

**BROOME COUNTY LEGISLATURE
SPECIAL SESSION
FRIDAY, OCTOBER 1, 1993**

The Legislature convened at 4:00 p.m. with a call to order by the Chairman, Arthur J. Shafer.

The Clerk, Richard R. Blythe, read the fire exit announcement and then called the Attendance roll: Present-19, Absent-0.

The Chairman, Mr. Shafer, led the members of the Legislature in the Pledge of Allegiance to the Flag, followed by a moment of silent meditation.

Written or oral presentations of the County Executive, Timothy M. Grippen:

Letters from the County Executive, Timothy M. Grippen:

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

COMMUNICATIONS:

1. Youth Bureau Advisory Board's recommendations for State Aid (Youth Development Delinquency Prevention and the Special Delinquency Prevention Program).
2. Minutes from:
 - a. Ambulance Advisory Board.
 - b. Emerging Business Assistance Board.
 - c. Minority Business Assistance Board.
 - d. EMC Ad Hoc Committee on Composting.
3. Advisory Resolution from EMC (Supporting Broome County's Acceptance of USEPA Grant Funds for Small Quantity Hazardous Waste Generator Program).
4. Letter from Town of Chenango Supervisor, Margaret A. Turna, requesting further study before adopting Local Law Intro. No. 10, 1993 (New Apportionment of Liability-Workers' Compensation/Broome County Self-Insurance Plan).
5. Letter from Audit and Control regarding change in distribution policy (internal audit reports).
6. Letter from School Social Workers Association supporting continued

County funding for Cornell Cooperative Association.

REPORTS:

1. Monthly Report from Broome Community College (Budget Transfers, August 1993).
2. Department of Audit and Control: Audit of Library Trust Fund; Contract Audits (Chemi Trol Chemical Co., NYS Association for Retarded Children, Inc.).

The following resolution **tabled** at the previous regular session of September 23, 1993 was again presented for consideration at this special session per the Call of the Chair.

RESOLUTION NO. 379 by County Administration, Economic Development & Planning and Finance Committees adopting Local Law Intro. No. 10, 1993, Entitled "Local Law repealing Local Law No. 10, 1974 and Local Law No. 11, 1977 Establishing a new apportionment of liability for Broome County workers compensation self insurance plan".

Mr. Malley moved, seconded by Mr. Brown to **Table** the resolution.

Mr. Brown moved, seconded by Mr. Malley to **Call the Question** on tabling.

The **Question was called** by the following:

Ayes-10(Augustini, Brown, Howard, Hudak, Lindsey, Pasquale, Pazzaglini, Schofield, Wagstaff & Warner)

Nays-9(Burger, Coffey, Harbachuk, Harris, Kavulich, Malley, Taylor, Whalen & Shafer).

The resolution was **tabled** by the following:

Ayes-14(Augustini, Brown, Burger, Howard, Hudak, Kavulich, Lindsey, Malley, Pazzaglini, Schofield, Taylor, Wagstaff, Warner & Shafer)

Nays-5(Coffey, Harbachuk, Harris, Pasquale & Whalen)

The following resolution **heldover** from the previous regular session of September 23, 1993 was again presented for consideration at this special session per the Call of the Chair.

RESOLUTION NO. 436 by County Administration, Economic Development & Planning Committee endorsing the concept of a Broome County Economic Development Alliance and approving proposed bylaws. (heldover by Mr. Pasquale).

Mr. Pasquale moved, seconded by Mr. Pazzaglini the following amendment:

a. In the First WHEREAS, second line, after the word "County" and before the word "have" INSERT the words: "involved in economic development activities"

b. In the First WHEREAS, third line, DELETE the word "an" and ADD an "s" to the word "organization" thereby changing it to read "organizations"

c. Second WHEREAS, first line, CHANGE the first "the" to read "one such"

d. REMOVE the fourth WHEREAS paragraph in its entirety

e. REVISE the First RESOLVED paragraph to read as follows:

"RESOLVED that the Broome County Legislature does adopt the bylaws of the Broome County Economic Alliance, as appended to this resolution, such bylaws being based upon those which were distributed to the Broome County Legislature by letter dated July 28, 1993 from the Hon. William Rincker, Chairperson of the Alliance organizing committee,"

f. ADD a new RESOLVED paragraph (to become the Second RESOLVED) which shall read as follows:

"RESOLVED that the Alliance shall operate in accordance with, and shall subscribe to and follow, the principals embodied in the Open Meetings Law and Freedom of Information Act"

g. (Added to amendment with the permission of Mr. Pasquale and Mr. Pazzaglini)

(Language by Mr. Burger) (Placement where appropriate by Legislative

Clerk)

ADD to the new Second RESOLVED paragraph following "Freedom of Information Act": "and Board Members shall comply with the County's ethics and conflict of interest rules.

h.AMENDMENTS TO ALLIANCE BY-laws, Draft IV

Revise # 2 to read as follows:

"in cooperation with economic development councils or groups which are designated by the Broome County Legislature and officially charged with involvement in the development of a unified county economic development plan, (the Alliance will) participate in the creation of, and assume the lead role in the coordination, design and implementation of a unified economic development strategy for Broome County,"

i.Revise # 3 to read as follows:

"to accept monies, either in the form of grants or loans from the State of New York, the Federal Government, local government or other sources; and to disburse such funds consistent with the general outlines of the unified economic development strategy as deemed appropriate and advisable by the Alliance Board of Directors,"

j.INSERT the following at the beginning of # 4:

"Along with other agencies or groups designated by Broome County government, and private concerns who may be involved in such activities,"

k.In # 5, REMOVE the words "policy making" and after the word "for" INSERT the words "the implementation of" and after the word "development" INSERT the word "activities"

l.Under the OFFICES section, Article II, ADD at the end of the sentence the following "and a duly approved budget can support"

m.Under Article III, Members, # 1, seventh line, INSERT the words "and/or County Executive and County Legislature" after the words "Board of Directors"; and in the third line from the bottom after the word "Board" INSERT a comma and the words "County Legislature and County

Executive"

n. Under Article III, Members, # 2, ninth line, INSERT a new sentence before the sentence which begins with the words "The Chairperson" which is to read as follows:

"in addition, there shall be ex-officio membership for a member of the Board of Directors of the Broome County Economic Development Advisory Council as formally established by the Broome County Legislature and County Executive"

o. Under the same article and same section number (see **n.**) after the word "Board" in the fourteenth line, INSERT the words "County Legislature and County Executive"

p. Under Article V, Section # 2, DELETE the twelfth line and the first word of the thirteenth line, and at the beginning of the thirteenth line INSERT the words "The Executive Director"

q. Under Article V, Section # 11, in the first and second lines, DELETE the words: "in its sole and exclusive judgement"

r. ANNUAL REPORT

The Alliance shall be responsible for submitting an annual report of its activities to the Broome County Legislature describing its activities and accomplishments for the previous year and plans for the following year. Included in the report shall be data on the numbers of jobs created, their general type and nature, the economic value added, cost per created job (if relevant and appropriate), and a listing of the corporations and businesses served and assisted and an audited financial report will be included.

The amendments (a thru r) **Carried.**

Mr. Howard moved, seconded by Mr. Lindsey that the following language relating to the payment of "Prevailing Rates of Wage" be added to the resolution:

RESOLVED, that conditional to Broome County's support and participation in the Economic Development Alliance that the Alliance agree to the following: that projects undertaken by the Alliance will require that prevailing wages be paid when awarding construction contracts.

Mrs. Wagstaff moved, seconded by Mr. Schofield to **call the question** on the amendment by Mr. Howard. The question was **called**. Ayes-18, Nays-1 (Malley)

The amendment **lost** by the following:

Ayes-9(Augostini, Burger, Harris, Howard, Kavulich, Lindsey, Malley, Warner & Shafer)

Nays-10(Brown, Coffey, Harbachuk, Hudak, Pasquale, Pazzaglini, Schofield, Taylor, Wagstaff & Whalen)

Mr. Howard moved, seconded by Mr. Pasquale the following amendment:

RESOLVED, that conditional to Broome County's support and participation in the Economic Development Alliance that the Alliance agree to the following: that the Economic Development Alliance observe relevant and enforceable State, Local and Federal prevailing rate laws.

Mr. Pasquale moved, seconded by Mrs. Wagstaff to **call the question** on the amendment. The call of the question **carried**.

The amendment **carried**.

Mr. Pazzaglini moved, seconded by Mr. Pasquale to **call the question** on the resolution as amended. The call of the question **carried**.

The resolution (93-379) as amended, **carried**.

Mr. Pasquale moved, seconded by Mrs. Hudak to adjourn at 4:49 p.m. **Carried**.

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
FRIDAY, OCTOBER 1, 1993**

The Legislature convened at 4:55 p.m. with a call to order by the Chairman, Arthur J. Shafer. The Clerk, Richard R. Blythe, read the fire exit announcement and then called the Attendance roll: Present-19.

ORAL PRESENTATION OF THE COUNTY EXECUTIVE

Presentation of Budget Message, Tentative 1994 Broome County Budget and Six Year Capital Improvement by the County Executive, Timothy M. Grippen

Mr. Pasquale moved, seconded by Mr. Augostini to adjourn at 5:06 p.m.
Carried.