
**BROOME COUNTY LEGISLATURE
SPECIAL SESSION
THURSDAY, APRIL 29, 2004**

The Legislature convened at 5:00 p.m. 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-17, Absent-2.

The Chair, Mr. Schofield, led the members of the Legislature in the Pledge of Allegiance to the Flag.

Mr. Shafer made a motion to go to Executive Session to discuss the EIT Contract. Mr. Kolba seconded the motion. **Carried**, Ayes-17, Nays-0, Absent-2 (Burger, Mather). No action was taken during this session. Mr. Pasquale made a motion to return from Executive Session, seconded by Mr. Shafer. **Carried**, Ayes-17, Nays-0, Absent-2 (Burger, Mather).

Mr. Howard and Mr. Whalen were designated as participants with Chairman Schofield in the 'Short Roll Call'. Resolutions were acted upon out of order, but for the purpose of clarity, they are presented here in numerical order.

RESOLUTIONS HELD OVER FROM PREVIOUS SESSION

RESOLUTION NO. 142

(Automatic Hold Over)

By County Administration and Finance Committees Seconded by Mr. Shafer
RESOLUTION ADOPTING LOCAL LAW INTRO NO. 9, 2004 ENTITLED "A LOCAL LAW AMENDING LOCAL LAW NO. 7 OF 1980, AS AMENDED, GRANTING PARTIAL EXEMPTION FROM REAL PROPERTY TAXATION TO CERTAIN PERSONS WITH LIMITED INCOME WHO ARE SIXTY-FIVE YEARS OF AGE OR OVER"
Carried, Ayes-17, Nays-0, Absent-2 (Burger, Mather).

RESOLUTION NO. 184

(Held over by Mr. Hull)

By Personnel and Public Safety & Emergency Services Committees Seconded by Mr. Hull
RESOLUTION GRANTING A WAIVER OF RESIDENCY FOR DEBORAH L. PHELPS FOR EMPLOYMENT AS A BROOME COUNTY DEPUTY SHERIFF OF THE HIGHWAY PATROL
At the time it was held over, a motion to amend the resolution was on the floor to allow Ms. Phelps a period of 2 years to establish residency in Broome County. Following discussion, Mr. Shafer made a motion to call the question, seconded by Mr. Wike. **Motion to call the question on the amendment carried**, Ayes-15, Nays-2 (Brunza, Kuzel), Absent-2 (Burger, Mather). **Amendment failed**, Ayes-6 (Kolba, Kuzel, Miller, Pasquale, Shafer, Whalen), Nays-11 (Brunza, Howard, Hudak, Hull, Hutchings, Lindsey, Marinich, Nannery, Reynolds, Wike, Schofield), Absent-2 (Burger, Mather). Mr. Pasquale made a motion to call the question, seconded by Mr. Shafer. **Motion to call the question on the resolution carried**, Ayes-13, Nays-4 (Brunza, Kuzel, Whalen, Schofield), Absent-2 (Burger, Mather). **Resolution as presented carried**, Ayes-15, Nays-2 (Shafer, Whalen), Absent-2 (Burger, Mather).

RESOLUTION NO. 185

(Held over by Mr. Shafer)

By Personnel & Public Safety and Emergency Services Committee Seconded by Ms. Hudak
RESOLUTION GRANTING A WAIVER OF RESIDENCY FOR JON P. AYERS FOR EMPLOYMENT AS A BROOME COUNTY DEPUTY SHERIFF OF THE HIGHWAY PATROL

Mr. Whalen made a motion, seconded by Mr. Shafer, to amend the resolution adding the following as the second FURTHER RESOLVED:

“FURTHER RESOLVED, said waiver shall be for a period of two years to allow Jon P. Ayers time to obtain and establish permanent residency in Broome County, and be it”

Mr. Wike made a motion to call the question, seconded by Mr. Hull. **Motion to call the question on the amendment carried**, Ayes-13, Nays-4 (Brunza, Kuzel, Whalen, Schofield), Absent-2 (Burger, Mather). **Amendment failed**, Ayes-5 (Kolba, Kuzel, Pasquale, Shafer, Whalen), Nays-12 (Brunza, Howard, Hudak, Hull, Hutchings, Lindsey, Marinich, Miller, Nannery, Reynolds, Wike, Schofield), Absent-2 (Burger, Mather). **Resolution as presented carried**, Ayes-15, Nays-2 (Shafer, Whalen), Absent-2 (Burger, Mather).

RESOLUTION NO. 203

(Held over by Mr. Burger)

By Economic Development & Planning and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING ACCEPTANCE OF GRANT FROM THE GOVERNOR'S OFFICE FOR SMALL CITIES TO FUND A CDBG ECONOMIC DEVELOPMENT DEFERRED GRANT TO ENDICOTT INTERCONNECT TECHNOLOGIES, INC. (EIT) AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

Mr. Pasquale made a motion, seconded by Mr. Hutchings, to change the second WHEREAS to read “...150 additional full time jobs within three years after receiving the grant such that documented full time employment levels at EIT have increased by no less than that number, and” and in the first FURTHER RESOLVED to read: “...150 additional full time jobs grant such that documented full time employment levels at EIT have increased by no less than that number, and”.

Amendment failed, Ayes-5 (Brunza, Hutchings, Pasquale, Reynolds, Whalen), Nays-12 (Howard, Hudak, Hull, Kolba, Kuzel, Lindsey, Marinich, Miller, Nannery, Shafer, Wike, Schofield), Absent-2 (Burger, Mather). **Resolution as presented carried**, Ayes-17, Nays-0, Absent-2 (Burger, Mather).

RESOLUTION NO. 205

(Held over by Mr. Burger)

By Economic Development & Planning and Finance Committee Seconded by Mr. Burger
RESOLUTION AUTHORIZING AGREEMENT WITH ENDICOTT INTERCONNECT TECHNOLOGIES, INC. PURSUANT TO GRANT FROM GOVERNOR'S OFFICE FOR SMALL CITIES

Mr. Pasquale made a motion, seconded by Mr. Hutchings, to change the first WHEREAS to read “...150 additional full time jobs within three years from the receipt by EIT of the grant funds such additional jobs to result in an increase in the full time workforce in numbers no less than 150 above the documented number of such employees at the date of this agreement, and” and the RESOLVED to read: “...150 additional full time jobs such additional jobs to result in an increase in the full time workforce in numbers no less than 150 above the documented number of such employees at the date of this agreement's approval, and be it”.

Amendment failed, Ayes-5 (Brunza, Hutchings, Pasquale, Reynolds, Whalen), Nays-12 (Howard, Hudak, Hull, Kolba, Kuzel, Lindsey, Marinich, Miller, Nannery, Shafer, Wike, Schofield), Absent-2 (Burger, Mather).

Mr. Brunza made a motion, seconded by Mr. Whalen, to add the following FURTHER RESOLVED:
"FURTHER RESOLVED, that the agreement with EIT shall require the Contractor to file with the Broome County Department of Planning and Economic Development a report detailing the total number of employees at the time of grant application. In addition, EIT will file, each year, an annual report listing the total number of employees and the number of employees added and wages of those added employees, as a result of this grant. EIT will agree that if at the end of three years 150 additional jobs have not been created and staffed, EIT will reimburse the grant moneys (\$1,000,000) to the State of New York." **Amendment failed**, Ayes-6 (Brunza, Hutchings, Kuzel, Pasquale, Reynolds, Whalen), Nays-11 (Howard, Hudak, Hull, Kolba, Lindsey, Marinich, Miller, Nannery, Shafer, Wike, Schofield), Absent-2 (Burger, Mather). **Resolution as presented carried**, Ayes-17, Nays-0, Absent-2 (Burger, Mather).

RESOLUTION NO. 209

(Automatically Held Over)

By County Administration Committee

Seconded by Mr. Whalen

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 8, 2004, ENTITLED: "A LOCAL LAW AMENDING THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE TO REVISE THE COMPOSITION OF THE BOARD OF ACQUISITION AND CONTRACT."

Mr. Schofield made a motion, seconded by Mr. Howard, to amend the resolution changing Section 3 to read as follows:

"Section 3. This Local Law shall become effective on January 1, 2005 after approval by the voters at a referendum to be held at the next general election and after filing a copy thereof with the Secretary of State."

Amendment carried, Ayes-17, Nays-0, Absent-2 (Burger, Mather). **Resolution as amended automatically held over 'under the rules'**.

Mr. Marinich made a motion to adjourn, seconded by Mr. Wike. **Motion to adjourn carried**. The meeting was adjourned at 7:02 p.m.

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