

COMMITTEE OF THE WHOLE OF THE BROOME COUNTY LEGISLATURE
MEETING MINUTES
AUGUST 4, 2011

The Committee of the Whole of the Broome County Legislature met on Thursday, August 4, 2011 in the Legislative Conference Room, Sixth Floor, Edwin L. Crawford County Office Building, Binghamton, New York.

Members Present: J. Marinich, J. Black, M. Diffendorf, J. Garnar, R. Heebner, J. Hutchings, D. Jensen, R. Keibel, J. Lewis, J. Merrill, M. Pasquale, D. D. Reynolds, D. J. Reynolds, J. Sanfilippo, M. Schafer, M. Sopchak

Members Absent: W. Howard, M. Whalen, S. Herz

Others Present: C. Hall, J. Baumgartner, R. O'Donnell, Legislature; J. Fusco, Press & Sun-Bulletin; M. Blakeslee, Port Dickinson Resident

The Committee meeting was called to order by Mr. Marinich at 4:12 PM.

Mr. Marinich stated that the invocation was to be reviewed by the County Administration Committee and that Mr. Keibel recommended a Committee of the Whole be called so that every Legislator would be afforded the opportunity to give their views. He further stated that the invocation is a part of the Rules of Order and depending on the views of the Legislature a Resolution may be brought forth to change the Rules of Order.

Mr. Sanfilippo stated that whoever is giving the invocation is doing so as a representative of the Legislature and not the individual. He agrees with the comments of Mr. Herz, especially the need to be sensitive to the rights of all. He feels strongly that getting back to the non-denominational prayer is the best option, if not then a moment of silence.

Mr. Schafer stated that the invocation gives him the opportunity to reflect on the business which is to be taken up. He prefers recognition of God and would rather an invocation over a moment of silence, which does not give him the same religious satisfaction.

Ms. Lewis stated that she never meant to trample on anyone's rights but does not feel that a non-denominational invocation serves her beliefs. She also stated that the State and Federal Governments have invocations and a moment of silence is more appropriate for funerals. She believes that everyone should have the right to pray as they see fit.

Mr. Garnar stated that he did not want to lose the invocation but is undecided overall with what the outcome should be. He is keeping an open mind and feels other Legislators should do the same.

Mr. D. J. Reynolds stated that he does not see an issue with the current non-denominational prayer. He also does not see a government role in forcing religion on any individuals and bringing individual religious leaders could be seen as advocating for a certain religion. Most municipal governments do not have an invocation. He would have no issue with the moment of silence. He also disagrees that the meetings are for the Legislators, he believes the meetings are for the public as the members are doing the public's bidding. His preference is that a moment of silence is better than a generic prayer.

Mr. Pasquale stated that he would also have no issue with the moment of silence; however he would like to see the invocation stay. Prayer is a deep personal issue. He would like to have each Legislator have a turn at offering the invocation or keep the non-denominational prayer.

Mr. Merrill stated that had spoken to Mr. Heebner before the meeting and liked his suggestion of allowing people of all faiths to come to the Legislative meetings and offer their own invocation. He also stated that has never been offended by any of the prayers offered by Legislators and that if anyone happens to be atheist then any pray is offensive. Government should not be promoting one faith. He prefers a moment of silence, which is fairer to everyone as they can reflect as they so choose.

Mr. Hutchings stated that he also was not offended by anyone's invocation and also does not want to lose the prayer. He feels that Legislators have the responsibility to respect any and all faiths and that maybe continuing the non-denominational prayer is the way to go. Also feels it is a good idea to have different non-denominational prayers, not the same one over and over.

Mr. Diffendorf stated he would like to see each Legislator have the ability to give their own prayer and if they do not want to offer a prayer they could defer to another Legislator.

Mr. Black stated that he liked the idea of a rotating prayer or having the opportunity to invite religious leaders as they can often remind Legislators of things forgotten or unknown. With this the Legislature can be all inclusive as to not support one religion over another.

Mr. Heebner stated that he believes deeply in prayer and that the prayer should continue as it is for the Legislators. He also stated that he had contacted religious leaders of all different faiths to learn more about their beliefs. He pointed out that when Dr. Dino Pedrone was invited to give an invocation no one had an issue with his prayer because he covered all faiths. He feels that people of all faiths should be invited to offer invocations because if there is tolerance for all then no one should be offended. He believes the prayer is for the Legislators and is not in favor of a moment of silence.

Mr. Jensen stated he does not see a rotating prayer as fixing all of the issues different Legislators have and would prefer a moment of silence.

Mr. Sopchak stated that a generic or non-denominational prayer would be the best way to address the issue.

Mr. Keibel stated that there are so many faiths and churches in his district that he would not know how to choose who to invite for invocation and would not want to offend other groups by not inviting them. Legislators should not have to be put in that situation. He also stated that the Legislators have to tolerate everyone else's beliefs, whatever those beliefs may be.

Mr. D. D. Reynolds stated Mr. Herz was not the only one to have issues with the individual invocation. For years the non-denominational prayer has worked and been respectful of everyone's views. Religion needs to be left out of government and does not enhance process. He also stated that if there is not a moment of silence (first choice) then the extent of the prayer should be short, respectful; non-denominational. He also stated that when individuals are brought in to offer the invocation it is usually for a special occasion.

Mr. Marinich stated that the Legislative Sessions are not religious class and that Legislators were elected to govern. He needs to remain neutral and abide by the wishes of the majority of

the Legislature on this subject. He stated he spoke to his Minister and his opinion is that of separation of Church and State and allowing a moment of silence gives everyone the option to prayer to whoever they would like to.

Mr. Blakeslee stated that he believes prayer is important at Legislative Sessions. He mentioned that the Continental Congress opened their meetings with prayer and the United States Senate and House of Representatives still to this day have invocation.

Mr. Herz could not attend the meeting but sent comments to the other Legislators. He stated in his comments that the invocation must be all-inclusive for those who are in attendance, in the audience or as special guests. He also stated that the non-denominational prayer has worked for years and that a moment of silent reflection serves everyone's needs without trampling on anyone's beliefs.

Mr. Marinich asked if anyone one else had anything to add. Seeing none he stated that he would review everyone's comments and would make a decision if the Rules of Order needed to be changed. If so, a majority of Legislators would have to approve.

Mr. Sanfilippo made a motion to adjourn, seconded by Ms. Lewis. The meeting adjourned at 5:03 PM.