

Annual Report of the Broome County Legislature and Office of the Clerk of the Legislature for the year 2006

LEGISLATION

The Broome County Legislature and the Office of the Clerk of the Legislature comprise the Legislative branch of government in Broome County. Following the form of government set forth in the Constitution of the United States, the Constitution of the State of New York, and the Broome County Charter the annual budget, contracts, and other matters require approval by the Legislature in order for the County Executive and the County's department heads and employees to execute them.

In order for an item to be considered by the Legislature, a "Request for Legislative Approval" must be submitted to the Office of the Clerk of the Legislature along with appropriate accompanying information to enable staff to draft a Resolution or Local Law accordingly.

Upon receipt of a Request for Legislative Approval, hereinafter "Request", a log is created to track the item from the time it is received through the drafting and distribution to Legislators of the final draft, to the assignment to committee, to the assignment to the floor of the Legislature, to its final disposition – adoption or defeat.

The Office of the Clerk of the Legislature reviews the Request and accompanying material in order to produce a draft resolution. This review may include a search of indexes, files, or Journals of Proceedings for past Resolutions or contacting the originating department for additional information or clarification. The Clerk and staff use the information gathered to draft the Resolutions. Drafted Resolutions are sent to the Department of Law for review by counsel.

Once the Resolutions are prepared in their final form, including committee assignments, the staff produces committee meeting agendas and ultimately the Agenda for the Legislative Session.

The completed package of resolutions and agendas is then reproduced and distributed to Legislators and all appropriate department heads in preparation for the committee meetings and the Legislative Session.

The Legislative staff processed a total of **754** resolutions in 2006. A five-year history of the resolutions follows:

	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Legislative Staff	611	602	577	688	674
Law Department	40	46	31	35	30
Budget Office	43	33	35	27	50
Total	694	681	643	750	754

LEGISLATIVE/COMMITTEE MEETINGS

The above resolutions are prepared for review and action through the committee cycle before they are acted upon by the full Legislature. A five-year history of committee meetings and Legislative Sessions follows.

	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Regular Committee Meetings	127	118	119	119	118
Special Committee Meetings	62	16	11	15	16
Committee of the Whole Meetings	0	0	1	7	4
Total	189	134	131	141	138
Regular Legislative Sessions	15	15	15	16	15
Special Legislative Sessions	6	6	4	3	5
Total	21	21	19	19	20

Preparation for the committee cycle and legislative sessions require special attention:

- Resolutions are copied and distributed to all Legislators and other affected units of County Government prior to committee week
- Agendas for each committee are prepared for each committee and distributed with the resolutions
- A clerk is assigned to cover specific committee meetings, taking notes, recording votes, and preparing minutes of the committee meetings.
- Special meetings require special notices to be posted and sent to Legislators as well as the news media at least 48 hours prior to the meeting to comply with the Open Meetings Law

Following the Legislative session, all adopted resolutions are signed by the Clerk of the Legislature and presented to the County Executive for his or her signature. Resolutions that are returned to the Clerk signed by the County Executive are officially enacted and are then distributed to all appropriate units of the County.

Minutes of the Legislative Session are prepared for approval by the Legislature at its next regular session.

JOURNAL OF PROCEEDINGS

The Clerk of the Legislature is required by State statute to prepare and publish an annual Journal of Proceedings. The Journal is published each year for the preceding calendar year. In 2006, the Journal for the year 2005 was prepared for publishing in 2007. The 2005 Journal of Proceedings will contain approximately 900 pages. The information in the Journal includes:

- Minutes of all Legislative sessions
- Excerpts of the County's Operating Budget
- Excerpts of the Operating Budget for Broome Community College
- Excerpts of the Operating Budgets for each Town in the County
- Current Financial Report of the County
- Current County Salary Schedule
- Schedule of County Real Property Taxes

LOCAL LAWS

Local Laws are handled and presented to the Legislature in Resolution form. A public hearing is scheduled before the County Executive following approval by the Legislature. After the County Executive signs the Local Law, it is filed with the County Clerk and the Secretary of State. Upon verification by the Secretary of State, the Local Law becomes effective and it is distributed to the appropriate departments. A five-year history of local laws follows:

	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Local Laws drafted and presented to the Legislature	14	9	18	8	9
Local Laws defeated/withdrawn	1	1	6	2	0
Local Laws adopted by the Legislature	13	8	8	6	7
Local Laws passed by the Legislature and scheduled for public hearing the following year	2	1	1	2	2
Local Laws filed with the Secretary of State	13	10	9	8	8
Local Laws adopted for Public Referendum (see Note)	0	0	2	0	0

Note: The two local laws in 2004 were defeated in a Public Referendum.

FREEDOM OF INFORMATION REQUESTS

“The Freedom of Information Law (FOIL), effective January 1, 1978, reaffirms an individual’s right to know how government operates. It provides the right of access to records reflective of government decisions and policies that affect the lives of (citizens). The law also preserves the Committee on Open Government, which was created by enactment of the original Freedom of Information Law in 1974.” (From the booklet **“Your right to know. New York State’s Open Government Laws”**)

The Clerk of the Legislature was designated by Resolution 201 of 1986 as the Records Access Officer for all County agencies with the exception of the County Clerk, the Board of Elections and the Department of Social Services. In order to assist people seeking public documents, the office developed an “application for public access to records”. FOIL requests are acknowledged by letter and the request is forwarded to the appropriate County agency for response. The applicant is notified of any charge (25 cents per page, \$2 for CD’s or Diskettes, and free for e-mail) when the agency responds. Once the fee is collected, the requested information is provided to the individual seeking the information. A log of all requests is maintained, including the applicant’s name, the date, the agency involved and what action was taken. A five-year history of FOIL requests and the generated revenue follows:

	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
FOIL Requests Processed	388	396	428	365	418
FOIL Requests Revenue	\$1,080.85	\$1,488.25	\$1,699.00	\$1,714.25	\$1573.46

CODE OF ETHICS

The Office of the Clerk of the Legislature serves as the support unit for the County’s Board of Ethics. The Clerk handles correspondence for the Board of Ethics as well as the distribution of the Financial Disclosure Forms. In 2006, 168 forms were distributed to all elected personnel and others who are required to complete the forms as specified in the Broome County Charter and Code.

When the completed forms are returned to the Clerk, they are logged in and made available **only** to the Board of Ethics.

COUNTY GUIDE

The Clerk of the Legislature compiles and publishes annually a Guide to County, City, Town and Village Officials. Each municipality in the County is contacted and asked to review their information for changes and updates. The Real Property Tax Director provides the statistical information for each municipality and the Clerk's staff reviews and updates all other information.

The first copy of the Guide is free. Pursuant to Resolution 319 of 1996 (Local Law Intro. 10) a \$2 fee was instituted to cover the cost of printing and distribution to non-government requesters.

This information is now also made available on the County's web site **WWW.GOBROOMECOUNTY.COM** under Community (Municipalities).

A five-year history of the Guide and the generated revenue follows:

	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Copies Published	1,300	1,300	1,300	1,300	1,300
Revenue from Sale of Guide	\$124	\$98	\$94	\$94	\$60

DESK DIRECTORIES

The Desk Directories are published annually by the Clerk of the Legislature. The directory contains the names of all department heads and the calendar of sessions for both the Board of Acquisition and Contract and the County Legislature. The names of all elected officials, from the County to the Federal Government, are also included and verified annually for correctness. Included are the names, addresses and telephone numbers for the following:

- All elected County Government officials
- All County Departments/Divisions
- All Judges and their Clerks
- Law Library Trustees
- Jury Board
- Board of Elections
- United States Senators
- Congressional Representatives
- New York State Senator
- Members of the Assembly

The Desk Directory is co-sponsored by the Electricians Local 325, International Brotherhood of Electrical Workers and Plumbers and Pipe Fitters, Local 112, of the United Association of Journeyman and Apprentices of the Pipefitting Industry of the United States and Canada.

About 500 copies of the Desk Directory are distributed free to County and State agencies and, if available, to other interested parties.

UPDATING AGRICULTURAL DISTRICTS

The Agriculture and Markets Law was amended by the 2003 New York State Legislature to provide farmers with viable farm land parcels within a certified agricultural district to add those parcels to an existing agricultural district annually instead of waiting until the agricultural district's eight-year review is conducted.

Pursuant to Law, the Broome County Legislature, by Resolution 496 of 2004, established an annual 30-day period during which land owners can submit proposals to include viable farm land within a certified agricultural district. The 30-day period runs annually from December 1 through December 31.

At the end of this 30-day period, all requests for inclusion are referred to the County Agricultural and Farmland Protection Board (AFPB). The Board determines if each request for inclusion in an agricultural district consists of predominately viable agricultural land and would serve the public interest by helping to maintain a viable agricultural industry within the district.

The recommendations of the Farmland Protection Board to include parcels in an agricultural district are made to the County Legislature. Following a public hearing, the County Legislature adopts or rejects a resolution to include the parcels into an existing agricultural district.

A public hearing by the County Legislature and adoption/rejection of a Resolution including the parcels in an agricultural district was held in 2006. Twenty-one parcels were added to existing agricultural districts. The list of these parcels along with the required Resolutions and maps of the affected districts were filed with, and accepted by, the New York State Department of Agriculture and Markets.

Respectfully submitted, September 25, 2007

Eric S. Denk