
**BROOME COUNTY LEGISLATURE
REGULAR SESSION
WEDNESDAY, DECEMBER 27, 2000**

The Legislature convened at 4:08 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-19, Absent-0.

The Chair, Mr. Schofield, led the members of the Legislature in the Pledge of Allegiance to the Flag, followed by a prayer offered by Legislator Hudak.

Mr. Wike made a motion, seconded by Mr. Miller, that the minutes of the December 21, 2000 Regular Session be approved as prepared and presented by the Clerk. **Carried.**

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

Letters from the County Executive, Jeffrey P. Kraham:

1. Appointments to Broome County Arena Board of Directors
2. Appointments to Broome County Family Violence Prevention Council
3. Appointments to Broome County Community Alternatives Systems Agency Board
4. Appointments to Broome County Youth Bureau Advisory Board
5. Appointments to Willow Point Nursing Home Board of Directors
6. Appointments to Broome County Office for Aging Advisory Council
7. Appointments to Broome County Criminal Justice Advisory Board
8. Appointments to Broome County Health Advisory Board
9. Appointments to Broome County Community Services Board
10. Appointments to Broome County Central Library Board of Trustees

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

A. Petitions: None

B. Communications:

1. Resolution Procedure Manual
2. Letter from Broome County Legislature Republican Caucus: election of Wayne Howard as Majority Leader
3. Minutes: Binghamton Regional Airport (Progress Meeting #49)
4. Certificate of Recommendation: Republican Election Commissioner, Jeffrey A. Tait
5. Election Commissioner Certification: Democratic Election Commissioner, Joseph Sluzar
6. Letter from Broome County Legislature Democratic Caucus: election of Vincent Pasquale as Minority Leader

C. Notices: None

D. Reports: None

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

The Chair, Daniel A. Schofield, introduced the Gonzaga High School basketball team from Washington, DC, and coached by Dick Myers, who were in Broome County to participate in the STOP-DWI Christmas Tournament.

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

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 740

By Finance Committee

Seconded by Mr. Mather

RESOLUTION LEVYING COUNTY TAXES

WHEREAS, this County Legislature, by Resolution 536 of 2000, has adopted a budget for the fiscal year 2001, and

WHEREAS, this County Legislature, by Resolution 535 of 2000, made appropriations for the conduct of the Broome County Government for the fiscal year 2001, now, therefore, be it

RESOLVED, to meet the amount of said appropriations, this County Legislature levies the following taxes pursuant to the provisions of Sec. 360 of the County Law and Sec. 900 of the Real Property Tax Law and of the Broome County Charter, upon the valuation as equalized by it as hereinafter specified, to wit: Upon all taxable property in the County, the sum of \$36,777,199.

Carried.

RESOLUTION NO. 741

By Finance Committee

Seconded by Mr. Kolba

RESOLUTION LEVYING TAX, PURSUANT TO SECTION 902 OF THE REAL PROPERTY TAX LAW AND OF THE BROOME COUNTY CHARTER, ON THE CITY OF BINGHAMTON FOR 2001

RESOLVED, that there be levied against the real property of the City of Binghamton in the amount hereinafter set forth and that the proper persons be and they are hereby authorized to execute and affix the proper Warrant to Tax Rolls thereof: County tax \$6,613,653, and be it

FURTHER RESOLVED, that the payment to the Commissioner of Finance of Broome County be made pursuant to the City's Charter, one-half on March 1, 2001, and one-half on September 1, 2001.

Carried.

RESOLUTION NO. 742

By Finance Committee

Seconded by Mr. Wike

RESOLUTION CERTIFYING COUNTY TAXES DUE FROM EACH MUNICIPALITY IN BROOME COUNTY

WHEREAS, the budget for fiscal year commencing January 1, 2001 in which the County taxes are to be levied is \$36,777,199 and

WHEREAS, the County Legislature must certify to each municipality the contribution of such municipality to the taxes of the County based upon the full valuation of taxable real property in such municipality in accordance with the provisions of Article 8 of the Real Property Tax Law, and

WHEREAS, Chapter 828 of the Laws of 1985 requires that the municipalities levy the exact amount certified to be due and direct the extension of such amount against each parcel of taxable real property, now, therefore, be it

RESOLVED, that on or before December 31, 2000, the Chairman of the Broome County Legislature is hereby directed to issue a certificate to the chief fiscal officer of each municipality certifying the contribution of each municipality to the taxes of the County for the fiscal year commencing January 1, 2001, based upon a total tax levy of \$36,777,199, as follows:

<u>Municipality</u>	<u>Tax Contribution</u>	<u>Rate per \$1,000</u>
City of Binghamton	\$6,613,653	\$5.361071
Town of Barker	433,448	6.204530
Town of Binghamton	1,066,259	5.438412
Town of Chenango	2,373,356	5.604608
Town of Colesville	859,101	54.782072
Town of Conklin	1,098,330	6.579775

<u>Municipality</u>	<u>Tax Contribution</u>	<u>Rate per \$1,000</u>
Town of Dickinson	867,205	5.886995
Town of Fenton	1,152,832	6.293631
Town of Kirkwood	1,296,783	5.427874
Town of Lisle	397,860	6.078758
Town of Maine	960,903	6.131624
Town of Nanticoke	249,786	6.078438
Town of Sanford	831,772	5.911116
Town of Triangle	448,621	6.278838
Town of Union	10,815,441	87.368658
Town of Vestal	6,240,588	98.863055
Town of Windsor	1,071,261	5.877719
TOTAL:	<u>\$36,777,199</u>	

and be it

FURTHER RESOLVED, that the certificate shall be delivered to the chief fiscal officer of each municipality in person, and be it

FURTHER RESOLVED, that the certificate shall contain the rate per \$1,000 of assessed value as determined from the latest final assessment role, and be it

FURTHER RESOLVED, that in the event that a municipality shall fail to make the levy required by law and return same to the Clerk of the Broome County Legislature on or before December 31, 2000, the County Attorney is directed to institute an Article 78 proceeding against any such municipality to compel the levy and assessment of County taxes by such municipality.

Carried.

RESOLUTION NO. 743

By Finance Committee

Seconded by Mr. Miller

RESOLUTION LEVYING RETURNED SCHOOL AND VILLAGE TAXES FOR 2000

RESOLVED, that the Certificate of Returned School Taxes as reported by the Commissioner of Finance, as set forth in this resolution, be received in the amount of such unpaid taxes with seven percent of the amount of principal and interest in addition thereto, be levied upon the real property on which the same were imposed, and when collected by the same be returned to the Commissioner of Finance to reimburse unpaid school taxes to the respective school districts, together with the expense of collection, and be it

FURTHER RESOLVED, that the Certificate of Returned Village Taxes, as reported by the Commissioner of Finance, as set forth in this resolution, be received in the amount of such unpaid taxes with seven percent of the amount of principal and interest in addition thereto, be levied upon the real property on which the same were imposed, and when collected, the same be returned to the Commissioner of Finance to reimburse the County for the amount advanced to pay the amount of returned unpaid village taxes to the respective villages, together with the expense of collection.

2000 RETURNED SCHOOL TAXES BY SCHOOL DISTRICT - TOTAL RELEVY

<u>School District</u>	<u>Total Unpaid Tax on Roll</u>	<u>7% County Penalty</u>	<u>Total Relevied Tax</u>
Afton	\$ 81,336.47	5,693.53	\$87,030.00
Bainbridge-Guilford	1,012.83	70.90	1,083.73
Binghamton (Dickinson)	26,753.85	1,872.77	28,626.62
Chenango Forks	285,315.69	19,972.10	305,287.79
Chenango Valley	418,712.61	29,310.00	448,022.61
Cincinnatus	137.55	9.63	147.18
Deposit	208,716.89	14,610.18	223,327.07
Greene	2,365.71	165.60	2,531.31

<u>School District</u>	<u>Total Unpaid Tax on Roll</u>	<u>7% County Penalty</u>	<u>Total Relevied Tax</u>
Harpursville	256,866.17	17,980.70	274,846.87
Johnson City	699,274.99	48,949.52	748,224.51
Maine-Endwell	558,825.57	39,117.75	597,943.32
Marathon	32,357.48	2,265.02	34,622.50
Newark Valley	2,750.97	192.57	2,943.54
Susquehanna Valley	480,541.48	33,637.79	514,179.27
Union-Endicott	965,511.82	67,585.68	1,033,097.50
Vestal	605,063.00	42,353.71	647,406.71
Whitney Point	383,815.24	26,867.14	410,682.38
Windsor	513,673.82	35,957.19	549,631.01
Binghamton (Town)	2,805.54	196.39	3,001.93
Grand Totals	<u>\$5,525,827.68</u>	<u>\$386,808.17</u>	<u>\$5,912,635.85</u>

2000 RETURNED VILLAGE TAXES - NOVEMBER 2000 - TOTAL RELEVY

<u>Total Unpaid Town</u>	<u>Village</u>	<u>County Tax on Roll</u>	<u>7% Relevy Penalty</u>	<u>Tax</u>
Dickinson	Port Dickinson	6,891.70	480.47	\$7,372.17
Lisle	Lisle	2,549.31	177.35	2,726.66
Sanford	Deposit	8,893.41	619.47	9,512.88
Triangle	Whitney Point	27,108.42	1,894.75	29,003.17
Union	Endicott	245,243.99	17,145.93	262,389.92
	Johnson City	<u>338,642.92</u>	<u>23,684.45</u>	<u>362,327.38</u>
	Total Union	583,886.91	40,830.38	624,717.30
Windsor	Windsor	14,035.60	979.69	15,015.29
Grand Totals		<u>\$643,365.35</u>	<u>\$44,982.12</u>	<u>\$688,347.47</u>

Note: The 7% Penalty is not computed on the dollar handling fee charged on each parcel by the village. The total unpaid tax on the roll times 7% will not equal the County Penalty due to the dollar handling fees.

Carried.

RESOLUTION NO. 744

By Finance Committee

Seconded by Mr. Mather

RESOLUTION OF THE COUNTY LEGISLATURE LEVYING TAXES AND ASSESSMENTS FOR THE PURPOSE OF ANNUAL BUDGET OF TOWNS OF BROOME COUNTY

WHEREAS, there has been presented to this County Legislature a duly certified copy of the annual budget of each of the several towns of the County of Broome for the fiscal year beginning January 1, 2001, now, therefore, be it

RESOLVED, that there shall be and hereby is assessed and levied upon and collected from the taxable real property situated in the following named towns, the amount indicated below

for the general fund purposes and highway purposes, as specified in the respective annual budgets for the respective towns and amounts from the towns and cities account of the Commissioner of Finance, as follows:

<u>Town</u>	<u>General Townwide</u>	<u>General Inside Village</u>	<u>General Outside Village</u>	<u>Highway Townwide</u>	<u>Highway Outside Village</u>
Barker				184,163.02	
Binghamton	108,913.63			499,133.18	
Chenango				319,189.42	
Colesville				344,220.48	
Conklin	62,822.69			118,799.89	
Dickinson	198,502.75				
Fenton					
Kirkwood	18,129.86			235,406.41	
Lisle	62,899.59			176,551.76	
Maine	12,877.68			250,829.73	
Nanticoke				49,999.99	
Sanford	264,999.98		27,356.76	308,412.93	4,530.60
Triangle	155,514.77			72,483.38	
Union	2,461,766.41		890,339.57		940,625.83
Vestal	3,103,154.83			841,848.65	
Windsor	282,617.59			52,200.07	147,000.55

and be it

FURTHER RESOLVED, that there shall be and hereby is assessed and levied upon and collected from real property liable therefore with the respective districts in the following towns, as indicated below, the following amounts for the purposes of such districts, as specified in the respective annual budgets:

TOWN OF BARKER

FP 201 Fire PR 1	\$23,973.90
FP 202 Fire PR 2	23,560.96
FP 203 Fire PR 3	12,346.99
FP 204 Fire PR 4	26,500.02

TOWN OF BINGHAMTON

DR 221 Drain 1	\$346.01
FP221 Fire Prot 1	134,450.71
LT221 Light 1	559.99
LT222 Light 2	2,500.00
LT223 Light 3	3,499.98
LT224 Light 4	450.00
LT225 Light 5	350.00
LT226 Light 6	699.99
PT506 Bing Water 6 Bond	45,630.05
SB221 Sewer Con Bond	21,276.77
SM228 Consolidated Sewer	53,177.45
ST801 Sewer 8 Ext. Bond 1	4,766.94
US221 Return Sewer	9,750.68
WB501 Water 5 Bond 1	2,168.10
WB221 Cons. Water Bond	78,537.14
WD225 Consolidated Water	151,186.01
UW221 Returned Water	6,657.88

TOWN OF CHENANGO

CM241 Chenango Compost	49,660.47
FP241 Fire No. 1	230,759.95
FP242 Fire No. 2	146,518.02
FP243 Fire No. 3	7,266.97
FP244 Fire No. 4	100,579.06
LM280 Chenango Lawn Mowing	660.00
LT241 Light 1	81,000.10
SD240 Sewer 10	20,751.02
SD241 Sewer 1	3,772.98
SD242 Sewer 2	130,639.47
SD244 Sewer 4	75,198.07
SD245 Sewer 11	3,356.98
SD247 Sewer 7	398,813.69
SD248 Sewer 8	335,477.80
SD249 Sewer 9	42,681.04
SD271 Chenango Sewer	38,515.16
SD250 Sewer 5	2,669.91
US241 Return Sewer	26,664.70
UW257 Return Water	21,792.20
WD241 Water 1	32,685.04
WD243 Water 3	10,280.00
WD244 Water 4	7,653.96
WD247 Water 7	7,697.06
WD249 Water 9	5,752.98
WD250 Water 8	5,599.00
WD410 Water 10	498.00
WD415 Water 15	3,997.03
WD416 Water 16	739.22
WD417 Water 12	18,585.99
WD418 Water 14	14,227.05
WD419 Water 18	3,629.01
WD420 Water 19	2,313.02
WD421 Water 20	11,797.00
WD422 Water 21	2,475.01
WD423 Water 22	31,422.95
WD424 Water 24	3,628.03
WD425 Water 23	12,967.02
WD426 Water 26	3,462.00
WD427 Water 27	5,203.99
WD428 Water 28	7,105.97
WD430 Water 25	20,545.03
WD429 Water 29	950.00
WR241 Water 11 Frt Ft	1,597.09

TOWN OF COLESVILLE

FD261 Fire No. 1	38,010.03
FD262 Fire No. 2	13,877.91
FD263 Fire No. 3	120,656.83
LT261 Light 1	8,291.94
LT262 Light 2	3,927.98
LT263 Light 3	3,760.03

TOWN OF CONKLIN

FP281 Fire Prot. 1	167,185.32
LT281 Light 1	1,244.99
LT282 Light 2	834.99
LT283 Light 3	2,535.00
LT284 Light 4	8,650.01
LT285 Light 5	1,350.00
LT286 Light 6	499.98
LT288 Light 8	4,299.99
LT289 Light 9	1,054.98
SB282 Sewer 1 Ext. 2	7,725.96
SD283 Sewer 1 Ext. 3	30,515.80
SD284 Sewer 1 Ext. 4	15,346.03
SD285 Sewer 1 Ext. 5	26,401.91
US280 Return Sewer	3,211.39
WB282 Water 6	31,140.98
UW280 Return Water	8,680.68

TOWN OF DICKINSON

CG301 Curb & Gutter	4,740.95
FP301 Fire No. 1	65,000.32
FP302 Fire No. 2	40,000.10
FP303 Fire No. 3	18,999.81
GB301 Garbage 1	62,500.35
LM301Lawn mowing	90.00
LT301 Light 1	11,710.75
LT305 Light 5	3,903.01
LT306 Light 6	2,882.78
LT307 Light 7	13,624.67
LT308 Light 8	11,541.17
LT309 Light 9	337.71
PS301 Pump Station	3,931.69
ST304 Pleasant Court Sewer	4,966.99
SD306 Sewer 6 Bond	15,795.00
ST504 Sewer 2, Ext	7,862.99
ST506 Sewer 5, Ext. 2	7,044.05
ST507 Sewer 2, Ext. 4	25,043.00
ST508 Sewer 2, Ext. 5	2,860.99
US301 Return Sewer	31,446.77
UW301 Return Water	25,411.57
WD307 Water 7	13,300.22
WE303 Water 4, Ext. 1	9,999.85

TOWN OF FENTON

FD321 Fire No. 1	\$150,948.21
FD322 Fire No. 2	98,262.92
LT321 Light 1	13,999.84
LT322 Light 2	27,999.95
SE323 Porter Hollow Sewer	4,125.00
SE324 Hillcrest Sewer 1	19,289.96
US321 Return Sewer	2,160.20
UW321 Return Water	7,672.31
WB321 Water Bond	11,430.01

TOWN OF KIRKWOOD

FP341 Fire No. 1	249,149.97
LT341 Light 1	4,999.89
LT342 Light 2	8,000.00
LT343 Light 3	1,300.00
SE341 Sewer 1	65,042.03
SE342 Sewer 2	4,280.00
ST341 Sewer 1, Ext. 1	5,125.02
ST342 Sewer 1, Ext. 2	1,381.00
ST343 Sewer 1, Ext. 3	861.13
ST344 Sewer 1, Ext. 4	383.02
US343 Return Sewer	21,772.26
UW343Return Water	15,624.14
WD341 Water 1 (Prim)	63,246.88
WD341 Water 1 (Sec)	1,251.99

TOWN OF LISLE

FP361 Fire No. 1	16,599.99
FP362 Fire No. 2	71,526.74
SF3 Killawog Ambulance	4,151.01
LT361 Light 1	799.93
LT362 Light 2	1,999.99

TOWN OF MAINE

FP381 Fire No. 1	121,600.06
PF382 Fire No. 2	21,601.48
FP383 Fire No. 3	19,955.42
FP384 Fire No. 4	6,078.08
FP385 Fire No. 5	7,971.48
FP386 Fire No. 6	18,594.09
FP387 Fire No. 7	116,172.05
LT381 Light 1	7,500.04
LT382 Light 2	4,800.00
LT383 Light 3	1,500.00

TOWN OF NANTICOKE

FP401 Fire No. 1	\$34,533.95
FP402 Fire No. 2	33,327.95

TOWN OF SANFORD

FP421 Fire No. 1	74,499.75
FP422 Fire No. 2	6,616.00
SD423 Oquaga Lake Sewer	48,250.00
RS422 Return Sewer	2,574.00

TOWN OF TRIANGLE

Fire No. 1	65,906.97
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TOWN OF UNION

FP461 Fire No. 1	539,114.52
FP463 Fire No. 4	176,983.33
FP464 Fire No. 5	113,756.01
FP465 Fire No. 6	239,999.76
FP467 Fire No. 8	255,999.14

TOWN OF UNION (Cont'd.)

FP468 Fire No. 10	49,499.96
FP469 Fire No. 12	23,276.07
CG462 Curbs and Gutter	250.32
LM460 Union Lawn Mowing	315.00
PK461 Parks	899,701.06
RS462 Return Sewer	15,601.28
RW462 Return Water	12,047.52

TOWN OF VESTAL

DR482 Drain 1 Maint.	2,541.20
DR484 Drain 2 Maint.	1,030.00
DR486 Drain 3 Maint.	5,172.20
DR487 Drain 4 Maint.	190.00
DR488 Drain 5 Maint.	485.00
DR510 Drain 6 Maint.	213.15
DR511 Drain 7 Maint.	80.00
DR512 Drain 8 Maint.	175.00
DR513 Drain 9 Maint.	405.00
DR514 Drain 10 Maint	50.00
DR515 Drain 11 Maint.	220.00
DR516 Drain 13 Maint.	55.00
DR517 Drain 14 Maint.	5.00
DR518 Drain 15 Maint.	180.00
DR519 Drain 16 Maint.	45.00
DR520 Drain 17 Maint.	3,225.00
DR522 Drain 18 Maint.	37,593.75
FP481 Fire Protection	734,393.01
LT481 Light District	261,539.19
RS481 Return Sewer	83,242.62
RS490 Spec Sewer	2.00
RW481 Return Water	43,183.47
SB487 Cons. Sewer Bond	41,059.74
SB488 Sewer Ext. 47	1,369.06
SW489 Sewer Ext. 68	3,468.81
SP551 Sewer 1, Exp. 1	4,552.13
ST490 Sewer 1, Ext.35 Bond	4,464.20
ST509 Sewer 1, Ext. 2	7,743.74
ST526 Sewer 1, Ext. 26 Bond	2,682.88
ST531 Sewer 1, Ext. 31 Bond	1,375.99
ST540 Sewer 1, Ext. 40 Bond	22,880.11
SW481 Sewer 1, Maint.	242,312.54
WB101 Water 1, Bond 1	24,811.93
WB481 Cons. Water Bond	299,383.69
WB701 Water 7, Bond 1	3,337.99
WD481 Water Dist. Maint.	492,688.05
WT111 Water 1, Ext. Bond 11	1,868.11
WT519 Water 5, Ext. Bond 19	1,314.93
WT605 Water 7, Ext. 3 Bond	1,595.04

TOWN OF WINDSOR

FP501 Fire 1	15,173.21
FP502 Fire 2	84,249.94
FP503 Fire 3	112,000.46

TOWN OF WINDSOR (Cont'd.)

FP504 Fire 4	4,000.04
SD507 Sewer 1	8,230.00
SD508 Sewer 2	7,809.49

and be it

FURTHER RESOLVED, that the amounts to be raised by taxes and assessments when collected shall be paid to the Supervisors of several Towns in the amounts as shown by this resolution for distribution in the manner provided by law and that the Clerk of the County Legislature is hereby authorized to make changes in the above resolution if requested by the Town Supervisor, and be it

FURTHER RESOLVED, that this Resolution shall become effective immediately.

Carried.

RESOLUTION NO. 745

By Finance Committee

Seconded by Mr. Kolba

RESOLUTION APPROVING THE COMPLETED TAX ROLLS OF THE SEVERAL TOWNS AND CITY AND DIRECTING THE EXECUTION AND DELIVERY OF WARRANTS FOR THE COLLECTION OF TAXES EXTENDED THEREON PURSUANT TO SECTION 904 OF THE REAL PROPERTY TAX LAW

WHEREAS, upon the Tax Rolls of the several Towns and City, the several taxes have been, by the Supervisors and appropriate officials thereof, duly extended as provided by law and by the several resolutions of the County Legislature, and the same completed Tax Rolls have been laid down before this County Legislature for its approval, now, therefore, be it

RESOLVED, that the said Tax Rolls be approved as so completed and the tax is so extended upon the Tax Rolls and the several amounts extended against each parcel of property upon the said Rolls and hereby determined to be the taxes due thereon, as set forth herein, and be it

FURTHER RESOLVED, that there be annexed to each of said Rolls a Tax Warrant in the form prepared by the Clerk and heretofore laid before this County Legislature for its approval, as provided by Section 904 of the Real Property Tax Law; that such warrants be signed by the County Executive and the Clerk of the Legislature; and that said Rolls with said Warrants annexed therefore be forthwith delivered to the respective Collectors of the several tax districts in the County, and be it

FURTHER RESOLVED, that upon the effective date of this Resolution or any thereafter, on or before January 1, 2001, be and hereby is designated as the date upon which the County Executive and the Clerk of this County Legislature are authorized to sign the Warrants and attach the seal of this County Legislature to the Tax Rolls of the several towns.

Carried.

RESOLUTION NO. 746

By Finance Committee

Seconded by Mrs. Sweet

RESOLUTION ESTABLISHING EQUALIZATION RATE FOR THE 2001 COUNTY TAX LEVY

RESOLVED, that pursuant to Article III, Section 302 D of the Broome County Charter, the percentages hereinafter indicated after the names of the Towns and the City of Binghamton be and the same hereby are adopted as the ratio percentages which the assessed value of real property of each municipality bears to its full value:

Municipality	<u>Equalization Rate</u>
City of Binghamton	118.70
Town of Barker	100.00
Town of Binghamton	114.08
Town of Chenango	110.69

Municipality	<u>Equalization Rate</u>
Town of Colesville	11.37
Town of Conklin	94.28
Town of Dickinson	105.40
Town of Fenton	98.57
Town of Kirkwood	114.29
Town of Lisle	102.05
Town of Maine	101.20
Town of Nanticoke	102.05
Town of Sanford	104.97
Town of Triangle	98.80
Town of Union	7.24
Town of Vestal	6.40
Town of Windsor	105.55

Carried, Ayes-17, Nays-2 (Holley, Mather).

RESOLUTION NO. 747

By Finance Committee

Seconded by Mr. Mather

RESOLUTION AUTHORIZING TRANSFER OF FUNDS TO BALANCE 2000 ACCOUNTS

WHEREAS, the Commissioner of Finance, the Director of Budget & Research and the Comptroller request authorization to transfer funds to balance 2000 accounts, and

WHEREAS, said transfers would fund salary accounts or other necessary accounts with monies available as of December 31, 2000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Commissioner of Finance to transfer funds to balance the 2000 accounts, and be it

FURTHER RESOLVED, that the Commissioner is directed to report any transfers made on or before March 31, 2001 to the Finance Committee of the County Legislature, the Budget Officer and the County Comptroller.

Carried.

RESOLUTION NO. 748

By Finance Committee

Seconded by Mr. Shafer

BOND RESOLUTION DATED

RESOLUTION AUTHORIZING THE ISSUANCE OF \$15,683,000 BONDS OF THE COUNTY OF BROOME, NEW YORK TO PAY THE COST OF VARIOUS CAPITAL PROJECTS

BE IT RESOLVED, by the County Legislature of the County of Broome, New York, as follows:

Section 1. The following are the classes of objects or purposes or specific objects or purposes to be financed by the County of Broome, New York, pursuant to this resolution, the maximum estimated costs thereof, and the subdivisions of Section 11.00(a) of the Local Finance Law and periods of probable usefulness applicable thereto:

<u>Project Name/P.P.U/L.F.L. Section 11.00</u>	<u>Maximum Estimated Cost</u>	
County Office Building – Upgrade Elevator	(10 years, Sub 13)	\$450,000
County Office Building Fire Alarm System	(10 years, Sub 25)	\$600,000
Highway Reconstruction/Rehabilitation – Caldwell Hill Rd.	(10 years, Sub 20(b))	\$500,000
Highway Reconstruction/Rehabilitation	(10 years, Sub 20(b))	\$2,000,000
Highway Equipment Replacement	(15 years, Sub 28)	\$645,500
Forum Roof System Replacement	(15 years, Sub 12(a)(2))	\$975,000
Landfill Equipment	(5 years, Sub 29)	\$1,231,000
Landfill New Construction	(20 years, Sub 6(a))	\$9,088,000

Project Name/P.P.U./L.F.L. Section 11.00**Maximum Estimated Cost**

Resident Lift Program Equipment	(5 years, Sub 32)	\$100,000
Willow Point Building Feasibility Study	(3 years, Sub 62)	<u>\$158,000</u>
	Total	\$15,747,500

Section 2. SEQR DETERMINATION. It is hereby declared to be the intent of this County Legislature that the projects listed above shall not commence until all steps have been taken under the New York State Environmental Quality Review Act (SEQR), to the extent applicable, to ensure that said proposed projects are in compliance with the provisions thereof and, to this end, it is hereby determined that, until such compliance has been accomplished, the only obligations which shall be issued pursuant to this resolution shall be to provide funds for engineering, architectural and legal fees, including studies, surveys and testing of the site thereof, which will, at least, assist in the SEQR compliance process.

Section 3. The aggregate maximum estimated cost of the aforesaid classes of objects or purposes or specific objects or purposes is \$15,747,500 and the plan for the financing thereof is by the issuance of \$15,683,000 bonds of said County, hereby authorized to be issued therefor pursuant to the Local Finance Law, by the application of \$64,500 in County funds allocated entirely toward the Highway Equipment Replacement Project, provided, however, that the amount of bonds to be issued shall be reduced to the extent of Federal and/or State grants received in connection therewith there being anticipated \$2,272,000 monies to be received from the state government to be allocated entirely to the Landfill New Construction Project.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Commissioner of Finance, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Commissioner of Finance shall determine consistent with the provision of the Local Finance Law.

Section 6. The faith and credit of said County of Broome, New York, are hereby irrevocably pledged for the payment of the principal of and interest of such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and any action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect upon its approval by the County Executive, shall be published in full in The Press & Sun Bulletin, which is the only newspaper having a general circulation in the County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Carried.

RESOLUTION NO. 749

By Finance Committee

Seconded by Mr. Miller

RESOLUTION AUTHORIZING RENEWAL OF LEASE AGREEMENT WITH ISI ASSOCIATES FOR SPACE FOR THE PUBLIC DEFENDER FOR THE PERIOD 2001 THROUGH 2005

WHEREAS, this County Legislature pursuant to Resolution Number 225 of 1996 authorized a lease agreement with ISI Associates whereby ISI Associates leased approximately 13,100 square feet located in the Kelly Building (corner of State and Lewis Streets) in the City of Binghamton for use by the Broome County Public Defender during the period from 1996 through 2000, and

WHEREAS, said lease agreement provided for an option to renew for five additional years and the Public Defender desires to exercise said option, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the Lease Agreement with ISI Associates, Management Office, Suite 600, 84 Court Street, Binghamton, New York 13901-3316, dated March 21, 1996 for lease from ISI Associates of approximately 13,100 square feet of space located on the 5th and 6th floors of the Kelly Building (corner of State and Lewis Streets – Binghamton, N.Y.) together with the use of the basement and the use of an adjacent parking lot, and be it

FURTHER RESOLVED, that the term of this renewal lease agreement shall commence on January 1, 2001 and end on December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of the renewal of said lease of said space the County will pay to ISI Associates the sum of \$117,856.19 for calendar year 2001 at the rate of \$9,821.34 per month; \$122,570.43 for calendar year 2002 at the rate of \$10,214.20 per month; \$127,473.24 for calendar year 2003 at the rate of \$10,622.77 per month; \$132,527.16 for calendar year 2004 at the rate of \$11,043.93 per month; and \$137,830.04 for calendar year 2005 at the rate of \$11,485.83 per month, and be it

FURTHER RESOLVED, that in consideration of said lease ISI Associates shall, during the first year of the renewal term, re-carpet and re-paint, at ISI Associates' sole expense, the 5th and 6th floors of the leased premises, and be it

FURTHER RESOLVED, that in all other respects the Lease Agreement between ISI Associates and the County of Broome dated March 21, 1996 shall remain in full force and effect, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 530006.4422.10100 (Building and Land Rental), 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.

Carried.

RESOLUTION NO. 750

By Finance Committee

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING SALE OF COUNTY PROPERTIES FROM THE 2000 TAX SALE AUCTION

WHEREAS, the County of Broome owns certain parcels of real property as a result of in rem foreclosures, and

WHEREAS, this County Legislature has heretofore authorized the Director of Real Property Tax Service to sell such properties in conformity with procedures established by this Legislature and in accordance with all applicable laws, and

WHEREAS, the Director of Real Property Tax Service advises that a tax sale auction for 2000 was held and all bids submitted were tabulated, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the conveyance of certain real property to the successful bidders in the 2000 Broome County tax sale as indicated on the attached Exhibit "A", and be it

FURTHER RESOLVED, that this County Legislature hereby rejects the bids as indicated on the attached Exhibit "B", and be it,

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute quit claim deeds, approved as to form by the Department of Law, conveying the properties listed above to the successful bidders in each such case, together with other such documents as may be necessary to implement the intent of this Resolution.

Carried, Ayes-17, Nays-2 (Brunza, Shafer).

Mr. Shafer requested that a communication from Hinman, Howard & Kattell, LLP, dated December 13, 2000 regarding the Floyd Quick property tax map No. 146.01-1-78 be placed on file in the Clerk's Office.

RESOLUTION NO. 751

By County Administration

Seconded by Mr. Shafer

RESOLUTION REQUESTING THAT THE GOVERNOR CALL A SPECIAL ELECTION TO FILL THE VACANCY IN LEGISLATIVE DISTRICT 3 THAT WILL OCCUR ON JANUARY 1, 2001.

WHEREAS, at the general election held on November 7, 2000 there was a tie vote for the position of Broome County Legislator for Legislative District Number 3 and as a consequence no individual was elected to take office on January 1, 2001 as the Broome County Legislator representing Legislative District Number 3, creating a vacancy in said office, and

WHEREAS, there is no provision in the Broome County Charter whereby a legislator for District 3 could be selected to take office, and

WHEREAS, pursuant to §42(3) of the Public Officers Law, in the event of a vacancy in the office of County Legislator, the Governor may proclaim a special election for the purpose of electing a Legislator to fill the vacancy to be held not less than thirty days nor more than forty days after the date of the proclamation, now, therefore, be it

RESOLVED, that this County Legislature hereby requests the Governor of the State of New York to proclaim a special election for the purpose of electing a Legislator to represent Broome County Legislative District Number 3; the person elected shall hold that office until December 31, 2002, and be it

FURTHER RESOLVED, that the clerk of the Legislature is hereby authorized and directed to deliver a certified copy of this resolution to the Office of the New York State Governor within five days after this resolution has been adopted.

Carried.

RESOLUTION NO. 752

The **RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 17, 2000, ENTITLED: "A LOCAL LAW AUTHORIZING SALARY INCREASES FOR THE BROOME COUNTY EXECUTIVE, BROOME COUNTY SHERIFF AND BROOME COUNTY CLERK."** failed in the prime committee and therefore was not addressed on the floor of the Legislature.

RESOLUTION NO. 753

By Finance Committee

Seconded by Mr. Kolba

RESOLUTION AUTHORIZING THE BUDGET TRANSFER FOR REAL PROPERTY TAX SERVICES

RESOLVED, that in accordance with a request from the Director of Real Property Tax Services in order to provide funds to implement the GIS Capital project, as requested, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	900084	4752	101000	Contingency Fund	\$58,000
TO:	630004	4449	101000	Professional Services	\$58,000

Carried.

Mr. Shafer made a motion to adjourn, seconded by Mr. Wike. **Motion to adjourn carried.** The meeting was adjourned at 4:21 p.m.

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