
**BROOME COUNTY LEGISLATURE
REGULAR SESSION
WEDNESDAY, DECEMBER 29, 1999**

The Legislature convened at 4:06pm with a call to order by the Chair, Daniel A. Schofield. The Clerk, Louis P. Augostini, read the fire exit announcement and called the Attendance Roll, Present-18, Absent-1 (Whalen).

The Chair, Mr. Schofield, led the members of the Legislature in the Pledge of Allegiance to the Flag, followed by a prayer offered by Legislator Hudak.

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

- A. Petitions: None
- B. Communications:
 - 1. 2000 Town Budget:
 - a. Town of Dickinson
 - 2. Minutes from:
 - a. Association of Municipal Clerks
 - b. EMC Recycling and Waste Management Committee
 - 3. Letter of resignation from Mark H. Young (Local Conditional Release Board)
- C. Notices: None
- D. Reports: Broome Community College: Quarterly Income Statements and Balance Sheets

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Mr. Holley moved, seconded by Mr. Kavulich, to receive and file the above referenced reports and to authorize and direct the Clerk to index said report(s) in the 1999 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair. **Carried**, Ayes-18, Nays-0, Absent-1 (Whalen).

Mr. Howard and Mr. Pasquale were designated as participants in the 'Short Roll Call.'

OTHER MATTERS PENDING OR REFERRED FROM PREVIOUS MEETINGS

Mr. Holley made a motion to bring Resolution No. 99-477 off the table. Mr. Howard seconded the motion. **Motion carried**, Ayes-18, Nays-0, Absent-1 (Whalen).

RESOLUTION NO. 447

By Health Services, Personnel and Finance Committees Seconded by Mr. Shafer
RESOLUTION AUTHORIZING ACCEPTANCE OF A COMPREHENSIVE COMMUNITY-BASED TOBACCO CONTROL & PREVENTION PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH, AND AUTHORIZING AN AGREEMENT WITH THE TIOGA HEALTH DEPARTMENT FOR 1999-2000

WHEREAS, the Acting Director of the Department of Health requests authorization to accept a Comprehensive Community-Based Tobacco Control & Prevention Program Grant in the amount of \$43,886 for the period October 1, 1999 through May 31, 2000, and to enter into an agreement with the Tioga Health Department to assist in the administration of said grant for the amount of \$8,408, and

WHEREAS, said grant program allows the Broome County Department of Health to be the fiscal agent for Broome/Tioga Tobacco Free Coalition and to support related project activities, and,

WHEREAS, the Tioga Health Department, as co-partner of said grant, will provide part time manpower and make minor supply purchases for grant-related activities, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$43,886 from New York State Department of Health, Tobacco Control Program, Corning Tower, Room 710, Empire State Plaza, Albany, New York 12237-0678, for the Comprehensive Community-Based Tobacco Control Program, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$43,886 for the period October 1, 1999 through and including May 31, 2000, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with the Tioga Health Department, 231 Main Street, Owego, New York 13827-1697 to assist in the administration of said grant, for an amount of \$8,408, for the period October 1, 1999 through May 31, 2000, 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, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) are hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

Ms. Hudak moved, seconded by Mr. Shafer, to amend first WHEREAS to read "of the Broome County Department of Health..." and in the second WHEREAS paragraph, remove the words "...for Broome/Tioga Tobacco Free Coalition and...". **Amendment carried**, Ayes-18, Nays-0, Absent-1 (Whalen). **Resolution as amended carried**, Ayes-18, Nays-0, Absent-1 (Whalen).

RESOLUTIONS HELD OVER FROM PREVIOUS SESSION

RESOLUTION NO. 659

(Held over by Mr. Pasquale)

By Public Works Committee

Seconded by Mr. Shafer

RESOLUTION ADOPTING A FINDINGS STATEMENT AND DECISION PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT WITH RESPECT TO THE PROPOSED NEW LANDFILL, SOLID WASTE COMPOSTING PROGRAM AND WATER AND SEWER LINE PROJECT

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

RESOLUTION NO. 705

(Held over by Mr. Whalen)

By Transportation and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING A RESTAURANT LEASE AND CONCESSION AGREEMENT WITH SUBWAY REAL ESTATE CORPORATION FOR THE OPERATION OF THE RESTAURANT AT THE BINGHAMTON REGIONAL AIRPORT FOR 2000 – 2006

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

RESOLUTION NO. 706

(Held over by Mr. Whalen)

By Transportation and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING A LEASE AND CONCESSION AGREEMENT FOR THE VENDING, BEVERAGE AND GIFT CONCESSION AT THE BINGHAMTON REGIONAL AIRPORT FOR 2000 - 2006

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

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 711

By Finance Committee

Seconded by Mr. Shafer

RESOLUTION LEVYING COUNTY TAXES

WHEREAS, this County Legislature, by Resolution 513 of 1999, has adopted a budget for the fiscal year 2000, and

WHEREAS, this County Legislature, by Resolution 514 of 1999, made appropriations for the conduct of the Broome County Government for the fiscal year 2000, now, therefore, be it

RESOLVED, to meet the amount of said appropriations, this County Legislature levies the following taxes pursuant to the provisions of Sec. 360 of the County Law and Sec. 900 of the Real Property Tax Law and of the Broome County Charter, upon the valuation as equalized by it as hereinafter specified, to wit: Upon all taxable property in the County, the sum of \$37,182,608.

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

RESOLUTION NO. 712

By Finance Committee

Seconded by Mr. O'Day

RESOLUTION LEVYING TAX, PURSUANT TO SECTION 902 OF THE REAL PROPERTY TAX LAW AND OF THE BROOME COUNTY CHARTER, ON THE CITY OF BINGHAMTON FOR 2000

RESOLVED, that there be levied against the real property of the City of Binghamton in the amount hereinafter set forth and that the proper persons be and they are hereby authorized to execute and affix the proper Warrant to Tax Rolls thereof: County tax \$6,770,309 and be it

FURTHER RESOLVED, that the payment to the Commissioner of Finance of Broome County be made pursuant to the City's Charter, one-half on March 1, 2000, and one-half on September 1, 2000.

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

RESOLUTION NO. 713

By Finance Committee

Seconded by Mr. Pasquale

RESOLUTION CERTIFYING COUNTY TAXES DUE FROM EACH MUNICIPALITY IN BROOME COUNTY

WHEREAS, the budget for fiscal year commencing January 1, 2000 in which the County taxes are to be levied is \$37,182,608, and

WHEREAS, the County Legislature must certify to each municipality the contribution of such municipality to the taxes of the County based upon the full valuation of taxable real property in such municipality in accordance with the provisions of Article 8 of the Real Property Tax Law, and

WHEREAS, Chapter 828 of the Laws of 1985 requires that the municipalities levy the exact amount certified to be due and direct the extension of such amount against each parcel of taxable real property, now, therefore, be it

RESOLVED, that on or before December 31, 1999, the Chairman of the Broome County Legislature is hereby directed to issue a certificate to the chief fiscal officer of each municipality certifying the contribution of each municipality to the taxes of the County for the fiscal year commencing January 1, 2000, based upon a total tax levy of \$37,182,608, as follows:

<u>Municipality</u>	<u>Tax Contribut</u>	<u>Rate per \$1,000</u>
City of Binghamton	\$ 6,770,309	\$ 5.433235
Town of Barker	436,500	6.100891
Town of Binghamton	1,120,873	5.771486
Town of Chenango	2,455,935	5.833337
Town of Colesville	901,179	57.909883
Town of Conklin	1,108,453	6.620919
Town of Dickinson	\$895,307	6.356462
Town of Fenton	1,163,987	6.320563
Town of Kirkwood	1,354,758	5.791352
Town of Lisle	384,919	5.917614
Town of Maine	966,221	6.196610
Town of Nanticoke	243,983	5.916319
Town of Sanford	870,810	6.186849
Town of Triangle	452,211	6.378526
Town of Union	11,075,889	88.966973
Town of Vestal	5,844,368	95.091002
Town of Windsor	<u>1,136,906</u>	6.221405
Total	\$37,182,608	

and be it

FURTHER RESOLVED, that the certificate shall be delivered to the chief fiscal officer of each municipality in person, and be it

FURTHER RESOLVED, that the certificate shall contain the rate per \$1,000 of assessed value as determined from the latest final assessment role, and be it

FURTHER RESOLVED, that in the event that a municipality shall fail to make the levy required by law and return same to the Clerk of the Broome County Legislature on or before December 31, 1999, the County Attorney is directed to institute an Article 78 proceeding against any such municipality to compel the levy and assessment of County taxes by such municipality.

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

RESOLUTION NO. 714

By Finance Committee

Seconded by Mr. Mather

RESOLUTION LEVYING RETURNED SCHOOL AND VILLAGE TAXES FOR 1999

RESOLVED, that the Certificate of Returned School Taxes as reported by the Commissioner of Finance, as set forth below, be received in the amount of such unpaid taxes with seven percent of the amount of principal and interest in addition thereto, be levied upon the real property on which the same were imposed, and when collected by the same be returned to the Commissioner of Finance to reimburse unpaid school taxes to the respective school districts, together with the expense of collection, and be it

FURTHER RESOLVED, that the Certificate of returned Village Taxes, as reported by the Commissioner of Finance, as set forth below, be received in the amount of such unpaid taxes with seven percent of the amount of principal and interest in addition thereto, be levied upon the real property on which the same were imposed, and when collected, the same be returned to the Commissioner of Finance to reimburse the County for the amount advanced to pay the amount of returned unpaid village taxes to the respective villages, together with the expense of collection.

**1999 RETURNED SCHOOL TAXES
BY SCHOOL DISTRICT - TOTAL RELEVY**

<u>School District</u>	<u>Total Unpaid Tax on Roll</u>	<u>7% County Penalty</u>	<u>Total Relevied Tax</u>
Afton	\$ 71,925.89	\$ 5,034.85	\$ 76,960.74
Bainbridge-Guilford	3,525.05	246.75	3,771.80
Binghamton (Dickinson)	13,636.95	954.59	14,591.54
Chenango Forks	329,191.64	23,043.44	352,235.08
Chenango Valley	459,269.92	32,148.91	491,418.83
Cincinnatus	306.30	21.44	327.74
Deposit	166,280.38	11,639.74	177,920.12
Greene	2,074.54	145.21	2,219.75
Harpurville	286,320.55	20,042.65	306,363.20
Johnson City	863,811.72	60,466.90	924,278.62
Maine-Endwell	685,533.87	47,987.50	733,521.37
Marathon	20,066.43	1,404.65	21,471.08
Newark Valley	152.21	10.65	162.86
Susquehanna Valley	499,448.40	34,961.64	534,410.04
Union-Endicott	1,097,428.65	76,819.95	1,174,248.60
Vestal	748,135.67	52,369.82	800,505.49
Whitney Point	355,353.18	24,874.80	380,227.98
Windsor	583,735.16	40,861.45	624,596.61
Binghamton (Town)	<u>4,328.02</u>	<u>302.96</u>	<u>4,630.98</u>
Grand Totals	<u>\$6,190,524.53</u>	<u>\$433,337.90</u>	<u>\$6,623,862.43</u>

1999 RETURNED VILLAGE TAXES
NOVEMBER 1999 -- TOTAL RELEVY

<u>Town</u>	<u>Village</u>	<u>Total Unpaid Tax on Roll</u>	<u>7% County Penalty</u>	<u>Relevy Tax</u>
Dickinson	Port Dickinson	6,553.16	456.74	\$7,009.90
Lisle	Lisle	4,353.39	303.27	4,656.66
Sanford	Deposit	6,915.07	481.40	7,396.47
Triangle	Whitney Point	15,350.53	1,072.42	16,422.95
Union	Endicott	272,328.68	19,043.82	291,372.50
	Johnson City	<u>383,160.64</u>	<u>26,800.52</u>	<u>409,961.16</u>
Total Union		655,489.32	45,844.34	701,333.66
Windsor	Windsor	<u>16,943.21</u>	<u>1,182.19</u>	<u>18,125.40</u>
Grand Totals		<u>\$705,604.68</u>	<u>\$49,340.36</u>	<u>\$754,945.04</u>

Note: The 7% Penalty is not computed on the dollar handling fee charged on each parcel by the village. The total unpaid tax on the roll times 7% will not equal the County Penalty due to the dollar handling fees.

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

RESOLUTION NO. 715

By Finance Committee

Seconded by Mr. Miller

RESOLUTION OF THE COUNTY LEGISLATURE LEVYING TAXES AND ASSESSMENTS FOR THE PURPOSE OF ANNUAL BUDGET OF TOWNS OF BROOME COUNTY

WHEREAS, there has been presented to this County Legislature a duly certified copy of the annual budget of each of the several towns of the County of Broome for the fiscal year beginning January 1, 2000, now, therefore, be it

RESOLVED, that there shall be and hereby is assessed and levied upon and collected from the taxable real property situated in the following named towns, the amount indicated below for the general fund purposes and highway purposes, as specified in the respective annual budgets for the respective towns and amounts from the towns and cities account of the Commissioner of Finance, as follows:

<u>Town</u>	<u>General Townwide</u>	<u>General Inside Village</u>	<u>General Outside Village</u>	<u>Highway Townwide</u>	<u>Highway Outside Village</u>
Barker					251,592.98
Binghamton	103,256.61			489,519.90	
Chenango				330,747.14	
Colesville				344,433.83	
Conklin	58,604.12			111,360.69	
Dickinson	189,509.34				
Fenton					
Kirkwood	34,940.35			249,854.84	
Lisle	54,999.81			155,691.09	
Maine	12,878.14			221,633.03	
Nanticoke				75,000.14	
Sanford	261,611.22		28,506.75	317,364.83	9,000.26
Triangle	140,070.99			75,997.85	

Union	1,382,001.59	1,029,365.76		797,668.69
Vestal	2,966,550.91		843,955.02	
Windsor	283,074.55		47,050.00	153,500.05

and be it

FURTHER RESOLVED, that there shall be and hereby is assessed and levied upon and collected from real property liable therefore with the respective districts in the following towns, as indicated below, the following amounts for the purposes of such districts, as specified in the respective annual budgets:

TOWN OF BARKER

FP 201 Fire PR 1	\$22,510.69
FP 202 Fire PR 2	24,014.02
FP 203 Fire PR 3	27,347.00
FP 204 Fire PR 4	26,340.09

TOWN OF BINGHAMTON

DR 221 Drain 1	\$346.01
FP221 Fire Prot 1	129,449.94
LT221 Light 1	559.99
LT222 Light 2	3,200.00
LT223 Light 3	3,600.00
LT224 Light 4	450.01
LT225 Light 5	580.00
LT226 Light 6	699.99
PT506 Bing Water 6 Bond	53,848.10
SB221 Sewer Con Bond	21,979.36
SB227 Sewer 7 Bond	.06
SM228 Consolidated Sewer	57,824.28
ST801 Sewer 8 Ext. Bond 1	5,298.98
US221 Return Sewer	11,001.59
WB502 Water 1 Bond 1	4,483.04
WB501 Water 5 Bond 1	2,316.06
WB221 Cons. Water Bond	76,266.89
WD225 Consolidated Water	154,094.69
UW221 Returned Water	10,437.35

TOWN OF CHENANGO

CM241 Chenango Compost	45,386.33
FP241 Fire No. 1	230,147.53
FP242 Fire No. 2	137,373.97
FP243 Fire No. 3	7,344.26
FP244 Fire No. 4	94,647.97
LM280 Chenango Lawn Mowing	790.00
LT241 Light 1	83,999.97
SD240 Sewer 10	21,057.02
SD241 Sewer 1	3,770.96
SD242 Sewer 2	134,342.58
SD244 Sewer 4	77,063.29
SD245 Sewer 11	3,671.96
SD247 Sewer 7	404,041.30
SD248 Sewer 8	330,819.56

SD249 Sewer 9	49,267.00
SD271 Chenango Sewer	40,904.94
US241 Return Sewer	25,136.77
UW257 Return Water	23,661.75
WD241 Water 1	33,186.98
WD243 Water 3	10,490.97
WD244 Water 4	4,465.02
WD247 Water 7	7,832.99
WD249 Water 9	6,066.01
WD410 Water 10	513.00
WD415 Water 15	4,002.02
WD416 Water 16	739.84
WD417 Water 12	19,928.04
WD418 Water 14	14,291.96
WD419 Water 18	3,825.00
WD420 Water 19	2,350.99
WD421 Water 20	12,577.99
WD422 Water 21	2,483.03
WD423 Water 22	32,720.01
WD424 Water 24	4,438.01
WD425 Water 23	12,780.00
WD426 Water 26	3,585.99
WD427 Water 27	5,390.01
WD428 Water 28	7,328.98
WR241 Water 11 Frt Ft	1,634.96

TOWN OF COLESVILLE

FD261 Fire No. 1	37,494.78
FD262 Fire No. 2	13,281.91
FD263 Fire No. 3	120,656.85
LT261 Light 1	9,214.01
LT262 Light 2	4,365.00
LT263 Light 3	4,178.02

TOWN OF CONKLIN

FP281 Fire Prot. 1	163,518.89
LT282 Light 2	883.03
LT283 Light 3	2,151.95
LT285 Light 5	1,311.05
LT288 Light 8	4,943.03
LT289 Light 9	900.00
SB282 Sewer 1 Ext. 2	6,827.98

TOWN OF VESTAL

DR482 Drain 1 Maint.	2,541.20
DR484 Drain 2 Maint.	1,030.00
DR486 Drain 3 Maint.	5,177.20
DR487 Drain 4 Maint.	190.00
DR488 Drain 5 Maint.	495.00
DR510 Drain 6 Maint.	140.00
DR511 Drain 7 Maint.	80.00
DR512 Drain 8 Maint.	175.00
DR513 Drain 9 Maint.	405.00
DR514 Drain 10 Maint	50.00
DR515 Drain 11 Maint.	220.00
DR516 Drain 13 Maint.	55.00
DR517 Drain 14 Maint.	5.00
DR518 Drain 15 Maint.	180.00
DR519 Drain 16 Maint.	45.00
DR520 Drain 17 Maint.	3,225.00
DR522 Drain 18 Maint.	37,577.95
FP481 Fire Protection	726,405.89
LT481 Light District	260,001.85
RS481 Return Sewer	72,738.53
RS490 Spec Sewer	2.00
RW481 Return Water	38,713.39
SB487 Cons. Sewer Bond	34,506.25
SB488 Sewer Ext. 47	1,170.29
SW489 Sewer Ext. 68	2,979.92
SP551 Sewer 1, Exp. 1	3,057.44
ST490 Sewer 1, Ext.35 Bond	3,776.92
ST509 Sewer 1, Ext. 2	7,478.31
ST524 Sewer 1, Ext. 24 Bond	788.79
ST526 Sewer 1, Ext. 26 Bond	2,599.66
ST531 Sewer 1, Ext. 31 Bond	1,298.08
ST540 Sewer 1, Ext. 40 Bond	22,836.82
SW481 Sewer 1, Maint.	241,538.60
WB101 Water 1, Bond 1	24,012.95
WB201 Water 2, Bond 1	290.96
WB481 Cons. Water Bond	270,256.17
WB701 Water 7, Bond 1	3,547.99
WB801 Water 8, Exp. Bond 1	1,648.98
WB901 Water 9, Bond 1	355.06
WD481 Water Dist. Maint.	479,084.46
WT111 Water 1, Ext. Bond 11	1,717.38
WT519 Water 5, Ext. Bond 19	969.76
WT605 Water 7, Ext. 3 Bond	2,734.14

TOWN OF WINDSOR

FP501 Fire 1	14,799.14
FP502 Fire 2	79,049.90
FP503 Fire 3	105,999.79
FP504 Fire 4	4,100.03
RA501 Agriculture District Conv.	3,500.00
SD507 Sewer 1	8,224.00
SD508 Sewer 2	7,805.00

and be it

FURTHER RESOLVED, that the amounts to be raised by taxes and assessments when collected shall be paid to the Supervisors of several Towns in the amounts as shown by this resolution for distribution in the manner provided by law and that the Clerk of the County Legislature is hereby authorized to make changes in the above resolution if requested by the Town Supervisor, and be it

FURTHER RESOLVED, that this Resolution shall become effective immediately.

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

RESOLUTION NO. 716

By Finance Committee

Seconded by Mr. Shafer

RESOLUTION APPROVING THE COMPLETED TAX ROLLS OF THE SEVERAL TOWNS AND CITY AND DIRECTING THE EXECUTION AND DELIVERY OF WARRANTS FOR THE COLLECTION OF TAXES EXTENDED THEREON PURSUANT TO SECTION 904 OF THE REAL PROPERTY TAX LAW

WHEREAS, upon the Tax Rolls of the several Towns and City, the several taxes have been, by the Supervisors and appropriate officials thereof, duly extended as provided by law and by the several resolutions of the County Legislature, and the same completed Tax Rolls have been laid down before this County Legislature for its approval, now, therefore, be it

RESOLVED, that the said Tax Rolls be approved as so completed and the tax is so extended upon the Tax Rolls and the several amounts extended against each parcel of property upon the said Rolls and hereby determined to be the taxes due thereon, as set forth herein, and be it

FURTHER RESOLVED, that there be annexed to each of said Rolls a Tax Warrant in the form prepared by the Clerk and heretofore laid before this County Legislature for its approval, as provided by Section 904 of the Real Property Tax Law; that such warrants be signed by the County Executive and the Clerk of the Legislature; and that said Rolls with said Warrants annexed therefore be forthwith delivered to the respective Collectors of the several tax districts in the County, and be it

FURTHER RESOLVED, that upon the effective date of this Resolution or any thereafter, on or before January 1, 2000, be and hereby is designated as the date upon which the County Executive and the Clerk of this County Legislature are authorized to sign the Warrants and attach the seal of this County Legislature to the Tax Rolls of the several towns.

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

RESOLUTION NO. 717

By Finance Committee

Seconded by Mr. Mather

RESOLUTION ESTABLISHING EQUALIZATION RATE FOR THE 2000 COUNTY TAX LEVY

RESOLVED, that pursuant to Article III, Section 302 D of the Broome County Charter, the percentages hereinafter indicated after the names of the Towns and the City of Binghamton be and the same hereby are adopted as the ratio percentages which the assessed value of real property of each municipality bears to its full value:

<u>Municipality</u>	<u>Equalization Rate</u>
City of Binghamton	122.22
Town of Barker	106.12
Town of Binghamton	112.17
Town of Chenango	110.97
Town of Colesville	11.22

<u>Municipality</u>	<u>Equalization Rate</u>
Town of Conklin	97.77
Town of Dickinson	101.86
Town of Fenton	102.43
Town of Kirkwood	111.77
Town of Lisle	109.40
Town of Maine	104.49
Town of Nanticoke	109.40
Town of Sanford	104.65
Town of Triangle	101.48
Town of Union	7.42
Town of Vestal	6.95
Town of Windsor	104.05

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

RESOLUTION NO. 718

By Finance Committee

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING TRANSFER OF FUNDS TO BALANCE 1999 ACCOUNTS

WHEREAS, the Commissioner of Finance, the Director of Budget & Research and the Comptroller request authorization to transfer funds to balance 1999 accounts, and

WHEREAS, said transfers would fund salary accounts or other necessary accounts with monies available as of December 31, 1999, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Commissioner of Finance to transfer funds to balance the 1999 accounts, and be it

FURTHER RESOLVED, that the Commissioner is directed to report any transfers made on or before March 31, 2000 to the Finance Committee of the County Legislature, the Budget Officer and the County Comptroller.

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

RESOLUTION NO. 719

By Finance Committee

Seconded by Mr. Miller

BOND RESOLUTION DATED

RESOLUTION AUTHORIZING THE ISSUANCE OF \$9,091,275 BONDS OF THE COUNTY OF BROOME, NEW YORK, TO PAY THE COST OF VARIOUS CAPITAL PROJECTS

BE IT RESOLVED, by the County Legislature of the County of Broome, New York, as follows:

Section 1. The following are the classes of objects or purposes or specific objects or purposes to be financed by the County of Broome, New York, pursuant to this resolution, the maximum estimated costs thereof, and the subdivisions of Section 11.00(a) of the Local Finance Law and periods of probable usefulness applicable thereto:

<u>Project Name/P.P.U./L.F.L. Section 11.00</u>	<u>Maximum Estimated Cost</u>
Airport Utility Enhancement (10 years, sub 14)	\$500,000
Highway Reconstruction/Rehabilitation (10 years, sub 20(b))	\$2,000,000
Otsiningo Trail Extension (15 years, sub 19(c))	\$531,000
Arena Improvements (5 years, sub 35)	\$808,000
Construction of a Salt/Sand Storage Facility(15 years, sub 11(c))	\$100,000
Landfill Public Sewer System (40 years, sub 4)	\$3,537,700
WPNH Elevator Renovation (10 years, sub 13)	\$180,000

<u>Project Name/P.P.U/L.F.L. Section 11.00</u>	<u>Maximum Estimated Cost</u>
WPNH HVAC Replacements (10 years, sub 13)	\$500,000
WPNH Parking Lot Construction (20 years, sub 20(f))	\$540,000
WPNH Roof Repairs and Renovation (10 years, sub 13))	\$850,000
WPNH Upgrade for Fire Safety (10 years, sub 13))	\$60,000
WPNH Electrical Repair/Renovation (10 years, sub 13))	<u>\$600,000</u>
Total	\$10,206,700

Section 2. SEQR DETERMINATION. It is hereby declared to be the intent of this County Legislature that the projects listed above shall not commence until all steps have been taken under the New York State Environmental Quality Review Act (SEQR), to the extent applicable, to ensure that said proposed projects are in compliance with the provisions thereof and, to this end, it is hereby determined that, until such compliance has been accomplished, the only obligations which shall be issued pursuant to this resolution shall be to provide funds for engineering, architectural and legal fees, including studies, surveys and testing of the site thereof, which will, at least, assist in the SEQR compliance process.

Section 3. The aggregate maximum estimated cost of the aforesaid classes of objects or purposes or specific objects or purposes is \$10,206,700 and the plan for the financing thereof is by the issuance of \$9,091,275 bonds of said County, hereby authorized to be issued therefor pursuant to the Local Finance Law, by the application of \$884,425 monies to be received from the state government to be allocated entirely to the Landfill Public Sewer System; and by the application of \$231,000 in County funds allocated entirely toward the Otsiningo Trail Extension Project, provided, however, that the amount of bonds to be issued shall be reduced to the extent of Federal and/or State grants received in connection therewith there being anticipated \$300,000 monies to be received from the state government to be allocated entirely to the Otsiningo Park Trail Extension Project and \$700,000 monies to be received from the state government to be allocated entirely to the Arena Improvements Project.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Commissioner of Finance, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Commissioner of Finance shall determine consistent with the provision of the Local Finance Law.

Section 6. The faith and credit of said County of Broome, New York, are hereby irrevocably pledged for the payment of the principal of and interest of such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and any action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect upon its approval by the County Executive, shall be published in full in The Press & Sun Bulletin, which is the only newspaper having a general circulation in the County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

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

RESOLUTION NO. 720

By Finance Committee

Seconded by Mr. Kolba

RESOLUTION ESTABLISHING 1999 CAPITAL PROJECT FOR THE BROOME COUNTY OUTDOOR PUBLIC SAFETY TRAINING FACILITY

WHEREAS, the 1999 Operating Budget contains \$25,000 to provide initial architectural and engineering services for a Broome County Outdoor Public Safety Training Facility, and

WHEREAS, it is not expected that this work will be completed until early 2000, and

WHEREAS, it is desired to have the \$25,000 set aside in the 1999 Operating Budget to be used for this purpose, and

WHEREAS, establishing a 1999 Capital Project will enable the transfer of the funds to a new capital project to allow for the expenditure of these funds in 2000, now, therefore, be it

RESOLVED, that the 1999 Capital Improvements Program is amended as follows:

ADD:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	Estimated Construction Cost:		
			<u>State</u>	<u>Federal/Other</u>	<u>County</u>
502329	BC Outdoor Public Safety Training Facility	25,000	0	0	25,000
			How Financed:		
		<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Transfer</u>
		1999	NA	0	25,000

FURTHER RESOLVED, that the Director of Budget and Research, Commissioner of Finance, and the Comptroller shall process the necessary paperwork to accomplish the intent of this Resolution.

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

RESOLUTION NO. 721

By Finance Committee

Seconded by Mr. Holley

RESOLUTION AUTHORIZING SALE OF COUNTY PROPERTIES OF THE 1999 TAX SALE AUCTION (1996 IN REM FORECLOSURE)

WHEREAS, the County of Broome now owns certain parcels of real property as a result of the 1996 in rem foreclosure action, and

WHEREAS, this County Legislature has heretofore authorized the Director of Real Property Tax Service to sell such properties in conformity with procedures established by this Legislature and in accordance with all applicable laws, and

WHEREAS, the Director of Real Property Tax Service advises that a tax sale auction for 1999 was held and all bids submitted were tabulated, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the conveyance of certain real property to the successful bidders in the 1999 Broome County tax sale as indicated on the attached Exhibit "A", and be it

FURTHER RESOLVED, that this County Legislature hereby rejects the bids as indicated on the attached Exhibit "B", and be it,

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute quit claim deeds, approved as to form by the Department of Law, conveying the properties listed above to the successful bidders in each such case, together with other such documents as may be necessary to implement the intent of this Resolution.

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

RESOLUTION NO. 722

By Finance Committee

Seconded by Mr. Miller

RESOLUTION APPROVING SALE OF IN REM FORECLOSURE PROPERTIES TO FORMER OWNERS

WHEREAS, the County of Broome now owns certain parcels of real property by virtue of the completion of proceedings of foreclosure in rem, and

WHEREAS, this County Legislature has heretofore authorized the Director of Real Property Tax Services to sell such properties in conformity with procedures established by this Legislature and in accordance with all applicable laws, and

WHEREAS, the Director of Real Property Tax Services advises that the former owners and residents of certain properties have requested to have their property sold back to them, and the Director and your sponsoring committee recommends that such request be granted based on the unusual circumstances of each such case as reviewed and approved by your sponsoring committee, now, therefore, be it

RESOLVED, that the sale back to the former owners of the parcels listed on Exhibit "A" as attached hereto for the amounts as stated is hereby approved by this County Legislature based on the unusual circumstances of each such case, as determined by your sponsoring committee as well as the undue hardship to the former owners that the failure to approve such sales would cause, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute quit claim deeds, approved as to form by the Department of Law, conveying the properties listed above to the former owners in each such case, together with other such documents as may be necessary to implement the intent of this Resolution.

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

Mr. Howard moved to adjourn, seconded by Mr. Pasquale. **Motion to adjourn carried**, Ayes-18, Nays-0, Absent-1 (Whalen). Meeting adjourned at 4:48pm.