

**BROOME COUNTY LEGISLATURE  
SPECIAL SESSION  
JUNE 1, 1995**

The Legislature convened at 4:10 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 - 17, Absent - 2 (Mr. Pasquale & Mrs. Sweet))

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:

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE

Letter from the County Executive, Timothy M. Grippen:

Designating and appointing Gary Crandall as Commissioner of Transit, effective June 19, 1995.

COMMUNICATIONS:

1. Minutes from:

- a. Landfill Siting Study
- b. Cornell Cooperative Extension
- c. Binghamton Regional Airport
- d. EMC Advisory Committee on Composting
- e. EMC Solid Waste Committee and Nanticoke Landfill Task Force
- f. Association of Towns and Villages

2. Letter from Richard F. Place resigning as member and Secretary of Broome County Board of Ethics.

3. Letter from John Kowalchyk, Director, Solid Waste Management, regarding regulations for contaminated soil, effective July 1, 1995.

REPORTS:

1. 1994 Annual Report from Broome County Sheriff's Office.

2. Monthly Report: Broome Community College (Above Minimum Hires; Budget

Transfers, April 1995).

3. Department of Audit and Control: Financial Statements, December 31, 1994 and 1993 (Willow Point Nursing Facility).

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-17, Absent-2 (Mr. Pasquale & Mrs. Sweet)

Prior to consideration of the holdover resolution, the Legislature heard from Gary Crandall, Deputy Commissioner of Public Transportation concerning a \$12,000 contract with SUNY @ Binghamton for Summer transportation. Mr. Crandall received the verbal approval of the Legislature for this contract and will present a formal resolution to the Legislature for the next regular session of June 16, 1995.

RESOLUTION HELD OVER BY MR. CAHILL FROM PREVIOUS SESSION  
(MAY 18, 1995)

**RESOLUTION NO. 254**

by FINANCE COMMITTEE and

COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT AND  
PLANNING COMMITTEE

Seconded by Mrs. Coffey

**RESOLUTION AUTHORIZING HOME RULE REQUEST TO EXTEND  
THE EFFECTIVENESS OF PROVISIONS AUTHORIZING THE  
COUNTY OF BROOME TO IMPOSE AN ADDITIONAL ONE  
PERCENT SALES AND COMPENSATING USE TAX.**

WHEREAS, by Resolution No. 395 of 1994, this Legislature requested the New York State Legislature to enact State Legislation to extend the effectiveness of provisions authorizing the County of Broome to impose an additional one percent of sales and compensating use taxes, and

WHEREAS, Assembly Bill A 5420 and Senate Bill S 4386 have been introduced into the New York State Assembly and Senate respectively to amend the tax law, in relation to extending the effectiveness of provisions authorizing the County of Broome to impose an additional one percent of sales and compensating use taxes, and

WHEREAS, pursuant to Article IX of the Constitution of the State of New York, it is necessary for this Legislature to enact a Home Rule Request for the passage of said legislation, now, therefore, be it

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RESOLVED, that this County Legislature hereby urges and approves the adoption and passage of said Assembly Bill A 5420 and Senate Bill S 4386 entitled "An Act to Amend the Tax Law in Relation to extending the effectiveness of provisions authorizing the County of Broome to Impose an Additional One Percent of Sales and Compensating Use Taxes", and hereby declares that a necessity exists for the passage of such bill and that the local legislative body of the County of Broome does not have the power to enact such legislation by local law, and be it

FURTHER RESOLVED, that a Home Rule Request be submitted to the Senate and Assembly of the New York State Legislature indicating that the necessity exists for the enactment of said legislation.

An amendment proposed by Mrs. Hudak and Mr. Holley at the previous regular session, to reflect a continuation of ½% instead of 1%, was **withdrawn** from consideration.

Mr. Augustini moved, seconded by Mrs. Hudak to **call the question** on the resolution.

The call of the question **carried**. Ayes-17, Nays-0, Absent-2 (Pasquale & Sweet)

The resolution **carried**.

Ayes-10 Augustini, Burger, Coffey, Holley, Howard, Kavulich, Lindsey, Mather, Miller & Whalen

Nays-7 Cahill, Hudak, Hull, O'Day, Schofield, Wike & Shafer

Absent-2 Pasquale & Sweet

**\*LEGISLATIVE NOTE:** The NYS Legislation that is endorsed, authorizes Broome County to extend the 8% Sales Tax Rate to Nov. 30, 1997.

Mr. Augustini moved, seconded by Mr. Burger to **adjourn** at 4:21 P.M.

**Carried**. Ayes-17, Nays-0, Absent-2 (Pasquale & Sweet)