

**BROOME COUNTY LEGISLATURE
SPECIAL SESSION
THURSDAY, JANUARY 22, 1998**

The Legislature convened at 3:55pm with a call to order by the Chair, Daniel A. Schofield. Following the Pledge of Allegiance to the Flag and a moment of silent meditation, the Deputy Clerk, Laurie Tracy, made a fire exit announcement and called the Attendance Roll: Present-17, Absent-1 (Mather), Vacancy-1 (District 17)

| <u>District</u> | <u>Legislator</u> | <u>District</u> | <u>Legislator</u> |
|-----------------|---------------------|-----------------|---------------------|
| 1 | Mark R. Whalen | 11 | Chris W. Burger |
| 2 | Margaret M. Coffey | 12 | Andrew M. Kavulich |
| 3 | David L. Lindsey | 13 | Daniel A. Schofield |
| 4 | Vincent A. Pasquale | 14 | William T. Wike |
| 5 | Patrick F. O'Day | 15 | Wanda Hudak |
| 6 | Thomas A. Hull | 16 | Brian Brunza |
| 7 | Arthur J. Shafer | 17 | Vacant |
| 8 | Wayne L. Howard | 18 | Brian K. Mather |
| 9 | William H. Miller | 19 | George Harbachuk |
| 10 | Jane R. Sweet | | |

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

- A. Petitions: None
- B. Communications:
 - 1. 1998 Adopted Broome County Budget and Capital Improvements Program (1998-2003).
 - 2. Resolution from Town of Chenango (authorizing Disaster Relief Assistance).
 - 3. Letter of resignation from Louis P. Augostini, Legislator, District 17, effective January 16, 1998.
 - 4. Letter of resignation from Richard R. Blythe, Clerk of the Broome County Legislature, effective January 20, 1998.
 - 5. Letter from the Chairman of the Republican Committee, Joseph A. Laughney, recommending appointment of George M. Kolba, Jr. as Legislator for District 17.
- C. Notices: None
- D. Reports:
 - 1. Department of Audit & Control: Payroll/Payout Audit for Finance, Real Property Tax Service and Parks Administration

Mr. Brunza moved, seconded by Mr. Shafer, to receive and file the above referenced report(s) and to authorize and direct the Clerk to index said report(s) in the 1998 Journal of Proceedings and to publish pertinent portions of said reports as may be directed by the Chair.

The following resolutions are Permanent No. 31 and No. 32 and are appearing out of numerical sequence due to the timing of the special session.

RESOLUTION NO. 31

by County Administration, Economic Development & Planning Committee
Seconded by Mr. Howard and Mr. Shafer

RESOLUTION APPOINTING AS LEGISLATIVE CLERK

WHEREAS, pursuant to Section 205 of the Broome County Administrative Code, the County Legislature appoints a Clerk of its body for a term for which the members of the County Legislature were elected, and

WHEREAS, at the Legislature's Organizational Meeting of January 8, 1997 this Legislature did appoint Richard R. Blythe as Legislative Clerk for a term of January 1, 1997 through December 31, 1998, and

WHEREAS, Mr. Blythe has resigned his office as Legislative Clerk in order to accept the position of Director of Purchasing for the County of Broome; said resignation is effective on Tuesday, January 20, 1998, and

WHEREAS, it is desired at this time, in accordance with the provisions of said Administrative Code, to make an appointment for the balance of the term, now be it

RESOLVED, that this County Legislature, pursuant to the provisions of the Broome County Administrative Code does hereby appoint as Legislative Clerk, at the minimum annual salary of \$42,892 (Administrative II, Grade D) for the balance of the term from Thursday, January 22, 1998 thru December 31, 1998.

Held over under the rules by Mr. Howard.

RESOLUTION NO. 32

by County Administration, Economic Development & Planning Committee
Seconded by Ms. Hudak and Mr. Wike

RESOLUTION APPOINTING AS THE COUNTY LEGISLATOR FOR BROOME COUNTY'S SEVENTEENTH LEGISLATIVE DISTRICT

WHEREAS, the Honorable Louis P. Augostini, a member of the Republican Party, has filed his resignation as a Broome County Legislator with the County Clerk of Broome County, effective January 16, 1998, and

WHEREAS, a vacancy occurring in the County Legislature, other than by expiration of term, shall be filled by an affirmative vote of a majority of the members thereof, who shall appoint a qualified person to fill the vacancy having the same political affiliation as the person last elected to that office, and

WHEREAS, if the vacancy occurs during an election year, the office shall be filled until the expiration of the current term of the office, and

WHEREAS, such appointee shall be a resident elector of the district he or she represents at the time of his or her appointment and throughout his or her term of office, and

WHEREAS,, residing at is a resident elector of Broome County Legislative District No. 17, and is a person deemed qualified to be appointed to be the County Legislator in and for the Broome County Legislative District No. 17, and

WHEREAS, members of the Broome County Republican Committee from the 17th. Legislative District have recommended, to succeed Legislator Louis P. Augostini, now, therefore, be it

RESOLVED, that, be and hereby is appointed as Broome County Legislator in and for Broome County Legislative District No. 17, for a term as provided in Article II, Section 205 of the Broome County Charter, and be it

FURTHER RESOLVED, that such appointment is to take effect immediately, provided the appointee has duly qualified to serve as Legislator of the County of Broome pursuant to the laws of the State of New York, and be it

FURTHER RESOLVED, that this resolution shall take effect immediately.
Held over under the 'rules' by Mr. Howard.

Mr. Shafer moved, seconded by Mr. Howard, to adjourn. The adjournment **carried** by voice vote.