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**BROOME COUNTY LEGISLATURE  
SPECIAL SESSION  
THURSDAY, MAY 26, 2005**

The Legislature convened at 4:32 p.m. with a call to order by the Chair, Daniel A. Schofield. The Clerk, Louis P. Augustini, read the fire exit announcement and called the Attendance Roll, Present-16, Absent-3 (Hutchings, Sanfilippo, Buchta).

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

Mr. Brunza and Mr. Shafer were designated as participants with Chairman Schofield in the 'Short Roll Call'.

**RESOLUTION HELD OVER FROM PREVIOUS SESSION**

**RESOLUTION NO. 257**

(Held over by Mr. Brunza)

By Finance Committee

Seconded by Mr. Shafer

**RESOLUTION AMENDING RESOLUTION 180 OF 1965, ENTITLED: "RESOLUTION IMPOSING TAXES ON SALES AND USE OF TANGIBLE PERSONAL PROPERTY AND CERTAIN SERVICES, OCCUPANCY OF HOTEL ROOMS, ADMISSION CHARGES AND CLUB DUES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK", AS LAST AMENDED BY RESOLUTION 126 OF 2003, IN RELATION TO THE ALLOCATION OF SALES TAX RECEIPTS**

The amendment to change the RESOLVED paragraph to read "...April 15, 2006..." failed, Ayes-4 (Materese, Whalen, Brunza, Reynolds), Nays-12, Absent-3 (Hutchings, Sanfilippo, Buchta). Mr. Whalen made a motion to call the question, seconded by Mr. Shafer. The motion to call the question carried, Ayes-13 (Keibel, Schafer, Hull, Miller, Shafer, Whalen, Nannery, Howard, Reynolds, Marinich, Lindsey, Mather, Schofield), Nays-3 (Materese, Brunza, Kuzel), Absent-3 (Hutchings, Sanfilippo, Buchta). Resolution as presented carried, Ayes-15, Nays-1 (Brunza), Absent-3 (Hutchings, Sanfilippo, Buchta).

**RESOLUTION INTRODUCED AT THIS SESSION**

**RESOLUTION NO. 259**

By Economic Development and Planning Committee

Seconded by Mr. Shafer

**RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO BROOME COUNTY AGRICULTURAL DISTRICTS NO. 4 AND NO. 5 AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO**

WHEREAS, pursuant to the Agricultural and Markets Law, this County Legislature heretofore established Agricultural Districts No. 4 and No. 5, and

WHEREAS, pursuant to Section 303-b of the Agriculture and Markets Law, county legislative bodies are directed to establish an annual 30-day period wherein landowners can request inclusion of their property in a certified agricultural district, and

WHEREAS, it has been determined that such revision of an Agricultural District is subject to the requirements of the State Environmental Quality Review Act, and it is therefore necessary to initiate procedures with respect thereto, and

WHEREAS, this County Legislature has determined that it is the agency with the broadest governmental powers for investigation of the impact of the proposed action and has the greatest capability for providing the most thorough environmental assessment of the project, and

WHEREAS, this County Legislature is the only involved agency, as defined in the State Environmental Quality Review Act, reviewing the aforementioned project, and

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WHEREAS, said Project may have an impact on the environment, now, therefore, be it  
RESOLVED, that this County Legislature hereby declares its intention to seek lead  
agency status with respect to the environmental review of Agricultural Districts No. 4 and No. 5,  
and be it

FURTHER RESOLVED, that this County Legislature, based on the Environmental  
Assessment Form annexed hereto as Exhibit "A", hereby determines and declares that a  
revision of Agricultural Districts No. 4 and No. 5 will not have a significant effect on the  
environment, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts the "Negative  
Declaration" annexed hereto as Exhibit "A".

**Carried**, Ayes-16, Nays-0, Absent-3 (Hutchings, Sanfilippo, Buchta).

Mr. Shafer made a motion to adjourn, seconded by Mr. Howard. **Motion to adjourn carried**,  
Ayes-16, Nays-0, Absent-3 (Hutchings, Sanfilippo, Buchta). The meeting was adjourned at 5:28  
p.m.

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