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**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
WEDNESDAY, DECEMBER 28, 2005**

The Legislature convened at 5:02 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-15, Absent-4 (Hull, Brunza, Reynolds, Buchta).

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 Nannery.

Mr. Schafer made a motion, seconded by Mr. Materese, that the minutes of the December 15, 2005 Regular Session be approved as prepared and presented by the Clerk. **Carried**, Ayes-15, Nays-0, Absent-4 (Hull, Brunza, Reynolds, Buchta).

Mr. Schofield noted that the committee minutes for the period December 15, 2005 through December 27, 2005 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Clerk indicated that a quorum of all committees were present. Mr. Schofield asked for corrections to the committee minutes. Seeing none, a motion to approve the committee minutes was made by Mr. Marinich, seconded by Mr. Mather. **Carried**, Ayes-15, Nays-0, Absent-4 (Hull, Brunza, Reynolds, Buchta).

**WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:**

- A. Letters from the County Executive, Barbara J. Fiala:
1. Appointment to the Greater Binghamton Airport Advisory Board

**PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:**

- A. PETITIONS: None
- B. COMMUNICATIONS:
1. Memo from the Director of Budget & Research-Health Insurance Facts
  2. Memo from Majority Leader-En Joie Golf Course Advisory Committee
  3. Memo from Office of the State Comptroller Division of Local Government Services and Economic Development-2006 Schedule of Real Property Taxes and Assessments Levied by the County Board of Supervisors (Legislators)
  4. EMC Natural Resources Committee Meeting Minutes 11/17/05
  5. BCC Budget Transfers 10/05 & 11/05
  6. Board of Elections-Consolidation of Town of Union Districts 1 and 9
- C. NOTICES:
1. Special Finance Committee Meeting 12/28/05
- D. REPORTS:
1. Town of Dickinson 2006 Budget
  2. BCC Quarterly Report 11/30/05
  3. Broome County Board of Elections Official Election Results 11/8/05 General Election
  4. BCC Above Minimum Hire Report 10/05
  5. BCC Above Minimum Hire Report 11/05
  6. Policy Analysis on Goose Management for the Environmental Management Council of Broome County, New York
  7. Broome County Adopted 2006-2011 Capital Improvements Program

**WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE**

- A. Letters from the Chair, Daniel A. Schofield:
1. Designation for Mr. Materese 12/15/05.

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Mr. Kuzel made a motion, seconded by Ms. Nannery, to receive and file the above referenced reports and to authorize and direct the Clerk to index said reports in the 2005 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair. **Carried**, Ayes-15, Nays-0, Absent-4 (Hull, Brunza, Reynolds, Buchta).

Mr. Materese and Mr. Shafer were designated as participants with Chairman Schofield in the 'Short Roll Call'. Resolutions were acted upon out of order, but for the purpose of clarity, they are presented here in numerical order.

#### **RESOLUTION RECALLED FROM PREVIOUS SESSION**

Mr. Sanfilippo, having voted on the prevailing side, made a motion to recall **RESOLUTION NO. 721 RESOLUTION AMENDING THE UNIFORM RETIREE AND VESTED FORMER EMPLOYEE/SURVIVING SPOUSE HEALTH PLAN RULES** for the purpose of a revote. Said resolution had failed at the December 15 Legislative Session, Ayes-1 (Whalen), Nays-16, Absent-2 (Hull, Mather). Mr. Shafer seconded the motion. **Motion to recall carried**, Ayes-15, Nays-0, Absent-4 (Hull, Brunza, Reynolds, Buchta). **Resolution as presented failed**, Ayes-1 (Whalen), Nays-13 (Materese, Keibel, Schafer, Miller, Shafer, Hutchings, Nannery, Howard, Kuzel, Marinich, Lindsey, Mather, Schofield), Absent-4 (Hull, Brunza, Reynolds, Buchta), Abstain-1 (Sanfilippo).

#### **RESOLUTIONS HELD OVER FROM PREVIOUS SESSION**

##### **RESOLUTION NO. 665**

(Held over by Mr. Lindsey)

By County Administration, Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Schafer

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 6, 2005, ENTITLED: "A LOCAL LAW ADOPTING ARTICLE XII OF CHAPTER 125 OF THE BROOME COUNTY CODE PROVIDING FOR THE ESTABLISHMENT AND COLLECTION OF FEES BY THE BROOME COUNTY PROBATION DEPARTMENT."**

**Carried**, Ayes-16, Nays-0, Absent-3 (Hull, Brunza, Buchta).

##### **RESOLUTION NO. 725**

(Held over by Mr. Schafer)

By Personnel, Economic Development & Planning and Finance Committees

Seconded by Mr. Sanfilippo

**RESOLUTION AUTHORIZING HIRING OF GAIL DOMIN AS PLANNER AT ABOVE THE MINIMUM SALARY FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT**

Mr. Marinich made a motion, seconded by Mr. Shafer, to change the resolution to read as follows:

"WHEREAS, the Commissioner of Planning and Economic Development has recommended the hiring of Gail Domin as a Planner, CSEA, Grade 18, Step [2] 1 at an annual salary of [\$38,052 (6% above the minimum)] \$36,943 (3% above the minimum), and

WHEREAS, Gail Domin is qualified as a Planner and has experience and education to justify said salary, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the hiring of Gail Domin, 31 Woodcrest Way, Conklin, New York 13748 as Planner, CSEA, Grade 18, Step [2] 1 at an annual salary of [\$38,052 (6% above the minimum)] \$36,943 (3% above the minimum), at budget line 440016.1000.101000, effective November 19, 2005."

**Amendment carried**, Ayes-16, Nays-0, Absent-3 (Hull, Brunza, Buchta). **Resolution as amended carried**, Ayes-16, Nays-0, Absent-3 (Hull, Brunza, Buchta).

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**RESOLUTIONS INTRODUCED AT THIS SESSION**

**RESOLUTION NO. 734**

By Finance Committee

Seconded by Mr. Howard

**RESOLUTION LEVYING COUNTY TAXES FOR 2006**

WHEREAS, this County Legislature, by Resolution 493 of 2005, has adopted a budget for the fiscal year 2006, and

WHEREAS, this County Legislature, by Resolution 494 of 2005, made appropriations for the conduct of the Broome County Government for the fiscal year 2006, 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 \$53,277,871.64.

**Carried**, Ayes-16, Nays-0, Absent-3 (Hull, Brunza, Buchta).

**RESOLUTION NO. 735**

By Finance Committee

Seconded by Mr. Sanfilippo

**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 2006**

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 \$9,347,881, 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, 2006, and one-half on September 1, 2006 up to the amount collected.

**Carried**, Ayes-16, Nays-0, Absent-3 (Hull, Brunza, Buchta).

**RESOLUTION NO. 736**

By Finance Committee

Seconded by Mr. Miller

**RESOLUTION CERTIFYING COUNTY TAXES DUE FROM EACH MUNICIPALITY IN BROOME COUNTY**

WHEREAS, the budget for fiscal year commencing January 1, 2006 in which the County taxes are to be levied is \$53,277,871.64, 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, 2005, the Chair 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, 2006, based upon a total tax levy of \$53,277,871.64, as follows:

<u>Municipality</u>	<u>Tax Contribution</u>	<u>Rate per \$1,000</u>
City of Binghamton	\$ 9,347,881	\$ 7.700448
Town of Barker	684,232.42	8.983960
Town of Binghamton	1,766,572.37	8.459117
Town of Chenango	4,166,032.69	8.987951

<u>Municipality</u>	<u>Tax Contribution</u>	<u>Rate per \$1,000</u>
Town of Colesville	1,255,450.93	74.543750
Town of Conklin	1,538,553.29	8.983692
Town of Dickinson	1,170,286.92	7.925624
Town of Fenton	1,628,275.40	8.754101
Town of Kirkwood	1,978,894.78	7.528248
Town of Lisle	594,606.14	8.806251
Town of Maine	1,473,862.95	9.454253
Town of Nanticoke	362,526.95	8.804765
Town of Sanford	1,199,307.01	8.605208
Town of Triangle	602,288.25	8.227792
Town of Union	14,896,945.85	128.797902
Town of Vestal	9,022,976.98	137.283546
Town of Windsor	1,589,177.71	8.095425
Total	\$53,277,871.64	

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, 2005, 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,** Ayes-16, Nays-0, Absent-3 (Hull, Brunza, Buchta).

### **RESOLUTION NO. 737**

By Finance Committee

Seconded by Mr. Schafer

#### **RESOLUTION LEVYING RETURNED SCHOOL AND VILLAGE TAXES FOR 2005**

RESOLVED, that the Certificate of Returned School Taxes as reported by the Commissioner of Finance, as set forth in Exhibit "A" attached hereto, 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 Exhibit "B" attached hereto, 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.

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**2005 RETURNED SCHOOL TAXES - BY SCHOOL DISTRICT - TOTAL RELEVY**

	TOTAL UNPAID	7% COUNTY	TOTAL
SCHOOL DISTRICT	TAX ON ROLL	PENALTY	RELEVIED TAX
AFTON	\$92,742.33	\$6,492.00	\$99,234.33
BAINBRIDGE-GUILFORD	2,404.00	168.27	2,572.27
BINGHAMTON (DICKINSON)	4,901.44	343.10	5,244.54
CHENANGO FORKS	317,198.57	22,203.85	339,402.42
CHENANGO VALLEY	503,121.96	35,218.59	538,340.55
CINCINNATUS	109.22	7.65	116.87
DEPOSIT	186,711.31	13,069.83	199,781.14
GREENE	2,225.41	155.78	2,381.19
HARPURSVILLE	227,652.42	15,935.67	243,588.09
JOHNSON CITY	945,622.07	66,193.12	1,011,815.19
MAINE-ENDWELL	780,758.96	54,653.22	835,412.18
MARATHON	32,970.82	2,307.96	35,278.78
NEWARK VALLEY	2,929.49	205.06	3,134.55
SUSQUEHANNA VALLEY	683,961.76	47,877.35	731,839.11
UNION-ENDICOTT	1,323,596.13	92,651.70	1,416,247.83
VESTAL	1,042,300.87	72,961.07	1,115,261.94
WHITNEY POINT	368,757.09	25,813.04	394,570.13
WINDSOR	795,166.61	55,661.82	850,828.43
BINGHAMTON (TOWN)	22,768.75	1,593.84	24,362.59
GRAND TOTALS	<u>\$7,335,899.21</u>	<u>\$513,512.92</u>	<u>\$7,849,412.13</u>

**2004 RETURNED VILLAGE TAXES -- NOVEMBER 2005 -- TOTAL RELEVY**

TOWN	VILLAGE	Total Unpaid Tax on Roll	7 % County Penalty	Total Relevied Tax
DICKINSON	Port Dickinson	\$8,502.16	\$595.17	\$9,097.33
LISLE	Lisle	3,885.66	272.00	4,157.66
SANFORD	Deposit	17,012.40	1,190.89	18,203.29
TRIANGLE	Whitney Point	25,603.45	1,792.22	27,395.67
UNION	Endicott	454,299.03	31,801.00	486,100.03
	Johnson City	413,538.51	28,947.65	442,486.16
TOTAL UNION		867,837.54	60,748.65	928,586.19
WINDSOR	Windsor	20,603.51	1,442.25	22,045.76
GRAND TOTALS		\$943,444.72	\$66,041.18	\$1,009,485.90

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**, Ayes-16, Nays-0, Absent-3 (Hull, Brunza, Buchta).

**RESOLUTION NO. 738**

By Finance Committee

Seconded by Mr. Shafer

**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, 2006 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:

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<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	-	-	-	187,378.00	-
Binghamton	\$208,595.33	-	-	483,466.32	-
Chenango	100,000.19	-	-	529,581.41	-
Colesville	-	-	-	407,048.32	-
Conklin	261,433.84	-	-	357,557.04	-
Dickinson	187,787.51	-	-	88,369.91	-
Fenton	-	-	-	191,071.61	-
Kirkwood	105,191.28	-	-	373,440.21	-
Lisle	76,900.09	-	-	163,099.79	-
Maine	155,914.91	-	-	334,363.16	-
Nanticoke	-	-	-	89,999.93	-
Sanford	363,437.20	-	36,451.28	385,535.10	69,205.01
Triangle	214,402.12	-	-	102,490.15	-
Union	1,889,600.62	-	1,853,508.62	-	1,594,070.86
Vestal	4,125,285.50	-	-	1,416,008.41	-
Windsor	377,550.45	-	-	17,300.41	280,851.89

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	\$22,677.02
FP 202 Fire PR 2	26,729.77
FP 203 Fire PR 3	30,485.14
FP 204 Fire PR 4	31,498.92

**TOWN OF BINGHAMTON**

DR 221 Drain 1	\$346.01
FP221 Fire Prot 1	141,150.21
LT221 Light 1	499.96
LT222 Light 2	2,499.95
LT223 Light 3	3,000.02
LT224 Light 4	950.00
LT225 Light 5	300.00
LT226 Light 6	699.99
PT506 Water 6 Bond	39,940.07
SB221 Sewer Con Bond	18,338.19
SM228 Consolidated Sewer	94,793.06
ST801 Sewer 8 Ext. Bond 1	3,987.03
US221 Return Sewer	23,734.66
WB221 Cons. Water Bond	73,832.48
WD225 Consolidated Water	161,710.80
UW221 Returned Water	19,374.66

**TOWN OF CHENANGO**

CM241 Chenango Compost	54,951.94
CM242 Chenango Compost Bd	5,381.92

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FP241 Fire No. 1	239,211.09
FP242 Fire No. 2	160,507.96
FP243 Fire No. 3	7,321.98
FP244 Fire No. 4	101,208.06
LT241 Light 1	85,000.56
SD240 Sewer 10	24,041.03
SD241 Sewer 1	3,098.03
SD242 Sewer 2	121,850.63
SD244 Sewer 4	63,339.95
SD245 Sewer 11	3,159.93
SD247 Sewer 7	274,251.33
SD248 Sewer 8	322,311.86
SD249 Sewer 9	35,750.02
SD271 Chenango Sewer	35,958.00
SD250 Sewer 5	4,385.77
SW241 Chen Sidewalk	7,013.93
US241 Return Sewer	29,374.27
UW257 Return Water	26,348.09
WD241 Water 1	26,022.06
WD243 Water 3	8,661.95
WD244 Water 4	7,365.01
WD247 Water 7	6,092.05
WD249 Water 9	4,758.99
WD250 Water 8	7,722.02
WD410 Water 10	398.00
WD415 Water 15	3,021.01
WD416 Water 16	658.21
WD417 Water 12	15,877.96
WD418 Water 14	10,695.98
WD419 Water 18	3,182.00
WD420 Water 19	1,543.89
WD421 Water 20	8,938.99
WD422 Water 21	1,975.03
WD423 Water 22	24,070.01
WD424 Water 24	2,889.98
WD425 Water 23	10,825.97
WD426 Water 26	2,772.99
WD427 Water 27	4,182.00
WD428 Water 28	5,879.03
WD430 Water 25	24,356.04
WD429 Water 29	6,434.01
WD431 Water 30	7,925.99
WD432 Water 31	6,917.01
WR241 Water 11 Frt Ft	1,258.96

**TOWN OF COLESVILLE**

FD261 Fire No. 1	70,023.96
FD262 Fire No. 2	15,414.03
FD263 Fire No. 3	163,156.78
LT261 Light 1	10,021.02
LT262 Light 2	4,746.92
LT263 Light 3	3,379.03
BC261 Building Clea	518.10



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**TOWN OF CONKLIN**

FP281 Fire Prot. 1	193,020.57
LT281 Light 1	1,900.00
LT282 Light 2	810.01
LT283 Light 3	2,400.03
LT284 Light 4	9,050.04
LT285 Light 5	1,200.00
LT286 Light 6	1,399.99
LT287 Light 7	269.99
LT288 Light 8	3,599.98
LT289 Light 9	1,150.00
LT210 Light 10	1,470.00
LT211 Light 11	950.02
SB281 Sewer 1 Ext. 1	3,378.01
SB282 Sewer 1 Ext. 2	5,177.99
SB286 Sewer 1 Ext 6	5,437.98
SD283 Sewer 1 Ext. 3	19,992.25
SD284 Sewer 1 Ext. 4	11,038.01
SD285 Sewer 1 Ext. 5	17,885.06
SD287 Sewer 1 Ext 7	2,610.00
US280 Return Sewer	8,888.17
WB280 Water	33,898.01
WB282 Water 6	5,895.13
WT282 Water	24,659.94
UW280 Return Water	15,880.76

**TOWN OF DICKINSON**

CG301 Curb & Gutter	3,979.93
FP301 Fire No. 1	60,000.07
FP302 Fire No. 2	42,000.12
FP303 Fire No. 3	22,999.93
GB301 Garbage 1	83,147.13
LM301 Lawnmowing	520.00
LP301 Legal Publication	30.87
LT301 Light 1	17,415.24
LT305 Light 5	5,671.72
LT306 Light 6	4,336.91
LT307 Light 7	20,255.44
LT308 Light 8	16,823.71
LT309 Light 9	496.73
ST304 Pleasant Court Sewer	4,966.95
SD306 Sewer 6 Bond	397.93
ST504 Sewer 2, Ext	2,089.00
ST506 Sewer 5, Ext. 2	6,490.00
ST507 Sewer 2, Ext. 4	20,476.48
ST508 Sewer 2, Ext. 5	2,379.98
US301 Return Sewer	36,217.18
UW301 Return Water	36,834.52
WD307 Water 7	11,550.16
CU301 Storm Cleanup	168.72

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**TOWN OF FENTON**

FD321 Fire No. 1	\$186,153.35
FD322 Fire No. 2	109,200.09
LT321 Light 1	14,725.08
LT322 Light 2	28,500.37
SE323 Porter Hollow Sewer	4,125.00
US 321 Return Sewer	3,316.29
UW321 Return Water	10,817.79
LM321 Lawnmowing	100.00

**TOWN OF KIRKWOOD**

FP341 Fire No. 1	377,421.46
LT341 Light 1	6,165.93
LT342 Light 2	7,828.01
LT343 Light 3	1,949.99
SE341 Sewer 1	146,699.56
SE342 Sewer 2	4,280.00
SE343 Sewer 3	18,576.01
SE344 Sewer 4	53,587.00
SE344 Sewer 4 (SEC)	13,081.00
SE346 Sewer 6	1,023.00
SE345 Sewer 5	9,576.01
ST341 Sewer 1, Ext. 1	15,340.00
ST342 Sewer 1, Ext. 2	3,322.00
ST343 Sewer 1, Ext. 3	1,751.80
ST344 Sewer 1, Ext. 4	1,728.02
US343 Return Sewer	19,662.40
UW343Return Water	15,680.16
WD341 Water 1 (Prim)	49,330.51
WD341 Water 1 Ext 3	3,173.99
WD346 Water 6	222.00

**TOWN OF LISLE**

FP361 Fire No. 1	18,606.95
FP362 Fire No. 2	96,552.83
SF3 Killawog Ambulance	4,767.98
FP364 Fire No. 4	3,049.99
LT362 Light 2	2,000.02
W361 Return Water	7,726.10

**TOWN OF MAINE**

FP381 Fire No. 1	135,870.34
PF382 Fire No. 2	19,334.93
FP383 Fire No. 3	17,215.07
FP384 Fire No. 4	6,442.77
FP385 Fire No. 5	8,944.74
FP386 Fire No. 6	21,753.92
FP387 Fire No. 7	115,040.65
LT381 Light 1	7,800.03
LT382 Light 2	5,000.04
LT383 Light 3	1,200.02

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**TOWN OF NANTICOKE**

FP401 Fire No. 1	47,809.95
FP402 Fire No. 2	43,484.93

**TOWN OF SANFORD**

FP421 Fire No. 1	66,470.15
FP422 Fire No. 2	6,312.03
SD423 Oquaga Lake Sewer	67,550.00
RS422 Return Sewer	4,284.50

**TOWN OF TRIANGLE**

FP441 Fire No. 1	86,345.28
UW441 Returned Water	4,665.43

**TOWN OF UNION**

FP461 Fire No. 1	741,326.53
FP463 Fire No. 4	262,204.49
FP464 Fire No. 5	107,467.81
FP465 Fire No. 6	249,858.95
FP467 Fire No. 8	314,150.66
FP468 Fire No. 10	82,871.16
FP469 Fire No. 12	29,180.06
CG462 Curbs and Gutter	4,828.93
LM460 Union Lawn Mowing	6,635.00
PK461 Parks	877,830.85
LB462 Union Library	1,285,820.48
RS 462 Returned Sewer	27,728.58
UV461 Union Ambulance District	243,512.48
RW462 Return Water	19,144.97

**TOWN OF VESTAL**

DR482 Drain 1 Maint.	4,006.80
DR484 Drain 2 Maint.	1,552.05
DR486 Drain 3 Maint.	7,638.33
DR487 Drain 4 Maint.	285.00
DR488 Drain 5 Maint.	727.50
DR510 Drain 6 Maint.	319.73
DR511 Drain 7 Maint.	120.00
DR512 Drain 8 Maint.	262.50
DR513 Drain 9 Maint.	600.00
DR514 Drain 10 Maint	90.00
DR515 Drain 11 Maint.	330.00
DR516 Drain 13 Maint.	82.50
DR517 Drain 14 Maint.	7.50
DR518 Drain 15 Maint.	270.00
DR519 Drain 16 Maint.	67.50
DR520 Drain 17 Maint.	4,807.50
DR522 Drain 18 Maint.	57,467.91
FP481 Fire Protection	910,184.32
FP482 Fire Split Zone	75,201.01
LT481 Light District	230,903.79
RS481 Return Sewer	141,833.83
RW481 Return Water	42,792.15
SB487 Cons. Sewer Bond	43,281.89

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SB488 Sewer Ext. 47	1,055.01
SW489 Sewer Ext. 68	2,606.98
SK481 Returned Sidewalk	67.92
SP551 Sewer 1, Exp. 1	3,457.57
ST490 Sewer 1, Ext.49 Bond	3,274.00
ST509 Sewer 1, Ext. 2	6,556.95
ST540 Sewer 1, Ext. 40 Bond	17,118.04
SW481 Sewer 1, Maint.	426,203.37
WB101 Water 1, Bond 1	18,765.05
WB481 Cons. Water Bond	308,527.62
WB701 Water 7, Bond 1	2,938.03
WT111 Water 1, Ext. Bond 11	1,457.01
WT605 Water 7, Ext. 3 Bond	1,440.00
H1103 Charles Street Curbs	3,292.99

**TOWN OF WINDSOR**

FP501 Fire 1	16,026.72
FP502 Fire 2	84,249.93
FP503 Fire 3	115,031.57
FP504 Fire 4	5,024.29
SD507 Sewer 1	8,780.00
SD508 Sewer 2	4,900.00

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**, Ayes-16, Nays-0, Absent-3 (Hull, Brunza, Buchta).

**RESOLUTION NO. 739**

By Finance Committee

Seconded by Mr. Mather

**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, 2006, be and hereby is designated as the date upon which the County

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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**, Ayes-16, Nays-0, Absent-3 (Hull, Brunza, Buchta).

**RESOLUTION NO. 740**

By Finance Committee Seconded by Mr. Sanfilippo  
**RESOLUTION ESTABLISHING EQUALIZATION RATE FOR THE 2006 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:

<u>Municipality</u>	<u>Equalization Rate</u>
City of Binghamton	100.00
Town of Barker	83.80
Town of Binghamton	89.00
Town of Chenango	83.76
Town of Colesville	10.13
Town of Conklin	83.80
Town of Dickinson	95.00
Town of Fenton	86.00
Town of Kirkwood	100.00
Town of Lisle	85.50
Town of Maine	79.64
Town of Nanticoke	85.50
Town of Sanford	87.50
Town of Triangle	91.50
Town of Union	5.94
Town of Vestal	5.57
Town of Windsor	93.00

**Carried**, Ayes-16, Nays-0, Absent-3 (Hull, Brunza, Buchta).

**RESOLUTION NO. 741**

By Finance Committee Seconded by Mr. Shafer  
**RESOLUTION AUTHORIZING TRANSFER OF FUNDS TO BALANCE 2005 ACCOUNTS**

WHEREAS, the Commissioner of Finance, the Director of Budget & Research and the Comptroller request authorization to transfer funds to balance 2005 accounts, and

WHEREAS, said transfers would fund salary accounts or other necessary accounts with monies available as of December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Commissioner of Finance to transfer funds to balance the 2005 accounts, and be it

FURTHER RESOLVED, that the Commissioner of Finance is directed to report any transfers made on or before March 31, 2006 to the Finance Committee of the County Legislature, the Budget Officer and the County Comptroller, and be it

FURTHER RESOLVED, that the Commissioner of Finance is hereby authorized to make short term non-interest bearing interfund loans between operating funds to provide cash sufficient to make year-end payments.

**Carried**, Ayes-16, Nays-0, Absent-3 (Hull, Brunza, Buchta).

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**RESOLUTION NO. 742**

By Finance Committee

Seconded by Mr. Miller

**BOND RESOLUTION DATED DECEMBER 28, 2005****RESOLUTION AUTHORIZING THE ISSUANCE OF \$73,041,993 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</u>	<u>PPU/LFL Section 11.00</u>	<u>Maximum Estimated Cost</u>
Airport Entrance Road Improvement	10/20(b)	\$1,111,000
Airport Master Plan Study	5/64	250,000
Obstruction Removal Project	10/14	100,000
Runway 10/28 Safety Area Improvement	30/15	2,700,000
Taxiway Rehabilitation Design	5/62(a)	300,000
BCC Technology Initiative	5/32	315,000
BCC Master Plan Update	5/64	250,000
Wales Building Renovation	25/12	400,000
Central Foods Equipment Replacement	5/32	774,160
Watershed Annual Maintenance	10/3	75,000
County Buildings Renovations	10/35	200,000
County Office Building Carpet	5/35	100,000
Public Safety Facility Repairs/Renovations/Maintenance	10/35	100,000
Systematic Roof Replacement at County Facilities	15/35	300,000
DPW – Fleet Replacement	3/77	300,000
Highway Reconstruction	15/20(c)	2,000,000
Bevier Street Bridge Reconstruction	40/10	6,200,000
East Windsor Road Bridges/Rogers Road Design	5/62(a)	600,000
South Street Bridge Construction	20/10	1,150,000
Electronic Voting Machines	10/31	2,161,000
Fire Radio System Replacement-Phase I	10/98	500,000
Regional Public Safety Training Facility	30/11(a)	50,000
Computer Equipment Replacement	5/32	500,000
Library Computer Equipment – Public-Phase I	5/32	49,000
Library Computer Replacement – Staff-Phase I	5/32	17,500
Library Computer Replacement – Staff-Phase II	5/32	25,000
Library Parking Lot Surface Treatment	10/20(b)	11,000
Library Decker Room Carpet Replacement	5/35	51,000
Library Security Cameras	5/32	11,170
Otsiningo Picnic Shelter No. 2 Construction	15/11(c)	50,000
Parks Equipment Replacement	10/28	90,000
Parks Surface Rehabilitation	5/20(a)	100,000
Arena Primary Electric Replacement	10/13	75,000
Arena Repairs/Renovation	5/35	100,000
Forum Repairs/Renovation	5/35	90,000
Intermodal Transit Terminal	30/11	11,406,000
Public Transportation Facility	5/32	650,000
Sheriff's Vehicle Replacement	3/77	225,000
Landfill Equipment	10/6	310,000
Leachate Treatment Plant Outfall	25/6	3,080,000

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SEIS Options for Section IV Access	10/6	187,500
New Nursing Home Building	30/11(a)(1)	55,933,113
WPNH – New Electrical Beds	5/32	250,000
WPNH – Resident Contained Smoking Area	10/56	100,000
<b>TOTAL</b>		<b>\$93,247,443</b>

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 \$93,247,443 and the plan for financing thereof is by the issuance of \$73,041,993 bonds of said County, hereby authorized to be issued therefore pursuant to the Local Finance Law, by application of \$1,055,450 monies received from the Federal government to be allocated entirely to the Airport Entrance Road Improvement Project; by the application of \$95,000 monies received from the Federal government to be allocated entirely to the Obstruction Removal Project; by the application of \$2,565,000 monies received from the Federal government to be allocated entirely to the Runway 10/28 Safety Area Improvement Project; by the application of \$285,000 monies received by the Federal government to be allocated entirely to the Taxiway Rehabilitation-Design Project; by the application of \$200,000 monies received from the BCC Foundation to be allocated entirely to the Wales Building Renovation Project; by the receipt of \$4,960,000 monies received from the Federal government to be allocated entirely to the Bevier Street Bridge Reconstruction Project; by the application of \$480,000 monies received from the Federal government to be allocated entirely to East Windsor Road Bridges/Rogers Road Design Project; by the application of \$920,000 monies from the Federal government to be allocated entirely to the South Street Bridge Project; by the application of \$9,125,000 monies from the Federal government to be allocated entirely to the Intermodal/Transit Terminal Project; by the application of \$520,000 monies from the Federal government to be applied entirely to the Public Transportation Facility Project; provided however that the amount of bonds to be issued shall be reduced to the extent of State grants received in connection therewith there being anticipated \$27,775 monies of the State government to be allocated entirely to the Airport Entrance Improvement Project; \$2,500 monies of the State government to be allocated entirely to the Obstruction Removal Project; \$67,500 monies of the State government to be allocated entirely to the Runway 10/28 Safety Area Improvement Project; \$7,500 monies of the State government to be allocated entirely to the Taxiway Rehabilitation-Design Project; \$157,500 monies of the State government to be allocated entirely to the BCC Technology Initiative Project; \$125,000 monies of the State government to be allocated entirely to the BCC Master Plan Update Project; \$200,000 monies of the State government to be allocated entirely to the Wales Building Renovation Project; \$2,161,000 monies of the State government to be allocated entirely to the Electronic Voting Machine Project; \$1,141,000 monies of the State government to be applied to the Intermodal Transit Terminal Project; \$65,000 monies of the State government to be allocated entirely to the Public Transportation Facility Project; \$77,500 monies of the State government to be allocated entirely to the Landfill Equipment Project; \$770,000 monies of the State government to be allocated entirely to the Leachate Treatment Plant Outfall Project; and \$37,500 monies of the State government to be allocated entirely to the SEIS Options for Section IV Access Project. Provided further that the County Executive may appropriate any undesignated general fund balance remaining for fiscal year 2005 to reduce the amount of bonds to be issued hereunder.

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

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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 provisions 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.

Section 10. The Commissioner of Finance is hereby authorized to make a short term non-interest bearing interfund loan from the General Fund and other Enterprise Funds, Internal Service Funds, or Special Revenue Funds to provide sufficient cash to proceed with these projects until the bonds authorized by this Resolution are sold.

**Carried**, Ayes-16, Nays-0, Absent-3 (Hull, Brunza, Buchta).

Mr. Howard made a motion to adjourn, seconded by Mr. Materese. **Motion to adjourn carried**, Ayes-16, Nays-0, Absent-3 (Hull, Brunza, Buchta). The meeting was adjourned at 5:21 p.m.



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STATE OF NEW YORK

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COUNTY OF BROOME

During the year 2005 there were sixteen (16) Regular Sessions and three (3) Special Sessions of the County Legislature.

We, Daniel A. Schofield, Chair and Louis P. Augostini, Clerk of the Broome County Legislature, do hereby certify that we have compared the foregoing Journal of Proceedings of this County Legislature with the original record thereof and that the same is a full and correct transcript therefrom of the transactions of said Legislature at the annual, regular and special sessions of the said Legislature during the year 2005, as far as the same is required to be printed (typographical errors excepted).

IN WITNESS WHEREOF, we have hereunto set our hands the 31st day of December, 2005.

/s/DANIEL A. SCHOFIELD, CHAIR

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