

**BROOME COUNTY LEGISLATURE
SPECIAL SESSION
Tuesday, November 10, 1992**

The Legislature convened at 2:00 p.m. Called 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-17, Absent-2 (Mrs. Wagstaff, Mr. Pazzaglini came in after roll call).

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:
None.

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

COMMUNICATIONS:

1. 1993 Budget: Town of Maine
2. Minutes from: Ad Hoc Committee on Composting (EMC);
Mental Health Advisory Board.
3. Public Hearing Transcript (1993 Broome County Budget)
4. Letter from Charles Hopkins, Director of Veteran's
Service Agency, regarding budget reductions for Veteran's
burials.

REPORTS:

1. 1991 Annual Report: Department of Mental Health.
2. Monthly Report: Department of Social Services (June
1992); Broome Community College (Budget Transfers,
September 1992).

Mr. Moppert moved, seconded by Mrs. Greenmun to receive and file the above noted reports and to publish any pertinent portions thereof in the 1992 Journal of Proceedings. **Carried.** Ayes-17, Nays-0, Absent-2 (Pazzaglini, Wagstaff).

RESOLUTION NO. 504 by the Public Safety & Emergency Services Committee

Resolution authorizing temporary furlough release program for inmates at the Broome County Jail which was held over at the November 5, 1992 session by Mrs. Hudak was again presented for consideration. Mrs. Hudak moved, seconded by Mr. Warner the following amendment:

Page 2 of 19 Section - ELIGIBILITY CRITERION

ADD: NUMBER 11. ONE DAY BEFORE APPROVED FURLOUGH - INMATE MUST SUBMIT TO URINE TESTING FOR NON-PRESCRIBED DRUGS. IF THE TEST IS POSITIVE THE FURLOUGH IS CANCELED AND INMATE LOSES CONSIDERATION OF FUTURE FURLOUGHS FOR BALANCE OF SENTENCE. ANY OTHER DISCIPLINE IS AT THE DISCRETION OF THE SHERIFF OF BROOME COUNTY.

ADD; NUMBER 12. THE DAY OF RETURN FROM FURLOUGH - THE INMATE MUST SUBMIT TO URINE AND BREATHALYZER TESTING FOR NON-PRESCRIBED DRUGS. IF THE TEST IS POSITIVE INMATE LOSES FURLOUGH PRIVILEGES FOR BALANCE OF SENTENCE. ANY OTHER DISCIPLINE IS AT THE DISCRETION OF THE SHERIFF OF BROOME COUNTY.

Page 3 of 19 Section - TEMPORARY RELEASE FURLOUGH COMMITTEE

ADD TO ITEM 1. "not less than (4) four members".
ADD TO ITEM 2. "Chair of Broome County Legislatures" PUBLIC SAFETY COMMITTEE or official designee.

Page 11 of 19 Form IV/92
Page 3

Add under Activities and before Investigators recommendation:
Day of scheduled release on temporary furlough: Date:___ Time:
Urine test Positive Negative

Page 17 of 19 Return Report

Delete under item three (3) NO
Urine Test

Delete under item three (3) NO
Breathalyzer Test

Legislative Note:

The furlough program was attached as Exhibit A and amended. Amendments will be incorporated into the narrative of the exhibit by the Sheriff's Department. **Amendment Carried.** Ayes-19, Nays-0. Amended Resolution **Carried.** Ayes-19, Nays-0.

RESOLUTION NO. 513 by County Administration, Economic Development & Planning Committee adopting Local Law Intro. No. 19, 1992 Entitled: "a Local Law authorizing the private sale or assignment of tax sale certificates" which was held over by Mr. Shafer at the November 5, 1992 session was again presented for consideration. **Carried.** Ayes-10 (Bielecki, Brown, Coffey, Kavulich, Lindsey Malley, Moppert, Pasquale, Seeley, Shafer), Nays-9 (Augostini, Greenmun, Howard, Hudak, Pazzaglini, Schofield, Wagstaff, Warner, Yeager).

RESOLUTION NO. 516 by Public Safety & Emergency Services Committee adopting the 1993 special traffic options program for driving while intoxicated (STOP-DWI) program plan which was held over by Mrs. Coffey at the November 5, 1992 session was again presented for consideration. **Carried.** Ayes-19, Nays-0.

RESOLUTION NO. 517 by the Public Safety & Emergency Services Committee authorizing renewal of agreement with Broome County Council on Alcoholism for the special traffic options program for driving while intoxicated (STOP-DWI) program for 1993 which was held over by Mrs. Coffey at the November 5, 1992 session was again presented for consideration. **Carried.** Ayes-19, Nays-0.

RESOLUTION NO. 518 by the Public Safety & Emergency Services Committee authorizing renewal of funding agreements with the Broome County Sheriff's Department and various municipalities of the special traffic options program for driving while intoxicated (STOP-DWI) program for 1993 which was held over by Mrs. Coffey at the November 5, 1992 session was again presented for consideration. **Carried.** Ayes-19, Nays-0.

RESOLUTION NO. 519 by the Public Safety & Emergency Services & Environment Committees adopting statement of findings and decision pursuant to state environmental quality review act with respect to proposed Broome County Public Safety complex which was held over by Mr. Kavulich at the November 5, 1992 session was again presented for consideration. **Carried.** Ayes-13 (Augostini, Bielecki, Coffey, Howard, Malley, Moppert, Pasquale, Pazzaglini, Schofield, Seeley, Warner, Yeager, Shafer), Nays-6 (Brown, Greenmun, Hudak, Kavulich, Lindsey, Wagstaff).

RESOLUTION NO. 522 by the Finance Committee adopting the Broome County budget for fiscal year 1993 which was held over by Mr. Shafer at the November 5, 1992 session was again presented for consideration. The Chairman recognized Mr. Schofield for the presentation of the Finance Committee report. Following an explanation of the budgetary process Mr. Schofield indicated that no report would be presented at this time. Mr. Yeager moved to call the question, seconded by Mr. Pazzaglini on the budget resolution. Motion to call the question **Carried.** Ayes-17, Nays-2 (Kavulich, Malley). Resolution as presented **Lost.** Ayes-8 (Brown, Coffey, Kavulich, Malley, Moppert, Pasquale, Seeley, Shafer), Nays-11 (Augostini, Bielecki, Greenmun, Howard, Hudak, Lindsey, Pazzaglini, Schofield, Wagstaff, Warner, Yeager). The defeat of this resolution allows the County Executive's original budget of October 15, 1992 to go into affect with no changes other than those authorized by the following resolution; No. 523.

RESOLUTION NO. 523 by the Finance Committee making appropriations for the conduct of the Broome County Government for fiscal year 1993 which was held over by Mr. Shafer at the November 5, 1992 session was again presented for consideration. **Carried.** Ayes-12 (Augostini, Bielecki, Brown, Coffey, Kavulich, Lindsey, Malley, Moppert, Pasquale, Pazzaglini Seeley, Shafer), Nays-7 (Greenmun, Howard, Hudak, Schofield, Wagstaff, Warner, Yeager).

RESOLUTION NO. 524 by the Finance Committee approving the 1993-1998 Capital Improvement Program which was held over by Mr. Shafer at the November 5, 1992 session was again presented for consideration. **Carried.** Ayes-11 (Bielecki, Brown, Coffey, Kavulich, Lindsey, Malley, Moppert, Pasquale, Schofield, Seeley, Shafer), Nays-8 (Augostini, Greenmun, Howard, Hudak, Pazzaglini, Wagstaff, Warner, Yeager).

RESOLUTION NO. 525 by the Finance Committee establishing 1992 equalization rates for 1993 county tax levy which was held over by Mr. Shafer at the November 5,

1992 session was again presented for consideration. Mr. Brown moved, seconded by Mrs. Wagstaff to **table** this resolution to the November 24, 1992 session. Motion to **table Carried.** Ayes-19, Nays-0.

Mr. Pasquale moved, seconded by Mr. Yeager to adjourn to the call of the Clerk at 2:27 p.m. **Carried.**