

WHEREAS, the counties of Chautauqua, Erie and Onondaga have requested contributions to a defense fund from all 42 counties which are members of the defendant class in an amount proportionate to the amount of tax money at risk for each county, such monies to be expended for legitimate costs of legal defense including expert witness fees and expenses, legal costs and expenses, and attorneys fees, and

WHEREAS, the amount at risk for Broome County is \$74,983.00 for 1994 taxes and \$56,191.00 for 1995 taxes, and

WHEREAS, the suggested contribution amount for Broome County is \$5,574.90, and

WHEREAS, successful defense of the Conrail tax litigation will be of substantial benefit to Broome County and also to several municipalities and school districts within Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the County of Chautauqua for calendar year 1995 concerning a contribution by Broome County to a joint defense fund in the Conrail tax litigation, and be it

FURTHER RESOLVED, that the County shall pay County of Chautauqua an amount not to exceed \$5,574.90 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from the 1996 budget at 900183.4736.101000 (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.

Carried. Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

Mr. Howard moved, seconded by Mr. Pasquale to **adjourn** at 5:46 P.M.

Carried. Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**BROOME COUNTY LEGISLATURE
SPECIAL SESSION
JULY 25, 1995**

The Legislature convened at 5:00 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 - 10Mr. Augostini, Mr. Cahill, Mr. Holley, Mr. Kavulich, Mr. Lindsey, Mr. Miller, Mr. O'Day, Mr. Shafer, Mrs. Sweet & Mr. Wike

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Absent - 9Mr. Burger, Mrs. Coffey, Mr. Howard, Mrs. Hudak, Mr. Hull, Mr. Mather,
Mr. Pasquale, Mr. Schofield & Mr. Whalen

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:

COMMUNICATIONS:

- 1.Minutes from EMC Advisory Committee on Composting
- 2.Copy of letter from Comptroller, A. McLaughlin, to David L. Lindsey regarding Sheriff's Department Overtime Expenses.

REPORTS:

- 1.Second Quarterly Report of 1995 Sales Tax Collections.
- 2.Monthly Report from Broome Community College (Above Minimum Hires, June 1995)

Mr. Cahill moved, seconded by Mr. Kavulich to receive and file the above referenced reports and that the Clerk be directed to index said reports in the Journal of Proceedings and to publish the pertinent portions of said reports as may be directed by the Chair.

Carried.

Mr. Kavulich and Mr. Wike were designated by the Chair as participants in the 'short roll call' for the session.

RESOLUTIONS HELD OVER FROM PREVIOUS SESSION of July 20, 1995:

RESOLUTION NO. 353A held over by Mr. Wike

by PERSONNEL & FINANCE COMMITTEES

Seconded by Mr. Cahill

AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE DEPARTMENT OF BUDGET AND RESEARCH

RESOLVED, that in accordance with a request from the Division of Budget and Research, this County Legislature hereby authorizes the creation of one (1) Budget Analyst position at budget line A230037.1000, minimum salary \$23,490, Grade 17, Union Code 09 (Admin), effective July 24, 1995.

Mr. Wike moved, seconded by Mrs. Sweet to **table** this resolution pending receipt of the CGR Report. The move to table **lost** as follows:

Ayes-4 Augostini, Sweet, Wike & Shafer

Nays-6 Cahill, Holley, Kavulich, Lindsey, Miller & O'Day

Absent-9Burger, Coffey, Howard, Hudak, Hull, Mather, Pasquale, Schofield & Whalen

Mr. Shafer moved, seconded by Mr. Cahill to bring back an amendment to the resolution that had lost at the prior session. The amendment was brought back as follows:

Ayes-10Augostini, Cahill, Holley, Kavulich, Lindsey, Miller, O'Day, Sweet, Wike & Shafer

Absent-9Burger, Coffey, Howard, Hudak, Hull, Mather, Pasquale, Schofield & Whalen

The amendment requested by the Budget Office to Resolution # 353-A is as follows:

RESOLVED, that in accordance with a request from the Division of Budget and Research, as contained in PCR#95-247, this County Legislature hereby authorizes the creation of one (1) Budget Analyst position at budget line A230037.1000, minimum salary \$22,364, Grade 16, Union Code 09 (Admin), effective July 24, 1995.

Underlined areas indicate proposed amendment.

The amendment **carried**.

Ayes-10Augostini, Cahill, Holley, Kavulich, Lindsey, Miller, O'Day, Sweet, Wike & Shafer

Absent-9Burger, Coffey, Howard, Hudak, Hull, Mather, Pasquale, Schofield & Whalen

The resolution as amended **lost**.

Ayes-8Augostini, Cahill, Holley, Kavulich, Lindsey, Miller, O'Day, & Shafer

Nays-2 Sweet & Wike

Absent-9Burger, Coffey, Howard, Hudak, Hull, Mather, Pasquale, Schofield & Whalen

RESOLUTION NO. 354A held over by Mr. Cahill & Mr. Pasquale

by FINANCE, PUBLIC SAFETY & EMERGENCY SERVICES AND TRANSPORTATION COMMITTEES

Seconded by Mr. Whalen

AUTHORIZING TRANSFER OF FUNDS FOR THE DEPARTMENTS OF SHERIFF AND PUBLIC TRANSPORTATION

SPECIAL SESSION OF JULY 25, 1995

RESOLVED, that in accordance with a request from the Department of the Sheriff, in order to provide funds to cover overtime salaries, as requested by BT# 7488, 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: 900084	4752	101000	Contingent Account	\$18,000
TO :	450056	1700	101000	Salaries, Overtime \$18,000

(Held over by Mr. Cahill at the July 20, 1995 Session)

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Public Transportation in order to provide funds for partial funding for a study of transit routes, ridership, fares, etc. as recommended by CGR, as requested by BT# 6313, 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: 900084	4752	101000	Contingent Fund	\$55,000
TO :	220004	4449	203000	Other Operational \$55,000

(Held over by Mr. Pasquale at the July 20, 1995 Session)

The chair directed separate votes on each Budget Transfer as follows:

<u>DEPARTMENT</u>	<u>BT #</u>	<u>DESCRIPTION</u>
Sheriff	7488	provide funds to cover overtime salaries

Carried.

Ayes-10Augustini, Cahill, Holley, Kavulich, Lindsey, Miller, O'Day, Sweet, Wike & Shafer

Absent-9Burger, Coffey, Howard, Hudak, Hull, Mather, Pasquale, Schofield & Whalen

<u>DEPARTMENT</u>	<u>BT #</u>	<u>DESCRIPTION</u>
Transportation	6313	to provide funds for partial funding for a study of transit routes, ridership, fares, etc. as recommended by CGR

Carried.

Ayes-10Augustini, Cahill, Holley, Kavulich, Lindsey, Miller, O'Day, Sweet, Wike & Shafer

Absent-9Burger, Coffey, Howard, Hudak, Hull, Mather, Pasquale, Schofield & Whalen

Prior to the call for adjournment Mr. Lindsey moved, seconded by all members that the County Legislature award the seal of the County to the Organization of Vietnam Veterans in recognition of their community service work and that the clerk be authorized and directed to prepare a presentation certificate and ceremonial seal.

Carried by voice vote.

The text of the presentation certificate follows:

**AWARD OF THE SEAL OF THE COUNTY OF BROOME, TO:
THE ORGANIZATION of VIETNAM VETERANS**

TO THE PEOPLE OF THE COUNTY OF BROOME, PLEASE TAKE NOTICE that, at a Special Session of the Broome County Legislature of the County of Broome, State of New York, held on Tuesday, July 25, 1995, the County Legislature did unanimously award the ceremonial Seal of the County to the ORGANIZATION OF VIETNAM VETERANS in recognition of their efforts to serve the Broome County Community in many meaningful ways, including:

- Providing College Scholarships to Area Schools.
 - Bringing Veterans Counseling Programs to Broome County.
 - Providing a Color Guard to represent New York State at the dedication of the national Vietnam Memorial in Washington, DC.
 - Providing an Honor Guard for the 10th. Anniversary of the national Vietnam Memorial and again for the Vietnam Women's Memorial in 1992.
 - Sponsored and organized the "Welcome Home Desert Storm Parade.
- and**
- In July of 1995, brought the gift of the **Moving Wall Vietnam Memorial** to the people of Broome County and the Southern Tier of New York and the Northern Tier of Pennsylvania.

THESE UNSELFISH ACTS OF COMMUNITY AND CHARITABLE SERVICE ARE WORTHY OF PUBLIC RECOGNITION, NOW, on behalf of the Broome

SPECIAL SESSION OF JULY 25, 1995

County community, the Broome County Legislature and the County Executive presents the Ceremonial Seal of the County of Broome to the ORGANIZATION OF VIETNAM VETERANS and requests the citizens of the community to join in applauding their efforts.

Signed and sealed in the Legislative Chambers of the County of Broome, State of New York, this 25th. day of July, 1995 by:

Arthur J. Shafer, Chairman

Timothy M. Grippen, County Executive

Richard R. Blythe, Legislative Clerk

Mr. Augustini moved, seconded by Mr. Wike to adjourn @ 5:23 P.M.
Carried.