

FURTHER RESOLVED, that this County Legislature hereby authorizes the acquisition by purchase or condemnation of the real property necessary to undertake and perform the aforesaid reconstruction project in accordance with the design and specification for said project. **Heldover** by Mr. Brown.

Mr. Malley moved, seconded by Mr. Yeager to adjourn to the call of the Clerk at 7:58 p.m. Carried.

**BROOME COUNTY LEGISLATURE  
SPECIAL SESSION  
FRIDAY, AUGUST 28, 1992  
3:00 P.M.**

The Legislature convened at 4:00 p.m. Called to order by the Chairman, Authur J. Shafer.

The Clerk, Richard R. Blythe, read the fire exit announcement and then called the attendance roll: Present-14, Absent-5, (Augostini, Pasquale, Pazzaglini, Seeley, Warner) Mr. Malley arrived during transfer deliberations, Mr. Pasquale arrived during the Executive Session.

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 communication, notices and reports were presented to the County Legislature:

COMMUNICATIONS:

1. Minutes from: Willow Point Nursing Facility; Binghamton Regional Airport
2. Resolution from: Orange County (Support of Legislation for the Right of Public Initiative and Referendum.)
3. Letter from Director, Bureau of Equalization Rates: amendment to Real Property Tax Law - apportionment of county taxes.
4. Letter from Sherwood Boehlert, Member of Congress, supporting Broome County's proposal to the Defense Finance and Accounting Service.
5. Notice of 1993 NYSAC Dues.
6. 1991 Annual Report from Department of Computer Services.

REPORTS:

1. Monthly Reports: Broome Community College (Above the Minimum Hires and Budget Transfers, July 1992).
2. Southern Tier Zoological Society, Inc. (Report detailing use of 1992 funds, January through July).

Mr. Moppert moved seconded by Mrs. Greenmun to receive and file the above noted reports and to publish any pertinent portions thereof in the 1992 Journal of Proceedings. **Carried.**

The following resolutions were presented for consideration:

Resolution 370A is the balance of Permanent Number 370 which was considered at the previous Legislative Session

**RESOLUTION NO. 370A**

By Finance Committee

Seconded by Mr. Warner

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE SHERIFF'S DEPARTMENT AND THE OFFICE OF ELECTIONS

Separate consideration was given to BT#4471 concerning a transfer for the Board of Elections. **Carried.** Ayes-12, (Bielecki, Brown, Howard, Hudak, Kavulich, Lindsey, Malley, Moppert, Schofield, Wagstaff, Yeager, Shafer) Nays-2, (Coffey, Greenmun) Absent-5 (Augostini, Pasquale, Pazzaglini, Seeley, Warner)

The balance of the Resolution, BT#'s 4436,4437, 4438, 4439, 4460, 4461 & 4462 **Carried.** Ayes-13, (Bielecki, Brown, Coffey, Howard, Hudak, Kavulich, Lindsey, Malley, Moppert, Schofield, Wagstaff, Yeager, Shafer) Nays-1 (Greenmun), Absent-5 (Augostini, Pasquale, Pazzaglini, Seeley, Warner)

At the request of Mr. Shafer, a vote was taken to suspend the rules to consider permanent #92-376 RESOLUTION AUTHORIZING AGREEMENT WITH LEVENE, GOULDIN & THOMPSON, ATTORNEYS AT LAW, FOR LEGAL SERVICES. **Carried.** Ayes-14, Nays-0, Absent-5, (Augostini, Pasquale, Pazzaglini, Seeley, Warner).

**Resolution No. 376**

by County Administration, Economic Development and Planning and Finance Committees

Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING AGREEMENT WITH LEVENE, GOULDIN & THOMPSON, ATTORNEYS AT LAW, FOR LEGAL SERVICES.

WHEREAS, it is deemed necessary that the Broome County Attorney's Office engage outside counsel to proceed with two juvenile matters in Broome County Family Court; and

WHEREAS, the firm of Levene, Gouldin & Thompson can provide qualified legal services to handle the Family Court and any appeals relating to these matters; and

WHEREAS, it is desired at this time to contract with Levene, Gouldin & Thompson, Attorneys at Law, on behalf of the Broome County Attorney as the presentment agency in two juvenile proceedings in Broome County Family Court and in any appeals relating to these matters, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Levene, Gouldin & Thompson, Attorneys at Law, 450 Plaza Drive, Vestal, New

York, 13850, on behalf of the Broome County Attorney's Office for two specific juvenile proceedings in Broome County Family Court and for any appeals relating thereto, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$85.00 per hour for associate time and \$100.00 per hour for partner time for such services at a total cost not to exceed \$3,000, and be it

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

At 3:30pm Mrs. Hudak moved, seconded by Mrs. Coffey to go into Executive Session to discuss pending litigation. **Carried.** Ayes-14, Nays-0, Absent-5 (Augustini, Pasquale, Pazzaglini, Seeley, Warner). The Executive Session concluded at 5:20pm. Resolution No. 376 **Carried.** Ayes-13, Nays-1 (Greenmun), Absent-5 (Augustini, Pasquale, Pazzaglini, Seeley, Warner).

Mr. Schofield moved, seconded by Mr. Brown to adjourn to the call of the clerk at 5:24 p.m. **Carried.** Ayes-10 (Bielecki, Brown, Greenmun, Howard, Hudak, Lindsey, Moppert, Schofield, Wagstaff, Shafer), Nays-4 (Coffey, Kavulich, Malley, Pasquale), Absent-5 (Augustini, Pazzaglini, Seeley, Warner, Yeager).