

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
DECEMBER 29, 1994**

The Legislature convened at 4:07 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.

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.

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

PRESENTATION OF COMMUNICATIONS AND REPORTS:

A. PETITIONS:

1. To reinstate the position of Director of Therapeutic Recreation Services, Parks and Recreation Department.
2. To keep South Branch and Franklin Branch Libraries open.

COMMUNICATIONS:

1. 1995 Town Budgets:
 - a. Town of Triangle
 - b. Town of Dickinson
2. Minutes from:
 - a. Binghamton Regional Airport
3. Corrections to 1995 Recommended Budget, Third List
4. Letter from NYS Department of Labor, Division of Safety and Health, regarding Applicable Variance (demolition of condemned buildings containing asbestos/asbestos materials).
5. By-Laws from Broome County Economic Development Alliance.

D. REPORTS:

1. Department of Audit and Control: Audit of Bank Accounts (Office for Aging).

2. Broome Community College: Quarterly Income Statements and Balance Sheets.

Mr. Lindsey moved, seconded by Mr. Pasquale to receive and file the above noted reports and to publish any pertinent portions thereof in the JOURNAL OF PROCEEDINGS. **Carried.**

11B. WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Letters from the Chairman, Arthur J. Shafer:

1. Appointing Chris W. Burger as voting representative for David L. Lindsey and Wanda Hudak as Acting Chair, Public Safety and Emergency Services Committee, December 20, 1994 and Wayne L. Howard as Acting Chair for Roger V. Brown, Public Works Committee, December 20, 1994.
2. Appointing the following as voting representatives: Andrew Kavulich for James Malley, Margaret M. Coffey for Audrey Taylor and Brian K. Mather for Wayne L. Howard, Public Works Committee, December 20, 1994.
3. Appointing Margaret M. Coffey as voting representative for George Harbachuk, Environment Committee, December 21, 1994.
4. Appointing Wayne L. Howard as voting representative for Roger V. Brown, Environment Committee, December 21, 1994.
5. Appointing Chris W. Burger as voting representative for Daniel A. Schofield, Personnel Committee, December 21, 1994.
6. Appointing David L. Lindsey as voting representative for Roger V. Brown, Transportation Committee, December 21, 1994.
7. Appointing Vincent A. Pasquale as voting representative for Mark R. Whalen, County Administration, Economic Development and Planning Committee, December 22, 1994.

11C. PRESENTATION OF THE SEAL OF THE COUNTY TO RETIRING LEGISLATORS:

The Chairman, Mr. Shafer presented the 'Seal of the County of Broome,' with thanks for their service to the following retiring

Legislators:

District 5.....Merry Harris
District 6.....Kelly Wagstaff
District 9.....James Malley
District 10.....Audrey Taylor
District 16.....Roger Brown
District 19.....George Harbachuk

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. Pasquale.

Mrs. Wagstaff moved, seconded by Mr. Brown, that the following resolution (94-165B) that was tabled at the session of June 16, 1994 be **removed from the table**. The removal from the table **carried**.

RESOLUTION NO. 165B

by Personnel Committee

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS IN THE CHANGING OF THE BARGAINING UNIT COVERAGE FOR CERTAIN POSITION TITLES PREVIOUSLY COVERED BY THE CIVIL SERVICE EMPLOYEES ASSOCIATION AND THE BROOME PROFESSIONAL & ADMINISTRATIVE ASSOCIATION.

FURTHER RESOLVED, that in accordance with the terms of the Civil Service Employees Association (CSEA) contract previously approved by Resolution 94-64, this County Legislature hereby authorizes the change of coverage from the Civil Service Employees Association to the Broome Professional & Administrative Association (BAPA) as set out for the following position titles in PCR#94-151, PCR#94-152, PCR# 94-153, PCR# 94-154 and PCR# 94-155:

Assistant Recreation Facility Manager	15 BAPA
In-service Education Nurse	15 BAPA
Maintenance Supervisor	15 BAPA
Payroll Supervisor	17 BAPA
Treasury Manager	19 BAPA

Mr. Pasquale moved, seconded by Mrs. Wagstaff to **call the question** on the resolution.

The call of the question **carried**. Ayes-17, Absent-2 (Lindsey & Schofield)

The resolution **lost**, as follows:

Ayes-8Coffey, Harbachuk, Harris, Kavulich, Malley, Pasquale, Taylor & Whalen

Nays-9Augustini, Brown, Burger, Howard, Hudak, Mather, Wagstaff, Whalen & Wike

Absent-2 Lindsey & Schofield

The following resolutions that were tabled from the previous session (December 15, 1994) were again presented for consideration.

RESOLUTION NO. 567 by Finance Committee

RESOLUTION AUTHORIZING AGREEMENT WITH TRANSCOR AMERICA, INC. FOR TRANSPORT OF FUGITIVES FROM JUSTICE BACK TO BROOME COUNTY FOR THE OFFICE OF THE BROOME COUNTY DISTRICT ATTORNEY

Carried.

RESOLUTION NO. 568 by County Administration, Economic Development & Planning, Intergovernmental Relations and Finance Committees

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 20, 1994, ENTITLED: "A LOCAL LAW AUTHORIZING PAYMENT OF ELIGIBLE DELINQUENT TAXES IN INSTALLMENTS, EXTENDING THE REDEMPTION PERIOD FOR 1995 AND 1996 TAXES, AND ESTABLISHING A TITLE SEARCH FEE FOR TAX FORECLOSURES."

Mr. Burger made the following amendment to the local law, seconded by Mr. Malley:

In Section 3, at the word "quarterly" insert monthly, quarterly or semiannually"

In Section 5, delete all wording after "no earlier than..." and insert "thirty days after the delivery of the return of unpaid taxes to the enforcing officer."

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

The resolution as amended **carried**.

Mrs. Wagstaff requested reconsideration of the following resolution which had been defeated at the session of December 15th. The chair recognized that Mrs. Wagstaff had voted with the prevailing side at that time ruled that her request was proper. Mrs. Hudak seconded the request for reconsideration which then **carried**, as follows: Ayes-16, Nays-1 (Whalen), Absent-2 (Lindsey & Schofield)

RESOLUTION NO. 646 by Health and Human Services and Finance Committees

RESOLUTION AMENDING AGREEMENTS WITH VARIOUS PROVIDERS FOR THE HEALTH DEPARTMENT DIVISION OF CHILD DEVELOPMENT FOR RETROACTIVE STATE MANDATED RATE CHANGES.

Mr. Howard moved, seconded by Mr. Pasquale to **call the question** on the resolution. The call of the question **carried**. Ayes-17, Absent-2 (Lindsey & Schofield)

The resolution as presented **carried.**

Ayes-12 Brown, Burger, Coffey, Harbachuk, Harris, Howard,
 Hudak, Kavulich, Malley, Mather, Wagstaff & Shafer
Nays-5 Augostini, Pasquale, Taylor, Whalen & Wike
Absent-2 Lindsey & Schofield

RESOLUTION NO. 649

by Transportation and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING ACCEPTANCE OF NEW YORK STATE DEPARTMENT OF TRANSPORTATION GRANT FOR PREPARATION OF A MASTER PLAN UPDATE, TERMINAL BUILDING REHABILITATION STUDY AND STATE POLLUTION DISCHARGE ELIMINATION SYSTEM (SPDES) PERMIT APPLICATION FOR THE BINGHAMTON REGIONAL AIRPORT.

WHEREAS, the Commissioner of Aviation requests authorization to accept a New York State Department of Transportation Grant in the amount of \$15,441.00 for Preparation of a Master Plan Update, Terminal Building Rehabilitation Study and State Pollution Discharge Elimination System (SPDES) Permit Application for the Binghamton Regional Airport, and

WHEREAS, said grant provides for funds for an airport transportation infrastructure renewal project, and

WHEREAS, the total project amount is \$308,810.00 with \$277,929.00 as the federal share, \$15,441.00 as the local share and \$15,441.00 as the state share, now, therefore, be it therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$15,441.00 from the New York State Department of Transportation (P.I.N. No. 9910.31) for Preparation of a Master Plan Update, Terminal Building Rehabilitation Study and State Pollution Discharge Elimination System (SPDES) Permit Application

for the Binghamton Regional Airport, said state funds being 50% of the non-federal share of funding of this project, 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.

Carried.

RESOLUTION NO. 650

by Transportation and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING ACCEPTANCE OF NEW YORK STATE DEPARTMENT OF TRANSPORTATION GRANT FOR ACQUISITION OF LAND IN FEE SIMPLE (APPROX. 5 ACRES) & AVIGATION EASEMENT (APPROX. 31.088 ACRES) WITHIN THE RUNWAY 34 PROTECTION ZONE AT THE BINGHAMTON REGIONAL AIRPORT.

WHEREAS, the Commissioner of Aviation requests authorization to accept a New York State Department of Transportation Grant in the amount of \$4,445.00 for Acquisition of Land in Fee Simple (Approx. 5 Acres) & Avigation Easement (Approx. 31.088 Acres) within the Runway 34 Protection Zone at the Binghamton Regional Airport, and

WHEREAS, said grant provides for funds for an airport transportation infrastructure renewal project, and

WHEREAS, the total project amount is \$88,900.00 with \$80,010.00 as the federal share, \$4,445.00 as the local share and

\$4,445.00 as the state share, now, therefore, be it therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$4,445.00 from the New York State Department of Transportation (P.I.N. No. 9910.33) for acquisition of land in Fee Simple (Approx. 5 Acres) & Avigation Easement (Approx. 31.088 Acres) within the Runway 34 Protection Zone at the Binghamton Regional Airport, said state funds being 50% of the non-federal share of funding of this project, 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.

Carried.

RESOLUTION NO. 651

by Transportation and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING ACCEPTANCE OF NEW YORK STATE DEPARTMENT OF TRANSPORTATION GRANT FOR TERMINAL APRON/GLYCOL RECOVERY SYSTEM - PHASE II; MODIFICATION OF AIRFIELD HOLD SIGNS; DISPLACED RUNWAY 34 THRESHOLD; ACQUIRE ONE (1) AIRCRAFT RESCUE & FIREFIGHTING (ARFF) SUPPORT VEHICLE/FRICTION MEASURING DEVICE WITH AUXILIARY EQUIPMENT AT THE BINGHAMTON

REGIONAL AIRPORT.

WHEREAS, the Commissioner of Aviation requests authorization to accept a New York State Department of Transportation Grant in the amount of \$109,289.00 for Terminal Apron Improvements/Glycol Recovery System - Phase II; Modification of Airfield Hold Signs; Displaced Runway 34 Threshold; Acquire One (1) Aircraft Rescue & Firefighting (ARFF) Support Vehicle/Friction Measuring Device with Auxiliary Equipment at the Binghamton Regional Airport, and

WHEREAS, said grant provides for funds for an airport transportation infrastructure renewal project, and

WHEREAS, the total project amount is \$2,185,769.00 with \$1,967,192.00 as the federal share, \$109,288.00 as the local share and \$109,289.00 as the state share, now, therefore, be it therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$109,289.00 from the New York State Department of Transportation (P.I.N. No. 9910.34) for Terminal Apron Improvements/Glycol Recovery System - Phase II; Modification of Airfield Hold Signs; Displaced Runway 34 Threshold; Acquire One (1) Aircraft Rescue & Firefighting (ARFF) Support Vehicle/Friction Measuring Device with Auxiliary Equipment at the Binghamton Regional Airport, said state funds being 50% of the non-federal share of funding of this project, 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.

Carried.

RESOLUTION NO. 652

by Public Works, Transportation and Finance Committees Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING TASK ORDER AGREEMENT WITH MCFARLAND-JOHNSON, INC. FOR DESIGN WORK ON REHABILITATION OF THE NORTH AND WEST APRONS AT THE BINGHAMTON REGIONAL AIRPORT FOR 1995.

WHEREAS, this County Legislature, by Resolution 212 of 1994, authorized an agreement with McFarland-Johnson Engineers for a consultant service agreement for the Department of Public Works for all work at the Binghamton Regional Airport for 1994 through 1999, and

WHEREAS, said Resolution requires that a separate scope of work and fees be negotiated with the Contractor for each individual project undertaken at the Binghamton Regional Airport during said period, and

WHEREAS, the Departments of Public Works and Aviation request the County Legislature to authorize a task order agreement under said five year consulting agreement with McFarland-Johnson, Inc. for design services associated with the rehabilitation of the North and West Aprons of the Binghamton Regional Airport at a cost of \$102,614.00, and

WHEREAS, the Department of Public Works has negotiated a scope of work and fees with McFarland-Johnson, Inc. to include design for the rehabilitation of the North and West Aprons pavements, improvement of surface drainage on the aprons, analysis of the need and feasibility for increasing Taxiway "D" and "E" fillet radii, and investigation of pavement strength for access by critical design aircraft to existing deicing area at the North Apron, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a task order agreement with McFarland-Johnson, Inc., 171 Front Street, P.O. Box 1980, Binghamton, New York, 13902 for consulting services

associated with the rehabilitation of the North and West Aprons at Binghamton Regional Airport for the period January 1, 1995 through August 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$102,614.00, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from a budget line to be established, 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. 653

by Public Works Committee

Seconded by Ms. Harris

RESOLUTION AUTHORIZING ABANDONMENT BY BROOME COUNTY OF A PORTION OF THE OLD NEW YORK STATE ROUTE 79 IN THE TOWN OF WINDSOR.

WHEREAS, pursuant to Section 115-b of the Highway Law, the Commissioner of Public Works has recommended the removal of a portion of Old New York State Route 79 in the Town of Windsor from the County road system, because said road does not fall within the criteria established for inclusion in the County road system, and

WHEREAS, no agreement has been reached with the Town of Windsor concerning such proposed abandonment, and

WHEREAS, the Regional Director of the New York State Department of Transportation, acting for the Commissioner of Transportation, has approved such abandonment to the Town of Windsor by letter to the Commissioner of Public Works dated November 14, 1994, a copy of which is annexed hereto as Exhibit "A",

now therefore, be it

RESOLVED, that this County Legislature hereby authorizes removal of a portion of Old New York State Route 79 in the Town of Windsor from the County road system, said abandoned road being described as follows:

Being the abandonment of 425± feet of the former alignment of the former Windsor - Susquehanna, Part 2, State Highway 8013 previously abandoned to the County of Broome by Official Order H2323 dated June 1, 1994. This proposed abandonment being shown on Broome County Department of Public Works Map No. W-231 dated July 21, 1994.

and be it

FURTHER RESOLVED, that the Broome County Official Highway Map shall be amended accordingly.

The resolution **lost**.

Ayes-4 (Coffey, Harris, Malley & Whalen) Nays-15

RESOLUTION NO. 654

by Public Works Committee

Seconded by Mr. Malley

RESOLUTION AUTHORIZING ABANDONMENT BY BROOME COUNTY OF A PORTION OF THE OLD CHENANGO TOWPATH IN THE TOWN OF FENTON.

WHEREAS, pursuant to Section 115-b of the Highway Law, the Commissioner of Public Works has recommended the removal of a portion of the Old Chenango Towpath in the Town of Fenton from the County road system, because said road does not fall within the criteria established for inclusion in the County road system, and

WHEREAS, no agreement has been reached with the Town of Fenton concerning such proposed abandonment, and

WHEREAS, the Regional Director of the New York State Department of Transportation, acting for the Commissioner of Transportation, has approved such abandonment to the Town of Fenton by letter to the Commissioner of Public Works dated November 14, 1994, a copy of which is annexed hereto as Exhibit "A", now therefore, be it

RESOLVED, that this County Legislature hereby authorizes removal of a portion of the Old Chenango Towpath in the Town of Fenton from the County road system, said abandoned road being described as follows:

Being the abandonment of 685± feet of the former alignment of the former Chenango Towpath, State Highway 175 previously abandoned to the County of Broome by Official Order H2334 dated September 15, 1994. This proposed abandonment being shown on Broome County Department of Public Works Map No. F-220 dated September 26, 1994.

and be it

FURTHER RESOLVED, that the Broome County Official Highway Map shall be amended accordingly.

The resolution **lost**.

Ayes-4 (Coffey, Harris, Pasquale & Whalen) Nays-15

RESOLUTION NO. 655

by Finance Committee

Seconded by Mr. Pasquale

RESOLUTION LEVYING RETURNED SCHOOL AND VILLAGE TAXES FOR 1995.

RESOLVED, that the Certificate of Returned School Taxes as reported by the Commissioner of Finance, as set forth in Exhibit "A" attached hereto, be received in the amount of such unpaid taxes with

seven percent of the amount of principal and interest in addition thereto, be levied upon the real property on which the same were imposed, and when collected by the same be returned to the Commissioner of Finance to reimburse unpaid school taxes to the respective school districts, together with the expense of collection, and be it

FURTHER RESOLVED, that the Certificate of returned Village Taxes, as reported by the Commissioner of Finance, as set forth in Exhibit "B" attached hereto, be received in the amount of such unpaid taxes with seven percent of the amount of principal and interest in addition thereto, be levied upon the real property on which the same were imposed, and when collected, the same be returned to the Commissioner of Finance to reimburse the County for the amount advanced to pay the amount of returned unpaid village taxes to the respective villages, together with the expense of collection.

1994 RETURNED SCHOOL TAXES - BY SCHOOL DISTRICT -
TOTAL RELEVY

TOTAL SCHOOL DISTRICT RECEIVED TAX	TOTAL UNPAID TAX ON ROLL	7% COUNTY PENALTY	
AFTON	70,669.19	4,946.84	75,616.03
BAINBRIDGE-GUILFORD	1,277.63	89.45	1,367.08
BINGHAMTON	78,704.74	5,509.34	84,214.08
CHENANGO FORKS	470,290.29	32,920.50	503,210.79
CHENANGO VALLEY	706,427.09	49,449.94	755,877.03
CINCINNATUS	298.56	20.90	319.46
DEPOSIT	225,360.37	15,775.27	241,135.64
GREENE	2,530.14	177.12	2,707.26

HARPURSVILLE	311,674.15	21,817.06	333,491.21	
JOHNSON CITY	832,125.84	58,248.90	890,374.74	
MAINE ENDWELL	872,911.54	61,103.56	934,015.10	
MARATHON	20,771.46	1,454.00	22,225.46	
NEWARK VALLEY	260.72	18.25	278.97	
SUSQUEHANNA VALLEY		765,788.03	53,605.50	819,393.53
UNION ENDICOTT	1,331,096.26	93,176.72	1,424,272.98	
VESTAL	996,547.42	69,758.42	1,066,305.84	
WHITNEY POINT	346,752.69	24,272.66	371,025.35	
WINDSOR	705,130.98	49,359.13	754,490.11	
CITY BINGHAMTON	15,158.32	1,061.09	16,219.41	
GRAND TOTALS	\$7,753,775.42	\$542,764.65	\$8,296,540.07	

1994 RETURNED VILLAGE TAXES - NOVEMBER 1994 - TOTAL RELEVY

TOWN	HANDLING VILLAGE	TOTAL UNPAID RELEVY TAX ON ROLL	ADJ	7%	TOTAL	
			TOTAL UNPAID COUNTY	PENALTY		
					FEES	TAX
DICKINSONPORT	DICKINSON	11,988.97	839.25	32.00	12,860.22	
LISLE	LISLE	2,627.01	183.90	15.00	2,825.91	
SANFORD	DEPOSIT	19,653.69	1,375.75	69.00	21,098.44	
TRIANGLE	WHITNEY POINT	23,157.76	1,621.02	36.00	24,814.78	
UNION	ENDICOTT	311,642.44	21,815.02	255.00	333,712.46	
	JOHNSON CITY	435,629.33	30,494.07	372.00	466,495.40	
					747,271.77	52,309.09
WINDSOR	WINDSOR	9,917.36	694.25	43.00	10,654.61	

GRAND TOTALS \$814,616.56 \$57,023.26 \$822.00\$872,461.82

Carried.

RESOLUTION NO. 656

by Finance Committee

Seconded by Mr. Pasquale

RESOLUTION LEVYING TAX, PURSUANT TO SECTION 902 OF THE REAL PROPERTY TAX LAW AND OF THE BROOME COUNTY CHARTER, ON THE CITY OF BINGHAMTON FOR 1995.

RESOLVED, that there be levied against the real property of the City of Binghamton in the amount hereinafter set forth and that the proper persons be and they are hereby authorized to execute and affix the proper Warrant to Tax Rolls thereof: County tax - \$8,817,270 (Election Costs - \$21,906.09), and be it

FURTHER RESOLVED, that the payment to the Commissioner of Finance of Broome County be made pursuant to the City's Charter, one-half on March 1, 1995, and one-half on September 1, 1995.

Legislative Note: The resolution as presented had no tax levy included. This information was provided on the day of the session. Mr. Augostini moved, seconded by Mr. Pasquale to insert the numbers referenced in the resolution. The amendment **carried**. The resolution as amended **carried**. Ayes-18, Nays-1 (Brown)

RESOLUTION NO. 657

by Finance Committee

Seconded by Mr. Pasquale

RESOLUTION LEVYING COUNTY TAXES

WHEREAS, this County Legislature, by Resolution 452 of 1994, has adopted a budget for the fiscal year 1995, and

WHEREAS, this County Legislature, by Resolution 453 of 1994, made appropriations for the conduct of the Broome County Government for the fiscal year 1995, now, therefore, be it

RESOLVED, to meet the amount of said appropriations, this County Legislature levies the following taxes pursuant to the provisions of Sec. 360 of the County Law and Sec. 900 of the Real Property Tax Law and of the Broome County Charter, upon the valuation as equalized by it as hereinafter specified, to wit: Upon all taxable property in the County, the sum of \$43,576.188.

Legislative Note: The resolution as presented had no tax levy included. This information was provided on the day of the session. Mr. Augostini moved, seconded by Mr. Pasquale to insert the numbers referenced in the resolution.

The amendment **carried**. Ayes-18, Nays-1 (Brown)

The resolution as amended **carried**. Ayes-17, Nays-2 (Brown & Taylor)

RESOLUTION NO. 658

by Finance Committee Seconded by Mr. Pasquale

RESOLUTION APPROVING THE COMPLETED TAX ROLLS OF THE SEVERAL TOWNS AND CITY AND DIRECTING THE EXECUTION AND DELIVERY OF WARRANTS FOR THE COLLECTION OF TAXES EXTENDED THEREON PURSUANT TO SECTION 904 OF THE REAL PROPERTY TAX LAW.

WHEREAS, upon the Tax Rolls of the several Towns and City, the several taxes have been, by the Supervisors and appropriate officials thereof, duly extended as provided by law and by the several resolutions of the County Legislature, and the same completed Tax Rolls have been laid down before this County Legislature for its

approval, now, therefore, be it

RESOLVED, that the said Tax Rolls be approved as so completed and that the tax is so extended upon the Tax Rolls and the several amounts extended against each parcel of property upon the said Rolls and hereby determined to be the taxes due thereon, as set forth herein, and be it

FURTHER RESOLVED, that there be annexed to each of said Rolls a Tax Warrant in the form prepared by the Clerk and heretofore laid before this County Legislature for its approval, as provided by Section 904 of the Real Property Tax Law; that such Warrants be signed by the County Executive and the Clerk of the Legislature; and that said Rolls with said Warrants annexed therefore be forthwith delivered to the respective Collectors of the several tax districts in the County, and be it

FURTHER RESOLVED, that upon the effective date of this resolution or any thereafter, on or before December 31, 1994, be and hereby is designated as the date upon which the County Executive and the Clerk of this County Legislature are authorized to sign the Warrants and attach the seal of this County Legislature to the Tax Rolls of the several towns.

Carried.

RESOLUTION NO. 659

by Finance Committee Seconded by Mr. Lindsey

RESOLUTION CERTIFYING COUNTY TAXES DUE FROM EACH MUNICIPALITY IN BROOME COUNTY

WHEREAS, the budget for fiscal year commencing January 1, 1995 in which the County taxes are to be levied is \$43,576,188, and

WHEREAS, the County Legislature must certify to each municipality the contribution of such municipality to the taxes of the County based upon the full valuation of taxable real property in such municipality in accordance with the provisions of Article 8 of the Real Property Tax Law, and

WHEREAS, Chapter 828 of the Laws of 1985 requires that the municipalities levy the exact amount certified to be due and direct the extension of such amount against each parcel of taxable real property, now, therefore, be it

RESOLVED, that on or before December 31, 1994, the Chairman of the Broome County Legislature is hereby directed to issue a certificate to the chief fiscal officer of each municipality certifying the contribution of each municipality to the taxes of the County for the fiscal year commencing January 1, 1995, based upon a total tax levy of \$43,576,188, as follows:

<u>Municipality</u>	<u>Tax Contribution</u>	<u>Rate per \$1,000</u>
City of Binghamton 6.386251	\$ 8,817,270	
Town of Barker	414,408	6.028982
Town of Binghamton	1,238,344	6.173249
Town of Chenango	2,781,034	6.377898
Town of Colesville	956,207	65.051901
Town of Conklin	1,185,991	6.221875
Town of Dickinson	956,910	6.528070
Town of Fenton	1,339,495	6.583930
Town of Kirkwood	1,618,522	6.186441
Town of Lisle	369,614	5.884774
Town of Maine	1,024,470	6.405465
Town of Nanticoke	249,064	6.073601
Town of Sanford	885,466	6.171681
Town of Triangle	454,401	6.449397
Town of Union 92.963567	13,768,366	
Town of Vestal	6,359,292	107.722512
Town of Windsor	1,157,336	6.073286
TOTAL:	\$43,576,188	

and be it

FURTHER RESOLVED, that the certificate shall be delivered to the chief fiscal officer of each municipality in person, and be it

FURTHER RESOLVED, that the certificate shall contain the rate per \$1,000 of assessed value as determined from the latest final assessment role, and be it

FURTHER RESOLVED, that in the event that a municipality shall fail to make the levy required by law and return same to the Clerk of the Broome County Legislature on or before December 31, 1994, the County Attorney is directed to institute an Article 78 proceeding against any such municipality to compel the levy and assessment of County taxes by such municipality.

Carried. Ayes-17, Nays-2 (Brown & Taylor)

RESOLUTION NO. 660

by Finance Committee

Seconded by `

RESOLUTION OF THE COUNTY LEGISLATURE LEVYING TAXES AND ASSESSMENTS FOR THE PURPOSE OF ANNUAL BUDGET OF TOWNS OF BROOME COUNTY

WHEREAS, there has been presented to this County Legislature a duly certified copy of the annual budget of each of the several towns of the County of Broome for the fiscal year beginning January 1, 1995, now, therefore, be it

RESOLVED, that there shall be and hereby is assessed and levied upon and collected from the taxable real property situated in the following named towns, the amount indicated below for the general fund purposes and highway purposes, as specified in the respective annual budgets for the respective towns and amounts from the towns and cities account of the Commissioner of Finance, as follows:

	General	Highway
General	Outside	Highway

Outside					
<u>Town</u>	<u>Village</u>	<u>Townwide</u>	<u>Village</u>	<u>Townwide</u>	
Barker		-	-	255,311.91	-
Binghamton		73,402.96	-	454,377.28	
-					
Chenango		-	-	261,315.94	
-					
Colesville		-	-	319,918.52	-
Conklin		-	-	149,118.21	-
Dickinson		191,999.34	-	-	-
-					
Fenton		-	-	-	-
Kirkwood		75,489.17	-	-	
308,115.19		-			
Lisle		56,770.20	-	134,100.11	
-					
Maine		19,728.36	-	131,090.03	
-					
Nanticoke		-	-	123,000.18	
-					
Sanford		264,975.94	22,340.00	324,705.31	
38,230.27					
Triangle		122,913.79	-	27,600.16	
-					
Union		3,600,727.37	629,549.20	340,554.60	
(23.91)					
Vestal		2,524,936.64	-	723,993.66	
-					
Windsor		370,121.51	-	28,701.42	
117,212.38					

and be it

FURTHER RESOLVED, that there shall be and hereby is assessed and levied upon and collected from real property liable therefore with the respective districts in the following towns, as indicated below, the following amounts for the purposes of such districts, as specified in the respective annual budgets:

TOWN OF BARKER

Fire No.	19,359.88
Fire No. 2	21,200.09
Fire No. 3	22,549.96
Fire No. 4	16,050.06

TOWN OF BINGHAMTON

Drain 1	346.09
Fire Prot 1	129,449.75
Light 1	552.02
Light 2	1,752.00
Light 3	3,880.03
Light 4	1,116.00
Light 5	144.00
Light 6	695.98
Sewer Con Bond	22,497.68
Sewer 6 Bond	1,248.11
Sewer 7 Bond	3,069.00
Consolidated Sewer	27,335.83
Sewer 8 Est.	6,505.02
Return Sewer	11,239.81
Water 1 Bond 1	5,382.99
Water 5 Bond 1	2,901.14
Consolidated Water	120,314.97

Consolidated Water Bond 83,936.22
Returned Water 5,916.39

TOWN OF CHENANGO

Chenango Compost 47,961.69
Fire No. 1 179,763.57
Fire No. 2 136,139.84
Fire No. 3 5,607.07
Fire No. 4 95,464.03
Light 1 93,773.72
Sewer 1 3,849.98
Sewer 2 37,599.55
Sewer 4 76,723.86
Sewer 8 375,688.71
Sewer 9 51,525.02
Sewer 10 27,644.96
Sewer 11 4,157.95
Return Sewer 5,071.04
Return Water 17,453.02
Water 1 24,973.02
Water 3 7,032.98
Water 7 5,821.95
Water 9 4,950.00
Water 10 2,080.00
Water 12 18,055.99
Water 14 10,535.89
Water 15 2,733.01
Water 16 815.25

TOWN OF CHENANGO-continued

Water 18 2,973.00
Water 19 510.02
Water 20 10,748.99

Water 21	1,185.96
Water 22	33,088.00
Water 23	21,024.92
Water 24	1,324.04
Water 26	2,348.01
Water 27	6,330.00
Water 28	9,967.04
Water 11 Frt Ft	847.93

TOWN OF COLESVILLE

Fire No. 1	35,249.99
Fire No. 2	11,917.05
Fire No. 3	96,139.42
Light 1	11,330.13
Light 2	5,246.95
Light 3	4,879.99
Building Demo	441.93

TOWN OF CONKLIN

Fire Prot. 1	153,401.53
Light 1	1,950.02
Light 2	490.02
Light 3	1,569.98
Light 4	10,305.02
Light 5	947.00
Light 6	1,425.05
Light 7	347.00
Light 8	2,344.00
Light 9	921.00
Sewer 1 Ext. 2	7,600.95
Sewer 1 Ext. 3	26,335.85
Sewer 1 Ext. 4	13,179.99
Water 2	46,069.03

Return Water 14,590.87

TOWN OF DICKINSON

Fire No. 1 72,999.91
 Fire No. 2 31,999.78
 Fire No. 3 13,500.10
 Garbage 1 34,001.15
 Light 1 11,708.76
 Light 5 3,963.03
 Light 6 2,902.47
 Light 7 13,724.05
 Light 8 11,316.79
 Light 9 385.07
 Pump Station 5,175.01
 Sewer 6 Bond 21,780.09
 Sewer 5, Ext. 1 Debt Service 1,179.98

TOWN OF DICKINSON-continued

Sewer 2, Ext. 10,209.03
 Sewer 5, Ext. 2 8,679.98
 Sewer 2, Ext. 4 31,026.13
 Sewer 2, Ext. 5 3,417.02
 Return Sewer 19,708.35
 Return Water 16,959.98
 Water 7 15,399.96
 Water 8, Debt 2,140.00
 Water 4, Ext. 1 13,920.03
 Water 6, Ext. 1 Debt Sr 1,172.99

TOWN OF FENTON

Fire No. 1 104,497.10
 Fire No. 2 87,041.95
 Light 1 9,299.97

Light 2	23,599.94
Porter Hollow Sewer Bond	4,561.03
Porter Hollow Sewer	2,292.00
Sewer 1	25,724.85
Water Bond	15,720.00
Return Water	10,549.26
Return Sewer	7,940.59

TOWN OF KIRKWOOD

Fire No. 1	215,534.86
Light 1	4,998.66
Light 2	9,599.20
Light 3	999.75
Sewer 1	745,920.90
Sewer 1, Ext. 1	20,849.27
Sewer 1, Ext. 2	1,020.90
Sewer 1, Ext. 3	10,234.58
Sewer 1, Ext. 4	1,061.83
Return Water	21,742.19
Water 1	26,103.40

TOWN OF LISLE

Fire No. 1	19,243.02
Fire No. 2	37,729.98
Light 1	799.99
Light 2	1,600.00

TOWN OF MAINE

Fire No. 1	84,794.60
Fire No. 2	20,278.88
Fire No. 3	19,125.23
Fire No. 4	4,756.08
Fire No. 5	5,042.04
Fire No. 6	11,369.82

Fire No. 7	118,609.55
Light 1	6,700.02
Light 2	3,999.98
Light 3	1,199.98

TOWN OF NANTICOKE

Fire No. 1	23,736.96
Fire No. 2	20,999.97

TOWN OF SANFORD

Fire No. 1	64,564.37
Fire No. 2	5,482.07
Oquaga Lake Sewer	48,000.00
Return Sewer	4,075.50

TOWN OF TRIANGLE

Fire No. 1	44,274.96
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TOWN OF UNION

Fire No. 1	489,154.72
Fire No. 4	222,084.78
Fire No. 5	114,460.99
Fire No. 6	240,005.15
Fire No. 8	250,004.59
Fire No. 10	49,501.18
Fire No. 12	21,396.00
Curbs and Gutter	2,978.36
Parks	816,452.35
Return Sewer	10,624.64
Return Sewer Lat.	210.00
Return Water	11,982.37

TOWN OF VESTAL

Curb Projects	7,538.60
Drain 1 Maint.	2,514.70
Drain 2 Maint.	1,035.00
Drain 3 Maint.	5,187.20
Drain 4 Maint.	195.00
Drain 5 Maint.	510.00
Drain 6 Maint.	140.00
Drain 7 Maint.	80.00
Drain 8 Maint.	175.00
Drain 9 Maint.	410.00
Drain 10 Maint.	50.00
Drain 11 Maint.	220.00
Drain 13 Maint.	55.00
Drain 14 Maint.	5.00
Drain 15 Maint.	180.00
Drain 16 Maint.	45.00
Drain 17 Maint.	3,260.00
Drain 18 Maint.	36,895.80
Fire Protection	355,796.38
Fire District Bond	18,852.58
Light District	237,801.60
Return Sewer	59,001.60
Return Water	37,652.40
Consolidated Sewer Bond	26,368.90
Sewer 1, Maint.	233,928.00

TOWN OF VESTAL-continued

Sewer 1, Exp. 1	4,298.36
Sewer 1, Ext. 2	10,134.55
Sewer 1, Ext. 24 Bond	2,860.42
Sewer 1, Ext. 26 Bond	3,175.16
Sewer 1, Ext. 31 Bond	1,678.04
Sewer 1, Ext. 35 Bond	4,748.48

Sewer 1, Ext. 39 Bond	150.63
Sewer 1, Ext. 40 Bond	25,343.36
Sewer 1, Ext. 49 Bond	382.16
Sewer 1, Ext. 53 Bond	4,159.95
Sewer Ext. 47	1,450.90
Sewer Ext. 68	3,607.51
Vestal Return SID	153.08
Water 1, Bond 1	50,116.35
Water 2, Bond 1	368.01
Water 3, Exp. Bond 1	95.05
Water 5, Ext. Bond 19	1,319.45
Water 6, Bond 1	8,912.06
Water 7, Bond 1	4,383.00
Water 7, Ext. 3 Bond	3,192.64
Water 8, Exp. Bond 1	1,994.99
Water 9, Bond 1	1,410.98
Water 1, Ext. Bond 11	2,124.65
Water Dist. Maintenance	456,047.60
Consolidated Water Bond	201,036.80

TOWN OF WINDSOR

Fire 1	12,667.02
Fire 2	66,025.00
Fire 3	88,000.03
Fire 4	3,999.99
Sewer 1	7,420.00
Sewer 2	2,359.98

and be it

FURTHER RESOLVED, that the amounts to be raised by taxes and assessments when collected shall be paid to the Supervisors of several Towns in the amounts as shown by this resolution for distribution in the manner provided by law and that the Clerk of the

County Legislature is hereby authorized to make changes in the above resolution if requested by the Town Supervisor, and be it

FURTHER RESOLVED, that this Resolution shall become effective immediately.

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

RESOLUTION NO. 661

by County Administration, Economic Development & Planning and Finance Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENTS WITH SEVERAL CONTRACT AGENCIES SUPPORTED BY BROOME COUNTY FOR 1995.

WHEREAS, the County has contributed financial support to numerous agencies and organizations involved in various fields of endeavor which benefit, aid or assist with the many needs of the broad spectrum of the Broome County community, and

WHEREAS, these contract agencies which have received or will receive such financial assistance from Broome County include:

- ACCORD A Center for Dispute Resolution
- Broome County Arts Council
- Broome County Convention Bureau
- Broome County Historical Society
- Broome County Economic Development Alliance
- Broome County Soil and Water Conservation District
- Cornell Cooperative Extension Association of Broome County
- The Discovery Center of the Southern Tier
- Four County Library System

~~PROBE~~

- Southern Tier East Regional Planning Development
- Southern Tier Zoological Society, Inc. (Ross Park Zoo)

Veterans Outreach Center; and

WHEREAS, it is the desire of this Legislature to give approval for the execution of the contracts with such agencies, said contracts to be in the general form heretofore used, subject to and conditioned upon the financial allocations made and accounting procedure prescribed by the County Law Department to each respective contract agency in the 1995 Broome County Budget, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the County Executive or his duly authorized representative to execute such agreements, approved as to form by the Department of Law, with the aforesaid contract agencies and other contract agencies for which financial provisions and contributions have been authorized by this County Legislature in the 1995 County Budget, and be it

FURTHER RESOLVED, that said contracts shall be in a form similar to those used in prior years for each specific agency and subject to, conditioned upon and limited to the monetary amount and financial formula and funding distribution criteria set forth and approved in the 1995 County Budget, and to be subject to any necessary approvals required by the State or Federal Government or for any other valid reason which may require the approval of said State or Federal Government, and to be conditioned upon the submission and filing with the Clerk of this Legislature and County Executive a written annual report, detailing the agency's use of these funds received from the County during the previous calendar year, and be it

FURTHER RESOLVED, that any contract which provides for payment on a single lump sum basis, said annual report shall be filed before the lump sum payment is released and any contract which provides for two or more periodic payments during the contract term, said annual report shall be filed prior to the release of the second payment provided for by said contract and such payments are further subject to the provisions of Resolutions 262 of 1978 and 243 of 1979.

Mrs. Coffey moved, seconded by Mr. Augostini to remove PROBE from the list.

Mrs. Wagstaff moved, seconded by Mr. Pasquale to **call the question** on the amendment. The call of the question **carried**.

The amendment to remove PROBE from the list **carried**.
Ayes-16, Nays-3 (Brown, Howard & Hudak)

The resolution as amended **carried**. Ayes-18, Nays-1 (Howard)

RESOLUTION NO. 662

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

**RESOLUTION AUTHORIZING EXECUTION OF
AGREEMENTS WITH MENTAL HEALTH CONTRACT
AGENCIES SUPPORTED BY BROOME COUNTY FOR 1995.**

WHEREAS, this County has contributed various forms of support to numerous mental health related agencies and organizations which benefit, aid or assist with the many needs of a broad spectrum of the Broome County community, and

WHEREAS, these contract agencies which have received or will receive such assistance from Broome County include Association for Retarded Citizens, Catholic Social Services, Alcoholism Center of Broome County, Fairview Halfway House, Broome County Council on Alcoholism, Handicapped Children's Association, Broome County Mental Health Association, Catholic Charities, YWCA, UHS, and Vocational Rehabilitation Services, and

WHEREAS, it is the desire of this Legislature to give approval for the execution of contracts with such agencies, said contracts to be in such form as approved by the County Attorney, subject to and conditioned upon the financial allocations made and accounting procedures prescribed by the County Attorney and the County Comptroller, to each respective contract agency in the 1995 Broome

County Budget, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Broome County Executive to execute such agreements, approved as to form by the Department of Law, with the following contract agencies:

Association for Retarded Citizens	\$ 1,295,057
Catholic Social Services	798
Alcoholism Center of B.C.	423,070
Fairview Halfway House, Inc.	743,606
B. C. Council on Alcoholism	165,963
Handicapped Children's Assoc.	383,892
B. C. Mental Health Assoc.	104,446
Catholic Charities	276,786
YWCA	114,798
UHS	500,933
Vocational Rehab Services	13,900

said contracts to be in a form similar to those used in prior years and to be subject to any necessary approvals required by the State or Federal Governments or for any other valid reason which may require the approval of said State or Federal Governments, and to be conditioned upon the submission and filing with the Clerk of the Legislature of written annual reports detailing the agencies' use of the funds received from the County during the previous calendar year, as well as future goals. Under any contract which calls for a payment on a single lump sum basis, said annual report shall be filed before the lump sum payment is released. Under any contract which calls for two or more periodic payments during the contract term, said annual report shall be filed with the Department of Mental Health Commissioner's Annual Report due on or before June 10th in each year. The Commissioner shall make other reports at such times as may be required by the County Legislature, County Executive, Mental Hygiene Law or other applicable law and the New York State Department of Mental Hygiene, and be it

FURTHER RESOLVED, that the contribution by the County will

not cover any amounts not provided by State or Federal funding, 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. 663

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

RESOLUTION AUTHORIZING RENEWAL OF NEW YORK STATE OFFICE OF MENTAL HEALTH SUPPORTIVE CASE MANAGEMENT REINVESTMENT GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995.

WHEREAS, the Department of Mental Health requests authorization to accept Supportive Case Management Reinvestment Program Grant in the amount of \$41,826.00 for calendar year 1995, and

WHEREAS, said grant program provides funding for a variety of supportive and supplementary services which will enhance the clinical program for adults, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$41,826.00 from New York State Office of Mental Health for the period January 1, 1995 through December 31, 1995; and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$152,626.00 for the period January 1, 1995 through December 31, 1995, 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. 664

by Personnel Committee Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING REVISION OF HOURLY RATE SCHEDULE FOR NON-UNION, TEMPORARY AND SEASONAL EMPLOYEES EFFECTIVE FOR 1995.

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

WHEREAS, it is desired at this time to amend the hourly rate schedule for 1995 as indicated on Exhibit "A" attached hereto, now, therefore, be it

RESOLVED, that this County Legislature hereby amends the hourly rate schedule for non-union, temporary, seasonal and miscellaneous employees for 1995 as set out in Exhibit "A" attached hereto, and be it

FURTHER RESOLVED, that the effective date of said amendments shall be January 1, 1995, unless otherwise indicated on Exhibit "A" attached hereto.

EXHIBIT "A"

SALARY SCHEDULE CHANGES NON-UNION HOURLY,
 TEMPORARY, SEASONAL & MISCELLANEOUS EMPLOYEES The provisions of the Fair Labor Stan

<u>DEPARTMENT / TITLE</u>	<u>CURRENT HOURLY RATE</u>	<u>1995 HOURLY RATE</u>
Emergency Services	\$ 6.13	\$ 6.32

Carried.

RESOLUTION NO. 665

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT
 & PLANNING and FINANCE COMMITTEES

Seconded by Mr. Pasquale

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT
 WITH CBORD GROUP, INC. FOR COMPUTER SOFTWARE
 MAINTENANCE FOR CENTRAL FOODS FOR 1995.**

WHEREAS, this County Legislature, by Resolution 561 of 1993,
 authorized renewal of an agreement with CBord Group, Inc., for
 software maintenance for the food service management system at a
 cost not to exceed \$6,933.96 for 1994, and

WHEREAS, said agreement expires by its terms on December 31,
 1994, and it is desired at this time to renew said agreement for calendar
 year 1995 on substantially similar terms and conditions with an
 increase in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the
 renewal of the agreement with CBord Group, Inc., 61 Brown Road,
 P.O. Box 700, Ithaca, New York, 14850 for computer software
 maintenance for the period January 1, 1995 through December 31,
 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the
 County shall pay the Contractor a total cost not to exceed \$7,122.00
 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove
 authorized shall be made from budget line 230045.4513.251000

(Software Maintenance), and be it

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

Carried.

RESOLUTION NO. 666

by Health & Human Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING ACCEPTANCE OF MENTAL HEALTH OUTREACH PROGRAM GRANT FROM UNITED HEALTH SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995.

WHEREAS, the Office for Aging requests authorization to accept a Mental Health Outreach Program Grant from United Health Services in the amount of \$15,000 for calendar year 1995, and

WHEREAS, said grant program provides in-home mental health assessment and short-term counseling for the elderly through the Office for Aging, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$15,000 from United Health Services for the Office for Aging Mental Health Outreach Program Grant for calendar year 1995, 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 \$ 29,408 for calendar year 1995, 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. 667

by Health & Human Services and Finance Committees

Secinded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF TITLE III-F DISEASE PREVENTION & HEALTH PROMOTION PROGRAM GRANT FOR THE OFFICE FOR AGING, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995.

WHEREAS, this County Legislature, by Resolution 575 of 1993, authorized and approved the Title III-F Disease Prevention and Health Promotion Program Grant in the amount of \$12,692, adopted a program budget, and

WHEREAS, it is desired to renew said grant program for 1995 in the amount of \$13,850, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$13,850 from New York State Office for Aging for the period January 1, 1995 through December 31, 1995, 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 \$13,850 for the period January 1, 1995

through December 31, 1995, 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. 668

by County Admin., Economic Dev. & Planning, Education and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 22, 1994, ENTITLED: "A LOCAL LAW AMENDING LOCAL LAW NO. 4, 1980, AS AMENDED, ESTABLISHING RULES AND REGULATIONS FOR COUNTY PARKS."

RESOLVED, that Local Law Intro. No. 22, 1994, entitled: "A Local Law Amending Local Law No. 4, 1980, as Amended, Establishing Rules and Regulations for County Parks," be and the same hereby is adopted and approved in accordance with the Broome County Charter, the Municipal Home Rule Law and all applicable statutes and laws.

LOCAL LAW INTRO. NO. 22, 1994

A LOCAL LAW AMENDING LOCAL LAW NO. 4, 1980, AS

AMENDED, ESTABLISHING RULES AND REGULATIONS FOR COUNTY PARKS.

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

SECTION 1. Local Law No. 4, 1980, as amended, is hereby amended to read as follows:

Fees and Charges.

A. Parking (Greenwood, Dorchester and Nathaniel Cole Parks) per day (Memorial Day to Labor Day).

(1) Cars and motorcycles: [weekends and holidays] Daily (Memorial Day to Labor Day): four dollars (\$4).

[(2) Cars and motorcycles: four dollars (\$4).]

[(3)] (2) Bus or multiple-family-type vehicle: (Weekends and Holidays): twenty dollars (\$20).

[(4)] (3) Season parking pass: thirty dollars (\$30).

[(5)] (4) Season pass for second vehicle: fifteen dollars (\$15).

[(6)] (5) Senior citizen parking pass. (Free) Valid Monday-Friday excluding holiday. (sixty-two (62) or older valid upon presentation of New York State Department of Motor Vehicles driver's license of New York State nondriver identification card).

[(7)] (6) A maximum of five (5) summer season park passes may be given away each season at the discretion of the Commissioner of Parks and Recreation.

(7) Parking at Otsiningo Park: Daily (May 1 to Columbus Day) One dollars (\$1) per car. Senior citizens free Monday-Friday, excluding holidays.

B. Camping

(1) [Unimproved site:] Non-electric site: ten dollars (\$10) per night.

[(2) Improved site: ten dollars (\$10) per night.]

[(3)] (2) Electricity at site: [twelve] thirteen dollars [(\$12)] (\$13) per night.

[(4)] (3) Reservation fee: three dollars (\$3).

G. Ice Facility rental (ice functions available mid-November to mid-March).

Non-prime time (all other times)	[\$80.00]
	<u>\$90.00</u>
	per hour

H. Cross-country ski rental (includes skis, boots, poles and bindings).

Type	Fee
Per hour	\$2.50
Trail fee	\$3.00 per day
Season pass, per person (trail only)	\$20.00

A charge of \$2.00 will be applied for each 10 minute period that equipment is returned late at the end of each day. A 10 minute grace period will be allowed.

J. Finch Hollow Nature Center: [one dollar (\$1.)] two dollars (\$2) per participant, [maximum of twenty-five dollars (\$25.) per class.] for programs run by the Nature Center.

K. Sailing lessons: [twenty-five dollars (\$25.)] thirty dollars (\$30.00) per lesson, plus American Red Cross Certification Fee.

NOTE No. 3: The Department will follow a strict policy of no refunds, except as outlined in specific contracts or as deemed appropriate by the Commissioner of Parks and Recreation in extenuating circumstances.

SECTION 2. Except as hereinabove amended, Local Law No. 4, 1980, as amended, shall remain in full force and effect.

SECTION 3. This local law shall become effective January 1, 1995, following a public hearing to be held before the County Executive in the manner provided by law.

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

Mr. Whalen moved, seconded by Mrs. Taylor to amend the local law to create a new fee category (8) in which 1/4 or 25% of the amount taken in would be placed in a capital reserve account relating to the extension of pathways at Otsiningo Park.

Ms. Harris moved, seconded by Mr. Malley to amend the amendment to reflect a starting date of January 1, 1996..

Mr. Lindsey moved, seconded by Mr. Wike to **call the question** on the amendment(s). The call of the question **carried**.

The amendment to the amendment by Ms. Harris **lost**.
Ayes-4 (Harris, Malley, Taylor & Whalen), Nays-15

The amendment by Mr. Whalen **lost**. Ayes-2 (Taylor & Whalen), Nays-17

Mrs. Wagstaff moved, seconded by Mr. Augustini to **call the question**.
The call of the question **carried**.

At the request of Mr. Pasquale, a separate vote was taken on the following section of the local law:

(7)Parking at Otsiningo Park: Daily (May 1 to Columbus Day)
One dollars (\$1) per car. Senior citizens free Monday-Friday,
excluding holidays.

This section **carried**.
Ayes-14, Nays-5 (Brown, Harbachuk, Pasquale, Taylor & Whalen)

The balance of the resolution **carried**. Ayes-16, Nays-3 (Brown, Taylor & Whalen)

RESOLUTION NO. 669

by Education, Culture & Recreation and Finance Committees
Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AGREEMENT WITH ALAN PALMER FOR LEASE OF RESIDENCE LOCATED AT HAWKINS POND PARK

WHEREAS, Resolution No. 31 of 1978, as amended by Resolution No. 337 of 1984, established terms for occupancy of the County-owned residence at Hawkins Pond Park, and

WHEREAS, said resolution provided that an employee of the Parks Department or Public Works Department would be permitted to occupy said residence at a nominal rental and in exchange for performing certain maintenance services within the Park confines, and

WHEREAS, the Commissioner of Parks and Recreation requests authorization for an agreement with Alan Palmer, Park Technician, for occupancy of said residence, at a monthly rate of \$350.00, of which \$300.00 shall be in the form of services to be provided by the tenant as set forth in Exhibit "A", now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Alan Palmer, for occupancy of the residence located at Hawkins Pond Park, and be it

FURTHER RESOLVED, that in consideration of said services, the tenant shall pay the County of Broome \$350.00 per month for the term of this agreement, of which \$300.00 shall be in the form of services to be provided by the tenant as set forth in Exhibit "A", and the balance of \$50.00 to be paid by payroll deduction; and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be to revenue line 541003.0148.101000 (Park Employee Subsistence), and be it

FURTHER RESOLVED, that Resolution 31 of 1978, as amended by Resolution 337 of 1984, 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.

RESOLUTION NO. 670

by Health & Human Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH UNITED HEALTH SERVICES HOSPITAL, INC. FOR POST EXPOSURE TO RABIES TREATMENT FOR THE BROOME COUNTY HEALTH DEPARTMENT, ENVIRONMENTAL HEALTH DIVISION, FOR 1993 AND 1994.

WHEREAS, the Broome County Board of Acquisition and Contract at a regularly scheduled meeting on March 9, 1994 authorized an agreement with United Health Services Hospital, Inc., for post exposure to rabies treatment services for the Broome County Health Department, Environmental Health Division, for January 1, 1993 through December 31, 1994 at a cost not to exceed \$2,500, and

WHEREAS, it is necessary to authorize the amendment of said agreement due to an increase in service needs, therefore an increase in total cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with United Health Services Hospitals, Inc., 20-42 Mitchell Avenue, Binghamton, New York, 13903 for post-exposure treatment for rabies services for the Broome County Health Department Environmental Health Division, for the period January 1, 1993 through December 31, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay United Health Services Hospital, Inc., a total amount

not to exceed \$14,500.00, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480160.4715.101000 (Other Health and Medical Services), and be it

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

Carried.

RESOLUTION NO. 671

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

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF FEDERAL FORFEITURE PROGRAM GRANT FOR THE OFFICE OF THE DISTRICT ATTORNEY AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995.

WHEREAS, this County Legislature, by Resolution 66 of 1993 as revised by Resolution 166 of 1994, authorized and approved the participation by the Office of the District Attorney in the Federal Forfeiture Program for calendar year 1994 and adopted a program budget in the amount of \$29,770.75 for the period ending December 31, 1994, and

WHEREAS, said grant program provides that money and property

seized in connection with forfeiture proceedings be used for law enforcement purposes.

WHEREAS, it is desired to renew said grant program for calendar year 1995 in the amount of \$55,642.27, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$55,642.27 from United States Treasury Federal Forfeiture Program for the period January 1, 1995, through December 31, 1995, 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 \$55,642.27 for the period January 1, 1995, through December 31, 1995, 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. 672

by Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING ACCEPTANCE OF THE GOVERNOR'S TRAFFIC SAFETY COMMITTEE GRANT FOR

THE STOP DWI PROGRAM HOLIDAY CLASSIC FOR 1994 THROUGH 1995.

WHEREAS, the this County Legislature by Resolution 93-640, authorized the acceptance of the Governor's Traffic Safety Committee Grant for the Broome County STOP-DWI Program Holiday Classic Basketball Tournament and adopted a program budget in connection therewith in the amount of \$15,000 for the period October, 1993 through September, 1994, and

WHEREAS, said grant program partially funds the Broome County STOP-DWI Program Holiday Classic Basketball Tournament held annually during the holiday season, and

WHEREAS, it is desired to renew said grant program for the period November 1, 1994 through September 30, 1995 in the amount of \$18,000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$18,000 from the Governor's Traffic Safety Committee, Empire State Plaza, Albany, New York, 12228 for the Broome County STOP-DWI Program Holiday Classic Basketball Tournament for the period November 1, 1994 through September 30, 1995, and be it

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

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

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

Carried.

RESOLUTION NO. 673

by Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING REVISION OF THE BROOME COUNTY STOP DWI HOLIDAY CLASSIC GRANT FOR THE BROOME COUNTY STOP DWI PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 AND 1995.

WHEREAS, this County Legislature, by Resolution 325 of 1994, authorized the Broome County STOP-DWI Holiday Classic Grant for the Broome County STOP-DWI Program for the period July 1, 1994 through March 1, 1995 and adopted a program budget in the total amount of \$74,500.00, and

WHEREAS, it is necessary at this time to revise said program grant to reflect a change in revenue source, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the revision of the Broome County STOP-DWI Holiday Classic Grant for the Broome County STOP-DWI Program for the period July 1, 1994 through March 1, 1995 in the total amount of \$74,500, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts a revised program budget annexed hereto as Exhibit "A" in the total amount of \$74,500 for the period July 1, 1994 though March 1, 1995, and be it

FURTHER RESOLVED, that Resolution 94-325 to the extent consistent herewith shall remain in full force and effect, and be it

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

purpose of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered 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. 674

by Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF LEASE AGREEMENT WITH WATER STREET ASSOCIATES FOR OFFICE SPACE FOR THE STOP-DWI PROGRAM FOR 1995.

WHEREAS, this County Legislature, by Resolution 93-549, authorized an agreement with Water Street Associates for office space for the STOP-DWI program at an amount not to exceed \$377.08 per month for the period January 1, 1994 through December 31, 1994 total cost not to exceed \$4,525.00, and

WHEREAS, said agreement expires by its terms on December 31, 1993, and it is desired at this time to renew said agreement for the period January 1, 1995 through April 30, 1995, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the

renewal of the agreement with Water Street Associates for office space for the STOP-DWI Program for the period January 1, 1995 through April 30, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$377.08 per month, total cost not to exceed \$1,510.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 820001.4422.101000 (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.

Carried.

RESOLUTION NO. 675

by Environment, Education, Culture & Recreation and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF BROOME COUNTY FOR SOLID WASTE EDUCATION TECHNICAL ASSISTANCE AND SUPPORT FOR THE DIVISION OF SOLID WASTE MANAGEMENT RECYCLING OPERATIONS FOR 1995.

WHEREAS, this County Legislature, by Resolution 24 of 1994, authorized an agreement between the Division of Solid Waste Management and the Cornell Cooperative Extension of Broome County for solid waste education technical assistance and support in connection with recycling operations for the period January 1, 1994 through December 31, 1994, at a cost not to exceed \$87,070.00, and

WHEREAS, the total cost of operation

WHEREAS, said agreement expires by its terms on December 31,

1994, and it is desired to renew said agreement, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Cornell Cooperative Extension of Broome County, 840 Front Street, Binghamton, New York 13905, for solid waste education technical assistance and support in connection with recycling operations and waste reduction through the Division of Solid Waste Management, for the period January 1, 1995 through December 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$73,665.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230078.4545.206000 (Contracted Services), and be it

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

Carried.

RESOLUTION NO. 676

by Finance Committee Seconded by Mr. Malley

RESOLUTION AMENDING RESOLUTION 501 OF 1994 ENTITLED RESOLUTION AMENDING RESOLUTION 180 OF 1965, ENTITLED: "RESOLUTION IMPOSING TAXES ON SALES AND USE OF TANGIBLE PERSONAL PROPERTY AND CERTAIN SERVICES, OCCUPANCY OF HOTEL ROOMS, ADMISSION CHARGES AND CLUB DUES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK", AS LAST AMENDED BY RESOLUTION NO. 173 OF 1980, IN RELATION TO THE

ALLOCATION OF SALES TAX RECEIPTS.

RESOLVED, that section 14 of Resolution 180 of 1965, as last amended by Resolution 173 of 1980, is hereby amended to add a new subdivision f to read as follows:

f. Anything hereinabove contained to the contrary notwithstanding, commencing with the distribution by the County to the cities and towns within the County on or about April 15, 1994 and commencing with the distribution by the County to the villages within the County on or about October 15, 1994, and ending with the distribution by the County to the cities and towns within the County on or about [October 15, 1995] January 15, 1996 and the distribution by the County to the villages within the County on or about July 15, 1996 said municipalities shall receive fifty percent (50%) of such sales tax collected, in accordance with the distribution formula established herein, provided, however, that the total distribution by the County to the cities and towns in the County shall not exceed the total distribution by the County to the cities and towns in the County in April, 1992 through January, 1993 and the total distribution by the County to the villages shall not exceed the total distribution by the County to the villages in the County in October, 1992 through July 1993.

and be it

FURTHER RESOLVED, that this Resolution shall take effect on April 1, 1994 and shall expire on July 31, 1996.

matter in [brackets] deleted matter underlined added

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

RESOLUTION NO. 677

by County Administration, Economic Development and Planning and Finance Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING REVISION OF THE OFFICE

**OF EMPLOYMENT AND TRAINING PARTNERSHIP ACT
ADMINISTRATION TITLE IIA 78% PROGRAM AND
ADOPTING A REVISED PROGRAM BUDGET IN
CONNECTION THEREWITH FOR SEPTEMBER 1994
THROUGH JUNE 1995.**

WHEREAS, this County Legislature, by Resolution 47 of 1993, authorized the continued participation by the Office of Employment and Training in the Administrative 78% Program for the calendar year July 1, 1992 through June 30, 1993 and adopted a program budget in connection therewith in the total amount of \$1,261,461.00, and

WHEREAS, it is necessary at this time to revise said program to reflect a transfer in grant appropriations and to extend the grant period, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Job Training Partnership Act Title IIA 78% Program for the period July 1, 1992 through June 30, 1995 in the total amount of \$1,261,461.00, 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 \$1,261,461.00 for the period July 1, 1992 through June 30, 1995, and be it

FURTHER RESOLVED, that Resolution 47 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.

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

The resolution **carried**. Ayes-17, Nays-2 (Hudak & Wike)

RESOLUTION NO. 678

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

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE DEPARTMENTS OF PLANNING AND ECONOMIC DEVELOPMENT/BMTS, DISTRICT ATTORNEY, GENERAL SERVICES, HEALTH, WILLOW POINT NURSING FACILITY AND EMERGENCY SERVICES

RESOLVED, that in accordance with a request from the Department of Planning and Economic Development/BMTS, in order to provide funds for a contract for the provision of freight data for long range plan, transportation tomorrow, as requested by BT# 385, 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: 440073	1000	102806	Salaries, Full-Time	\$2,400
TO : 440073	4747	102806	Fees for Service	\$2,400

and be it

FURTHER RESOLVED, that in accordance with a request from

the Willow Point Nursing Facility, in order to provide funds for ninety-four hours of part-time help to cover vacancy in full-time position, as requested by BT# 7826, 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:	160184	1000	204000	Salaries, Full-Time	\$1,000
TO :	160184	1500	204000	Salaries, Part-Time	\$1,000

and be it

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Facility, in order to provide funds for over-extended overtime, part-time, nursing services (RN), and nursing services (LPN) salary lines, as requested by BT# 7819, BT# 7820, and BT# 7821, 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:	160028	1500	204000	Salaries, Part-Time	\$ 530
	160077	1000	204000	Salaries, Full-Time	7,970
	160077	1000	204000	Salaries, Full-Time	117,772
	160085	1900	204000	Nursing Services (RN)	35,568
	160085	4902	204000	Nursing Services (Aide)	53,625
	160127	1000	204000	Salaries, Full-Time	366
	160150	1000	204000	Salaries, Full-Time	175
	160176	1500	204000	Salaries, Part-Time	162
	160176	1700	204000	Salaries, Full-Time	600
TO :	160028	1700	204000	Salaries, Overtime	\$ 530
	160077	1500	204000	Salaries, Part-Time	814
	160077	1700	204000	Salaries, Overtime	8,355
	160085	1500	204000	Salaries, Part-Time	18,581
	160085	1700	204000	Salaries, Overtime	133,560
	160085	4900	204000	Nursing Service (RN)	38,300

160085	4901	204000	Nursing Service (LPN)	15,325
160127	1700	204000	Salaries, Overtime	366
160150	1700	204000	Salaries, Overtime	175
160226	1000	204000	Salaries, Full-Time	738
160234	1000	204000	Salaries, Full-Time	24

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Health, in order to provide funds for under-budgeted Health Insurance Fringe Line, as requested by BT# 7770, 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:	48036	88010	102755	State Retirement	\$8,723
	480368	8040	102755	Workers Compensation	812
TO :	480368	8060	102755	Health Insurance	\$9,535

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of General Services, in order to provide funds for overtime incurred on large time sensitive printing job, as requested by BT# 8231, 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:	350017	4319	101000	Office Supplies	\$224
TO :	350017	1700	101000	Salaries-Overtime	\$224

and be it

FURTHER RESOLVED, that in accordance with a request from Department of the District Attorney, in order to provide funds for extradition of an inordinate number of probation violators, as requested by BT# 8117, 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>
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FROM: 900084 4752 101000 Contingent Account \$2,900
 TO : 330001 4465 101000 NonEmployee Travel \$2,900
 and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Emergency Services in order to provide funds for temporary salaries and overtime, as requested by BT# 8230, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM: 900084	4752	101000	Contingent Account	\$25,000
TO : 460006	1600	101000	Salaries-Temp	\$10,000
460006	1700	101000	Salaries-Overtime	\$15,000

Carried.

RESOLUTION NO. 679

by Personnel, Health and Human Services, Public Safety & Emergency Services, Public Works, Education, Culture & Recreation and County Administration, Economic Development and Planning Committees

Seconded by Mrs. Taylor

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR WILLOW POINT NURSING FACILITY, SHERIFF'S DEPARTMENT, MENTAL HEALTH, DEPARTMENT OF PUBLIC WORKS/SECURITY, LIBRARY, COMPUTER SERVICES AND HEALTH

RESOLVED, that in accordance with a request from the Willow Point Nursing Facility, as contained in PCR# 94-279, this County Legislature hereby authorizes the **upgrade** of four (4) full-time

Laundry Worker positions at budget line WC160150.1000, minimum salary \$12,417 Grade 05, Union Code 04 (CSEA), to four (4) full-time Laundry Worker positions at budget line WC160150.1000, minimum salary \$13,098, Grade 06, Union Code 04 (CSEA), effective January 3, 1995, and be it

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Facility , as contained in PCR# 94-312, this County Legislature hereby authorizes the **reclassification** of one (1) full-time Assistant Housekeeping Supervisor position at budget line WC100143.1000, minimum salary \$15,601, Grade 08, Union Code 04 (CSEA), to one (1) full-time position at budget line WC1601493.1000., minimum salary \$18,318, Grade 11, Union Code 04 (CSEA), effective January 3, 1995, and be it

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Facility, as contained in PCR# 94-313, this County Legislature hereby authorizes the **creation** of four (4) part-time RPN/LPN positions at budget line WC160085.1500, minimum salary \$21,512/\$17,363, Grade 14/10, Union Code 08 (CSEA) and the **abolishment** of two (2) full-time RPN positions at budget line WC160085.1000, minimum salary \$21,512, Grade 14, Union Code 04 (CSEA), effective January 3, 1995, and be it

FURTHER RESOLVED, that in accordance with a request from the Department of the Sheriff, as contained in PCR# 94-283, this County Legislature hereby authorizes the **upgrade** of one (1) full-time Laundry Worker position at budget line A450023.1000, from Grade 05, Union Code 04 (CSEA), to one (1) full-time Laundry Worker position at budget line A450023.1000, Grade 06, Union Code 04 (CSEA), effective January 3, 1995, and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Mental Health, as contained in PCR# 94-241, this County Legislature hereby sets the grade and rate of compensation for two (2) part-time Peer Counselor positions at budget line GA470096.1500, minimum salary \$7.0872/hr (\$13,820), Grade 07,

Union Code 08 (CSEA), effective January 3, 1995. The positions were previously created by Broome County Legislature by Resolution No. 94-202 adopted on May 19, 1994 (MICA Grant), and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Public Works/Security, as contained in PCR# 95-73, this County Legislature hereby authorizes the **creation** of one (1) full-time Assistant Dog Shelter Manager position at budget line A031476.1000, minimum salary \$16,228, Grade 10, Union Code 04 (CSEA), effective January 3, 1995, and be it

FURTHER RESOLVED, that in accordance with a request from the Library, as contained in PCR# 95-72, this County Legislature hereby authorizes the **abolishment** of two (2) part-time Page positions at budget line L841007.1500, minimum salary \$4.30/hr (\$13,198), Grade N/A, Union Code 52 (CSEA), and the **creation** of one (1) full-time Page position at budget line L841007.1000, minimum salary \$13,650, Grade 05, Union Code 30 (CSEA) effective January 3, 1995, and be it

FURTHER RESOLVED, that in accordance with a request from the Computer Services Department, as contained in PCR# 95-66, this County Legislature hereby authorizes the **creation** of one (1) Customer Support Representative position at budget line A370007.1000, minimum salary \$17,120, Grade 11, Union Code 04 (CSEA) and the **abolishment** of one (1) Sr. Computer Programmer position at budget line A370007.1000, minimum salary \$29,243, Grade 21, Union Code 04 (CSEA), effective January 3, 1995, and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Health, as contained in PCR# 95-94, this County Legislature hereby authorizes the **reclassification** of one (1) Keyboard Specialist position at budget line GA480251.1000, minimum salary \$14,580, Grade 08, Union Code 04 (CSEA) to one (1) Health Program Specialist position at budget line GA480251.1000, minimum salary \$14,580, Grade 08, Union Code 04 (CSEA), effective January 1, 1995.

Carried.

RESOLUTION NO. 680

by County Administration, Economic Development Planning and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH GENERAL CODE PUBLISHERS FOR UPDATE OF COUNTY CHARTER AND CODE BOOK FOR 1995.

WHEREAS, this County Legislature, by Resolution 94-96, authorized an agreement with General Code Publishers Corporation for codification, publication, and updates, of the Broome County Administrative Code, Broome County Charter, Broome County Local Laws and Rules of Order on an as needed basis for calendar year 1994 at a cost not to exceed \$4,000, and

WHEREAS, said agreement expires by its terms on December 31, 1994, and it is desired at this time to renew said agreement for calendar year 1995 on substantially similar terms and conditions, and

WHEREAS, said agreement would include the updating of the Charter and Code book as necessary to accurately indicate all modifications, additions and deletions of certain Broome County Government Laws and Resolutions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with General Code Publishers Corporation, 72 Hinchey Road, Rochester, New York 14624, for codification, publication, and updates of the Broome County Administrative Code, Charter, Local Laws and Rules of Order on an as needed basis for the period January 1, 1995 through December 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$4,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 240028.4747.101000 (Other Fees for Services), and be it

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

Carried.

RESOLUTION NO. 681

by County Administration, Economic Development & Planning and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RETENTION OF \$123,689 BY THE COUNTY CLERK FOR THE COUNTY OF BROOME FROM MORTGAGE TAXES.

WHEREAS, Section 262 of the Tax Law mandates that recording officers are entitled to receive for the county all necessary expenses for the purposes of administration of mortgage taxes in their office and approved allowance by the New York State Tax Commission, and

WHEREAS, the New York State Tax Commission did, by Resolution duly adopted, determine that such mortgage tax expense be approved, at the amount certified to the State Tax Commissioner, by the County Legislature, provided it is a reasonable and necessary allowance for such expenses, and

WHEREAS, the Broome County Clerk has determined that \$123,689 represents the annual amount of expenses incurred by his office in the collection of mortgage taxes due and owing pursuant to New York State Tax Laws, now, therefore, be it

RESOLVED, that this County Legislature hereby determines that the sum of \$123,689 per annum be and hereby is a necessary, reasonable and proper allowance to be received by the County Clerk of

the County of Broome for the purpose of administering mortgage taxes in said office, and be it

FURTHER RESOLVED, that revenue from the processing of mortgage taxes shall be credited to budget line 300012.0017.101000 (Mortgage Tax), and be it

FURTHER RESOLVED, that the sum of \$123,689 per annum is hereby certified to the State Tax Commission as the reasonable and proper allowance for such expenses.

Carried.

RESOLUTION NO. 682

by Health & Human Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH CONSTANCE G. ALEXANDER FOR SPEECH THERAPY SERVICES FOR THE WILLOW POINT NURSING FACILITY FOR 1994.

WHEREAS, this County Legislature, by Resolution 608 of 1993, authorized an agreement with Constance G. Alexander for speech therapy services, at a cost of \$49.50 per hour, total cost not to exceed \$13,860.00, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide for an increase in the contract cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Constance G. Alexander for speech therapy services for Willow Point Nursing Facility for the period January 1, 1994 through December 31, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$49.50 per hour for a total cost not to exceed \$15,110.00, and be it

FURTHER RESOLVED, that the payments hereinabove

authorized shall be made from budget line 160242.4706.204000 (Rehabilitation and Therapy Services), and be it

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

RESOLUTION NO. 683

by Health & Human Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH FOR THE REIMBURSEMENT OF CERTAIN COSTS FOR THE BROOME COUNTY HEALTH DEPARTMENT RABIES PROGRAM FOR 1994 THROUGH 1995

WHEREAS, this County Legislature, by Resolution No. 94-178, authorized an agreement with the New York State Department of Health for reimbursement of certain costs for the Broome County Health Department Rabies Program for the period April 1, 1993 through March 31, 1994, with revenue to the County in the amount of \$13,500, and

WHEREAS, said agreement reimbursed Broome County for certain costs incurred by the Broome County Health Department in its rabies program, including human treatment, specimen shipment and pet vaccination clinics, and

WHEREAS, this agreement expired by its terms on March 31, 1994 and it is desired at this time to renew said agreement for the period April 1, 1994 through March 31, 1995 on substantially similar terms, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the New York State Department of Health for reimbursement of certain costs associated with the Broome

County Health Department Rabies Program for the period April 1, 1994 through March 31, 1995, and be it

FURTHER RESOLVED, that the New York State Department of Health shall reimburse the County a maximum amount of \$13,000, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget lines 480160.0274.101000 (Rabies), 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. 684

by Environment Committee

Seconded by Mr. Pasquale

RESOLUTION ADOPTING A SCOPE OF ISSUES WITH RESPECT TO THE ENVIRONMENTAL REVIEW FOR THE CONSTRUCTION AND OPERATION OF A PERMANENT HAZARDOUS WASTE COLLECTION FACILITY.

WHEREAS, this County Legislature pursuant to Resolution 94-549 has designated itself "lead agency" with respect to the environmental review of the proposed construction and operation of a hazardous waste collection facility, and

WHEREAS, no other involved agency has objected to said designation, and

WHEREAS, it is necessary for this Legislature to adopt a scope of issues for the environmental review for the construction and operation of a permanent hazardous waste collection facility, and

WHEREAS, the scope of issues attached hereto as Exhibit "A" have been reviewed and approved by the other involved agency on the project, now, therefore, be it

RESOLVED, that this County Legislature hereby adopts a scope of issues annexed hereto as Exhibit "A" with respect to the environmental review for the construction and operation of a permanent hazardous waste collection facility, and be it

FURTHER RESOLVED, that the Division of Solid Waste Management is hereby directed to take all steps necessary to prepare a draft supplemental environmental impact statement for this project in accordance with the State Environmental Quality Review Act.

Carried.

RESOLUTION NO. 685

by Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH RESEARCH FOUNDATION OF STATE UNIVERSITY OF NEW YORK FOR PSYCHOLOGICAL SERVICES IN CONNECTION WITH THE PROBATION DEPARTMENT'S PERSONS IN NEED OF SUPERVISION (PINS) PROGRAM FOR 1995.

WHEREAS, this County Legislature, by Resolution 13 of 1994, authorized an agreement with Research Foundation of State University of New York for Psychological Services in connection with the Probation Department's PINS Program at a cost not to exceed \$5,500.00 for calendar year 1994, and

WHEREAS, said agreement expires by its terms on December 31, 1994, and it is desired at this time to renew said agreement for calendar year 1995 on substantially similar terms and conditions, with an increase in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Research Foundation of State University of New York, PO Box 9, Albany, New York, 12201, for

psychological services in connection with the Probation Department's PINS Program for the period January 1, 1995 through December 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$9,000.00, for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 280024.4715.101000 (Other Health and Medical Services), and be it

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

Carried.

RESOLUTION NO. 686

by Public Safety & Emergency Services Committee

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AGREEMENT WITH THE NEW YORK STATE POLICE RELATING TO THE ENHANCED 911 SYSTEM FOR THE OFFICE OF EMERGENCY SERVICES AND THE SHERIFF'S DEPARTMENT FOR 1995 THROUGH 1999.

WHEREAS, Broome County has completed the installation of the Enhanced 911 System, and

WHEREAS, the County, including the Sheriff's Department, and the New York State Police agree that the State Police should be a part

of the Enhanced 911 System for Broome County, and

WHEREAS, the County, including the Sheriff's Department, and the State Police have agreed that the State Police should be a secondary answering point and will provide "backup" for the Broome County Office of Emergency Services Communications Center, and

WHEREAS, the County, including the Sheriff's Department, agree that law enforcement calls to the Enhanced 911 System should be assigned to the closest available patrol unit, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the New York State Police providing for participation of the New York State Police in the Enhanced 911 System and providing for assignment of law enforcement calls to the closest available patrol unit, and be it

FURTHER RESOLVED, that the agreement shall be substantially in the form of a previous agreement between the County of Broome and the New York State Police dated March 7, 1991, a copy of which is attached hereto as Exhibit "A", and be it

FURTHER RESOLVED, that the County Executive and the Sheriff or their duly authorized representatives are hereby authorized to execute any such agreement, 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. 687

by Health & Human Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH GTL, INCORPORATED AND PROJECT HEAR FOR PERSONAL EMERGENCY RESPONSE SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 1995.

WHEREAS, New York State Law mandates the Personal

Emergency Response System (PERS) pursuant to Social Services Law for certain eligible medical assistance recipients, and

WHEREAS, the cost of medical assistance expenditures for personal care services have rapidly increased and PERS will allow Broome County Department of Social Services to reduce or eliminate the number of hours authorized for home care workers who are in a client's home solely for the purpose of monitoring the client's health and safety, and

WHEREAS, Broome County Department of Social Services is authorized to enter into an agreement for the provisions of PERS for which reimbursement is available, and

WHEREAS, this County Legislature, by Resolution 93-627 and 94-261 authorized an agreement with GTL, Incorporated and Project HEAR for provision of Personal Emergency Response Services for the period January 1, 1994 through December 31, 1994, and

WHEREAS, GTL, Incorporated, and Project HEAR are ready, willing and able to provide Personal Emergency Response Services for eligible Broome County medical assistance recipients at the 1994 rate, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with GTL, Incorporated, 1421A Arnot Road, Horseheads, New York, 14845, and with Project HEAR, 229-231 State Street, Binghamton, New York, 13905, for Personal Emergency Response Services in connection with the Department of Social Services' medical assistance program for the period January 1, 1995 through December 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$35.00 per installation of each PERS unit and \$25.00 per month per unit monitoring fee, subject to revision and approval of New York State for 1995 rates, total cost not to exceed \$3,604.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the requested rates and services may continue through 1996 until such a time as a new rate is approved

by New York State should said rates be revised, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670083.4568.103000 (MMIS Medical Assistance), and be it

FURTHER RESOLVED, that the Commissioner of Broome County Department of Social Services shall have the discretion to authorize CASA or other agencies of individuals to act as the designee or representative for the Broome County Department of Social Services for any or all of the local department's functions in this program, 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. 688

by Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF ANTI-DRUG ABUSE PROGRAM GRANT A/K/A THE "C.O.M.B.A.T GRANT" FROM THE STATE OF NEW YORK DIVISION OF CRIMINAL JUSTICE SERVICES, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH, AND AUTHORIZING A RENEWAL OF THE AGREEMENT WITH THE CITY OF BINGHAMTON FOR PARTIAL ADMINISTRATION THEREOF FOR 1995

WHEREAS, this County Legislature by Resolution 192 of 1994, authorized the acceptance of \$180,000 from the New York State Division of Criminal Justice Services for the Anti-Drug Abuse Act Program a/k/a the "C.O.M.B.A.T Grant" for use in reducing the street trafficking and use of narcotics in the City of Binghamton downtown

business district, and develop a support network between and among businesses, police and community residents for the period May 1, 1993 through April 30, 1994, and

WHEREAS, the New York State Division of Criminal Justice Services has awarded Broome County \$180,000 for the aforementioned program for calendar year 1995, and

WHEREAS, additionally Broome County will contribute \$15,000 of in-kind services and the City of Binghamton will provide \$45,000 of in-kind services in support for this program; total program being \$240,000 for the term of this program, and

WHEREAS, this program will be implemented by the Broome County Departments of District Attorney, Probation, Public Defender, and the City of Binghamton, and

WHEREAS, it is desired to accept said grant monies from the State of New York Division of Criminal Justice Services in the amount of \$180,000 for the Anti-Drug Abuse Program Grant; adopt a program budget in connection therewith and to authorize an agreement with the City of Binghamton for that portion of the grant which the City of Binghamton is required to effectuate for calendar year 1995, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$180,000 from the New York State Division of Criminal Justice Services for the Anti-Drug Abuse Program Grant a/k/a the "C.O.M.B.A.T Grant" for calendar year 1995, 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 \$180,000, said sum consisting of only monies received or allocated, not in-kind services contributed, for calendar year 1995 and be it

FURTHER RESOLVED, that this County Legislature authorizes an agreement with the City of Binghamton for the provision of certain services for the aforementioned grant as further identified in the grant documents for calendar year 1995, 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. 689

by Finance and Education, Culture and Recreation Committees

Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST AND BUDGET TRANSFER FOR THE DEPARTMENT OF PARKS AND RECREATION.

RESOLVED, that in accordance with a request from the Department of Parks and Recreation, as contained in PCR# 95-93, this County Legislature hereby authorizes the **creation** of a Director of Therapeutic Recreation Services position at budget line A543017.1000, minimum salary \$23,478, Grade 15, Union Code 07, effective January 1, 1995, and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Parks and Recreation in, order to provide funds for creation of Director of Therapeutic Recreation Services position, as requested by BT# 8168 and BT# 8169, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer

of funds:

<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:				
543017	8070	101000		Unemployment Insurance \$ 7,
542001	2021	101000	Automobiles	10,400
542001	2022	101000	Light Trucks	12,000
543017	2470	101000		Training and Education Equip.
543017	2380	101000		Recreation Equipment 3,300
542001	2310	101000		Kitchen and Dining Room Equip.
TO :				
543017	1000	101000		Salaries - Full-time \$29,368
543017	8010	101000	Retirement	558
543017	8030	101000	Social Security	2,247
543017	8050	101000		Life Insurance 22
543017	8060	101000		Health Insurance 1,572

Mr. Augustini moved, seconded by Mrs. Wagstaff that the resolution be amended to reflect different funding sources as follows:

(Material underlined is the amendment)

RESOLVED, that in accordance with a request from the Department of Parks and Recreation, as contained in PCR# 95-93, this County Legislature hereby authorizes the **creation** of a Director of Therapeutic Recreation Services position at budget line A543017.1000, minimum salary \$23,478, Grade 15, Union Code 07, effective January 1, 1995, and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Public Works/Administration, as contained in PCR#95-96, this County Legislature hereby authorizes the **deletion** of a Principal Account Clerk position at budget line A030015.1000, minimum salary \$19,057, Grade 13, Union Code 04 (CSEA), effective

January 2, 1995, and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Parks & Recreation in order to provide funds for creation of Director of Therapeutic Recreation Services position, as requested by BT#8168 and BT#8169, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:				
<u>543017</u>	<u>8070</u>	<u>101000</u>		<u>Unemployment Insurance</u> \$ 7,
<u>030015</u>	<u>1000</u>	<u>101000</u>		<u>Salaries - Full Time</u> 19,730
<u>030015</u>	<u>8010</u>	<u>101000</u>	<u>Retirement</u>	<u>482</u>
<u>030015</u>	<u>8030</u>	<u>101000</u>		<u>Social Security</u> 1,847
<u>030015</u>	<u>8050</u>	<u>101000</u>		<u>Life Insurance</u> 22
<u>030015</u>	<u>8060</u>	<u>101000</u>		<u>Health Insurance</u> 4,248
<u>030015</u>	<u>8063</u>	<u>101000</u>		<u>Disability Insurance</u> 96
TO :				
<u>543017</u>	<u>1000</u>	<u>101000</u>		<u>Salaries - Full-time</u> \$29,368
<u>543017</u>	<u>8010</u>	<u>101000</u>	<u>Retirement</u>	<u>558</u>
<u>543017</u>	<u>8030</u>	<u>101000</u>	<u>Social Security</u>	<u>2,247</u>
<u>543017</u>	<u>8050</u>	<u>101000</u>		<u>Life Insurance</u> 22
<u>543017</u>	<u>8060</u>	<u>101000</u>		<u>Health Insurance</u> 1,572

The amendment **carried**. Ayes-18, Nays-1 (Pasquale)

The resolution as amended **carried**. Ayes-17, Nays-2 (Coffey & Schofield)

RESOLUTION NO. 690

by Personnel & Finance Committees

Seconded by Mr. Brown

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH PERSONAL PERFORMANCE CONSULTANTS, INC., FOR THE EMPLOYEE ASSISTANCE PROGRAM (EAP) FOR 1992 THROUGH JANUARY, 1995.

WHEREAS, this County Legislature, by Resolution 606 of 1991, authorized an agreement with Personal Performance Consultants, Inc., for the development and implementation of the County's Employee Assistance Program (EAP), for the period January 1, 1992 through December 31, 1994, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the term through January 31, 1995 at a cost not to exceed \$5,027 for said additional month, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Personal Performance Consultants, Inc., Attention: Leslie Rucker, 1401 So. Brentwood, Suite 400, St. Louis, Missouri, 63144, for the County's Employee Assistance Program (EAP) for the period January 1, 1995 through January 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$5,027 for said additional month extension, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050047.4747.601000 (Other Fees for Services), and be it

FURTHER RESOLVED, that Resolution 606 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. 691

by Personnel Committee Seconded by Mr. Pasquale

RESOLUTION ADOPTING THE DRUG AND ALCOHOL TESTING POLICY OF THE DEPARTMENT OF PERSONNEL.

WHEREAS, pursuant to the Omnibus Transportation Employee Testing Act of 1991, the United States Department of Transportation has issued regulations requiring that all employers of at least 50 persons holding a Commercial Drivers License (CDL) and using the same in their work adopt and enforce a policy requiring drug and alcohol testing of such employees, effective January 1, 1995, and

WHEREAS, such required testing includes pre-employment testing, reasonable suspicion testing, post-accident testing, random testing, return to duty testing, and follow-up testing; and

WHEREAS, the County employs more than 50 person holding and using CDL's, such persons being employed in the Parks Department, Public Works Department (Highway Division) and Division of Solid Waste Management (Landfill), and

WHEREAS, the Personnel Officer and Risk Manager have formed a management team to draft a policy that complies with applicable regulations and have consulted with affected labor unions concerning such policy, and

WHEREAS, the draft policy includes provisions that are not required by federal law or regulation but are vital to efficient functioning of County Departments, including provisions relating to discipline and/or treatment of employees who test positive for drugs or alcohol or otherwise violate the testing policy, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and adopts the Drug and Alcohol Testing Policy of the Department of Personnel, a copy of which is annexed hereto and marked as Exhibit "A", and be it

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

Carried.

RESOLUTION NO. 692

by County Administration Economic Development & Planning Committee

Seconded by Mr. Malley

RESOLUTION AUTHORIZING AGREEMENT WITH THE CITY OF BINGHAMTON, FOR DOG SHELTER SERVICES.

WHEREAS, the City of Binghamton has requested to contract with Broome County for dog shelter services for 1995, and

WHEREAS, the County currently has agreements with other towns and villages in Broome County for dog shelter services, and

WHEREAS, the Director of Security has recommended that the County enter into a contract with the City of Binghamton for said dog shelter services for 1995, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the City of Binghamton for a one year term, commencing January 1, 1995 through December 31, 1995, and be it

FURTHER RESOLVED, that in consideration of dog shelter services provided by Broome County, the County shall retain all impoundment fees as set by the Legislature and collected by the shelter, all the County statutory share of licensing fees, and all adoption fees collected by the shelter and in addition, the City of Binghamton shall remit to Broome County a fee of \$36,630 representing a charge of \$10.00 per licensed dog in the City of Binghamton, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be paid to budget line 031476.0177.101000

(Reimbursement Animal Shelter), 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 \$49,247 commencing January 1, 1995, and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to 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. 693

by County Administration Economic Development & Planning Committee

Seconded by Mr. Malley

RESOLUTION APPOINTING JAMES A. CARROLL, JR. AS ACTING BROOME COUNTY COMPTROLLER FOR AN INTERIM PERIOD

WHEREAS, Article 4, §401 of the Broome County Charter provides that "There shall be a Department of Audit and Control headed by a Comptroller who shall be appointed by the County Legislature," and

WHEREAS, Jay J. Dinga, 12 Jackson Avenue, Endicott, New York, 13760, Broome County Comptroller since October 1989, having been elected in November 1994 a Member of the New York State Assembly, is ineligible to continue serving as Comptroller after December 31, 1994, and

WHEREAS, it is necessary to designate an Acting Comptroller for an interim period while the formal search process for a permanent Comptroller, now taking place, continues, and

WHEREAS, it appears that James A. Carroll, Jr., 2622 Grandview Place, Endicott, NY 13760, meets the qualifications for Comptroller set forth in the County Charter, now, therefore, be it

RESOLVED, that this County Legislature does hereby appoint James A. Carroll, Jr., 2622 Grandview Place, Endicott, NY 13760 as Acting Comptroller of Broome County for an interim period not exceeding 60 days, beginning January 1, 1995 and ending upon appointment and qualification of a Broome County Comptroller.

Carried.

RESOLUTION NO. 694

by County Administration Economic Development & Planning Committee

Seconded by Mrs. Taylor

RESOLUTION AUTHORIZING AGREEMENT WITH RUTH DAVIS, FOR INTERIM ADMINISTRATOR SERVICES FOR WILLOW POINT NURSING FACILITY FOR 1994.

WHEREAS, in accordance with Section 415.26 (A)(3) of Codes, Rules and Regulations of New York State the Willow Point Nursing Facility is required to have a licensed nursing home administrator on site for a minimum of 12 hours per week; and

WHEREAS, it is necessary to utilize an interim administrator to meet this requirement until such time as a full-time licensed nursing home administrator is hired; and

WHEREAS, it is requested that this County Legislature authorize and approve an agreement with Ruth Davis to serve as interim administrator for Willow Point Nursing Facility for a period not to exceed 60 days at a rate of \$50.00 per hour for 30 hours per week; and

WHEREAS, Ruth Davis is a duly licensed nursing home

administrator and able to immediately assume the position of Willow Point Nursing Facility Administrator; now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves an agreement with Ruth Davis, 628 Rano Blvd., Vestal, NY, 13850, to serve as interim administrator for the Willow Point Nursing Facility for a period not to exceed 60 days commencing January 1, 1995 provided however, that said agreement shall be for a minimum term of 30 days and the County shall provide the Contractor two weeks notice of termination of services; and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$50.00 per hour for 30 hours per week for the term of this agreement; and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160028.4747.204000 (Other Professional Services), and be it

FURTHER RESOLVED, that in accordance with a request from Willow Point Nursing Facility, in order to provide funds for an interim administrator, as requested by BT # 8165, this County Legislature authorizes the Commissioner of Finance to transfer an amount not to exceed \$15,750 from budget line 160028.1000.204000 (Salaries, Full Time) to budget line 160028.4747.204000 (Other Professional Services), and be it

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

Mr. Whalen moved, seconded by Mr. Brown to **call the question** on the resolution. The call of the question **carried**. Ayes-17, Nays-2 (Hudak & Malley)

The resolution **carried**. Ayes-15, Nays-4 (Burger, Hudak, Schofield &

Wike)

RESOLUTION NO. 695

by County Administration Economic Development & Planning Committee

Seconded by Mr. Schofield

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR WILLOW POINT NURSING FACILITY.

RESOLVED, that in accordance with a request from the Willow Point Nursing Facility, as contained in PDR# 95-41C, this County Legislature hereby authorizes the extension of one (1) full-time temporary Assistant Nursing Home Administrator (unlicensed), Grade H, Union Code 02 (Administrative II) position at an annual salary of \$46,649, 12.5% or \$5,064 above the minimum at budget line WC160028.1600, effective January 1, 1995 for a period not to exceed sixty (60) days or when a permanent Assistant Nursing Home Administrator has been employed, whichever occurs first, and be it

FURTHER RESOLVED, that in order to provide funding for the temporary position, as requested by BT# 8160, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds in an amount not to exceed \$7,715:

<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM: 160028	1000	204000	Salaries - Full-Time	\$7,715
TO : 160028	1600	204000	Salaries - Temporary	\$7,715

Carried.

Mr. Malley moved, seconded by Mrs. Wagstaff to adjourn sine die at 6:14 P.M. **Carried.** Ayes-17, Absent-2 (Lindsey & Schofield)