) of § A402(G) of the Administrative Code are hereby amended to read as follows:

(2) Audit and review the records of the Commissioner of Finance with respect to all moneys and funds of whatever name or nature received and disbursed by the Commissioner of Finance, and for that purpose he/she shall procure, daily, statements from the Commissioner of Finance showing funds and moneys so received and disbursed in such form as the Comptroller shall direct.

(3) Keep books or records which are necessary to record all accounts, claims and demands against the county presented to him/her for audit and the action taken by him/her on each. He/she shall keep separate appropriation accounts for each administrative unit. He/she shall also keep books and records which may be necessary to carry out the system of accounting prescribed by law and not inconsistent with the Charter or this Code.

**SECTION 32.71.** Subdivision (6) of § A402(G) of the Administrative Code is hereby amended to read as follows:

(6)Procure from the Commissioner of General Services at least annually a certified copy of the inventory maintained by such Commissioner or his/her Deputy pursuant to § A302-A(B)(1) of this Code and, in accordance with good accounting practices, periodically verify the accuracy of the same. The certified copy of such inventory and the record of action taken by the Comptroller to determine and certify the same as prescribed herein shall be maintained as a permanent record of his/her Department. He/she shall prescribe the procedure and method for the making of inventories by the head of each administrative unit and by the Department of General Services, and a copy of such procedure shall be filed with the Legislative Clerk.

**SECTION 32.72.** The first sentence of § A405 of the Administrative Code is hereby amended to read as follows:

The Comptroller and such of his/her Deputies, officers and employees as may be required by the County Legislature shall furnish a surety bond to the county in a sum fixed by the County Legislature, conditioned for the faithful performance of his/her duties.

**SECTION 32.73.** The third sentence of § A501 of the Administrative Code is hereby amended to read as follows:

The qualifications of the Commissioner shall be as follows: he/she shall be graduated from an approved four-year college course with a business-related degree or major, or graduated from high school with six (6) years of experience in a managerial position in business or government dealing with the control of substantial sums of money, or the equivalent of any combination of experience and training.

**SECTION 32.74.** The eighth sentence of § A505(C) of the Administrative Code is hereby amended to read as follows:

Whenever in the judgment of the Commissioner of Finance it appears that additional facilities for the safeguarding of the securities deposited with him/her are essential, he/she may lease or rent a safe-deposit box, and the cost thereof shall be audited and paid as a county charge.

**SECTION 32.75.** The second sentence of § A507 of the Administrative Code is hereby amended to read as follows:

No check shall be executed by him/her for the payment of any claim against or obligation of the county unless the check states the funds against which it is drawn and the appropriation account chargeable therewith.

**SECTION 32.76.** The first sentence of § A508 of the Administrative Code is hereby amended to read as follows:

The Commissioner of Finance and such of his/her deputies, officers and employees as the County Legislature shall require shall each give a surety bond to the county in a sum fixed by the County Legislature conditioned for the faithful performance of his/her duties.

**SECTION 32.77.** The second sentence of § A602(A) of the Administrative Code is hereby amended to read as follows:

On or before March 15 of each year, or such earlier date as the Director of Budget and Research may prescribe, and upon receipt of at least fifteen (15) days' written notice of the Director, the administrative heads shall furnish to the Commissioner of Planning a description, justification and estimate for each project in the capital program which he/she proposes for development during one (1) or more of the ensuing six (6) fiscal years.

**SECTION 32.78.** The second sentence of § A602(B) of the Administrative Code is hereby amended to read as follows:

To assist in the consideration of capital projects and capital program, there shall be a Capital Program Advisory Committee consisting of the County Executive, the Director of Budget and Research, the Commissioner of Finance, the Commissioner of Planning, the Commissioner of Public Works and such other administrative heads as the County Executive may designate and the following members of the County Legislature: the [Chairman] Chair, the [Chairman] Chair of the Finance Committee and the [Chairman] Chair of the Public Works Committee.

**SECTION 32.79.** The fourth sentence of § A602(B) of the Administrative Code is hereby amended to read as follows:



The County Executive shall be the [Chairman] Chair and the Director of Budget and Research shall be the Vice [Chairman] Chair of the Committee.

**SECTION 32.80.** The second and third sentences of § A602(C) of the Administrative Code are hereby amended to read as follows:

His/her review shall include consideration of comprehensive plans for the county and for any affected municipality therein. On or before July 1, the Commissioner shall forward his/her comments and recommendations regarding each proposed capital project to the Director of Budget and Research.

**SECTION 32.81.** The fifth sentence of § A602(C) of the Administrative Code is hereby amended to read as follows:

The Director shall submit his/her own comments and recommendations to the Capital Program Advisory Committee on or before August 15.

**SECTION 32.82.** The first sentence of § A603(A) of the Administrative Code is hereby amended to read as follows:

On or before July 15, or such earlier date as the Director of Budget and Research may prescribe, the administrative head or authorized agency receiving county funds pursuant to contract or otherwise during the current fiscal year, or any other authorized agency applying for county funds, shall furnish to the Director an estimation of revenues and expenditures of his/her respective administrative unit or authorized agency for the ensuing fiscal year, exclusive of any capital projects.

**SECTION 32.83.** The introductory clause of the second sentence of § A604(E) of the Administrative Code is hereby amended to read as follows:

He/she shall, after making such changes as he/she may deem advisable, arrange it so as to set forth clearly:

**SECTION 32.84.** The third sentence of § A701 of the Administrative Code is hereby amended to read as follows:

The method of choosing the Commissioner or the Director, as well as his/her

qualifications, shall be provided in § C701 of Article VII of the Charter.

**SECTION 32.85.** The second and third sentences of § A702 of the Administrative Code are hereby amended to read as follows:

He/she shall have and exercise all the powers and duties and shall be subject to all the obligations and liabilities heretofore or hereafter lawfully granted or imposed by the Charter, Code, local law, ordinance or resolution of the County Legislature, order or direction of the County Executive or any applicable provision of any act of the State Legislature not inconsistent with the Charter and Code. In addition thereto, he/she shall perform such other and related duties as shall be required or delegated to him/her by the County Executive or County Legislature. On or before March 1 in each year, the Commissioner or Director of Health shall make an annual report for the immediately preceding calendar year covering generally the work of his/her Department.

**SECTION 32.86.** The first sentence of the first paragraph of § A703 of the Administrative Code is hereby amended to read as follows:

There shall be a Health Advisory Board, consisting of the [Chairman] Chair of the County Legislature, the [Chairman] Chair of the Public Health Committee of the County Legislature and nine (9) other members, all of whom shall be residents of Broome County, and three (3) of whom shall be physicians duly licensed to practice in the State of New York.

**SECTION 32.87.** The first sentence of the second paragraph of § A703 of the Administrative Code is hereby amended to read as follows:

Except for the [Chairman] Chair of the County Legislature and the [Chairman] Chair of the Public Health Committee, members of the Health Advisory Board shall be appointed by the County Executive and subject to confirmation by the County Legislature for a term of four (4) years, except that of those first appointed, three (3) for two-year terms; three (3) three-year terms and three (3) for four-year terms.

**SECTION 32.88.** The third sentence of the second paragraph of § A703 of the Administrative Code is hereby amended to read as follows:

Whenever a vacancy occurs by expiration of term, a member may continue his/her office for a period not to exceed sixty (60) days unless an appointment is made thereto.

**SECTION 32.89.** The first sentence of the third paragraph of § A703 of the Administrative Code is hereby amended to read as follows:

The Health Advisory Board shall elect each year, on or before the 15th of January, a [Chairman] Chair, Vice [Chairman] Chair and Secretary.

**SECTION 32.90.** The first sentence of § A706 of the Administrative Code is hereby amended to read as follows:

The Commissioner or Director of Health may, when such positions are authorized by the County Legislature, and within the budgetary appropriations provided therefor, appoint to serve at his/her pleasure such Deputies as he/she may deem necessary for the performance of his/her duties and to fulfill the purposes of Article III of the Public Health Law in the County or Part-County Health District.

**SECTION 32.91.** The second sentence of § A901 of the Administrative Code is hereby amended to read as follows:

The method of choosing the Commissioner as well as his/her qualifications shall be as provided for in § C901 of Article IX of the Charter.

**SECTION 32.92.** § A902(A) of the Administrative Code is hereby amended to read as follows:

(A)Have sole charge of the administration of his/her Department, subject to any applicable rules and regulations that may be adopted by the County Legislature.

**SECTION 32.93.** The first sentence of § A902(C) of the Administrative Code is hereby amended to read as follows:

Within the appropriations provided therefor, and when authorized by the County Legislature, employ such special engineering, architectural or other technical assistance and incur such expenses as may be necessary for the performance of any of his/her duties.

**SECTION 32.94.** The first sentence of § A903 of the Administrative Code is hereby amended to read as follows:

On or before March 1 in each year, the Commissioner of Public Works shall make an annual report for the immediately preceding calendar year, covering

generally the work of his/her Department.

**SECTION 32.95.** The first sentence of § A904(A) of the Administrative Code is hereby amended to read as follows:

Division of Highways. The Division of Highways shall be headed by a Deputy Commissioner, who shall possess the administrative and highway engineering experience and qualifications for the duties of his/her office.

**SECTION 32.96.** The third sentence of § A904(A) of the Administrative Code is hereby amended to read as follows:

He/she shall have such other duties as may be prescribed by local law, ordinance or resolution of the County Legislature or by direction of the Commissioner of Public Works.

**SECTION 32.97.** The second paragraph of § A904(A) of the Administrative Code is hereby amended to read as follows:

The provisions of the Highway Law shall apply to and define the powers, duties, obligations and liabilities of the Commissioner of Public Works or of his/her designated Deputy when exercising any of the powers or performing any of the duties of a County Superintendent of Highways.

**SECTION 32.98.** The first paragraph of § A904(B) of the Administrative Code is hereby amended to read as follows:

(B)Division of Buildings and Grounds. The Division of Buildings and Grounds shall be headed by a Deputy Commissioner, who shall be appointed on the basis of his/her administrative experience and his/her qualifications for the duties of his/her office.

**SECTION 32.99.** The second sentence of the third paragraph of § A904(B) of the Administrative Code is hereby amended to read as follows:

He/she may make such rules and regulations governing such employees as he/she shall deem proper, subject to the approval of the Commissioner of Public Works.

**SECTION 32.100.** The first sentence of § A904(C) of the Administrative Code is hereby amended to read as follows:

The Division of Engineering shall be headed by a Deputy Commissioner, who shall be appointed on the basis of his/her administrative experience and his/her

qualifications for the duties of his/her office. He/she shall be licensed by the State of New York to practice professional engineering.

**SECTION 32.101.** The first sentence of the second paragraph of § A906 of the Administrative Code is hereby amended to read as follows:

The Commissioner of Public Works may delegate to one (1) or more of his/her Deputies specific powers and duties, including those which he/she has as County Engineer or as County Superintendent of Highways, and may revoke such delegations.

**SECTION 32.102.** The third sentence of § A1001 of the Administrative Code is hereby amended to read as follows:

The qualifications of the Commissioner of Public Transportation shall be as follows:

He/she shall have graduated from a regionally accredited or New York State registered college or university with a bachelor's degree in the field of transportation systems or business administration and have had five (5) years of supervisory or administrative experience in these fields; graduated from a regionally accredited or New York State registered college or university with a master's degree in the field of transportation systems or business administration and have had three (3) years of supervisory or administrative experience in these fields; or any equivalent combination of training and experience.

**SECTION 32.103.** The first sentence of § A1003 of the Administrative Code is hereby amended to read as follows:

On or before March 1 in each year, the Commissioner of Public Transportation shall make an annual report for the immediately preceding calendar year, covering generally the work of his/her Department.

**SECTION 32.104.** The third sentence of § A1001-A of the Administrative Code is hereby amended to read as follows:

The qualifications of the Commissioner of Aviation shall be as follows: He/she shall have at least two (2) years' experience as director of an airport operation; or five (5) years' experience as assistant director; or equivalent combination of the two; and such other additional qualifications as may be prescribed by the County Legislature.

**SECTION 32.105.** The first sentence of § A1003-A of the Administrative Code is hereby amended to read as follows:

On or before March 1 of each year, the Commissioner of Aviation shall make an annual report for the immediately preceding calendar year, covering generally the work of his/her Department.

**SECTION 32.106.** The first sentence of § A1103 of the Administrative Code is hereby amended to read as follows:

On or before March 1 in each year, the Commissioner of Parks and Recreation shall make an annual report for the immediately preceding calendar year, covering generally the work of his/her Department.

**SECTION 32.107.** The fourth sentence of the second paragraph of § A1203 of the Administrative Code is hereby amended to read as follows:

The successful bidder must give security for the faithful performance of his/her contract, the adequacy and sufficiency of which shall be approved by the Board of Acquisition and Contract.

**SECTION 32.108.** The second sentence of the first paragraph of § A1301 of the Administrative Code is hereby amended to read as follows:

The method of choosing the Commissioner and his/her term of office shall be as provided in § C1301 of Article XIII of the Charter.

**SECTION 32.109.** The second paragraph of § A1301 of the Administrative Code is hereby amended to read as follows:

The Commissioner shall be appointed on the basis of his/her administrative experience and his/her qualifications for the duties of the office as prescribed by the Social Services Law and the rules and regulations made pursuant thereto.

**SECTION 32.110.** The first sentence of § A1303 of the Administrative Code is hereby amended to read as follows:

On or before March 1 in each, the Commissioner of Social Services shall make an annual report for the immediately preceding calendar year, covering generally the work of his/her Department.

**SECTION 32.111.** The first paragraph of § A1304 of the Administrative Code is hereby amended to read as follows:

The Commissioner of Social Services may, when such positions are authorized

by the County Legislature, and within the budgetary appropriations provided therefor, appoint to serve at his/her pleasure such Deputies as he/she may deem necessary for the performance of his/her duties.

**SECTION 32.112.** The first three sentences of § A1306 of the Administrative Code are hereby amended to read as follows:

All moneys to which the Social Service District may be entitled under and by virtue of the laws of the State of New York or which the Commissioner may receive for services performed by [his] the Department shall belong to said district and be collected by such Commissioner, accounted for and paid over to the Commissioner of Finance by a written statement within ten (10) days after the expiration of each month. Each monthly statement shall have attached thereto a certification by said Commissioner to the effect that the same is in all respects a full and true statement of all such moneys received by him/her for the preceding month. At the time of rendering any such statement, the Commissioner shall pay to the Commissioner of Finance all moneys received by him/her since the last preceding monthly statement.

**SECTION 32.113.** § A1403 of the Administrative Code is hereby amended to read as follows:

§ A1403. Reports.

On or before March 1 in each year, the Administrator shall make an annual report for the immediately preceding calendar year, covering generally the work of his/her office. He/she shall make such other reports at such times as may be required by the County Legislature, County Executive or any other applicable law. Copies of all reports shall be filed with the Clerk of the County Legislature and the County Executive.

**SECTION 32.114.** The first sentence of the third paragraph of § A1404 of the Administrative Code is hereby amended to read as follows:

The Board shall elect each year a [Chairman] Chair, Vice [Chairman] Chair and Secretary.

**SECTION 32.115.** The fourth sentence of the third paragraph of § A1404 of the Administrative Code is hereby amended to read as follows:

The Board shall also hold special meetings upon the call of the [Chairman] Chair, the County Executive or the Nursing Homes Administrator or upon written request of three (3) Board members.

**SECTION 32.116.** The first sentence of the fourth paragraph of § A1404 of the Administrative Code is hereby amended to read as follows:

The [Chairman] Chair shall appoint all Committees with the approval of the Board, as needed, at the request of the County Executive or the Board.

**SECTION 32.117.** The first sentence of § A1503 of the Administrative Code is hereby amended to read as follows:

On or before March 1 of each year, the Commissioner of Planning and Economic Development shall make an annual report for the immediately preceding calendar year, covering generally the work of his/her Department.

**SECTION 32.118.** The first three sentences of § A1505 of the Administrative Code are hereby amended to read as follows:

All moneys to which the county may be entitled under and by virtue of the laws of the State of New York or which the Commissioner of Planning and Economic Development may receive for services or sale of work performed by his/her Department shall belong to the county and be collected by such Commissioner, accounted for and paid over to the Commissioner of Finance by a written statement within five (5) days after the expiration of each month. Each monthly statement shall have attached thereto a certification by the Commissioner of Planning and Economic Development to the effect that the same is in all respects a full and true statement of all moneys received by him/her for the preceding month. At the time of rendering any such statement, the Commissioner of Planning and Economic Development shall pay to the Commissioner of Finance all moneys received by him/her since the last preceding monthly statement.

**SECTION 32.119.** The third sentence of § A1601 of the Administrative Code is hereby amended to read as follows:

Throughout his/her term of office, the Personnel Officer shall devote his/her whole



time to the duties of his/her office, shall hold no elective office and shall hold no other public office or be engaged in any employment, business or professional activity with any governmental unit without compliance with § C2610.

**SECTION 32.120.** The first sentence of § A1603 of the Administrative Code is hereby amended to read as follows:

On or before March 1 of each year, the Personnel Officer shall make an annual report for the immediately preceding calendar year, covering generally the work of his/her Department.

**SECTION 32.121.** The fourth sentence of § A1701 of the Administrative Code is hereby amended to read as follows:

Throughout his/her term of office, the County Attorney and the Assistant and Deputy County Attorneys shall devote their whole time to the duties of their offices, shall hold no elective office and shall hold no other public office or be engaged in any employment or business or engage in professional activity with any governmental unit outside Broome County without compliance with § C2610 of the Charter.

**SECTION 32.122.** § A1702 of the Administrative Code is hereby amended to read as follows:

§ A1702. Powers and duties.

The County Attorney shall be the sole legal advisor for the county, subject to the provisions of § C203(0) of the Charter and to any applicable rules and regulations that may be adopted by the County Legislature. He/she may, upon the request of the governing body of any city, town, village, school district or special district, and with the approval of the County Legislature, act as the legal advisor. He/she shall have and exercise all the powers and duties heretofore or hereafter lawfully granted or imposed by the Charter, this Code, local law, ordinance or resolution of the County Legislature, order or direction of the County Executive or by

any applicable provision of any act of the State Legislature not inconsistent with the Charter or this Code.

**SECTION 32.123.** The first two sentences of § A1703 of the Administrative Code are hereby amended to read as follows:

On or before March 1 of each year, the County Attorney shall make an annual report for the immediately preceding calendar year, covering generally the work of his/her office. He/she shall make such other reports as such times as may be required by the County Legislature, County Executive or any other applicable law.

**SECTION 32.124.** The introductory clause of § A1803 of the Administrative Code is hereby amended to read as follows:

A Coroner has jurisdiction and authority to investigate the death of every person dying within [his] the County, or whose body is found within the county, which is or appears to be:

**SECTION 32.125.** The first and second sentences of § A8104 of the Administrative Code are hereby amended to read as follows:

On or before March 1 in each year, each Coroner shall make an annual report for the immediately preceding calendar year covering generally the work of his/her office. He/she shall make such other reports at such times as may be required by the County Legislature, County Executive or any other applicable law.

**SECTION 32.126.** § A1805(B) of the Administrative Code is hereby amended to read as follows:

(B) Upon the delivery of money to the Commissioner of Finance, he/she must place it to the credit of the county. If other property is delivered to him/her, he/she must, within one (1) year, sell it at public auction upon reasonable public notice and must, in like manner, place the proceeds to the credit of the county.

**SECTION 32.127.** § A1805 (D) of the Administrative Code is hereby amended to read as follows:

(D)Before auditing and allowing the account of the Coroner, the County Legislature must require from him/her a statement, in writing, of any money or other property found upon persons whose deaths he/she has investigated verified by his/her oath to the effect that the statement is true and that the money or property mentioned in it has been delivered to the legal representatives of the deceased or to the Commissioner of Finance.

**SECTION 32.128.** The second sentence of § A1901 of the Administrative Code is hereby amended to read as follows:

Three (3) such Board members so appointed shall be members of the Broome County Legislature, including the [Chairman] Chair of the Public Safety Committee of said County Legislature, nine (9) members so appointed shall be members of the Board of Directors of the Broome County Fireman's Association, and nine (9) members so appointed shall be members of the Board of Directors of the Broome County Fire Chiefs Association.

**SECTION 32.129.** The fourth sentence of § A1901 of the Administrative Code is hereby amended to read as follows:

The Fire Advisory Board shall elect annually from among its members a [Chairman] Chair, Vice [Chairman] Chair and Secretary.

**SECTION 32.130.** § A1902(A) of the Administrative Code is hereby amended to read as follows:

(A)To develop and maintain fire training and mutual aid in cases of fire and other emergencies in which the services of [firemen] firefighters would be used.

**SECTION 32.131.** § A1902(F) of the Administrative Code is hereby amended to read as follows:

(F)To perform such other duties as the County Executive or the County Legislature may from time to time prescribe in relation to fire training and mutual aid in case of fire and other emergencies in which the services of [firemen] firefighters would be used.

**SECTION 32.132.** The second paragraph of § A1904 of the Administrative Code is hereby amended to read as follows:

The Fire Coordinator shall be a county officer, and the amount of his/her compensation, if any, shall be fixed by the County Legislature.

**SECTION 32.133.** The second sentence of § A1905 of the Administrative Code is hereby amended to read as follows:

He/she shall act as Chief Liaison Officer between the county government and the fire-fighting forces in the county and the governing boards and bodies thereof and shall perform such other duties as the County Executive or the County Legislature may direct.

**SECTION 32.134.** The second sentence of § A2001 of the Administrative Code is hereby amended to read as follows:

The election of the County Clerk, together with his/her term of office, shall be as provided in Article XIII of the New York State Constitution.

**SECTION 32.135.** The second paragraph of § A2001 of the Administrative Code is hereby amended to read as follows:

At the time of his/her election and throughout his/her term of office, he/she shall be a qualified elector of the county. Throughout his/her term of office, the County Clerk and his/her Deputies shall devote their whole time to the duties of their offices, shall hold no other elective office and shall hold no other public office or be engaged in any employment, business or professional activity with any governmental unit without compliance with § C2610 of the Charter.

**SECTION 32.136.** The first sentence of § A2003 of the Administrative Code is hereby amended to read as follows:

On or before March 1 in each year, the County Clerk shall make an annual report for the immediately preceding calendar year, covering generally the work of his/her Department.

**SECTION 32.137.** § A2005 of the Administrative Code is hereby amended to

read as follows:

§ A2005. Accounting for fees.

All moneys to which the county may be entitled under and by virtue of the laws of the State of New York, or which the County Clerk may receive for services performed by his/her Department, shall belong to the county and be collected by such Clerk, accounted for and paid over to the Commissioner of Finance by a written statement within five (5) days after the expiration of each month. Each monthly statement shall have attached thereto a certification by said County Clerk to the effect that the same is in all respects a full and true statement of all moneys received by him/her for the preceding month. At the time of rendering any such statement, the County Clerk shall pay to the Commissioner of Finance all moneys received by him/her since the last preceding monthly statement. Other funds or fees received or collected by the County Clerk shall be paid over and reported to the Commissioner of Finance as above provided, except where otherwise specifically prescribed by statute.

**SECTION 32.138.** The first sentence of § A2006 of the Administrative Code is hereby amended to read as follows:

The County Clerk and such of his/her Deputies, assistants, officers and employees as the County Legislature shall require shall each give a surety bond to the county in a sum fixed by the County Legislature conditioned for the faithful performance of his/her duties.

**SECTION 32.139.** The first three sentences of § A2101 of the Administrative Code are hereby amended to read as follows:

There shall be a District Attorney's Office headed by a District Attorney. The election of the District Attorney, together with his/her term of office, shall be as provided in Article XIII of the New York State Constitution and § 400 of the County Law of the State of New York. At the time of his/her election and throughout his/her term of office, he/she shall be a qualified elector of the county. Throughout his/her term of office, the District Attorney and his/her Assistants shall devote their whole time to the duties of their office, shall hold no other elective office and shall hold no other public office or be engaged in any employment, business or professional activity with any government unit without compliance with § 2610 of the Charter.

**SECTION 32.140.** The first sentence of § A2103 of the Administrative Code is hereby amended to read as follows:

On or before March 1 in each year, the District Attorney shall make an annual report for the immediate preceding calendar year, covering generally the work of [his] the office.

**SECTION 32.141.** The third sentence of the first paragraph of § A2201 of the Administrative Code is hereby amended to read as follows:

He/she shall be duly admitted to the practice of law in the State of New York.

**SECTION 32.142.** The first sentence of the second paragraph of § A2201 of the Administrative Code is hereby amended to read as follows:

Throughout his/her term of office, the Public Defender and his/her Assistants shall devote their whole time to the duties of their office, shall hold no elective office and shall hold no other public office or be engaged in any employment, business or professional activity with any government unit without compliance with § C2610 of the Charter.

**SECTION 32.143.** The first sentence of § A2203 of the Administrative Code is hereby amended to read as follows:

On or before October 1 in each year, the Public Defender shall make an annual report for the immediately preceding period of July 1 to June 30, covering generally the work of [his] the office.

**SECTION 32.144.** The second and third sentences of the first paragraph of § A2301 of the Administrative Code are hereby amended to read as follows:

The election of the Sheriff, together with his/her term of office, shall be as provided in Article XIII of the New York State Constitution. At the time of his/her election and throughout his/her term of office, he shall be a qualified elector of the county.

**SECTION 32.145.** The second paragraph of § A2301 of the Administrative

Code is hereby amended to read as follows:

Throughout his/her term of office, the Sheriff shall devote his/her whole time to the duties of his/her office and shall hold no other elective office, and the Undersheriff, throughout his/her term of office, shall devote his/her whole time to the duties of his/her office and shall hold no elective office, and neither shall hold any other public office or be engaged in any employment, public or professional activity with any governmental unit without compliance with § C2610 of the Charter.

**SECTION 32.146.** The first sentence of § A2303 of the Administrative Code is hereby amended to read as follows:

On or before March 1 of each year, the Sheriff shall make an annual report for the immediately preceding calendar year, covering generally the work of [his] the office.

**SECTION 32.147.** § A2305 of the Administrative Code is hereby amended to read as follows:

§ A2305. Disbursements.

Whenever the Sheriff is required by law to transport a prisoner or any other person and the cost of the transportation is made a county charge by law, the Sheriff or Deputy Sheriff shall, within the appropriations provided therefor, be entitled to his/her necessary and actual disbursement incurred for travel, lodging and food.

**SECTION 32.148.** The first three sentences of § A2307 of the Administrative Code are hereby amended to read as follows:

All money to which the county may be entitled under and by virtue of the laws of the State of New York or which the Sheriff may receive for services performed by his/her office shall belong to the county and be collected by the Sheriff, accounted for and paid over to the Commissioner of Finance by a written statement within five (5) days after the expiration of each month. Each monthly statement shall have attached thereto a certification by the Sheriff to the effect that the same is in all respects a full and true statement of all such moneys received by him/her for the preceding month. At the time of the rendering of any such statement, the Sheriff shall pay to the Commissioner of Finance all moneys received by him/her since the last preceding monthly statement.

**SECTION 32.149.** The first sentence of § A2308 of the Administrative Code

is hereby amended to read as follows:

The Sheriff, Undersheriff and such of his/her deputies, officers and employees as the County Legislature shall require shall each give a surety bond to the county in a sum fixed by the County Legislature conditioned for the faithful performance of his/her duties.

**SECTION 32.150.** The first sentence of the second paragraph of § A2301-A of the Administrative Code is hereby amended to read as follows:

In addition to any notices required by law, the Board shall notify the [Chairman] Chair of the Education, Culture and Recreation Committee and the County Executive or his/her designee of its meetings to afford the sponsor the ability to participate in the Trustees' meeting.

**SECTION 32.151.** The third sentence of subdivision 5(b) of § A2303-A of the Administrative Code is hereby amended to read as follows:

If the County Executive approves all changes, he or she shall affix his or her signature to a statement thereof and return the college budget together with such statement to the Clerk of the County Legislature, and the budget, including the changes as part thereof, shall be deemed to be adopted.

**SECTION 32.152.** Subdivision 5(c) of § A2303-A of the Administrative Code is hereby amended to read as follows:

(c)If the budget, with any changes, is not returned by the County Executive to the Clerk of the County Legislature with his or her objections on or before the fifth day of August, it shall be deemed adopted with the changes.

**SECTION 32.153.** The first sentence of subdivision 5(d) of § A2303-A of the Administrative Code is hereby amended to read as follows:

If the County Executive objects to any one (1) or more of the proposed changes made by the Legislature, he or she shall append to the budget a statement of the changes to which he or she objects, setting forth his or her reasons therefor, and shall, not later than the fifth day of August, return the budget with his or her objections to the Clerk of the County Legislature, who shall present the same to the County Legislature at a meeting to be held not later than the 12th day of August.



**SECTION 32.154.** Subdivision 5(e) of § A2303-A of the Administrative Code is hereby amended to read as follows:

(e)If the budget has not been adopted as herein provided on or before the 15th day of August, then the proposed budget as submitted by the County Executive, plus all changes as to which he or she has failed to object, shall be the budget for the ensuing fiscal year.

**SECTION 32.155.** § A2402 of the Administrative Code is hereby amended to read as follows:

§ A2402. Probation Officer; Director.

The Probation Office shall be headed by a Director who shall be appointed by the County Executive, subject to Legislative confirmation, on the basis of [his] administrative experience and [his] qualifications for the duties of [his] the Office by the appointing authority.

The Probation Director shall have and exercise all the powers and duties now or hereafter lawfully conferred or imposed upon him/her by the Charter, this Code, local law, ordinance or resolution of the County Legislature, order or direction of the County Executive, as head of a county Probation Department, or any other applicable state law not inconsistent with the Charter or this Code.

**SECTION 32.156.** Subparagraph (2) of the third paragraph of § A2404 of the Administrative Code is hereby amended to read as follows:

(2)Elect annually a [Chairman] Chair, Vice [Chairman] Chair and Secretary from its members.

**SECTION 32.157.** The second paragraph of § A2405 of the Administrative Code is hereby amended to read as follows:

The Office of Civil Defense shall be headed by a Director who shall be appointed by the County Executive, subject to confirmation by the County Legislature, and shall be appointed on the basis of [his] administrative experience and [his] qualifications for the duties of the Office. He/she shall have and exercise all the powers and duties heretofore or hereafter lawfully conferred or imposed upon him/her by the Charter, this Code, local law, ordinance or resolution of the County Legislature, order or direction of the County Executive or any other applicable state law not inconsistent with the Charter or this Code.

**SECTION 32.158.** § A2406 of the Administrative Code is hereby amended to

read as follows:

§ A2406. Miscellaneous administrative functions.

Administrative functions not otherwise assigned by the Charter shall be assigned by the County Executive to an administrative unit. All other agencies, officers and employees thereof shall be appointed by the County Executive and shall possess all the powers and duties now or hereafter lawfully conferred or imposed upon him/her by the Charter, this Code, local law, ordinance or resolution of the County Legislature, order or direction of the County Executive or any other applicable state law not inconsistent with the Charter or this Code.

This amendment by Mr. Augostini, seconded by Mr. Warner relating to gender neutral language **Carried.**

Mr. Whalen moved, seconded by Mr. Pasquale that Section 10 relating to the reconfirmation of department heads following the re-election of a County Executive, be deleted.

Following debate, Mrs. Wagstaff moved, seconded by Mr. Pasquale to **Call the Question** on the amendment. The Call of the Question **Carried.**

The amendment **Lost.**

Ayes-8(Coffey, Harbachuk, Harris, Kavulich, Malley, Pasquale, Taylor and Whalen)

Nays-11(Augostini, Brown, Burger, Howard, Hudak, Lindsey, Pazzaglini, Schofield, Wagstaff, Warner and Shafer)

Mr. Pasquale moved, seconded by Mr. Whalen that Section 2 be amended to remove language which would not allow the County Executive to veto an action of the County Legislature to hire a private attorney. The amendment also requested removal of language whereby there would be an indication, that the County Attorney could not adequately defend the interests of the County Legislature.

Following debate, Mr. Schofield moved, seconded by Mr. Whalen to **Call the Question** on the amendment. The Call of the Question **Carried.**

The amendment **Lost.**

Ayes-8(Coffey, Harbachuk, Harris, Kavulich, Malley, Pasquale, Taylor and Whalen)

Nays-11(Augostini, Brown, Burger, Howard, Hudak, Lindsey, Pazzaglini, Schofield, Wagstaff, Warner and Shafer)

Mr. Schofield moved, seconded by Mrs. Wagstaff to **Call the Question** on the resolution as amended.

The Call of the Question **Carried**. Ayes-18, Nays-1 (Taylor).

The resolution as amended **Carried**.

Ayes-12(Augostini, Brown, Burger, Harbachuk, Howard, Hudak, Lindsey, Pazzaglini, Schofield, Wagstaff, Warner and Shafer)

Nays-7(Coffey, Harris, Kavulich, Malley, Pasquale, Taylor and Whalen)

**RESOLUTION NO. 344** by County Administration, Economic Development & Planning and Charter Review Committees, heldover by Mr. Augostini.

**RESOLUTION AUTHORIZING ADOPTING LOCAL LAW INTRO. NO. 9, 1993, ENTITLED "A LOCAL AMENDING THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE TO INCREASE THE TERMS OF OFFICE OF COUNTY LEGISLATORS TO FOUR YEARS AND TO IMPOSE A LIMIT OF THREE CONSECUTIVE TERMS."**

Mr. Whalen moved, seconded by Ms. Harris the following amendment:

**Delete** [the terms of office of the Members of the County Legislature shall be for [two (2)] four (4) years and shall begin on the first day of January immediately succeeding their election and **replace with** The terms of office for the Members of the Legislature representing the odd numbered Legislative Districts 1,3,5,7,9,11,13,15,17 and 19 shall be for two (2) years and shall begin on the first day of January immediately succeeding their election. Thereafter, these legislators shall run for four (4) year terms commencing with 1996 and every four (4) years thereafter. With respect to the even numbered legislative districts: 2,4,6,8,10,12,14,16, and 18, the terms of office of the County Legislature shall be for four (4) years and shall begin on the first day of January, 1995 and they shall run for reelection every four (4) years thereafter.

Mr. Pazzaglini moved, seconded by Mr. Schofield to **Call the question** on the amendment. The call of the question **Carried**.

The amendment **Lost**.

Ayes-5 (Harbachuk, Harris, Kavulich, Pasquale and Whalen)

Nays-14(Augostini, Brown, Burger, Coffey, Howard, Hudak, Lindsey, Malley, Pazzaglini, Schofield, Taylor, Wagstaff, Warner and Shafer)

Mr. Whalen moved, seconded by Mr. Pasquale the following amendment:

Delete [the terms of office of the Members of the County Legislature shall be for [two (2)] (four (4) years and shall begin on the first day of January immediately succeeding their election and **replace with** the terms of office of the members of the

County Legislature shall be for two (2) years and thereafter each term shall be for four (4) years commencing in 1996 where they shall run simultaneously with the election of the County Executive.

Mr. Schofield moved, seconded by Mr. Warner to **Call the question** on the amendment. The call of the question **Carried.**

Ayes-14(Augostini, Brown, Coffey, Harbachuk, Harris, Howard, Hudak, Lindsey, Pazzaglini, Schofield, Taylor, Wagstaff, Warner and Shafer)

Nays-5 (Burger, Kavulich, Malley, Pasquale and Whalen)

The amendment **Lost.**

Ayes-3 (Harris, Pasquale and Whalen)

Nays-16(Augostini, Brown, Burger, Coffey, Harbachuk, Howard, Hudak, Kavulich, Lindsey, Malley, Pazzaglini, Schofield, Taylor, Wagstaff, Warner and Shafer)

Mr. Malley moved, seconded by Mrs. Coffey to remove the second paragraph concerning term limitations. Mr. Schofield moved, seconded by Mr. Pasquale to **Call the question** on the amendment. The Call of the question **Carried.**

The amendment **Lost.**

Ayes-6 (Coffey, Harbachuk, Kavulich, Malley, Pasquale and Whalen)

Nays-13(Augostini, Brown, Burger, Harris, Howard, Hudak, Lindsey, Pazzaglini, Schofield, Taylor, Wagstaff, Warner and Shafer)

Mr. Schofield moved, seconded by Mrs. Wagstaff to **Call the question** on the resolution. The call of the question **Carried.**

Ayes-13(Augostini, Brown, Burger, Harbachuk, Howard, Hudak, Lindsey, Pazzaglini, Schofield, Taylor, Wagstaff, Warner and Shafer)

Nays-6 (Coffey, Harris, Kavulich, Malley, Pasquale and Whalen)

The resolution as presented **Carried.**

Ayes-14(Augostini, Brown, Burger, Harbachuk, Harris, Howard, Hudak, Kavulich, Lindsey, Pazzaglini, Schofield, Wagstaff, Warner and Shafer)

Nays-5 (Coffey, Malley, Pasquale, Taylor and Whalen)

**RESOLUTION NO. 347** by County Administration, Economic Development & Planning and

Finance Committees, heldover by Mr. Warner. **RESOLUTION AUTHORIZING AN AMENDMENT TO RESOLUTION NO. 82 OF 1993 REGARDING**

**AGREEMENTS WITH CERTAIN LAW FIRMS REPRESENTING BROOME COUNTY IN LAWSUITS COMMENCED BY THE TOWN OF DICKINSON.**

Mr. Augostini moved, seconded by Mr. Warner to **table** this resolution.

**Tabled.** Ayes-15, Nays-4 (Coffey, Harbachuk, Pasquale, Taylor).

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

**RESOLUTION NO. 350**

by Finance and County Administration, Economic Development & Planning Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR LEGAL CHARGES AND FEES**

RESOLVED, that in accordance with a request from the County Attorney, in order to provide funds for defense of the County against a pending law suit by Foster Wheeler, this County Legislature hereby authorizes the Budget Director to transfer from the contingent account up to an amount not to exceed \$100,000.00 on an as needed basis. **Carried.** Ayes-17, Nays-2 (Harris, Hudak).

**RESOLUTION NO. 351**

by Finance Committee                      Seconded by Mr. Pazzaglini

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

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

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

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

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

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<u>TOWN</u>	<u>TAX MAP #</u>	<u>NAME &amp; ADDRESS</u>	
	<u>AMOUNT DUE</u>		
Chenango	5-3-33-S3	Grace Wilmarth Box 166 Ransom Road Binghamton, NY 13905	\$ 2,567.76
Conklin	6-3-C-57,59,60&61	Richard & Katherine Snyder 29 Executive Circle Endwell, NY 13760	\$ 319.80
Fenton	1-3-37	Joseph F. Moriarty 800 Weber Road Port Crane, NY 13833	\$ 7,619.98
Sanford	6-19	Arslan & Sefket Cekic 53 Church Avenue Brooklyn, NY 11218	\$21,276.31
Sanford	12-5-S1X	Liberatore & Elisobetta Iaboni 65 Elm Street Hicksville, NY 11801	\$ 8,284.98
Union	3-G8-K-2X	Louis Picciano  3602 Briar Lane Endwell, NY 13760	\$11,516.56
Union	3-H12-A-14	Stanley D. Buchinsky 75 Baker Street Johnson City, NY 13790	\$ 3,489.09
Vestal	8-1-A-29	Randy Walker 1124 Main Street Vestal, NY 13850	\$ 6,079.58
Windsor	15-4-B-164,165	Jerry Carlin RD 3	\$ 4,153.07

Windsor, NY 13865

**TOTAL: \$65,307.13**

and be it

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

**Carried.**

**RESOLUTION NO. 352**

by Environment, Transportation and Finance Committees

Seconded by Mr. Pazzaglini

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH CORNELL UNIVERSITY FOR FOLLOW-UP STUDY FOR ASSESSMENT OF BIRD HAZARDS TO AIRCRAFT AND POTENTIAL MITIGATION MEASURES FOR BINGHAMTON REGIONAL AIRPORT AND THE NANTICOKE SANITARY LANDFILL FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 1993 THROUGH 1994.**

WHEREAS, this County Legislature, by Resolution 406 of 1991, authorized an agreement with Cornell University for an assessment of bird hazards to aircraft and potential mitigation measures for Edwin A. Link Field and the Nanticoke Sanitary Landfill, and

WHEREAS, this agreement by its terms expires on June 30, 1993, and

WHEREAS, it is necessary to evaluate the continued use of methods under this program at no further cost to Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Cornell University, 120 Day Hall, Ithaca, NY, 14853-2801 for follow-up evaluation for the continued use of pyrotechnics for Binghamton Regional Airport and the Nanticoke Sanitary Landfill for the period July 1, 1993 through March 31, 1994, and be it

FURTHER RESOLVED, that Resolution 406 of 1991, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**RESOLUTION NO. 353**

by Environment, Public Works and Finance Committees    Seconded    by    Mr. Pazzaglini

**RESOLUTION AUTHORIZING AGREEMENT WITH R.J. MARTIN CONSULTING ENGINEERS, FOR ENGINEERING DESIGN SERVICES FOR INSTALLATION OF TWO NEW SCALES AND APPURTENANCES AT THE NANTICOKE SANITARY LANDFILL FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 1993.**

WHEREAS, the Director of the Division of Solid Waste Management requests authorization for an agreement with R.J. Martin Consulting Engineers, for engineering design services for installation of two new scales and appurtenances at the Nanticoke Sanitary Landfill for calendar year 1993, at a cost not to exceed \$5,900.00, and

WHEREAS, said services are necessary for design and construction of the scales and appurtenances at the Nanticoke Sanitary Landfill and preparation of project manuals, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with R.J. Martin Consulting Engineers, 45 Washington Street, PO Box 2084, Binghamton, NY, 13902-2084, for consulting engineering services for the Division of Solid Waste Management, and the installation of two new scales and appurtenances at the Nanticoke Sanitary Landfill for 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$5,900.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.2490.501244 (Other operational expenses), and be it

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

**RESOLUTION NO. 354**

by Transportation Committee  
Seconded by Mr. Pazzaglini

**RESOLUTION AUTHORIZING LEASE AGREEMENT WITH DOT/FAA, FOR AIRCRAFT GLIDE SLOPE FACILITY FOR RUNWAY 16 AT THE BINGHAMTON REGIONAL AIRPORT FOR 1993 THROUGH 2008.**

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with DOT/FAA for a lease agreement for use of runway 16 at the Binghamton Regional Airport for an aircraft glide slope facility for the period



October 1, 1993 through September 30, 1994 with the option for renewal on an annual basis until September 30, 2008, and

WHEREAS, said services are necessary for construction of navigational and landing aids to insure the safe operation of the airfield, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with DOT/FAA, Eastern Region, Federal Building, JFK International Airport, Jamaica, NY, 11430, for the period October 1, 1993 through September 30, 1994, with the option for renewal of said agreement on an annual basis until September 30, 2008, 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. 355**

by Environment Committee

Seconded by Mr. Pazzaglini

**RESOLUTION ACCEPTING THE ENVIRONMENTAL MANAGEMENT COUNCIL RESOLUTION SUPPORTING PASSAGE OF STATE ENVIRONMENTALLY SOUND PACKAGING ACT (ESPA).**

WHEREAS, the Environmental Management Council has previously adopted a resolution supporting the passage of the State Environmentally Sound Packaging Act (ESPA); and

WHEREAS, your sponsoring committee recommends that this Legislature accept and adopt the Environmental Management Council resolution attached as Exhibit "A" and urges the County to support the passage of the State Environmentally Sound Packaging Act (ESPA), now, therefore, be it

RESOLVED, that this County Legislature hereby accepts and adopts the Environmental Management Council's resolution supporting passage of the State Environmentally Sound Packaging Act (ESPA) as attached hereto as Exhibit "A", and be it

FURTHER RESOLVED, that copies of this resolution be submitted to Governor Mario Cuomo, Assembly Speaker Saul Weprin, Senate Majority Leader Ralph J. Marino, and the Environmental Management Council, as well as others deemed necessary and proper. **Carried.**

**RESOLUTION NO. 356**

by Public Works and Safety Committees

Seconded by Mrs. Coffey

**RESOLUTION AUTHORIZING THE GRANTING OF AN EASEMENT TO**

**NEW YORK STATE ELECTRIC AND GAS REGARDING THE PUBLIC SAFETY FACILITY.**

WHEREAS, New York State Electric and Gas and Broome County are desirous of entering into an easement agreement for the mutual benefit of both parties in regard to property owned by Broome County for a natural gas line to the Public Safety Facility, and

WHEREAS, it is necessary, therefore, to execute an easement from Broome County to New York State Electric and Gas, now, therefore, be it

RESOLVED, that this County Legislature authorizes the granting of an easement subject to any necessary approvals by the Boards at Trustees of Broome Community College and State University of New York, to New York State Electric and Gas having offices in the Town of Dryden, Tompkins County, New York, across Broome County property for a natural gas line to the Public Safety Facility as more fully depicted in Exhibits "A" and "B" attached hereto, and be it

FURTHER RESOLVED, that the recited consideration for the easement is one dollar, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute 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 (Kavulich).

**RESOLUTION NO. 357**

by Finance, Environment, Public Safety & Emergency Services, County Administration, Economic Development & Planning and Health & Human Services Committees

Seconded by Mrs. Taylor

**RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE DEPARTMENT OF EMERGENCY SERVICES, THE PUBLIC DEFENDER'S OFFICE, GENERAL SERVICES, DEPARTMENT OF PROBATION, THE DEPARTMENT OF SOLID WASTE MANAGEMENT, THE WILLOW POINT NURSING FACILITY AND THE HEALTH DEPARTMENT.**

RESOLVED, that in accordance with a request from the Department of Emergency Services, in order to provide funds for salary and fringe costs related to the winter blizzard and spring floods, as requested by BT# 5661, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM: 900084	4752	101000	Contingent Fund	3,435

TO :	460089	1600	101000	Salaries-Temp	1,407
	460089	1700	101000	Salaries-OT	1,683
	460089	8010	101000	State Retirement	31
	460089	8030	101000	Social Security	237
	460089	8040	101000	Workers Comp	77

and be it

FURTHER RESOLVED, that in accordance with a request from the Public Defender's Office, in order to reduce funds for Aid to Defense Grant, as requested by BT# 2725, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
DECREASE:		530030	4311	102728Books & Subscriptions	54
DECREASE:		530030	0499	102728 Aid to Localities	54

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of General Services, in order to provide funds for temporary help while permanent employee is on medical leave, as requested by BT# 4957, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds: (BT#4957 **Heldover** by Mr. Augostini)

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	350041	1000	101000	Salaries-Full Time	5,050
	350041	1600	101000	Salaries-Temporary	3,400
TO:	350041	4747	101000	Other Fees for Service	8,450

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Probation, in order to provide funds for Hepatitis B inoculation and Tuberculosis testing, as requested by BT# 6204, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	280024	1000	101000	Salaries-Full Time	5,000
TO :	280024	4614	101000	Other Chargeback expenses	5,000

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Solid Waste Management, in order to provide funds for temporary help while permanent employee is on maternity leave, as requested by BT# 5137, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds: (BT#5137 **Heldover** by Mr. Augostini)

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	230060	1000	206000	Salaries-Full Time	4,000
TO :	230060	1600	206000	Salaries-Temporary	4,000

and be it

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Facility, in order to provide funds for overtime, as requested by BT# 5538, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	160085	1000	204000	Salaries-Full Time	150,000
	160085	1900	204000	Shift Differential	34,541
	160028	1500	204000	Salaries-Part Time	200
TO :	160085	1700	204000	Overtime	184,541
	160028	1700	204000	Overtime	200

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Health, in order to provide funds for health insurance, as requested by BT# 6217, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	480145	4707	101000	Medical & Hospital	1,375
TO :	480145	8060	101000	Health Insurance	1,375

Mr. Augostini **heldover** the following BT #'s - 4957 and 5137.  
The balance of the resolution **carried**.

**RESOLUTION NO. 358** by Health & Human Services and Finance Committees

Seconded by Mrs. Taylor

**RESOLUTION AUTHORIZING RENEWAL AND AMENDMENT OF LEASE AGREEMENT WITH COURT & HENRY STREET DEVELOPMENT, INC. FOR THE MENTAL HEALTH DEPARTMENT FOR 1993 THROUGH 1998.**

WHEREAS, this County Legislature, by Resolution 452 of 1986, authorized an agreement with Court & Henry Street Development, Inc. for lease of premises located at 26 Court Street to the Mental Health Department for the period 1987 through 1993, and

WHEREAS, said agreement expires by its terms on April 30, 1993, and it is desired at this time to renew said agreement with amendments to said agreement as to rental fee and for modifications to said premises by Court & Henry Street Development, Inc., now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Court & Henry Street Development, Inc. for the lease of approximately 16,800 square feet on the second and third floor of the premises located at 26 Court Street, Binghamton, New York for the five year period, commencing May 1, 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor as follows:

<u>Date</u>	<u>Annual Rent</u>	<u>Annual Rate</u> <u>Per Sq. Ft.</u>
5/1/93-4/30/94	\$159,600.00	\$9.50
5/1/94-4/30/95	\$159,600.00	\$9.50
5/1/95-4/30/96	\$159,600.00	\$9.50
5/1/96-4/30/97	\$159,600.00	\$9.50
5/1/97-4/30/98	\$159,600.00	\$9.50 and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470013.4422.101000 (Building and Land Rental), and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an amendment of said agreement to provide that Court & Henry Street Development, Inc. shall renovate the interior of the elevator, install new carpeting and wall covering in the third floor conference room, and increase by ten, the number of parking spaces in the annex lot and decrease by same the number of spaces in the Arena lot, 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 (Augustini).

**RESOLUTION NO. 359**

by Health & Human Services and Finance Committees  
Seconded by Mr. Pazzaglini

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH REHABILITATION SERVICES, INC. FOR PHYSICAL THERAPY, SPEECH PATHOLOGY, OCCUPATIONAL THERAPY AND AUDIOLOGY FOR THE HEALTH DEPARTMENT HOME HEALTH SERVICES FOR 1993.**

WHEREAS, this County Legislature, by Resolution 544 of 1992, authorized an agreement with Rehabilitation Services, Inc. for physical therapy, speech pathology, occupational therapy and audiology for the Health Department Home Health Services Program, at a cost not to exceed \$32,515.00, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$5,000.00 for physical therapy and to decrease the not to exceed amount for speech pathology by \$5,000.00 leaving the total amount at \$32,515.00, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Rehabilitation Services, Inc. 33 Mitchell Avenue, Binghamton, NY, 13903 for physical therapy, speech pathology, occupational therapy and audiology for the Health Department Home Health Services Program for the period January 1, 1993 through December 31, 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$55 per visit for physical therapy with a total cost not to exceed \$13,875.00, and \$60 per visit for speech pathology with a total cost not to exceed \$10,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480004.4706.101045 (Rehabilitation and Therapy Services), 480061.4706.101045 (Rehabilitation and Therapy Services), 480004.4706.101047 (Rehabilitation and Therapy Services) and 480061.4706.101047 (Rehabilitation and Therapy Services), and be it

FURTHER RESOLVED, that Resolution 544 of 1992, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**RESOLUTION NO. 360**

by Health & Human Services and Finance Committees  
Seconded by Mr. Pazzaglini

**RESOLUTION AUTHORIZING FIVE ADDITIONAL AGREEMENTS AND ONE REVISED AGREEMENT WITH VARIOUS VENDORS FOR THE**

**HEALTH DEPARTMENT EDUCATION FOR HANDICAPPED CHILDREN'S PROGRAM FOR 1993.**

WHEREAS, the Health Department requests authorization for five new agreements and an amendment to an agreement approved by Resolution No. 279 of 1993 with various vendors as indicated on the attached Exhibit "A" for the Health Department Education for Handicapped Children's Program for the calendar year 1993, and

WHEREAS, said services are necessary to provide itinerant speech, occupational and physical therapy, special education and transportation for the Health Department Education for Handicapped Children's Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with the vendors as listed on the attached Exhibit "A" for the services, costs and terms indicated, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480285.4715.101000 (Other Health and Medical Services), 480202.4706.101000 (Rehabilitation and Therapy), 480202.4705.101000 (Personal Care Aid Services), 480202.4715.101000 (Other Health and Medical Services) and 480285.4706.101000 (Rehabilitation and Therapy), and be it

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

EXHIBIT "A"

<u>Vendor</u>	<u>Services</u>	<u>Term</u>	<u>Cost</u>
Tina Caswell 803 Stanton Rd. Endicott, NY 13760	Related Services (Speech Therapy)	July 19, 1993 to December 31, 1993	New \$27 per 1/2hr nte \$4,000
Valerie Fox 313 S. Loder Ave. Endicott, NY 13760	Related Services (Physical Therapy)	September 1, 1993 to December 31, 1993	New \$27 per 1/2hr nte \$2,000
Pediatric Physical Therapy Services Mary Louise Scheffield 346 Janice Street Endicott, NY 13760	Related Services (Physical Therapy)	September 1, 1993 to December 31, 1993	New \$27 per 1/2hr nte \$4,000

Michele Transue 802 River Road Binghamton, NY 13901	Related Services (Speech Therapy)	September 1, 1993 to December 31, 1993	New \$27 per 1/2hr nte \$4,000
Kimberly Quality Care 30 W. State St. Binghamton, NY 13901	Related Services (PT, OT, ST) and Personal Care Aide	September 1, 1993 to December 31, 1993	New \$27 per 1/2hr nte \$35,000
United Health Services Binghamton General Hospital Mitchell Avenue Binghamton, NY 13903	Related Services (OT, ST, RT)	May 1, 1993 to December 31, 1993	Amendment \$27 per 1/2hr nte \$7,500

**Carried.**

**RESOLUTION NO. 361**

by Health & Human Services, Finance and Personnel Committees  
 Seconded by Ms. Harris

**RESOLUTION AUTHORIZING REVISION OF HIV/STD/TB EDUCATION AND TESTING GRANT PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1991 THROUGH 1993.**

WHEREAS, this County Legislature, by Resolution 601 of 1991, as amended by Resolution 672 of 1992, authorized the continued participation by the Health Department in the HIV/STD/TB Education and Testing Grant Program for the period December 1, 1991 through March 31, 1993 and adopted a program budget in connection therewith in the total amount of \$50,827.00, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the HIV/STD/TB Education and Testing Grant Program for the period December 1, 1991 through March 31, 1993 in the total amount of \$51,345.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$51,345.00 for the period December 1, 1991 through March 31, 1993, and be it

FURTHER RESOLVED, that Resolution 601 of 1991 and 672 of 1992, to the extent consistent herewith, shall remain in full force and effect, and be it



FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby 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. 362**

by Health & Human Services and Finance Committees

Seconded by Mr. Pazzaglini

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH CHENANGO FORKS SCHOOL FOR THE HEALTH DEPARTMENT EDUCATION FOR HANDICAPPED CHILDREN PROGRAM 1993.**

WHEREAS, this County Legislature, by Resolution 670 of 1992, authorized an agreement with the Chenango Forks School for the Health Department Education for Handicapped Children Program for 1993, at a cost not to exceed \$500.00 for transportation and \$110,355.00 for tuition, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the cost for transportation provided by the Chenango Forks School for the Education for Handicapped Children Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Chenango Forks School for the Health Department's Education for Handicapped Children Program for the period January 1, 1993 through December 31, 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$19,900.00 for transportation, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480285.4457.101000 (Subcontracted Program), and be it

FURTHER RESOLVED, that Resolution 670 of 1992, to the extent consistent herewith, shall remain in full force and effect, and be it

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

implement the intent and purpose of this Resolution. **Carried.**

**RESOLUTION NO. 363**

by Health & Human Services and Finance Committees

Seconded by Mr. Pazzaglini

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH THE CHILDREN'S UNIT OF SUNY BINGHAMTON FOR THE HEALTH DEPARTMENT'S EDUCATION FOR HANDICAPPED CHILDREN PROGRAM FOR 1993.**

WHEREAS, this County Legislature, by Resolution 670 of 1992, authorized an agreement with the Children's Unit of SUNY Binghamton for services to the Health Department's Education for Handicapped Children Program for the period January 1, 1993 through December 31, 1993, and

WHEREAS, it is necessary to authorize the amendment of said agreement to include children in the age group 0-2, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with the Children's Unit, SUNY Binghamton, PO Box 6000, Binghamton, NY, 13902, for services to the Health Department's Education for Handicapped Children Program for the period January 1, 1993 through December 31, 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$210,000.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made as follows, \$200,000.00 from budget line 480285.4745.101000 (Education of Handicapped Children), and \$10,000.00 from budget line 480277.4745.101000 (Education of Handicapped Children), and be it

FURTHER RESOLVED, that Resolution 670 of 1992, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried.**

**RESOLUTION NO. 364**

by Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Pazzaglini

**RESOLUTION AUTHORIZING REVISION OF HEALTH DEPARTMENT CHILDHOOD LEAD POISONING CONTROL PROGRAM GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993.**

WHEREAS, this County Legislature, by Resolution 627 of 1992, as amended by Resolution 98 of 1993, authorized the continued participation by the Health Department in the Lead Poisoning Program Grant for the calendar year 1993 and adopted a program budget in connection therewith in the total amount of \$58,712.00, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Health Department Childhood Lead Poisoning Control Program Grant for the period January 1, 1993 through December 31, 1993 in the total amount of \$75,528.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$75,528.00 for the period January 1, 1993 through December 31, 1993, and be it

FURTHER RESOLVED, that Resolutions 627 of 1992 and 98 of 1993, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

**Carried.** Ayes-18, Abstained-1 (Pasquale).

**NOTE:**Mr. Pasquale requested permission to abstain as a relative was involved with some part of this program. The Chair, hearing no objections, granted Mr. Pasquale's request.

**RESOLUTION NO. 365**

by Health & Human Services, Finance and Personnel Committees

Seconded by Mr. Pazzaglini

**RESOLUTION AUTHORIZING REVISION OF THE DEPARTMENT OF HEALTH WOMEN'S, INFANTS' AND CHILDREN'S NUTRITION PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1992 THROUGH 1993.**

WHEREAS, this County Legislature, by Resolution 410 of 1992 as amended by Resolution 629 of 1992 and 216 of 1993, authorized the continued operation of the Women's, Infants' and Children's (WIC) Nutrition Program for the period October 1, 1992 through September 30, 1993 and adopted a program budget in connection therewith in the total amount of \$493,808.00, and

WHEREAS, it is necessary at this time to revise said program to reflect a modification in expenditures, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Department of Health Women's, Infants' and Children's (WIC) Nutrition Program for the period October 1, 1992 through September 30, 1993 in the total amount of \$493,808.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$493,808.00 for the period October 1, 1992 through September 30, 1993, and be it

FURTHER RESOLVED, that Resolutions 410 and 629 of 1992 and 216 of 1993, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

**RESOLUTION NO. 366**

by Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Pazzaglini

**RESOLUTION AUTHORIZING RENEWAL OF THE DENTAL SEALANT GRANT FOR THE HEALTH DEPARTMENT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.**

WHEREAS, this County Legislature, by Resolution 412 of 1992, authorized and approved the participation by the Broome County Health Department in the Dental Health Sealant Project for the period October 1, 1992 through September 30, 1993 and adopted a program budget in the amount of \$43,000.00, and

WHEREAS, the Broome County Health Department and your sponsoring committees recommend renewal of said program for the period October 1, 1993 through September 30, 1994 with a program budget of \$45,863.00, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the grant agreement with the New York State Health Department for the operation of the Health Department Dental Health Sealant Project for the period October 1, 1993 through September 30, 1994, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$45,863.00 for the period October 1, 1993 through September 30, 1994, and be it

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

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

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

**RESOLUTION NO. 367**

by Health & Human Services and Finance Committees

Seconded by Mr. Brown

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH FREDERICK JOHNSON, DDS, FOR DENTAL SUPERVISION AND SCREENING SERVICES IN CONNECTION WITH THE BROOME COUNTY HEALTH DEPARTMENT'S DENTAL SEALANT PROJECT FOR 1993 THROUGH 1994.**

WHEREAS, this County Legislature, by Resolution 664 of 1992, authorized an agreement with Frederick Johnson, DDS, for Dental Supervision and Screening Services for the Dental Sealant Project for the period September 1, 1992 through June 30, 1993, at a cost not to exceed \$2,450.00, and

WHEREAS, said services are necessary to provide Dentist Supervision and direction of Dental Hygienists in the Dental Sealant Program operated during the school year for children of low socio-economic status, and

WHEREAS, said agreement expired by its terms on June 30, 1993, and it is desired at this time to renew said agreement for the period October 1, 1993 through September 30, 1994, on substantially similar terms and conditions, with an increase in costs, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Frederick Johnson, DDS, Broome Community College Dental Hygiene Clinic, PO Box 1077, Binghamton, NY 13902, for Dental Supervision, direction and screening services in connection with the Broome County Department of Health's Dental Health Sealant Project for the period October 1, 1993 through September 30, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$270.00 per month for 10 months of the school year, total cost not to exceed \$2,700.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480210.4715.102000 (Other Health and Medical Services), and be it

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

**Carried.** Ayes-18, Nays-1 (Augustini).

**RESOLUTION NO. 368**

by Health & Human Services, Finance and Personnel Committees

Seconded by Mr. Pazzaglini

**RESOLUTION AUTHORIZING RENEWAL OF THE BROOME COUNTY DRUG AWARENESS STUDENT ASSISTANCE PROGRAM FOR THE BINGHAMTON CITY SCHOOL DISTRICT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.**

WHEREAS, this County Legislature, by Resolution 361 of 1992, authorized and approved the Broome County Drug Awareness Student Assistance Program for the Binghamton City School District and adopted a program budget in the amount of \$20,000.00 for the period August 24, 1992 through June 30, 1993, and

WHEREAS, it is desired to renew said grant program for the period August 23, 1993 through June 30, 1994 in the amount of \$20,000.00, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$20,000.00 from the Binghamton City School District for the period August 23, 1993 through June 30, 1994, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$20,000.00 for the period August 23, 1993 through June 30, 1994, and be it

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

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

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

**RESOLUTION NO. 369**

by Health & Human Services, Finance and Personnel Committees

Seconded by Mr. Pazzaglini

**RESOLUTION AUTHORIZING RENEWAL OF THE BROOME COUNTY DRUG AWARENESS CENTER STUDENT ASSISTANCE PROGRAM FOR THE UNION-ENDICOTT SCHOOL DISTRICT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.**

WHEREAS, this County Legislature, by Resolution 431 of 1992, authorized and approved the operation of the Broome County Drug Awareness Center Prevention Services Program for the Union-Endicott School District for the period September 1, 1992 through August 31, 1993 and adopted a program budget in the amount of \$28,500.00, and

WHEREAS, it is desired to renew said grant program for September 1, 1993 through August 31, 1994 in the amount of \$28,500.00, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$28,500.00 from the Union-Endicott School District for the Broome County Drug Awareness Center Student Assistance Program for the period September 1, 1993 through August 31, 1994, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$28,500.00 for the period September 1, 1993 through August 31, 1994, and be it

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

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

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

**Carried.**

**RESOLUTION NO. 370**

by Health & Human Services, Personnel, Finance and County Administration,  
Economic Development and Planning Committees                      Seconded    by    Mr.  
Pazzaglini

**RESOLUTION AUTHORIZING RENEWAL OF THE BROOME COUNTY DEPARTMENT OF SOCIAL SERVICES YOUTH AT RISK PARTNERSHIP PROGRAM GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.**

WHEREAS, this County Legislature, by Resolution 395 of 1992, authorized and approved acceptance of \$150,168.00 from the Binghamton City School District and federal and state funding sources for provision of the preventive services and case management to at-risk children in the Binghamton City School District elementary schools by the Broome County Department of Social Services for the period September 8, 1992 through September 7, 1993, and

WHEREAS, it is desired to renew said grant program for the period September 1, 1993 through August 31, 1994 in the amount of \$233,423.00, where it is necessary to add one senior case worker and one case supervisor grade B in order to implement said grant, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$233,423.00 from the Binghamton City School District and federal and state funding sources for the period September 1, 1993 through August 31, 1994, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of



\$233,423.00 for the period September 1, 1993 through August 31, 1994, and be it

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

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

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

**RESOLUTION NO. 371**

by Health and Human Services, Finance, and Personnel Committees

Seconded by Mr. Whalen

**RESOLUTION AUTHORIZING ACCEPTANCE OF COMPREHENSIVE TRAFFIC SAFETY PROGRAM GRANT FROM NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE FOR THE HEALTH DEPARTMENT FOR 1993 THROUGH 1994.**

WHEREAS, this County Legislature, by Resolution 240 of 1992, authorized and approved the acceptance of \$52,025.00 from New York State for the Comprehensive Traffic Safety Program and adopted a program budget in connection therewith for 1992, and

WHEREAS, said grant program provides for implementation of a Broome County Community Comprehensive Traffic Safety Program including motor vehicle occupant restraint campaign, pedestrian safety campaign, bicycle helmet safety campaign and a senior safety awareness campaign, and

WHEREAS, it is desired to renew said grant program for the period September 1, 1993 through August 31, 1994 in the amount of \$52,050.00, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$52,050.00 from New York State for the period September 1, 1993 through August 31, 1994 for the Community Traffic Safety Program, 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 \$52,050.00 for the period September 1, 1993 through August 31, 1994, and be it

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

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

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

**Heldover** by Mr. Warner.

**RESOLUTION NO. 372**

by Finance Committee

Seconded by Mr. Pazzaglini

**RESOLUTION APPROVING SALE OF 1989 IN REM FORECLOSURE PROPERTIES TO FORMER OWNERS.**

WHEREAS, the County of Broome now owns certain parcels of real property by virtue of the completion of proceedings in foreclosure in rem for year 1989, and

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

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

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

<u>TOWN</u>	<u>TAX MAP #</u>	<u>FORMER OWNER</u>	<u>AMOUNT</u>
Chenango	7-4-16-S4	WAYNE & ALBERTA STONESTREETS 103 Grant Road Binghamton, NY 13901 (Alberta)	\$ 276.22
		310 Chaumont Drive Endwell, NY 13760 (Wayne)	
Union	2-K5-76	ROGER & MARY KNAPTON 901 Park Street	\$ 6,438.75

		Endicott, NY 13760	
Union	2-K5-A-164	ROGER & MARY KNAPTON	\$ 9,869.18
Union	2-K5-A-233	ROGER & MARY KNAPTON	\$14,443.14
Union	2-K5-182-6	ROGER & MARY KNAPTON	\$ 9,640.54
Union	2-K5-182-10	ROGER & MARY KNAPTON	\$ 1,007.15
Union	2-K5-182-11-S1	ROGER & MARY KNAPTON	\$13,985.76
Union	2-K5-182-14	ROGER & MARY KNAPTON	\$ 8,725.70
Union	2-K5-182-18	ROGER & MARY KNAPTON	\$ 9,183.11
Union	2-K5-182-26	ROGER & MARY KNAPTON	\$11,927.49
Union	2-K5-186-16	ROGER & MARY KNAPTON	\$11,241.41
Union	2-K5-186-17	ROGER & MARY KNAPTON	\$12,156.14
Union	2-K5-201-5	ROGER & MARY KNAPTON	\$11,698.82
Union	2-K5-205-9	ROGER & MARY KNAPTON	\$ 8,954.36
	<b>TOTAL:</b>		<b>\$129,547.77</b>

and be it

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

**RESOLUTION NO. 373**

by County Administration, Economic Development and Planning and Finance Committees

Seconded by Mr. Lindsey

**RESOLUTION WITH RESPECT TO THE AMENDMENT OF THE SALES AND COMPENSATORY USE TAX IN BROOME COUNTY.**

BE IT RESOLVED, that Broome County requests the New York State Legislature adopt an amendment to the Tax Law authorizing and empowering the County of Broome to impose an additional one percent sales and compensatory use tax, substantially as follows:

AN ACT to amend the Tax Law, in relation to the imposition of sales and use taxes by the County of Broome.

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

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

Notwithstanding any other provisions of law to the contrary, but subject to the limitations and exemptions in part II of this article, any city in this state or county in this state, except a county wholly within a city, acting

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

further, however, that the county of Wyoming is hereby further authorized and empowered to adopt and amend local laws or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-two and ending August thirty-first, nineteen hundred ninety-three, and provided further, however, that the county of Allegany is hereby further authorized and empowered to adopt and amend local laws or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning December first, nineteen hundred eighty-six and ending November thirtieth, nineteen hundred ninety-three, and provided further, however, that the county of Cayuga is hereby further authorized and empowered to adopt and amend local laws or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-two and ending August thirty-first, nineteen hundred ninety-five, and, provided further, however, that the County of Broome is hereby further authorized to adopt and amend local laws or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning January 1, 1994 and ending December 31, 1995, and provided further, however, that the county of Albany is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-two and ending August thirty-first, nineteen hundred ninety-three, and provided further, however, that the county of Tompkins is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one-half or one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning December first, nineteen hundred ninety-two and ending November thirtieth, nineteen hundred ninety-three, and provided further, however, that the county of Cortland is hereby further authorized and empowered to adopt and amend local laws, ordinances, or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-two and ending

August thirty-first, nineteen hundred ninety-three, and provided further, however, that the county of Oneida is hereby further authorized and empowered to adopt and amend local laws, ordinances, or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-two and ending August thirty-first, nineteen hundred ninety-four, and provided further, however, that the county of Suffolk is hereby further authorized and empowered to adopt and amend local laws, or resolutions imposing such taxes at a rate which is one-half percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-one and ending December thirty-first, nineteen hundred ninety-three, and provided further, however, that, for the period beginning September first, nineteen hundred ninety-two and ending December thirty-first, nineteen hundred ninety-three, the county of Suffolk is hereby further authorized and empowered to adopt and amend local laws or resolutions imposing such taxes at a rate which is one-half percent additional to such three percent rate authorized above in this paragraph and which is additional to the one-half percent rate also authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-one and ending December thirty-first, nineteen hundred ninety-three, and provided further, however, that the county of Monroe is hereby further authorized and empowered to adopt and amend local laws or resolutions imposing such taxes at a rate which is one-half of one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-two and ending November thirtieth, nineteen hundred ninety-three, and provided further, however, that the county of Steuben is hereby further authorized and empowered to adopt and amend local laws, ordinances, or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning December first, nineteen hundred ninety-two and ending November thirtieth, nineteen hundred ninety-three, and provided further, however, that the city of Yonkers is hereby further authorized and empowered to adopt and amend local laws imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such city (The maximum rate referred to in section twelve hundred twenty-four shall be calculated without referenced to such one percent additional rate authorized for Yonkers and the counties of

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

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

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

§3. Notwithstanding subdivision (c) of section twelve hundred sixty-two of the Tax Law, the additional one percent sales and compensating use taxes which may be levied by Broome County pursuant to the authority of section twelve hundred ten of the Tax Law, shall be distributed to the County of Broome solely for county purposes and shall not be subject to any revenue distribution agreement established pursuant to subdivision (c) of section twelve hundred sixty-two of such law.

§4. Notwithstanding any other provision of state or local law to the contrary, any local law or resolution enacted or amended to impose the sales and compensating use taxes at the one percent additional rate of tax authorized by this act shall take effect in accordance with provisions of subdivision (d) of section twelve hundred ten of the Tax Law.

§5. This act shall take effect immediately.

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

Mr. Augustini moved, seconded by Mr. Warner to call the question on the resolution.

The call of the question **Carried.**

Ayes-10(Augostini, Brown, Howard, Hudak, Lindsey, Pazzaglini, Schofield, Wagstaff, Warner, Shafer).

Nays-9(Burger, Coffey, Harbachuk, Harris, Kavulich, Malley, Pasquale, Taylor, Whalen).

The Resolution **failed.**

Ayes-6(Harbachuk, Harris, Kavulich, Malley, Pasquale, Taylor)

Nays-13(Augostini, Brown, Burger, Coffey, Howard, Hudak, Lindsey, Pazzaglini, Schofield, Wagstaff, Warner, Whalen, Shafer).

**RESOLUTION NO. 374**

by Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Pazzaglini

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE UNIFIED COURT SYSTEM OF THE STATE OF NEW YORK FOR SECURITY SERVICES IN THE COURTS OF BROOME COUNTY FOR 1993 THROUGH 1994.**

WHEREAS, this County Legislature, by Resolutions 505 and 506 of 1992, authorized an agreement with the Unified Court System of the State of New York for the provision of court security for the Courts of Broome County for the period April 1, 1992 through March 31, 1993, and

WHEREAS, said services are necessary to implement the employment and



appointment of temporary court attendants and deputy sheriff's through the Broome County Sheriff's Department, and

WHEREAS, said agreement expires by its terms on March 31, 1993, and it is desired at this time to renew said agreement with an increase in revenue, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Unified Court System of the State of New York for the Sixth Judicial District, Centre Plaza Building, 5th Floor, Binghamton, New York, 13901 for the provision of security services in the Broome County Family, Surrogate, Supreme and County Court and Binghamton City Court for the period April 1, 1993 through March 31, 1994, and be it

FURTHER RESOLVED, that the Contractor shall pay the County an amount not to exceed \$314,800.00 for said services, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be made to budget line 450007.0240.101000 (Temporary Court Officers), 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 (Coffey).

**RESOLUTION NO. 375**

by Public Safety & Emergency Services, Personnel and Finance Committees  
Seconded by Mr. Pazzaglini

**RESOLUTION AUTHORIZING ACCEPTANCE OF TEMPORARY COURT ATTENDANT PROGRAM GRANT FOR THE SHERIFF'S DEPARTMENT FOR COURT SECURITY FOR 1993.**

WHEREAS, the Sheriff's Department requests authorization to accept a Temporary Court Attendant Program Grant in the amount of \$29,258.00 for the period August 23, 1993 through December 31, 1993, and

WHEREAS, said grant program provides for 2 additional corrections officer positions for court security services as directed by the Uniform Court System of the State of New York for the Sixth Judicial District for the Broome County Family Court, Surrogates and Supreme Courts and Binghamton City Court, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves

acceptance of \$ 29,258.00 from the Unified Court System of the State of New York for the Sixth Judicial District, Centre Plaza Building, 5th Floor, Binghamton, New York, 13901 for the period August 23, 1993 through December 31, 1993, 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 \$ 29,258.00 for the period August 23, 1993 through December 31, 1993, 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.

Mrs. Wagstaff moved, seconded by Mr. Warner to **amend** the resolution as follows:

**Reducing** the dollar amount to "**\$20,413**" and

**Changing** corrections officer to "**Court Security Officer**" and adjusting the exhibit accordingly.

**Amendment carried.**

Resolution **as amended Carried.** Ayes-18, Nays-1 (Coffey).

#### **RESOLUTION NO. 376**

by Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Pazzaglini

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF EQUIPMENT AND A CONTRACT FOR DISPATCH OF 911 SERVICE FOR SUPERIOR AMBULANCE SERVICE INC.**

WHEREAS, the Director of the Office of Emergency Services requests authorization for an agreement between the Office of Emergency Services and Superior Ambulance Service Inc., for provision of 911 Dispatch Services, and

WHEREAS, Superior Ambulance Service Inc. would assume all costs for providing and installing the necessary dispatch equipment at the 911/Emergency Dispatch Center, and

WHEREAS, all dispatch equipment installed pursuant to this agreement will become the property of Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Superior Ambulance Service, Inc. for 911 Dispatch Services by the Office of

Emergency Services, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes acceptance by the Office of Emergency Services all dispatch equipment needed for the provision of said 911 dispatch 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. 377**

by Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Pazzaglini

**RESOLUTION AUTHORIZING AGREEMENT WITH WAYNE COUNTY FOR ACCEPTANCE AND DISPATCH OF 911 CALLS.**

WHEREAS, the Director of the Office of Emergency Services has requested authorization for an agreement with Wayne County 911 Commissioners for acceptance and dispatch of 911 Emergency Calls for Wayne County residents, and

WHEREAS, said agreement would provide for mutual aid between Wayne County and Broome County, and

WHEREAS, said agreement would provide that any and all monies collected pursuant to the New York State telephone surcharge would be forwarded to Broome County 911/Communication Center for its operating costs, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Wayne County, 911 Commissioner, Court House Annex, 925 Court Street, Honesdale, PA, 18431, for acceptance and dispatch of 911 Emergency Calls by the Broome County Office of Emergency Services, and be it

RESOLVED, that any revenue from this agreement shall be credited to budget line 900001.0057.101000 (911 Surcharge); 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. 378**

by Personnel, Health & Human Services and Finance Committees

Seconded by Mr. Pazzaglini

**RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR WILLOW POINT NURSING FACILITY.**

RESOLVED, that in accordance with a request from the Administrator of

Willow Point Nursing Facility, as contained in PCR# 93-188, this County Legislature hereby authorizes the Change of one (1) Full Time Licensed Practical Nurse position, at budget line WC 160085.1000, minimum salary \$17,363.00, Grade 10, Union Code 4, to two (2) Part time Licensed Practical Nurses at budget line WC 160085.1500, minimum salary \$17,363.00, Grade 10, Union Code 8 effective August 23, 1993.  
**Carried.**

**RESOLUTION NO. 379**

by County Administration, Economic Development & Planning and Finance Committees

Seconded by Mr. Malley

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 10, 1993, ENTITLED "LOCAL LAW REPEALING LOCAL LAW NO. 10, 1974 AND LOCAL LAW NO. 11, 1977 ESTABLISHING A NEW APPORTIONMENT OF LIABILITY FOR BROOME COUNTY WORKERS COMPENSATION SELF INSURANCE PLAN"**

RESOLVED, that Local Law Intro. No. 10, 1993, entitled: "Local Law Repealing Local Law No. 10, 1974 and Local Law No. 11, 1977 establishing a new apportionment of liability for Broome County Workers Compensation Self Insurance Plan", be and the same hereby is adopted and approved in accordance with the Broome County Charter and all the applicable statutes and law pertaining thereto.

LOCAL LAW INTRO. NO. 10, 1993

LOCAL LAW REPEALING LOCAL LAW NO. 10, 1974 AND LOCAL LAW NO. 11, 1977 ESTABLISHING A NEW APPORTIONMENT OF LIABILITY FOR BROOME COUNTY WORKERS COMPENSATION SELF INSURANCE PLAN

WHEREAS, this County Legislature by Local Law No. 1, 1956 established the Broome County Workmen's Compensation Health Insurance Plan, and

WHEREAS, it is the belief of the County Legislature that each participant in said plan shall pay an equitable share of liabilities,

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

SECTION 1. Local Law No. 10, 1974 is hereby repealed in its entirety.

SECTION 2. Local Law No. 11, 1977 is hereby repealed in its entirety.

SECTION 3. As used herein the following terms shall have the following meaning:

"Total Revenue" means the revenue to be raised by participants.

"Total Assessed Valuation" means the assessed valuation of all the participants of the plan as of the preceding June 30 next to the preparation of the budget.

"Percentage of Experience of Participants" shall mean the total of all medical

and compensation paid to employees of participants during the four year period preceding the preparation of the budget divided by the total of all medical and compensation paid by the plan during the four year period preceding the preparation of the budget.

SECTION 4. Apportionment of cost shall be determined by taking the total amount to be assessed and applying the following formula:

Total revenue times 80% = Total by experience times percentage of experience of participant = Total of experience by participant; Total revenue times 20% = Total by assessed valuation times percentage of assessed valuation of participants = Total of participant by assessed valuation; and Total of participant by assessed valuation + Total of participant by experience = Total budget apportioned to participant.

SECTION 5. This Local Law shall take affect following a public hearing before and approval by the County Executive in the manner provided by law.

Resolution was **Heldover** by Mr. Malley.

**RESOLUTION NO. 380**

by County Administration, Economic Development & Planning and Finance Committees

Seconded by Mr. Pazzaglini

**RESOLUTION AUTHORIZING AGREEMENT WITH COOPERS & LYBRAND FOR HEALTH BENEFIT CONSULTING SERVICES FOR BROOME COUNTY FOR 1993.**

WHEREAS, the Risk Manager has requested authorization for an agreement with Coopers & Lybrand for health benefit consulting services for Broome County for 1993, and

WHEREAS, said services are necessary to audit the County's health Plan Administrators including T.P.A. (Third Party Administrator), SIEBA and Corporate Care, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreement with Coopers & Lybrand, One Lincoln Center, Syracuse, New York, 13202, for health benefit consulting services for 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the contractor an amount not to exceed \$10,000.00 plus 20% of duplicate claim payments identified, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050047.4725.601000 (Other Financial 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.**

Mr. Schofield moved, seconded by Mr. Pasquale to adjourn at 6:50 P.M. **Carried.**