

**BROOME COUNTY LEGISLATURE
SPECIAL SESSION
SEPTEMBER 30, 1998**

The Legislature convened at 5:08pm 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 moment of silent meditation.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

County Executive Kraham briefly addressed the monies which are being received for the Airport Renovation Project. He also made some points with regard to the salary being requested for the Nursing Home Administrator.

Mr. O'Day and Mr. Harbachuk were designated as participants in the 'Short Roll Call.'

RESOLUTIONS HELD OVER FROM PREVIOUS SESSION

RESOLUTION NO. 394 (automatic hold over)

By County Administration, Economic Development & Planning, Public Works and Finance Committees

Seconded by Mr. Burger

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 12 1998 ENTITLED "A LOCAL LAW AMENDING CHAPTER 179 OF THE BROOME COUNTY CHARTER AND CODE REGARDING TIRE DISPOSAL TIPPING FEES, PERMITTING FEES AND LANGUAGE MODIFICATIONS AND CLARIFICATIONS

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

RESOLUTION NO. 408 (held over by Mr. Wike)

By Personnel, Finance and Health Services Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING THE HIRING OF SCOTT KELSO AS DEPUTY ADMINISTRATOR FOR FISCAL SERVICES AT THE WILLOW POINT NURSING HOME ABOVE THE MINIMUM SALARY

Carried, Ayes-16, Nays-2 (Coffey, Kavulich), Absent-1 (Whalen).

RESOLUTION NO. 409 (held over by Mr. Shafer)

By Personnel, Finance and Health Services Committees

Seconded by Mr. Wike

RESOLUTION CONFIRMING APPOINTMENT OF ERNEST J. GAGNON AS ADMINISTRATOR OF WILLOW POINT NURSING HOME

There was a ruling by the Chair that this resolution was improperly before the Legislature and no action was required. The ruling was based on the County Attorney's interpretation of the Charter and Code that the act of holding over the resolution resulted in confirmation of Mr. Gagman's appointment. Holding over the resolution had the effect of neither confirming nor rejecting the appointment. Therefore, pursuant to the Charter, Mr. Gagnonn is confirmed.

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 411

By Personnel, Finance and Health Services Committees Seconded by Mr. Shafer

RESOLUTION AUTHORIZING THE HIRING OF ERNEST GAGNON AS ADMINISTRATOR OF WILLOW POINT NURSING HOME ABOVE THE MINIMUM SALARY

WHEREAS, The County Executive has recommended the hiring of Ernest Gagnon as Administrator of Willow Point Nursing Home at an annual salary of \$95,000 which is 37% above the minimum salary of \$69,392, and

WHEREAS, Ernest Gagnon is qualified as Administrator of Willow Point Nursing Home and had experience and/or education which justify said salary, and

WHEREAS, the currently vacant position of Director of Nursing Home Social Services with a minimum salary of \$32,896 (1998 salary minimum) will be eliminated in the 1999 Broome County Budget, now therefore be it

RESOLVED, that this County Legislature hereby authorizes the hiring of Ernest Gagnon, as Administrator of Willow Point Nursing Home, annual salary of \$95,000 at budget line 160028.1000.204000, effective 9/17/98.

Mr. Wike moved, seconded by Mr. Pasquale, to amend the salary to \$80,000. Mr. Hull made a motion to call the question on the amendment, seconded by Ms. Hudak. **Motion to call the question failed**, Ayes-7 (Howard, Hudak, Hull, Lindsey, Shafer, Sweet, Wike), Nays-11 (Brunza, Burger, Coffey, Harbachuk, Kavulich, Kolba, Mather, Miller, O'Day, Pasquale, Schofield), Absent – 1 (Whalen). **The motion to amend failed**, Ayes-6 (Brunza, Coffey, Kavulich, Pasquale, Wike, Schofield), Nays-12 (Burger, Harbachuk, Howard, Hudak, Hull, Kolba, Lindsey, Mather, Miller, O'Day, Shafer, Sweet), Absent-1 (Whalen). Mr. Shafer made a motion to call the question on the resolution, seconded by Ms. Hudak. **Motion to call the question on the resolution carried**, Ayes-15, Nays-3 (Brunza, Burger, Kavulich), Absent-1 (Whalen). **Resolution carried**, Ayes-13, Nays-5 (Brunza, Coffey, Kavulich, Pasquale, Wike), Absent-1 (Whalen).

RESOLUTON NO. 412

By Transportation and Finance Committees Seconded by Mr. Miller

RESOLUTION AUTHORIZING ACCEPTANCE OF FEDERAL AVIATION ADMINISTRATION AND NEW YORK STATE DEPARTMENT OF TRANSPORTATION GRANTS FOR THE PASSENGER TERMINAL REHABILITATION PROJECT

WHEREAS, the Commissioner of Aviation requests authorization to accept a Federal Aviation Administration Grant in the amount of \$4,817,559 and a New York State Department of Transportation Grant in the amount of \$6,000,000 for the Passenger Terminal Rehabilitation Project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$4,817,559 from the Federal Aviation Administration and \$6,000,000 from the New York State Department of Transportation for the Passenger Terminal Rehabilitation Project, 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 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.

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

Mr. Shafer moved, seconded by Mr. Mather, to adjourn. **Motion to adjourn carried**. Ayes-18, Nays-0, Absent-1 (Whalen). Meeting adjourned at 5:32pm.