

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.

Legislative Note: Amount Budgeted for 1995 -

PROBE DIVERSION: \$ 18,467

ALTERNATE SENTENCING: \$ 20,157

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

Mr. Howard moved, seconded by Mr. Lindsey to **adjourn** at 6:13 P.M.

Carried. Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**BROOME COUNTY LEGISLATURE
SPECIAL SESSION
MARCH 23, 1995**

The Legislature convened at 5:05 P.M. with a call to order by the Chair, Arthur J. Shafer. The Clerk, Richard R. Blythe, read the fire exit announcement and called the Attendance Roll:

Present - 18, Absent - 1 (Mrs. Hudak)

The Chair, 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:

A. PETITIONS:

Against upgrade of Bunn Hill-Sheedy Road Intersection

B. COMMUNICATIONS:

1. Resolutions from:

- a. Tioga County (Co-Host 1997 and/or 1998 Conference of County Legislators and Supervisors Association of New York State).
- b. Ontario County (Supporting Adoption of State Legislation against the possession of Child Pornography).
- c. Environmental Management Council: (Requesting Restoration of Funds for

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EMC's in New York State; Amending 1995 Work Plan and Supporting Acceptance of \$14,000 from BMTS).

2. Minutes from:
 - a. Public Library
 - b. Binghamton Regional Airport
 - c. EMC Advisory Committee on Composting
3. Letter from Broome County Taxpayers' Coalition supporting State legislation to freeze property taxes at current level.
4. Senate Bill #2479 (Civil Service selection from top ten applicants).

C. NOTICES:

Notice of Public Hearing: Kirkwood Town Hall, March 28, 1995, 7:00 p.m. (amend zoning ordinance to add Self-Service Storage Facilities).

D. REPORTS:

1. 1994 Annual Reports:
 - a. Department of Social Services
 - b. Office for Aging
 - c. Cornell Cooperative Extension
2. Discovery Center of the Southern Tier, Inc.: 1993-94 Annual Report; Financial Statements, May 31, 1994 and 1993.
3. ACCORD: 1993 and 1994 Case Report.
4. Monthly Report: Broome Community College (Budget Transfers).

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Letter from the Chair, Arthur J. Shafer:

1. Appointing Louis P. Augostini as Acting Chair at Legislative Session, March 16, 1995.

Mr. Cahill moved, seconded by Mrs. Coffey to receive and file the above noted reports and to authorize the Clerk to publish pertinent portions in the Journal of Proceedings. **Carried.** Ayes-18, Nays-1 (Hudak)

RESCHEDULING OF JUNE SESSION:

Mr. Shafer moved, seconded by Mr. Howard and Mr. Kavulich that the June 15th., 1995 Regular Session be re-scheduled to Friday, June 16th., 1995 @ 3:30 P.M. **Carried.** Ayes-18, Nays-1 (Hudak)

The following two resolutions were presented as authorized by the Chair in the call of the Special Session.

RESOLUTION NO. 178 heldover by Mrs. Coffey
AUTHORIZING EXECUTION OF AN AGREEMENT WITH PROBE FOR CONTRACT AGENCY SUPPORT BY BROOME COUNTY FOR 1995

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

RESOLUTION NO. 179
by FINANCE COMMITTEE
Seconded by Mr. Wike

RESOLUTION AUTHORIZING THE SALE OF THE AVENUE C PROPERTY IN JOHNSON CITY AT PUBLIC AUCTION AND AUTHORIZING PAYMENT OF THE TIPPING FEE AT THE NANTICOKE LANDFILL FOR ANY AND ALL DEBRIS LOCATED THEREON.

WHEREAS, the Finance Committee recommends that this County hold a public auction for the purpose of selling that parcel of property known as 28 Avenue C located in the Village of Johnson City, County of Broome, State of New York, as soon as possible pursuant to applicable local and state laws and regulations, and

WHEREAS, the Finance Committee also recommends that the County provide \$30,000.00 towards the payment of the tipping fee for the debris now located on the property as an incentive to a successful bidder, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Department of Real Property Tax Service to hold a public auction for the sale of the real property known as 28 Avenue C located in the Village of Johnson City, County of Broome, State of New York, said public auction to be held as soon as convenient and in accordance with the existing local and state laws and regulations, and be it

FURTHER RESOLVED, that this County Legislature authorizes the expenditure of an amount not to exceed \$30,000.00 for use towards the payment of the tipping fee for the disposal of the debris located on this property at the Nanticoke Landfill, and be it

FURTHER RESOLVED, that in order to provide funds for this Resolution the Budget Director and the Commissioner of Finance are hereby authorized to make the following transfer of funds:

<u>Index</u>	<u>Sub-</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
<u>Code</u>	<u>object</u>	<u>Code</u>	<u>of Account</u>	<u>of Transfer</u>

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FROM: 900084 4752 101000 Contingency \$30,000

TO: 230086 0606 206000 Tipping Fees \$30,000

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

Mr. Schofield moved, seconded by Mr. Pasquale to **Suspend the Rules** for the purpose of considering Resolution No. 170 entitled:

BOND RESOLUTION DATED: _____ / A RESOLUTION AUTHORIZING THE ISSUANCE OF \$3,550,000 SERIAL BONDS OF THE COUNTY OF BROOME, NEW YORK, TO PAY THE COST OF CERTAIN SOLID WASTE PROJECTS IN AND FOR SAID COUNTY.

The motion to Suspend the Rules **lost**, by the following:

(12 affirmative votes were required for passage)

Ayes-10 Coffey, Holley, Hull, Kavulich, Miller, Pasquale, Schofield, Whalen, Wike & Shafer

Nays-8 Augustini, Burger, Cahill, Howard, Lindsey, Mather, O'Day & Sweet

Absent-1 Hudak

Mr. Augustini moved, seconded by Mr. Mather to **adjourn**, at 5:26 P.M.

Carried. Ayes-18, Nays-0, Absent-1 (Hudak)