

**NOT
APPROVED**

PUBLIC WORKS COMMITTEE
January 9, 2002
1:00PM

J. Margeson [Click to Search
or push Ctrl F](#)
RECEIVED

JAN 14 2002

ALLEGANY COUNTY
BOARD OF LEGISLATORS

PRESENT: J. Graffrath, E. Sherman, R. Truax, R. Bennett, B. Reynolds, J. Margeson, D. Roeske, J. Mancuso, G. James

Y. Rechichi, A. Carlson, J. & E. Herdman, K. Dirlam, W. Dibble

AGENDA:

1. Meeting called to order
2. Approval of minutes
3. Approval of audit
4. Information services
5. Resolution – Hazardous Waste Grant
6. County Newsletter
7. Referral to Ways & Means – Increase Capital Account H8162
8. Resolution – Earthwatch Contract
9. Property purchase request
10. Mill Street Bridge – Cuba
11. West State Street Bridge update
12. Gradall bid award
13. Bridge decks bid award
14. 2002 Bridge Program – Town Resolutions
15. Referral to Ways & Means – Bridge Capitals
16. Referral to Ways & Means – Joncy Bridge
17. Update on Sear Brown limited access road feasibility study
18. Bidding of County owned property on SR19

1. Chairman Graffrath called the meeting to order at 1:05PM.
2. A motion was made by Mr. Bennett and seconded by Mr. Reynolds approving the minutes of December 5, 2001. Motion carried.
3. A motion was made by Mr. Reynolds and seconded by Mr. Bennett approving the audit. Motion carried.
4. Mr. Roeske informed the committee that Deb Button will be using an office at the Landfill for her back up computer system.
5. A motion was made by Mr. Bennett and seconded by Mr. Reynolds approving a Resolution to apply for the Household Hazardous Waste Grant. Motion carried.

RESOLUTION TO BE PREPARED BY COUNTY ATTORNEY.

6. Mr. Graffrath would like to request that the Recycling Update that will be mailed in 2002 be a County Newsletter including information from all departments.
7. Mr. Truax made a motion to make a referral to Ways & Means to increase Capital Account H8162 to reflect checks to be received from Bonding Agency for the Construction of Cells 7 – 9. Mr. Reynolds seconded the motion. Motion carried.

REFERRAL TO WAYS & MEANS

8. A motion was made by Mr. Bennett and seconded by Mr. Truax approving a Resolution approving an agreement with Earthwatch Waste Systems, Inc. for the acceptance of Auto Fluff. Motion carried.

RESOLUTION TO BE PREPARED BY COUNTY ATTORNEY.

9. A motion was made by Mr. Truax and seconded by Mr. Bennett approving the sale of County owned property located on Swift Road in Angelica to Joe and Elaine Herdman at the appraised value plus attorneys fees. Motion carried.
10. Mr. Roeske informed the committee that the Village of Cuba requested estimates on putting in a covered pedestrian bridge on Mill St. Mr. Dibble suggested that Mr. Roeske contact Mr. Buckwalter of the Historic Preservation Institute of Alfred at the Wellsville Campus to see what services they would be able to offer in assisting with this project. The issue will be brought back to committee at a late date.
11. Mr. Roeske updated the committee on the progress of the West State Street Bridge.
12. A motion was made by Mr. Truax and seconded by Mr. Bennett approving the award on the Multi-Purpose Rubber Tired Excavator to L.B. Smith pending a check on a 4-year lease price and approval by John Margeson. Motion carried.
13. Mr. Reynolds made a motion to award the bridge deck bids as recommended. Mr. Truax seconded the motion. Mr. Graffrath was opposed. Motion carried.

14. Mr. Roeske requested Resolutions be prepared approving the construction of bridges with Towns under the County/Town cost sharing plan. A motion was made by Mr. Bennett and seconded by Mr. Reynolds approving request. Motion carried.

RESOLUTIONS TO BE PREPARED BY COUNTY ATTORNEY.

15. Mr. Roeske requested Capital Projects be established for the four Town Bridges and three County Bridges to be done in 2002. A motion was made by Mr. Truax and seconded by Mr. Bennett to have Capital Projects established. Motion carried.

REFERRAL TO WAYS & MEANS

16. Mr. Bennett made a motion approving a referral to Ways & Means requesting funding appropriated in the 2002 budget for the construction of the Joncy Bridge Capital account. Mr. Truax seconded the motion. Motion carried.

REFERRAL TO WAYS & MEANS

17. Mr. Roeske informed the committee that the initial meeting was held with Sear-Brown regarding the limited access road feasibility study. He will keep the committee updated and the data collection process continues.
18. Mr. Bennett made a motion to refer to Ways & Means to request that the bidding for the lease of County owned property on SR19 be done early in the calendar year. Mr. Reynolds seconded the motion. Motion carried.

REFERRAL TO WAYS & MEANS

19. The meeting was adjourned at 1:43PM.

Respectfully submitted,

David S. Roeske
Superintendent
Allegany County
Department of Public Works

MEMORANDUM OF EXPLANATION

INTRODUCTION NO: _____
(CLERK'S USE ONLY)

COMMITTEE: PUBLIC WORKS

DATE: JANUARY 09, 2001

Request the Capital Project for the Construction of Cells 7-9, H8162 be increased to reflect checks to be received from Bonding Agency.

Increase Capital Project Account H8162.200 (Revised Total \$3,825,333.56)	\$125,333.56
Increase Insurance Recovery Account H07.2680.00	\$125,333.56

FISCAL IMPACT: \$0

For further information regarding this matter, contact:

David S. Roeske (716)268-9230
Superintendent

DSR/ymr

MEMORANDUM OF EXPLANATION

INTRODUCTION NO: _____
(CLERK'S USE ONLY)

COMMITTEE: PUBLIC WORKS

DATE: JANUARY 09, 2002

Request a Resolution be prepared approving an agreement with Earthwatch Waste Systems, Inc. for the acceptance of Auto Fluff.

FISCAL IMPACT: \$ 75,000.00 in estimated revenues

For further information regarding this matter, contact:

David S. Roeske
Superintendent

(716)268-9230

DSR/ymr

MEMORANDUM OF EXPLANATION

INTRODUCTION NO: _____
(CLERK'S USE ONLY)

COMMITTEE: PUBLIC WORKS

DATE: JANUARY 09, 2002

Request Resolution authorizing the filing of an application for State assistance under the Household Hazardous Waste State Assistance Program.

FISCAL IMPACT: \$ 3,280 if approved

For further information regarding this matter, contact:

David S. Roeske
Superintendent

(716)268-9230

DSR/ymr



HIGHWAY
SOLID WASTE
BUILDINGS & GROUNDS

ALLEGANY COUNTY DEPARTMENT OF
PUBLIC WORKS

7 COURT STREET • ROOM 210
BELMONT, NEW YORK 14813-1078
TELEPHONE 716-268-9230 FAX 716-268-9648

DAVID S. ROESKE
Superintendent

JOHN J. MANCUSO
Deputy Superintendent I

GUY R. JAMES
Deputy Superintendent II

YVONNE M. RECHICHI
Accountant

TO: Allegany County Board of Legislators
FROM: Guy R. James, Deputy Superintendent II *Guy R. James*
DATE: January 9, 2002
RE: County/Town Bridge Cost-Sharing Program

In accordance with Section 238 of the New York State Highway Law, I am submitting to the Board for its review a condition and feasibility report on the following Town system bridge, to be constructed under the County/Town Bridge Cost-Sharing Program: as per County Resolution 65-95.

LOCATION/BRIDGE NUMBER:

Location: East Valley Road, Town of Andover
Local Bridge Number: 06-14
Bridge Identification Number: 2214080

DESCRIPTION OF PROJECT:

EXISTING CONDITIONS:

The present structure consists of a 2" x 4" nail-laminated timber deck with an asphalt overlay on steel "I" beams supported by interlocking steel sheet piling abutments and wingwalls. The timber deck has some minor deterioration, with a relatively thick asphalt overlay. The steel stringers are severely de-laminated and rusted. This structure is 40 feet long, 24 feet wide and was built in 1961.

PROPOSED CORRECTIVE ACTION:

It is proposed to replace the existing superstructure with a longitudinal glu-laminated pressure treated timber deck utilizing the existing interlocking steel sheet piling abutments and wingwalls.

JUSTIFICATION:

The steel "I" beams are in serious condition and can no longer carry loads as designed. This road serves as a school bus route, mail route and emergency access for the local residents. This structure is currently load posted for 18 tons.

DETOUR:

There will be no on-site detour on this project. The Town of Andover Highway Superintendent has determined that a detour will not be required.

Estimated Cost: \$135,000.00
County Share: (85%) \$114,750.00
Town Share: (15%) \$ 20,250.00

GRJ/ned
2002BR06-14

01/07/02



HIGHWAY
SOLID WASTE
BUILDINGS & GROUNDS

ALLEGANY COUNTY DEPARTMENT OF
PUBLIC WORKS

7 COURT STREET • ROOM 210
BELMONT, NEW YORK 14813-1078
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DAVID S. ROESKE
Superintendent

JOHN J. MANCUSO
Deputy Superintendent I

GUY R. JAMES
Deputy Superintendent II

YVONNE M. RECHICHI
Accountant

TO: Allegany County Board of Legislators
FROM: Guy R. James, Deputy Superintendent II *Guy R. James*
DATE: January 9, 2002
RE: County/Town Bridge Cost-Sharing Program

In accordance with Section 238 of the New York State Highway Law, I am submitting to the Board for its review a condition and feasibility report on the following Town system bridge, to be constructed under the County/Town Bridge Cost-Sharing Program: as per County Resolution 65-95.

LOCATION/BRIDGE NUMBER:

Location: Shongo Road, Town of Caneadea
Local Bridge Number: 12-12
Bridge Identification Number: 2254420

DESCRIPTION OF PROJECT:

EXISTING CONDITIONS:

The present structure consists of a corrugated steel deck with an asphalt overlay on steel "I" beams supported by interlocking steel sheet piling abutments and wingwalls. The corrugated deck is severely deteriorated and has rusted through in several areas. The steel stringers are severely de-laminated and rusted. This structure is 30 feet long, 24 feet wide and was built in 1982.

PROPOSED CORRECTIVE ACTION:

It is proposed to replace the existing superstructure with a longitudinal glu-laminated pressure treated timber deck utilizing the existing interlocking steel sheet piling abutments and wingwalls.

JUSTIFICATION:

The corrugated steel deck and the steel "I" beams are in serious condition. The deck has rusted through in several locations. This road serves as a school bus route, mail route and emergency access for the local residents. This structure is currently not load posted.

DETOUR:

There will be no on-site detour on this project. The Town of Caneadea Highway Superintendent has determined that a detour will not be required.

Estimated Cost: \$135,000.00
County Share: (85%) \$114,750.00
Town Share: (15%) \$ 20,250.00

GRJ/ned
2002BR12-12

01/07/02



HIGHWAY
SOLID WASTE
BUILDINGS & GROUNDS

**ALLEGANY COUNTY DEPARTMENT OF
PUBLIC WORKS**

7 COURT STREET • ROOM 210
BELMONT, NEW YORK 14813-1078
TELEPHONE 716-268-9230 FAX 716-268-9648

DAVID S. ROESKE
Superintendent

JOHN J. MANCUSO
Deputy Superintendent I

GUY R. JAMES
Deputy Superintendent II

YVONNE M. RECHICHI
Accountant

TO: Allegany County Board of Legislators
FROM: Guy R. James, Deputy Superintendent II *Guy R. James*
DATE: January 9, 2002
RE: County/Town Bridge Cost-Sharing Program

In accordance with Section 238 of the New York State Highway Law, I am submitting to the Board for its review a condition and feasibility report on the following Town system bridge, to be constructed under the County/Town Bridge Cost-Sharing Program: as per County Resolution 65-95.

LOCATION/BRIDGE NUMBER:

Location: Allen Road, Town of Scio
Local Bridge Number: 24-19
Bridge Identification Number: 2254630

DESCRIPTION OF PROJECT:

EXISTING CONDITIONS:

The present structure consists of a corrugated steel deck with an asphalt overlay on steel "I" beams supported by interlocking steel sheet piling abutments and wingwalls. The corrugated deck is severely deteriorated has rusted through in many areas. The steel stringers are severely de-laminated and rusted. This structure is 30 feet long, 24 feet wide and was built in 1974.

PROPOSED CORRECTIVE ACTION:

It is proposed to replace the existing superstructure with a longitudinal glu-laminated pressure treated timber deck utilizing the existing interlocking steel sheet piling abutments and wingwalls.

JUSTIFICATION:

The corrugated steel deck and the steel "I" beams are in serious condition and can no longer carry loads as designed. The deck has rusted through in many locations. This road serves as a school bus route, mail route and emergency access for the local residents. This structure is currently load posted for 10 tons.

DETOUR:

There will be no on-site detour on this project. The Town of Scio Highway Superintendent has determined that a detour will not be required.

Estimated Cost: \$120,000.00
County Share: (85%) \$102,000.00
Town Share: (15%) \$ 18,000.00

GRJ/ned
2002BR24-19

01/07/02



HIGHWAY
SOLID WASTE
BUILDINGS & GROUNDS

**ALLEGANY COUNTY DEPARTMENT OF
PUBLIC WORKS**

7 COURT STREET • ROOM 210
BELMONT, NEW YORK 14813-1078
TELEPHONE 716-268-9230 FAX 716-268-9648

DAVID S. ROESKE
Superintendent

JOHN J. MANCUSO
Deputy Superintendent I

GUY R. JAMES
Deputy Superintendent II

YVONNE M. RECHICHI
Accountant

TO: Allegany County Board of Legislators
FROM: Guy R. James, Deputy Superintendent II *Guy R. James*
DATE: January 9, 2002
RE: County/Town Bridge Cost-Sharing Program

In accordance with Section 238 of the New York State Highway Law, I am submitting to the Board for its review a condition and feasibility report on the following Town system bridge, to be constructed under the County/Town Bridge Cost-Sharing Program: as per County Resolution 65-95.

LOCATION/BRIDGE NUMBER:

Location: Richardson Avenue, Town of Wirt (Village of Richburg)
Local Bridge Number: 29-05
Bridge Identification Number: 2215470

DESCRIPTION OF PROJECT:

EXISTING CONDITIONS:

The present structure consists of a concrete deck supported by concrete abutments and wingwalls. The concrete deck and abutments are severely deteriorated. This structure is 34 feet long, 24 feet wide and was built in 1930.

PROPOSED CORRECTIVE ACTION:

It is proposed to replace the existing structure with a longitudinal glu-laminated pressure treated timber deck with two sidewalks and install new interlocking steel sheet piling abutments and wingwalls.

JUSTIFICATION:

The concrete deck and abutments are in serious condition. This street serves as a school bus route, as the Bolivar/Richburg Elementary School is located adjacent to the bridge, mail route and emergency access for the local residents. This structure is currently not load posted.

DETOUR:

There will be no on-site detour on this project. The Town of Wirt Highway Superintendent has determined that a detour will not be required.

Estimated Cost:	\$215,000.00
County Share: (85%)	\$182,750.00
Town Share: (15%)	\$ 32,250.00

GRJ/ned
2002BR29-05

01/07/02

MEMORANDUM OF EXPLANATION

INTRODUCTION NO: _____
(CLERK'S USE ONLY)

COMMITTEE: PUBLIC WORKS

DATE: JANUARY 09, 2002

Resolutions are required to approve the attached bridges for funding under the County/Town Bridge Cost Sharing Program- Resolution No 65-95.

Town of Andover, East Valley Rd, BR 06-14
Town of Caneadea, Shongo Rd, BR 12-12
Town of Wirt, Richardson Ave., BR 29-05
Town of Scio, Allen Rd, BR 24-19

FISCAL IMPACT: \$514,250.00

For further information regarding this matter, contact:

David S. Roeske
Superintendent

(716)268-9230

DSR/ymr

MEMORANDUM OF EXPLANATION

INTRODUCTION NO: _____
(CLERK'S USE ONLY)

COMMITTEE: PUBLIC WORKS

DATE: JANUARY 09, 2002

Request Capital Projects be established for the four (4) Town Bridges and the three (3) County Bridges to be constructed in 2002. Funding is in the 2002 Budget.

FISCAL IMPACT: \$1,084,250.00 County Share

For further information regarding this matter, contact:

David S. Roeske
Superintendent

(716)268-9230

DSR/ymr

MEMORANDUM OF EXPLANATION

INTRODUCTION NO: _____
(CLERK'S USE ONLY)

COMMITTEE: PUBLIC WORKS

DATE: JANUARY 09, 2002

Request funding appropriated in the 2002 Budget for the Construction of the Joncy Bridge be added to Capital Project H5266.200 which was previously established for Engineering charges.

FISCAL IMPACT: \$96,050.00 County Share

For further information regarding this matter, contact:

David S. Roeske
Superintendent

(716)268-9230

DSR/ymr

MEMORANDUM OF EXPLANATION

INTRODUCTION NO: _____
(CLERK'S USE ONLY)

COMMITTEE: PUBLIC WORKS

DATE: January 9, 2002

Request the bidding for the lease of county owned property on SR19 be done early in the calendar year.

FISCAL IMPACT: \$ 0

For further information regarding this matter, contact:

David S. Roeske
Superintendent

(716) 268-9230

DSR/cmt
01-14-02

**NOT
APPROVED**

John Margeson
RECEIVED

JAN 9 2002

ALLEGANY COUNTY
BOARD OF LEGISLATORS

**PUBLIC WORKS BID OPENING
JANUARY 2, 2002
1:00 P.M.**

TIMBER BRIDGE DECKS

PRESENT: D. Roeske, G. James
R. Maloney – Associated Components
P. Holowacz – Unadilla Laminated Products
M. Tremblay – Laminated Concepts
A. Tremblay – Laminated Concepts

	Bid Amount	Non-Collusive Bidding Certificate	Bid Bond/ Certified Check(10%)
Unadilla Laminated Concepts	\$533,105.00	X	X
Associated Components	\$604,267.00	X	X
Laminated Concepts	\$539,959.00	X	X

Sincerely,

Guy R. James

Guy R. James
Deputy Superintendent II
Allegany County
Department of Public Works

NOT
APPROVED

PUBLIC WORKS COMMITTEE
February 6, 2002
1:00PM

J. Margeson
RECEIVED

FEB 11 2002

ALLEGANY COUNTY
BOARD OF LEGISLATORS

PRESENT: J. Graffrath, R. Bennett, B. Reynolds, R. Truax, E. Sherman, J. Margeson, D. Roeske, J. Mancuso, G. James

D. Sweezy (DOT), A. Williams (DOT), R. DeTyne (Village of Belmont), S. Myers, K. Ross, K. Dirlam, student government interns

- AGENDA:
1. Meeting called to order
 2. Approval of January 9, 2002 minutes
 3. Approval of audit
 4. Department of Social Services restroom renovations
 5. Probation Department office partitions
 6. Resolution – Repeal of Wicks Law
 7. Resolution – Restoration of CHIPS funding
 8. Resolution – I-86 funding
 9. Solid Waste permit modification
 10. Free tire days
 11. Town/Village spring clean up days
 12. Equipment bid awards
 13. Safety luncheons
 14. Disposition of used equipment
 15. Joncy Bridge bid letting
 16. CHIPS update
 17. NYSDOT presentation
 18. Meeting adjourned

1. The meeting was called to order by Chairman Graffrath at 1:06PM.
2. A motion was made by Mr. Truax and seconded by Mr. Bennett approving the minutes of January 9, 2002. **MOTION CARRIED.**
3. A motion was made by Mr. Truax and seconded by Mr. Bennett approving the audit. **MOTION CARRIED.**
4. Mr. Bennett made a motion approving the Department of Social Services restroom renovation. Mr. Truax seconded the motion. **MOTION CARRIED.**
5. Mr. Truax made a motion approving the construction of office partitions in the Probation Department. Mr. Bennett seconded the motion. **MOTION CARRIED.**
6. A motion was made by Mr. Reynolds and seconded by Mr. Truax approving a Resolution requesting the repeal of the Wicks Law. **MOTION CARRIED.**

RESOLUTION TO BE PREPARED BY COUNTY ATTORNEY.

7. Mr. Reynolds made a motion approving a Resolution requesting the restoration of CHIPS funding. Mr. Truax seconded the motion. **MOTION CARRIED.**

RESOLUTION TO BE PREPARED BY COUNTY ATTORNEY.

8. Mr. Bennett made a motion approving a Resolution supporting the funding of I-86 projects. Mr. Truax seconded the motion. **MOTION CARRIED.**

RESOLUTION TO BE PREPARED BY COUNTY ATTORNEY.

9. Mr. Mancuso informed the committee that the application for permit modification through the New York State Department of Environmental Conservation to increase the daily tonnage is complete and will be published to solicit public comment.

10. A motion was made by Mr. Bennett and seconded by Mr. Reynolds approving the Free Tire Days to be held this year as in years past. **MOTION CARRIED.**
11. A motion was made by Mr. Truax and seconded by Mr. Bennett allowing Towns/Villages who decide to collect tires at their spring cleanups be allowed up to one open top container at no charge. **MOTION CARRIED.**
12. Mr. Bennett made a motion approving the equipment bid awards as recommended. Mr. Truax seconded the motion. **MOTION CARRIED.**
13. Mr. Roeske informed the committee that the County Safety Days will be held on February 20th and 27th and invited all members to attend.
14. Mr. Truax made a motion approving the sale of used equipment with an offer to be made to towns and villages first. Mr. Bennett seconded the motion. **MOTION CARRIED.**
15. Mr. Roeske informed the committee that the Joncy Bridge bid letting should take place on or about March 11, 2002.
16. Mr. Roeske updated the committee on the CHIPS and O&M funding.
17. A presentation was given by the New York State Department of Transportation regarding the future bridge replacement on SR 19 in the Village of Belmont.
18. Chairman Graffrath adjourned the meeting at 2:06PM.



CHEMUNG COUNTY LEGISLATURE

FACSIMILE TRANSMITTAL SHEET

TO: Brenda Hotchkiss FROM: Chemung County Legislature - Ted Bennett

COMPANY: _____ DATE: 2-5-2002

FAX NUMBER: 716 268-9446 TOTAL NO. OF PAGES INCLUDING COVER: 8

PHONE NUMBER: _____ SENDER'S REFERENCE NUMBER: 607 737-2851 fax

RE: _____ YOUR REFERENCE NUMBER: 607 737-2066 phone

- URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

I will call you tomorrow morning about these

Ted Bennett

203 LAKE STREET
 PO BOX 588
 ELMIRA, NY 14902-0588

RESOLUTION NO. 02-

DRAFT

RESOLUTION REQUESTING THE REPEAL OF THE WICKS LAW

By: Milliken

Seconded by:

WHEREAS, unfunded mandates continue to consume nearly sixty-five percent of county budgets; and

WHEREAS, one of these mandates is the WICKS Law; and

WHEREAS, this law requires all public capital construction projects with an aggregate cost of \$50,000 to have separately bid contracts for the components involving electrical, plumbing and heating, ventilation and air conditioning; and

WHEREAS, this system has proven to result in undue construction delays, disputes between contractors and sub-contractors, and increased local capital construction which are ultimately passed along to the local taxpayers; and

WHEREAS, proposals have been considered to remove school capital building construction projects from the provisions of the WICKS Law; and

WHEREAS, Governor Pataki has submitted legislative bills in the past proposing increasing the WICKS threshold on public capital construction projects to \$2 million for counties with a population under 500,000, \$5 million for counties with a population of above 500,000 and \$10 million for the City of New York; and

WHEREAS, counties would save millions of tax dollars if the WICKS Law is repealed or at the very least reformed; now, therefore, be it

DRAFT

RESOLVED, that the Chemung County Legislature hereby urges the Governor to resubmit legislation to the New York State Legislature eliminating or increasing the threshold for WICKS Law separate contract bidding for counties; and, be it further

RESOLVED, that the Clerk of the Legislature is hereby authorized and directed to forward a certified copy of this resolution to Honorable George E. Pataki, Honorable Joseph L. Bruno, Honorable Sheldon Silver, Honorable John R. Kuhl, Jr., Honorable George H. Winner, Jr., and the New York State Association of Counties.

STATE OF NEW YORK)
COUNTY OF CHEMUNG) SS:

THIS IS TO CERTIFY, that I the undersigned Clerk of the Chemung County Legislature, have compared the foregoing copy of resolution with the original resolution now on file in my office, and which was passed by the Chemung County Legislature on the 11th day of February 2002 a majority of all the members elected to the Legislature voting in favor thereof, and that the same is a correct and true transcript of such resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Chemung County Legislature this 13th day of February 2002.

Linda D. Palmer, Clerk
Chemung County Legislature

DRAFT

RESOLUTION NO. 02-

RESOLUTION REQUESTING THE RESTORATION OF CHIPS FUNDING

By: Milliken

Seconded by:

WHEREAS, the Consolidated Highway Improvement Program (CHIPS) was created in state fiscal year 1981-1982 for the purpose of replacing a dedicated stream of motor vehicle registration fees and taxes which counties had been receiving; and

WHEREAS, CHIPS funding is based upon a statutory formula using the number of county specific motor vehicle registrations and the number of county road center line miles; and

WHEREAS, notwithstanding the statutory formula, CHIPS payments have not been consistent or in keeping with construction cost indices and are subject to annual budget appropriations by the Governor and State Legislature; and

WHEREAS, Governor Pataki eliminated the county share of CHIPS operation and maintenance funding in the amount of \$35 million in fiscal year 2001-2002; and

WHEREAS, the Governor targeted the elimination of CHIPS operation and maintenance funding for counties only and has preserved the funding levels for towns, cities (except New York City) and villages; and

WHEREAS, eliminating county operation and maintenance funding will also have a detrimental intergovernmental effect and hinder partnerships counties currently have with other units of local government and the private sector material and construction companies; and

DRAFT

WHEREAS, a 1999 highway and bridge funding report published by the New York State Associations of Counties, County Highway Superintendents, Towns, Town Highway Superintendents and the Conference of Mayors identifies a funding shortfall for all municipalities over and above existing levels of nearly \$9 billion, including the City of New York; and

WHEREAS, of the \$1.92 billion of highway user taxes collected, only a small percentage is available to local governments despite having maintenance jurisdiction of over **eighty-five percent** of the road miles in New York; and

WHEREAS, instead of eliminating funding for local infrastructure repair, state funding should be increased significantly; now, therefore, be it

RESOLVED, that the Chemung County Legislature hereby urges the New York State Legislature to restore CHIPS preventive maintenance funding and to increase annually by \$100 million the CHIPS capital funding by allocating a greater percentage of highway user taxes to address local road and bridge deficiencies; and, be it further

RESOLVED, that in light of the anticipated reduction in federal transportation assistance, the Governor and State Legislature, during the 2002 Legislative Session, should advance another voter approved Transportation Bond Act to go before the electorate in November 2002 and that an equitable amount of those bond proceeds should be dedicated to local government projects; and, be it further

DRAFT

RESOLVED, that the Clerk of the Legislature is hereby authorized and directed to forward a certified copy of this resolution to Honorable George E. Pataki, Honorable Joseph L. Bruno, Honorable Sheldon Silver, Honorable Caesar Trunzo, Honorable John R. Kuhl, Jr., Honorable David Gantt, Honorable George H. Winner, Jr., and the New York State Association of Counties.

STATE OF NEW YORK)
COUNTY OF CHEMUNG) SS:

THIS IS TO CERTIFY, that I the undersigned Clerk of the Chemung County Legislature, have compared the foregoing copy of resolution with the original resolution now on file in my office, and which was passed by the Chemung County Legislature on the 11th day of February 2002 a majority of all the members elected to the Legislature voting in favor thereof, and that the same is a correct and true transcript of such resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Chemung County Legislature this 13th day of February 2002.

Linda D. Palmer, Clerk
Chemung County Legislature

DRAFT

RESOLUTION NO. 02-

RESOLUTION SUPPORTING FUNDING FOR I-86 PROJECTS

By: Milliken

Seconded by:

WHEREAS, access to an interstate transportation system is essential to attract and to retain businesses vital to the economic well-being of our state; and

WHEREAS, during the 2001-2002 budget cycle, the Governor proposed funding in the amount of \$400 million over a four-year period for work on Interstate 86 (I-86) to replace money earmarked as I-86 projects included in the defeated Transportation Bond Act of 2000 (Bond Act); and

WHEREAS, the I-86 Economic Development Benefits Study projects that the conversion of New York State Route 17 (Route 17) to I-86, if completed in a timely manner, will result in a \$3.2 billion direct economic benefit to the Southern Tier, Hudson Valley and New York State economics; and

WHEREAS, the allocation of the same transportation funding for the I-86 project activities that was placed in last year's Executive Budget proposal would preserve the time schedule suggested in the New York State Department of Transportation's five-year work program, which was developed in anticipation of the Bond Act funding; now, therefore, be it

RESOLVED; that the Chemung County Legislature hereby supports the upgrading of Route 17 to I-86 and urges the Governor and State Legislature to provide over the next four years the \$400 million necessary to implement the I-86 projects; and, be it further

10-8977372831
100-00
DRAFT

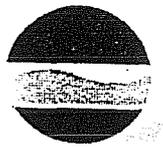
RESOLVED, that the Clerk of the Legislature is hereby authorized and directed to forward a certified copy of this resolution to Honorable George E. Pataki, Honorable Joseph L. Bruno, Honorable Sheldon Silver, Honorable Caesar Trunzo, Honorable John R. Kuhl, Jr., Honorable David Gantt, Honorable George H. Winner, Jr., and the New York State Association of Counties.

STATE OF NEW YORK)
COUNTY OF CHEMUNG) SS:

THIS IS TO CERTIFY, that I the undersigned Clerk of the Chemung County Legislature, have compared the foregoing copy of resolution with the original resolution now on file in my office, and which was passed by the Chemung County Legislature on the 11th day of February 2002 a majority of all the members elected to the Legislature voting in favor thereof, and that the same is a correct and true transcript of such resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Chemung County Legislature this 13th day of February 2002.

Linda D. Palmer, Clerk
Chemung County Legislature



**New York State Department of Environmental Conservation
Notice of Complete Application**

Date: January 31, 2002

Applicant: ALLEGANY COUNTY
RM 210 COUNTY OFFICE BLDG
BELMONT, NY 14813

Facility: ALLEGANY COUNTY SANITARY LANDFILL
EAST SIDE OF COUNTY ROAD 48 AT TOWN LINE
ANGELICA, NY 14709

Application ID: 9-0232-00008/00007

Permits(s) Applied for: 1 - Article 27 Title 7 Solid Waste Management

Project is located: in ANGELICA in ALLEGANY COUNTY

Project Description:

The Allegany County Department of Public Works proposes to modify its current permit to increase the permitted daily tonnage of municipal solid waste received at its Landfill by 49%, from 146 to 218 tons per day. The Allegany County Landfill is east of County Road 48 at the Angelica - Amity town line.

State Environmental Quality Review (SEQR) Determination

Project is an Unlisted Action and will not have a significant impact on the environment. A Negative Declaration is on file. A coordinated review was performed.

SEQR Lead Agency Allegany County

State Historic Preservation Act (SHPA) Determination

A Structural-Archaeological Assessment Form has been completed. The proposed activity will not impact on registered, eligible or inventoried archaeological sites or historic structures.

Availability For Public Comment

Comments on this project must be submitted in writing to the Contact Person no later than 02/22/2002

Contact Person

KENNETH C. TAFT
NYSDEC
182 EAST UNION - SUITE 3
ALLEGANY, NY 14706-1328
(716) 372-6242

2002 EQUIPMENT PURCHASES

ROAD MACHINERY	BUDGET	PURCHASE PRICE	VARIANCE
50 TON TRAILER	\$45,000.00	\$44,890.00	\$110.00
660 GRADALL - LEASE	\$67,500.00	\$66,725.39	\$774.61
CREW TRUCK	\$60,000.00	\$59,841.00	\$159.00
COMPRESSOR	\$25,000.00	\$36,551.40	(\$11,551.40)
FUEL TRUCK & TANK	\$80,000.00	\$88,971.00	(\$8,971.00)
BACKHOE LOADER	\$50,000.00		\$50,000.00
3/4 TON CREW CAB	\$27,000.00	\$26,712.00	\$288.00
	\$354,500.00	\$323,690.79	\$30,809.21

SOLID WASTE	BUDGET	PURCHASE PRICE	VARIANCE
LANDFILL COMPACTOR	\$400,000.00		
ROLL-OFF TRAILER	\$43,000.00		
HYDRO-SEEDING MACHINE	\$32,000.00		
	\$475,000.00	\$0.00	\$0.00

YMR 02-05-02



HIGHWAY
SOLID WASTE
BUILDINGS & GROUNDS

ALLEGANY COUNTY DEPARTMENT OF
PUBLIC WORKS

7 COURT STREET • ROOM 210
BELMONT, NEW YORK 14813-1078
TELEPHONE 716-268-9230 FAX 716-268-9648

DAVID S. ROESKE
Superintendent

JOHN J. MANCUSO
Deputy Superintendent I

GUY R. JAMES
Deputy Superintendent II

YVONNE M. RECHICHI
Accountant

EQUIPMENT TO SELL

1997 Trail-eze 50 Ton Lowboy Trailer

1984 Warner-Swazey 880 Gradall

1990 International 5 Ton Crew Dump Truck

1980 Ford Single Axle with a
1969 Gardner Denver Air Compressor

1984 Steel Fuel Tank - with 3 compartments

1981 International 260A Tractor with front Loader

1990 Dodge 1 Ton Flat Bed

yml 02/05/02

**NOT
APPROVED**

Allegany County
Department of Public Works
Special Committee Meeting
February 25, 2002 1:15PM

J. Margason
RECEIVED

FEB 26 2002

ALLEGANY COUNTY
BOARD OF LEGISLATORS

Present: J. Graffrath, R. Bennett, B. Reynolds, E. Sherman, W. Dibble,
D. Roeske, G. James

1. Chairman Graffrath called the meeting to order at 1:25 P.M.
2. A motion was made by Mr. Reynolds and seconded by Mr. Bennett approving to let for competitive bid a portion of the Yorks Corners, CR 29, Bridge No. 28-03 bridge project. **MOTION CARRIED.**
3. Meeting adjourned 1:30 P.M.

Respectfully Submitted



David S. Roeske, Superintendent

**NOT
APPROVED**

PUBLIC WORK COMMITTEE
MARCH 6, 2002
1:00 P.M.

Margeson

RECEIVED

MAR 11 2002

ALLEGANY COUNTY
BOARD OF LEGISLATORS

- (1) Meeting called to order
- (2) Approval of February 6, 2002 minutes
- (3) Approval of audit
- (4) Joint meeting – Public Works & Public Safety
- (5) Permission to send surplus equipment to auction
- (6) Scheduled Department Head meeting
- (7) Work performed by Public Works employees
- (8) Swain petition
- (9) Bridge posting
- (10) Southern Tier West request
- (11) Committee Resolution – Gradall lease
- (12) Supplemental agreement NYSDOT/Joncy Bridge
- (13) Bid Joncy Bridge
- (14) Municipal equipment bids
- (15) Permission to bid materials
- (16) Permission to renew contract

Present: J. Graffrath, R. Truax, J. Margeson, R. Bennett, B. Reynolds, E. Sherman, P. Regan, D. Roeske, J. Mancuso, G. James

Wellsville Daily Reporter, Cuba Patriot, W. Dibble

- (1) The meeting was called to order at 1:08PM by Chairman Graffrath.
- (2) A motion was made by Mr. Bennett and seconded by Mr. Truax approving the minutes of February 6, 2002. **MOTION CARRIED.**
- (3) A motion was made by Mr. Truax and seconded by Mr. Bennett approving the audit. **MOTION CARRIED.**
- (4) Mr. Roeske informed the Committee that there will be a joint meeting between Public Works and Public Safety on April 3, 2002, following the Public Works Committee meeting.
- (5) Mr. Truax made a motion approving the auction of surplus equipment to be held on April 20, 2002, at the Allegany County Fairgrounds. Mr. Bennett seconded the motion. **MOTION CARRIED.**
- (6) Mr. Roeske informed the Committee that there will be a Department Head meeting held on March 14, 2002 at 9:30AM to discuss the information to be included in the County Newsletter.
- (7) Mr. Bennett made a motion requesting that all Legislators get approval from the Committee Chairman and/or Department Head before asking any employee to do work for them. Mr. Truax seconded the motion. **MOTION CARRIED.**
- (8) A petition has been received from the Town of Grove residents to keep the "Swain Bridge" in the budget. Mr. Roeske informed the Committee that the bridge will be included in next years proposed budget.
- (9) Mr. Roeske informed the Committee that the bridge on State Route 19 in the Town of Amity has been posted for a 8 ton weight limit and will remain posted until the bridge is replaced.
- (10) A request has been received from Southern Tier West requesting assistance in partnering with NYSDOT on the "Adopt an Interchange" part of the overall I-86 project. It was decided that this matter would be referred to Planning & Development to see if they have any interest.

(11) Mr. Bennett made a motion to make a referral to Ways & Means for approval of a Committee Resolution of the lease purchase agreement for the Gradall. Mr. Truax seconded the motion. **MOTION CARRIED. REFERRAL TO WAYS & MEANS.**

(12) A motion was made by Mr. Bennett and seconded by Mr. Reynolds approving the supplemental agreement with NYSDOT regarding the Joncy Bridge. **MOTION CARRIED.**

COUNTY ATTORNEY TO PREPARE RESOLUTION

(13) Mr. Roeske informed the Committee that the Joncy Bridge bids will be opened April 3, 2002.

(14) A motion was made by Mr. Bennett and seconded by Mr. Reynolds approving the award of used equipment to the municipalities as recommended. **MOTION CARRIED.**

(15) A motion was made by Mr. Truax and seconded by Mr. Bennett approving permission to bid materials. **MOTION CARRIED.**

(16) Mr. Bennett made a motion approving the renewal of the three-year agreement with Craig Smith of Fillmore for gravel. Mr. Truax seconded the motion. **MOTION CARRIED.**

(17) The meeting was adjourned at 1:34PM by Chairman Graffrath.

Sincerely,

David S. Roeske
Superintendent
Allegany County
Department of Public Works

APPROVAL OF LEASE-PURCHASE AGREEMENT FOR A GRADALL XL4100 TRUCK MOUNTED EXCAVATOR; AUTHORIZING SUPERINTENDENT OF PUBLIC WORKS TO EXECUTE LEASE-PURCHASE AGREEMENT

WHEREAS, competitive bids were let by the Department of Public Works for the lease-purchase of a new excavator, and

WHEREAS, the bid has been awarded to the lowest responsible bidder in the amount of \$247,000, and

WHEREAS, Volvo Commercial Finance has submitted a lease-purchase agreement in the amount of the purchase price, now, therefore, be it

RESOLVED:

1. That the lease-purchase agreement between the County of Allegany and Volvo Commercial Finance dated February 8, 2002 is approved.
2. The Superintendent of Public Works is authorized to execute such lease-purchase agreement and other documents necessary to complete the transaction.
3. That the Chairman of the Committee shall cause a copy of this resolution to be transmitted to the Clerk of the Board of Legislators for filing in her office.

This is the original resolution which should be kept with the original minutes of the 3/6/02 Committee meeting

REFERRAL

NAME OF COMMITTEE

MEETING DATE:

PUBLIC WORKS

DATE: MARCH 06, 2002

TO: WAYS & MEANS

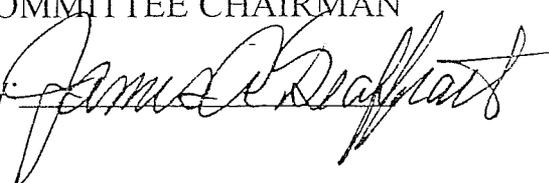
RE: LEASE PURCHASE OF GRADALL

Request to Lease Purchase a 2002 Gradall as budgeted in the 2002 Budget.

Lease will be four (4) yearly payments at \$66,725.39 each.

DATE REFERRED: 03-06-02

COMMITTEE CHAIRMAN

By: 

DSR/ymr

MEMORANDUM OF EXPLANATION

INTRODUCTION NO: _____

(CLERK'S USE ONLY)

COMMITTEE: PUBLIC WORKS

DATE: MARCH 06, 2002

Request Resolution to approving an Agreement with NYSDOT for Marchiselli Aid on PIN6752.94.321, CR16 over Angelica Creek, The Joncy Bridge.

FISCAL IMPACT: \$ Already Appropriated in 2002 Budget

For further information regarding this matter, contact:

David S. Roeske
Superintendent

(716)268-9230

DSR/ymr

MEMORANDUM OF EXPLANATION

INTRODUCTION NO: _____
(CLERK'S USE ONLY)

COMMITTEE: PUBLIC WORKS

DATE: MARCH 06, 2002

Request to Lease Purchase a 2002 Gradall as budgeted in the 2002 budget.

Lease will be 4 yearly payments of \$66,725.39 each

FISCAL IMPACT: \$66,725.39 yearly

For further information regarding this matter, contact:

David S. Roeske
Superintendent

(716)268-9230

DSR/ymr

LEASE PURCHASE AGREEMENTS

Pursuant to Resolution No. 141-97

FROM: PUBLIC WORKS
Department

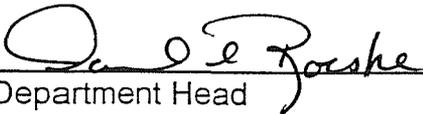
TO: PUBLIC WORKS
Committee of Jurisdiction

EXPLANATION:

Explain below as completely as possible the type of equipment you wish to lease purchase. Provide the name of the Leasing Company, the term of the Lease Purchase Agreement, including the beginning date and the ending date, the amount of the Lease payments and the total cost of the Lease. Please attach a copy of the proposed Lease Purchase Agreement.

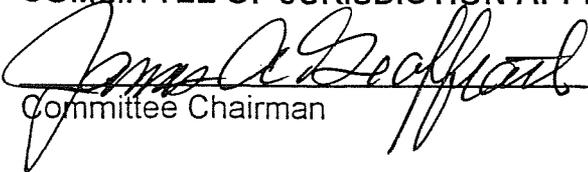
Purchase a new 2002 Gradall XL4100 Truck Mounted Excavator.
Financing thru Volvo Commercial Finance
The term of the lease is 4 years with yearly payments of \$66,725.39.
Purchase price is \$247,000.00.
Total payments will be \$266,901.56.

DEPARTMENT APPROVAL:


Department Head

3-8-02
Date

COMMITTEE OF JURISDICTION APPROVAL:


Committee Chairman

3-11-02
Date

WAYS AND MEANS COMMITTEE APPROVAL:

Committee Chairman

Date

*This form should be submitted to the Committee of Jurisdiction, then to the Ways and Means Committee for recommendation of a proposed resolution to be acted on by the Board of Legislators.

VOLVO

Volvo Commercial Finance

February 25, 2002

FEB 26 2002

Allegany County

Dear Sirs:

Thank you for choosing Volvo Commercial Finance as your source for financing. We look forward to a long lasting relationship. As a valued customer of Volvo Commercial Finance we will strive to provide you with the best possible service for this as well as all future transactions.

Please execute the documents listed below that have a next to it.

- | | |
|--|---|
| <input checked="" type="checkbox"/> Lease- Purchase Agreement | <input checked="" type="checkbox"/> Exhibit "E" Rental Payments Schedule |
| <input checked="" type="checkbox"/> Exhibit "A" Extract of Minutes | <input checked="" type="checkbox"/> Exhibit "F" Acceptance Certificate |
| <input checked="" type="checkbox"/> Exhibit "B" Opinion of Lessee's Counsel | <input checked="" type="checkbox"/> Exhibit "G" Insurance Coverage Requirements |
| <input checked="" type="checkbox"/> Exhibit "C" Certificate of Lessee | <input type="checkbox"/> Exhibit "H" Stipulated Loss Factor |
| <input type="checkbox"/> Form UCC-1 Financing Statement | <input checked="" type="checkbox"/> Form 8038-G |
| <input checked="" type="checkbox"/> Date of Delivery was ___/___/___ | <input checked="" type="checkbox"/> Other: ACH Authorization (Optional) |
| <input checked="" type="checkbox"/> Exhibit "D" Description of the Equipment | <input type="checkbox"/> Other: N/A |



*PLEASE NOTE: When completing the dates on your documents, please enter the **SAME day of the month** for all dates (First Payment Date, and document signing date). If these dates are not completed correctly, there may be a delay in processing your paperwork.*

Prior to funding Volvo Commercial Finance will require an **insurance certificate** listing the serial number for each piece of equipment financed. Volvo Commercial Finance should be listed as the following in regards to insurance:

- 1. Certificate Holder**
- 2. Loss Payee for Physical Damage (\$2,500 deductible Maximum)**

If you have any questions, please feel free to call me at 877-721-9290 ext 3922 or contact Paul Vautrin (Ph. # 518-584-5333), your Financial Sales Specialist.

Sincerely,

Tina Ashworth

Volvo Commercial Finance

EQUIPMENT LEASE-PURCHASE AGREEMENT

This Equipment Lease-Purchase Agreement (this "Agreement") entered into as of 02/08/02 between Volvo Commercial Finance, a division of VFS US LLC ("Lessor"), whose mailing address is 7025 Albert Pick Road Suite 105, P. O. Box 26131, Greensboro, North Carolina 27402-6131, and Allegany County ("Lessee"), a body corporate and politic duly created and existing under the laws of the State of New York ("State"), whose mailing address is 7 Court Street, Belmont, Ny 14813.

For and in consideration of the premises hereinafter contained, the parties hereby agree as follows:

ARTICLE I DEFINITIONS

Unless the context clearly otherwise requires or unless otherwise defined herein, the capitalized terms used in this Agreement shall have the respective meanings specified below.

"Acceptance Certificate" means a certificate in substantially the form attached hereto as Exhibit F and which shall be delivered by Lessee to Lessor upon receipt and acceptance of the Equipment.

"Agreement" means this Equipment Lease-Purchase Agreement with its Exhibits, which Exhibits are attached hereto and incorporated herein by reference.

"Commencement Date" is the date when the term of this Agreement begins and Lessee's obligation to pay rent accrues, which date shall be the date on which the Equipment is accepted by Lessee as indicated on the Certificate of Acceptance, the form of which is attached hereto as Exhibit F.

"Equipment" means the property described in Exhibit D and which is the subject of this Agreement.

"Lease Amount" means the outstanding and unpaid aggregate principal component of the Rental Payments.

"Lease Term" means the period beginning with the Commencement Date and continuing until terminated as provided in Article IV.

"Purchase Price" means the amount set forth and so titled in Exhibit E hereto which Lessee may pay to Lessor to purchase the Equipment as provided in

Article XI.

"Rental Payments" means the basic rental payments payable by Lessee pursuant to Exhibit E of this Agreement.

"Vendor" means the manufacturer of the Equipment as well as the agents or dealers of such manufacturer.

ARTICLE II COVENANTS OF LESSEE

Lessee represents, covenants, and warrants, for the benefit of Lessor and its assignees, as follows:

(a) Lessee is a public body, corporate and politic, duly created and existing under the Constitution and laws of the State.

(b) Lessee will do or cause to be done all things necessary to preserve and keep in full force and effect its existence as a body corporate and politic.

(c) Lessee is authorized under the Constitution and laws of the State to enter into this Agreement and the transaction contemplated hereby and to perform all of its obligations hereunder.

(d) Lessee is duly authorized to execute and deliver this Agreement by the resolution of its governing body attached hereto as Exhibit A, or by other appropriate official approval. All requirements have been met and procedures have occurred, in order to ensure the enforceability of this Agreement, and Lessee has complied with such public bidding requirements as may be applicable to this Agreement and the acquisition by Lessee of the Equipment hereunder. Lessee shall cause to be delivered an opinion of its counsel substantially in the form attached hereto as Exhibit B.

(e) During the term of this Agreement, the Equipment will be used by Lessee only for the purpose of performing one or more governmental or proprietary functions of Lessee consistent with the permissible scope of Lessee's authority and will not be used in a trade or business of any person or entity other than Lessee. The use of the Equipment is essential to Lessee's proper, efficient, and economic operation. Lessee has an immediate need for, and expects to make immediate use of, all of the Equipment, which need is not temporary or expected to diminish in the foreseeable future. There are no circumstances presently affecting Lessee that could reasonably be expected to alter its foreseeable need for the Equipment or adversely affect its ability or willingness to budget funds for the payment of amounts due under this Agreement. The inclusion in this Agreement of Lessee's right to terminate is not indicative of any present purpose or design on the part of Lessee to terminate this Agreement and acquire additional property or services performing functions similar to the Equipment.

(f) During the period this Agreement is in force, Lessee will annually provide Lessor with current financial statements, budgets, proof of appropriation for the ensuing fiscal year, and such other financial information relating to the ability of Lessee to continue this Agreement as may be reasonably requested by Lessor or its assignee.

(g) The Equipment will have a useful life in the hands of Lessee that is substantially in excess of the Lease Term.

(h) The Equipment is, and during the period this Agreement is in force will remain, personal property and, when subjected to use by Lessee under this Agreement, will not be or become fixtures.

(i) No lease, rental agreement, or contract for purchase to which Lessee has been a party at any time during the last five years has been terminated by Lessee as a result of insufficient funds being appropriated in any fiscal year.

ARTICLE III LEASE OF EQUIPMENT

Lessor hereby leases to Lessee, and Lessee hereby leases from Lessor, the Equipment, in accordance with the provisions of this Agreement, to have and to hold for the Lease Term.

ARTICLE IV LEASE TERM

The term of this Agreement shall commence as of the Commencement Date and shall remain in effect until the first to occur of: (a) the exercise by Lessee of the option to purchase the Equipment under Article XI; (b) Lessor's election to terminate this Agreement upon a default under Article XIII; (c) the payment by Lessee of all sums required to be paid by Lessee hereunder; or (d) the occurrence of an Event of Nonappropriation in accordance with Section 6.05.

ARTICLE V
ENJOYMENT OF EQUIPMENT

Section 5.01. Quiet Enjoyment. Lessor hereby agrees not to interfere with Lessee's quiet use and enjoyment of the Equipment so long as Lessee is not in default hereunder.

Section 5.02. Use of the Equipment. Lessee will not install, use, operate, or maintain the Equipment improperly, carelessly, in violation of any applicable law, or in a manner contrary to that contemplated by this Agreement.

Section 5.03. Right of Inspection. During the Lease Term, Lessor and its officers, employees, and agents shall have the right at all reasonable times during business hours to enter into and upon the property of Lessee for the purpose of inspecting the Equipment.

Section 5.04. Disclaimer of Warranties. LESSEE ACKNOWLEDGES THAT THE EQUIPMENT HAS BEEN SELECTED IN ACCORDANCE WITH LESSEE'S SPECIFICATIONS AND ACQUIRED FROM VENDORS SELECTED BY LESSEE AND THAT LESSOR IS NEITHER A MANUFACTURER OF OR A DEALER IN THE EQUIPMENT NOR AN AGENT OF A MANUFACTURER OF OR A DEALER IN THE EQUIPMENT. LESSOR MAKES NO WARRANTY OR REPRESENTATION, EITHER EXPRESSED OR IMPLIED, AS TO THE VALUE, DESIGN, CONDITION, MERCHANTABILITY, OR FITNESS FOR PARTICULAR PURPOSE OR FITNESS FOR USE OF THE EQUIPMENT, OR ANY OTHER WARRANTY WITH RESPECT THERETO AND, AS TO LESSOR, LESSEE LEASES THE EQUIPMENT "AS IS." In no event shall Lessor be liable for any loss or damage, including incidental, indirect, special, or consequential damage, in connection with or arising out of this Agreement or the existence, furnishing, functioning, or Lessee's use of any items or products or services provided for in this Agreement.

Section 5.05. Vendor's Warranties. Lessee may assert claims and rights that Lessor may have against any Vendor of any portion of the Equipment. Lessee expressly acknowledges that Lessor makes, and has made, no representation or warranty whatsoever as to the existence or availability of any warranties of the Vendor of the Equipment.

ARTICLE VI
RENTAL PAYMENTS

Section 6.01. Rental Payments to Constitute a Current Expense of Lessee. The obligation of Lessee to pay Rental Payments hereunder is a current expense of Lessee and not a debt of Lessee in contravention of any applicable debt limitations or requirements, nor shall anything contained herein constitute a pledge of the general tax revenues, funds, or moneys or any taxing power of Lessee. This Agreement shall be deemed executory only to the extent of monies appropriated and available for the purpose of this Agreement and no liability on account thereof shall be incurred by Lessee beyond the amount of such monies. This Agreement is not a general obligation of Lessee. Neither the full faith and credit nor the taxing power of Lessee are pledged to the payment of any amount due or to become due under this Agreement. It is understood that neither this Agreement nor any representation by any public employee or officer creates any legal or moral obligation to appropriate or make monies available for the purpose of this Agreement.

Section 6.02. Payment of Rental Payments; Interest and Principal Components. Lessee shall promptly pay Rental Payments, exclusively from legally available funds, in lawful money of the United States of America, to Lessor in such amounts and on such dates as are set forth in Exhibit E hereto. A portion of each Rental Payment is paid as interest, and the balance of each Rental Payment is paid as principal. Exhibit E hereto sets forth the interest component and the principal component of each Rental Payment during the Lease Term.

Section 6.03. Rental Payments to be Unconditional. The obligation of Lessee to make Rental Payments, and to perform and observe the covenants and agreements contained herein, shall be absolute and unconditional in all events, except as expressly provided in this Agreement, notwithstanding any dispute between Lessee and Lessor, any Vendor, or any other person. Lessee shall not assert any right of set-off or counterclaim against its obligation to make payments under this Agreement.

Section 6.04. Continuation of Lease Term by Lessee. Lessee intends to do all things lawfully within its power to obtain and maintain funds from which the Rental Payments may be made.

Section 6.05. Nonappropriation. If (a) sufficient funds are not appropriated for Rental Payments due in any fiscal year and (b) Lessee shall have at such time no funds legally available for the Rental Payments or other amounts payable hereunder from other sources, an Event of Nonappropriation shall be deemed to have occurred. Lessee shall promptly deliver notice thereof to Lessor. Upon the occurrence of an Event of Nonappropriation, Lessee agrees that Lessor may reclaim possession of the Equipment and exercise any remedies specified in Section 13.02 of this Agreement. Lessee agrees to promptly deliver the Equipment and title thereto peaceably to Lessor at a reasonable location specified by Lessor, all at Lessee's expense. Lessee agrees that the Equipment, upon its return, shall (i) be in sound mechanical shape and, if mobile, shall be in good working order under full payload, (ii) have tires in safe and operable condition with a minimum of forty percent (40%) original tread life remaining OR have a minimum of forty percent (40%) life remaining on all undercarriage components including track shoes, links, pins and bushings, idlers, bogies, sprockets, carrier rollers, track rollers, and belts for belted drive equipment with no cuts extending into the belt cords, (iii) have no cracked or broken glass, (iv) have no missing sheet metal, and any damage to sheet metal shall not exceed \$1,500.00, and (v) have no structural damage to the frame.

ARTICLE VII
TITLE TO EQUIPMENT; SECURITY INTEREST

Section 7.01. Title to the Equipment. During the Lease Term, title to the Equipment shall vest in Lessee, subject to Lessor's rights upon the occurrence of an Event of Default or an Event of Nonappropriation.

Section 7.02. Security Interest. To secure its obligations hereunder, Lessee grants to Lessor a security interest constituting a first lien on the Equipment and on all additions, attachments, accessions, substitutions, repairs, replacements, and modifications thereto, and on any proceeds therefrom. Lessee agrees to execute such additional documents, including financing statements, fixture filings, continuation statements, affidavits, notices, and similar instruments, in form satisfactory to Lessor, which Lessor deems necessary or appropriate to establish and maintain its security interest, and upon assignment, the security interest of any assignee of Lessor, in the Equipment.

Section 7.03. Liens and Encumbrances to Title. Lessee shall promptly discharge any liens placed on the Equipment other than those created by Lessor.

Section 7.04. Location of Equipment. The Equipment will not be removed from, or if the Equipment consists of mobile goods, its permanent base will not be changed from, the Equipment Location specified in Exhibit D, without Lessor's prior written consent. Lessee covenants and agrees that it will furnish Lessor with notice of any change in its principal office within thirty (30) days of the effective date of any such change, and Lessee will promptly execute any financing statement deemed necessary by Lessor to prevent any filed financing statement from becoming misleading or losing its perfected status.

ARTICLE VIII
MAINTENANCE; MODIFICATION; TAXES; INSURANCE AND OTHER CHARGES

Section 8.01. Maintenance of Equipment by Lessee. Lessee shall, at Lessee's own cost and expense, maintain, preserve, and keep the Equipment in good repair, working order, and condition.

Section 8.02. Taxes, Other Governmental Charges, and Utility Charges. In the event that the use, possession, or acquisition of the Equipment is found to be subject to taxation in any form (except for income taxes of Lessor), government charges, or utility charges and expenses, Lessee shall pay all such taxes and charges as they come due.

Section 8.03. Provisions Regarding Insurance. At its own expense Lessee shall cause casualty, comprehensive general liability, and property damage insurance to be carried and maintained (and evidenced by certificates delivered to Lessor throughout the Lease Term) in the amounts and for the coverages set forth in Exhibit G, provided that the amount of casualty and property damage insurance shall not be less than the then applicable Lease Amount, or shall demonstrate to the satisfaction of Lessor that adequate self-insurance is provided for all risk and physical damage (but not comprehensive general liability). All insurance proceeds from casualty losses shall be payable as hereinafter provided in this Agreement.

Section 8.04. Advances. In the event Lessee shall fail to maintain the full insurance coverage required by this Agreement or shall fail to keep the Equipment in good repair and operating condition, Lessor may (but shall be under no obligation to) purchase the required policies of insurance and pay the premiums on the same or may make such repairs or replacements as are necessary and provide for payment thereof, and all amounts so advanced therefor by Lessor shall be repaid to Lessor, together with interest thereon at the rate specified in Section 13.05, as additional rental hereunder.

Section 8.05. Modifications. Without the prior written consent of Lessor, Lessee shall not make any alterations, modifications, or attachments to the Equipment if such alterations, modifications, or attachments would impair the originally intended function or use or reduce the value of the Equipment. Any alteration, modification, or attachment shall be the responsibility of and at the sole risk of Lessee. Any and all additions to or replacements of the Equipment and all parts thereof shall constitute accessions to the Equipment and shall be subject to all the terms and conditions of this Agreement and included in the term "Equipment" as used in this Agreement. Lessee agrees to provide such documents or assurances as Lessor may reasonably request to maintain or confirm Lessor's interest in the Equipment as so modified.

ARTICLE IX DAMAGE, DESTRUCTION, AND CONDEMNATION; USE OF NET PROCEEDS

Section 9.01. Risk of Loss: Damage, Destruction, and Condemnation. Lessee assumes all risk of loss of or damage to the Equipment from any cause whatsoever, and no such loss of or damage to the Equipment nor defect therein nor unfitness or obsolescence thereof shall relieve Lessee of the obligation to make Rental Payments or to perform any other obligation under this Agreement. So long as no Event of Default has occurred and is continuing hereunder, if (a) the Equipment or any portion thereof is destroyed (in whole or in part) or is damaged by fire or other casualty or (b) title to, or the temporary use of, the Equipment or any part thereof is taken under the exercise of the power of eminent domain, Lessee and Lessor shall cause the Net Proceeds of any insurance claim or condemnation award to be applied either to the prompt repair, restoration, modification, or replacement of the Equipment or, at Lessee's option, to the payment in full of the Lease Amount. If an Event of Default has occurred and is continuing, Lessor may apply the Net Proceeds, at its option, to the repair, restoration, modification, or replacement of the Equipment or to payment of any obligation of Lessee hereunder. Any balance of the Net Proceeds remaining after such work or purchase has been completed shall be paid to Lessee.

For purposes of this Article IX, the term "Net Proceeds" shall mean the amount remaining from the gross proceeds of any insurance claim or condemnation award after deducting all expenses (including attorneys' fees) incurred in the collection of such claim or award.

Section 9.02. Insufficiency of Net Proceeds. If the Net Proceeds are insufficient to pay in full the cost of any repair, restoration, modification, or replacement, Lessee shall either (a) complete the work and pay any cost in excess of the amount of Net Proceeds, or (b) pay to Lessor the Lease Amount.

ARTICLE X TAX COVENANT

It is the intention of Lessee and Lessor that the interest component of the Rental Payments be and remain excluded from gross income for federal income tax purposes. Lessee covenants that it will take any and all action necessary to maintain the exclusion from gross income for federal income tax purposes of the interest component of the Rental Payments, and that it will not perform or omit to perform any act or enter into any agreement or use or permit the use of the Equipment or any portion thereof in a manner that shall have the effect of causing the interest component of the Rental Payments to be included in gross income for federal income tax purposes, including (without limitation) leasing all or any portion of the Equipment or contracting to a third party for the use or operation of all or any portion of the Equipment if entering into such lease or contract would have such effect.

ARTICLE XI OPTION TO PURCHASE

Lessee shall be entitled to purchase the Equipment:

- (a) upon payment in full of all Rental Payments in accordance with Exhibit E hereto, all other amounts due hereunder, and the sum of one dollar; or
- (b) on any rental payment date by paying to Lessor the Rental Payment then due, together with the Purchase Price set forth in Exhibit E, along with all other amounts then due hereunder, so long as there is no Event of Default continuing hereunder and upon written notice delivered at least 30 days in advance.

ARTICLE XII ASSIGNMENT, SUBLEASING, INDEMNIFICATION, ENCUMBERING, AND SELLING

Section 12.01. Assignment or Sale by Lessor.

(a) This Agreement, and the obligation of Lessee to make payments hereunder, may be sold, assigned, or otherwise disposed of in whole or in part to one or more successors, grantors, holders, assignees, or subassignees by Lessor. Upon any sale, disposition, assignment, or reassignment, Lessee shall be provided with a notice of such assignment. During the Lease Term, Lessee shall keep a complete and accurate register of all such assignments in form necessary to comply with Section 149(a) of the Internal Revenue Code of 1986, as amended.

(b) Lessee agrees to make all payments to the assignee designated in the assignment, notwithstanding any claim, defense, setoff, or counterclaim whatsoever that Lessee may from time to time have against Lessor or Vendor. Lessee agrees to execute all documents, including notices of assignment and chattel mortgages or financing statements, which may be reasonably requested by Lessor or its assignee to protect its interests in the Equipment and in this Agreement.

(c) Lessee hereby agrees that Lessor may sell or offer to sell this Agreement (i) through a certificate of participation program, whereby two or more interests are created in this Agreement, the Equipment, or the Rental Payments or (ii) with other similar instruments, agreements, and obligations through a pool, trust, limited partnership, or other entity.

(d) Neither any person, partnership, corporation, or other legal entity nor Lessee or any officer, employee, agency, or department shall execute and deliver or cause the execution and delivery of certificates of participation except in accordance with the provisions of Section 109-b of the General Municipal Law of New York and with express written approval of the governing board of Lessee.

Section 12.02. No Sale, Assignment, or Subleasing by Lessee. This Agreement and the interest of Lessee in the Equipment may not be sold, assigned, subleased, or encumbered by Lessee without the prior written consent of Lessor or its assignee.

Section 12.03. Release and Indemnification Covenants. To the extent permitted by the laws and Constitution of the State, Lessee shall protect, hold harmless, and indemnify Lessor from and against any and all liability, obligations, losses, claims, and damages whatsoever, regardless of cause thereof except those resulting from Lessor's intentional or grossly negligent acts or omissions, and all expenses in connection therewith, including, without limitation, reasonable counsel fees and expenses, penalties, and interest, arising out of or as the result of the entering into this Agreement, the ownership of any item of the Equipment, the ordering, acquisition, use, operation, condition, purchase, delivery, rejection, storage, or return of any item of the Equipment or any accident in connection with the operation, use, condition, possession, storage, or return of any item of the Equipment resulting in damage to property or injury to or death of any person. The indemnification arising under this paragraph shall survive the termination of this Agreement.

ARTICLE XIII EVENTS OF DEFAULT AND REMEDIES

Section 13.01. Events of Default. The following constitute "Events of Default" under this Agreement:

- (a) failure by Lessee to pay any Rental Payment or other payment required to be paid hereunder when due; or
- (b) failure by Lessee to maintain insurance on the Equipment in accordance with Section 8.03 hereof; or
- (c) failure by Lessee to observe and perform any other covenant, condition, or agreement on its part to be observed or performed for a period of 30 days after written notice thereof is given to Lessee by Lessor; or
- (d) initiation by Lessee of a proceeding under any federal or state bankruptcy or insolvency law seeking relief under such laws concerning its indebtedness.

The foregoing provisions of this Section 13.01 are subject to the provisions of Section 6.05 hereof.

Section 13.02. Remedies On Default. Whenever any Event of Default shall have occurred and be continuing, Lessor shall have the right, at its sole option without any further demand or notice, to take any one or any combination of the following remedial steps:

(a) With or without terminating this Agreement, retake possession of the Equipment wherever situated, and sell or lease, sublease, or make other disposition of the Equipment for use over a term in a commercially reasonable manner, all for the account of Lessee; provided that Lessee shall remain directly liable for the amount actually appropriated for the purchase or rental of the Equipment and unpaid by Lessee during the current fiscal year.

Lessor shall apply the disposition proceeds in the following manner:

FIRSTLY, to pay all proper and reasonable costs and expenses associated with the recovery, repair, storage, and sale of the Equipment, including reasonable attorneys' fees and expenses;

SECONDLY, to pay Lessor (i) the amount of all unpaid Rental Payments, if any, which are then due and owing, together with interest and late charges thereon, (ii) the then applicable Lease Amount (taking into account the payment of past due Rental Payments as aforesaid), plus a pro rata allocation of interest, at the rate utilized to establish the interest component for the Rental Payment next due, from the next preceding due date of a Rental Payment until the date of receipt of such disposition proceeds by Lessor, and (iii) any other amounts due hereunder;

THIRDLY, to pay the remainder of the disposition proceeds to Lessee.

(b) Proceed by appropriate court action to enforce performance by Lessee of the applicable covenants of this Agreement or to recover for the breach thereof.

(c) Use or retake such portion of the Equipment as Lessor, in its sole discretion, may decide.

All of Lessee's right, title, and interest in any Equipment the possession of which is retaken by Lessor upon the occurrence of an Event of Default or an Event of Nonappropriation shall terminate immediately upon such repossession.

Section 13.03. Return of Equipment. Upon an Event of Default, Lessee agrees to allow Lessor to recover the Equipment at Lessee's sole cost and expense, in accordance with and in the condition specified in Section 6.05.

Section 13.04. No Remedy Exclusive. No remedy herein conferred upon or reserved to Lessor is intended to be exclusive, and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Agreement or now or hereafter existing at law or in equity.

Section 13.05. Late Charge; Interest on Late Payment. Any Rental Payment or portion thereof that is not paid on its due date shall bear a late charge equal to two percent (2%) of the amount of the past due Rental Payment or portion thereof, but in no event less than \$100.00. Any unpaid Rental Payment or other amount payable by Lessee to Lessor hereunder shall bear interest at the lesser of (a) the rate payable on the principal component of the Rental Payments, plus five full percentage points per annum, or (b) the maximum rate allowed by law.

Section 13.06. Force Majeure. If by reason of force majeure Lessee is unable in whole or in part to carry out its agreement on its part herein contained, other than the obligations on the part of Lessee contained in Article VI and Section 8.03 hereof, Lessee shall not be deemed in default during the continuance of such inability. The term "force majeure" as used herein shall mean, without limitation, the following: acts of God, strikes, lockouts or other industrial disturbances, acts of public enemies, orders or restraints of any kind of the government of the United States of America or the State or any of their departments, agencies, or officials, or any civil or military authority, insurrections, riots, landslides, earthquakes, fires, storms, droughts, floods, or explosions.

ARTICLE XIV MISCELLANEOUS

Section 14.01. Notices. All notices, certificates, or other communications hereunder shall be in writing (including without limitation, telecopy, or facsimile with receipt confirmed) and mailed, telecopied, or delivered to the address set forth on the first page hereof. Any notice, certificate, or other communication which is mailed shall be mailed registered mail, postage prepaid, return receipt requested. Notices, certificates, or other communications shall be effective upon the earlier of (i) actual receipt by the addressee or (ii) the date shown on the return receipt, fax confirmation, or delivery receipt.

Section 14.02. Binding Effect. This Agreement shall inure to the benefit of and shall be binding upon Lessor and Lessee and their respective successors and assigns.

Section 14.03. Severability. In the event any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

Section 14.04. Execution in Counterparts. This Agreement may be executed in several counterparts.

Section 14.05. Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the State.

Section 14.06. Captions. The captions or headings in this Agreement are for convenience only and no way define, limit, or describe the scope or intent of any provisions or sections of this Agreement.

Section 14.07. Entire Agreement; Amendments. This Agreement constitutes the entire agreement between Lessor and Lessee. No waiver, consent, amendment, modification, or change of terms of this Agreement shall bind either party unless in writing signed by both parties, and then such waiver, consent, amendment, modification, or change shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements, representations, or warranties, express or implied, not specified herein regarding this Agreement or the Equipment leased hereunder. Any terms and conditions of any purchase order or other document submitted by Lessee in connection with this Agreement which are in addition to or inconsistent with the terms and conditions of this Agreement will not be binding on Lessor and will not apply to this Agreement. Lessee by the signature below of its authorized representative acknowledges that it has read this Agreement, understands it, and agrees to be bound by its terms and conditions.

IN WITNESS WHEREOF, Lessor has executed this Agreement in its corporate name, and Lessee has caused this Agreement to be executed in its corporate name and attested by its duly authorized officer. All of the above occurred as of the date first written on the heading hereof.

LESSOR:

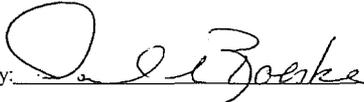
Volvo Commercial Finance, a division of VFS US LLC

By: _____

Servicing Agent

LESSEE:

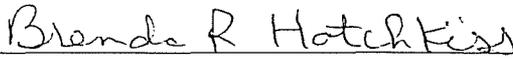
Allegheny County

By: 

Title: Superintendent of Public Works

(SEAL)

Attest:



Title: Clerk, Board of Legislators

EXHIBIT A

EXTRACT OF MINUTES
RESOLUTION OF GOVERNING BODY

Lessee: Allegany County
Date of Agreement: 02/08/02

Public Works Committee 2002

At a duly called meeting of the governing body of the Lessee identified above ("Lessee") held on the 6th day of March, 2002, the following resolution was introduced and adopted.

WHEREAS, the governing body of Lessee has determined that a true and very real need exists for the acquisition of the Equipment described in the Equipment Lease-Purchase Agreement (the "Agreement") presented to this meeting; and

WHEREAS, the governing body of Lessee has taken the necessary steps, including any legal bidding requirements, under applicable law to arrange for the acquisition of such Equipment;

NOW, THEREFORE, BE IT RESOLVED by the governing body of Lessee that the form, terms, and conditions and the execution, delivery, and performance of the Agreement are hereby approved and authorized.

BE IT FURTHER RESOLVED by the governing body of Lessee that the terms of the Agreement are in the best interests of Lessee for the acquisition of such Equipment, and the governing body of Lessee designates and authorizes the following persons to execute and deliver, and to attest, respectively, the Agreement and any related documents necessary to the consummation of the transactions contemplated by the Agreement.

David Roeske

(Name of Person to Execute Agreement)

Superintendent of Public Works

(Title)

Brenda Hotchkiss

(Name of Person to Attest Agreement)

Clerk, Board of Legislators

(Title)

BE IT FURTHER RESOLVED by the governing body of Lessee that the evaluation of financing alternatives prepared pursuant to Section 39.2 of Part 39 of Subchapter A of Chapter II of Title 2 of the New York Administrative Code shall be filed with this Resolution and, after taking into account such evaluation, for the specific reasons set forth below, the governing body of Lessee has determined that it is in the best interests of Lessee to finance the Equipment pursuant to the Agreement.

A lease-purchase agreement is in the best interests of the County of Allegany.

BE IT FURTHER RESOLVED by the governing body of Lessee that execution of the Agreement will not cause Lessee to exceed the limits prescribed by paragraph c of subdivision 6 of Section 109-b of the General Municipal Law of New York.

The undersigned further certifies that the above resolution has not been repealed or amended and remains in full force and effect and further certifies that the above and foregoing Equipment Lease-Purchase Agreement is the same as presented at such meeting of the governing body of Lessee.

Dated: March 6, 2002

Brenda R. Hotchkiss
Secretary/Clerk

(SEAL)

OFFICE OF THE

ALLEGANY COUNTY ATTORNEY

County Office Building • Room 213
7 Court Street • Belmont, New York 14813-1039
Phone 585-268-9410 • Fax 585-268-9651

DANIEL J. GUINEY
County Attorney

THOMAS A. MINER
Assistant County Attorney
LESLIE J. HAGGSTROM
Assistant County Attorney

March 6, 2002

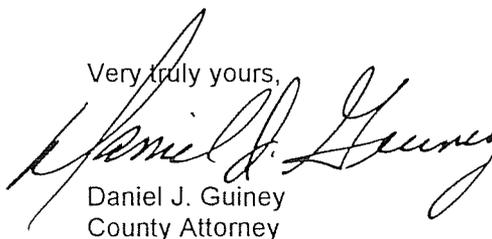
Volvo Commercial Finance
7025 Albert Pick Road Suite 105
P. O. Box 26131
Greensboro, North Carolina 27402-6131

Ladies and Gentlemen:

As counsel for Allegany County ("Lessee"), I have examined a duly executed original of the Equipment Lease-Purchase Agreement (the "Agreement"), dated 02/08/02, between Lessee and Volvo Commercial Finance, a division of VFS US LLC ("Lessor"), the proceedings taken by Lessee to authorize the Agreement, and such other documents, records, and proceedings as I have deemed relevant or material to render this opinion, and based upon such examination, I am of the opinion, as of the date hereof, that:

1. Lessee is a public body corporate and politic, duly created and validly existing under the laws of the State of New York.
2. The Agreement has been duly authorized, executed, and delivered by Lessee and is a legal, valid, and binding obligation of Lessee, enforceable in accordance with its terms.
3. Lessee has complied with applicable public bidding requirements in connection with the Agreement.
4. To the best of my knowledge, no litigation is pending or threatened in any court or other tribunal, state or federal, in any way questioning or affecting the validity of the Agreement.
5. To the best of my knowledge, the execution, delivery, and performance by Lessee of the Agreement will not conflict with, breach, or violate any law, any order or judgment to which Lessee is subject, or any contract to which Lessee is a party.
6. The signatures of the officers of Lessee which appear on the Agreement are true and genuine. I know such officers and know them to be the duly elected or appointed qualified incumbents of the offices of Lessee set forth below their names.

Very truly yours,



Daniel J. Guiney
County Attorney

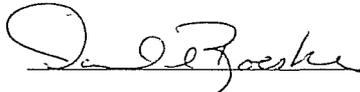
EXHIBIT C

CERTIFICATE-OF LESSEE

I, Brenda Hotchkiss, am a duly authorized representative and acting Secretary or Clerk of Allegany County ("Lessee"), as lessee under that certain Equipment Lease-Purchase Agreement (the "Agreement"), dated 02/08/02, with Volvo Commercial Finance, a division of VFS US LLC, as lessor, and hereby certify as follows and in accordance with the requirements of the Agreement. Capitalized terms used herein have the same meaning as in the Agreement.

A. INCUMBENCY OF OFFICERS AND SIGNATURES:

I have custody of the records of Lessee, and the following officers of Lessee are duly elected or appointed and hold the office or title set forth opposite each individual's name, and the signatures opposite their names are true and correct, and where required, have been filed with the appropriate officials of the State, and each such individual has the authority to enter into the Agreement on behalf of Lessee:

<u>Name</u>	<u>Title/Office</u>	<u>Signature</u>
<u>David Roeske</u>	<u>Superintendent of Public Works</u>	
_____	_____	_____

B. ESSENTIAL USE:

1. The Equipment will be used by Lessee for the following governmental or proprietary purpose:

Maintenance and repair of County roads and bridges.

2. The Equipment is essential for the functioning of Lessee and is immediately needed by Lessee. Such need is neither temporary nor expected to diminish during the Lease Term. The Equipment is expected to be used by Lessee for a period in excess of the Lease Term.

C. CERTIFICATE OF APPROPRIATION:

Moneys for all rental payments to be made under the Agreement for the fiscal year ending 12/31/, 2002 are available from unexhausted and unencumbered appropriations or funds within Lessee's budget for such fiscal year, and appropriations or funds have been designated for the payment of those rental payments that may come due under the Agreement in such fiscal year.

IN WITNESS WHEREOF, I have executed and delivered this certificate as of the 6th day of March, 2002.

Brenda R. Hotchkiss
Secretary/Clerk

EXHIBIT D

DESCRIPTION OF THE EQUIPMENT

EQUIPMENT: Gradall XL4100 Truck Mounted Excavator Serial Number 0416545

EQUIPMENT LOCATION: Allegany County Department of Public Works
Friendship, NY 14739 (Maintenance Shop)

Lessee: Allegany County

By: 

Title: Superintendent of Public Works

Date: March 6, 2002

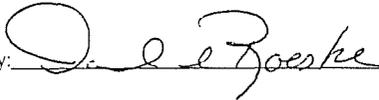
EXHIBIT E

RENTAL PAYMENT SCHEDULE

	<u>Payment Number</u>	<u>Due Date of Payment</u>	<u>Total Rental Payment</u>	<u>Principal Component</u>	<u>Interest Component</u>	<u>Purchase Price After Rental Payment Due Has Been Made</u>
1		02/ /02	66,725.39	66,725.39	0.00	180,524.61
2		02/ /03	66,725.39	57,067.32	9,658.07	123,457.29
3		02/ /04	66,725.39	60,120.42	6,604.97	63,336.87
4		02/ /05	66,725.39	63,336.87	3,388.52	0.00

Interest Rate - 5.35%

Lessee: Allegany County

By: 

Title: Superintendent of Public Works

Date: March 6, 2002

EXHIBIT F

ACCEPTANCE CERTIFICATE

Volvo Commercial Finance
Greensboro, North Carolina

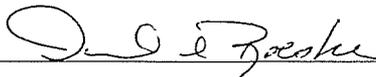
In accordance with the terms of the Equipment Lease-Purchase Agreement (the "Agreement"), dated 02/08/02, between you and the undersigned ("Lessee"), Lessee hereby certifies and represents as follows:

1. The Equipment, as such term is defined in the Agreement, has been delivered to, and its permanent base is, the Equipment Location specified in Exhibit D to the Agreement. The Equipment was accepted on the date indicated below.

2. Lessee has conducted such inspection or testing of the Equipment as it deems necessary and appropriate and hereby acknowledges that it accepts the Equipment for all purposes.

3. No Event of Default, as such term is defined in the Agreement, and no event which with notice or the lapse of time, or both, would become an Event of Default, has occurred and is continuing on the date hereof.

Lessee: Allegany County

By: 

Title: Superintendent of Public Works

Date: March 6, 2002

EXHIBIT G

INSURANCE COVERAGE REQUIREMENTS

TO: Volvo Commercial Finance

FROM: Allegany County

SUBJECT: Insurance Coverage Requirements of Equipment Lease-Purchase Agreement (the "Agreement"), dated 02/08/02, between Volvo Commercial Finance, a division of VFS US LLC, as lessor, and Allegany County, as lessee

1. In accordance with Section 8.03 of the Agreement, we have instructed the insurance agent named below (please fill in name, address, and telephone number)

Four horizontal lines for filling in insurance agent information.

to issue:

a. All Risk Physical Damage Insurance on the equipment leased pursuant to the Agreement, evidenced by a Certificate of Insurance and Long Form Loss Payable Clause naming VFS US LLC as loss payee.

Coverage Required: Full Replacement Value

b. Comprehensive General Liability Insurance evidenced by a Certificate of Insurance naming VFS US LLC or its assigns as an additional insured.

Minimum Coverage Required:

- \$1,000,000 per occurrence bodily injury liability
\$250,000 per occurrence property damage liability
\$1,000,000 per occurrence combined single limit

OR

2. Pursuant to Section 8.03 of the Agreement, we are self-insured for all risk and physical damage and will provide proof of such self-insurance in letter form together with a copy of the statute authorizing this form of insurance.

3. Proof of insurance coverage will be provided prior to the time that the leased equipment is delivered to us.

Lessee: Allegany County

By: Brenda R. Hotchkiss
Brenda Hotchkiss, Clerk, Board of Legislators

Dated: March 6, 2002

Part I Reporting Authority If Amended Return, check here

1 Issuer's name Allegany County	2 Issuer's employer identification number 16 6002554
3 Number and street (or P.O. box if mail is not delivered to street address) 7 Court Street	Room/suite
5 City, town, or post office, state, and ZIP code Belmont, NY 14813	4 Report number G 2002-
7 Name of issue Lease-Purchase Agreement between Allegany County & Volvo Commercial Finance	6 Date of issue 02/ /02
9 Name and title of officer or legal representative whom the IRS may call for more information	8 CUSIP number
10 Telephone number of officer or legal representative ()	

Part II Type of Issue (check applicable box(es) and enter the issue price) See instructions and attach schedule

11 <input type="checkbox"/> Education	11
12 <input type="checkbox"/> Health and hospital	12
13 <input type="checkbox"/> Transportation	13
14 <input checked="" type="checkbox"/> Public safety	14 247,250.00
15 <input type="checkbox"/> Environment (including sewage bonds)	15
16 <input type="checkbox"/> Housing	16
17 <input type="checkbox"/> Utilities	17
18 <input type="checkbox"/> Other. Describe ►	18
19 If obligations are TANs or RANs, check box <input type="checkbox"/> If obligations are BANs, check box <input type="checkbox"/>	
20 If obligations are in the form of a lease or installment sale, check box <input checked="" type="checkbox"/>	

Part III Description of Obligations. (Complete for the entire issue for which this form is being filed.)

	(a) Final maturity date	(b) Issue price	(c) Stated redemption price at maturity	(d) Weighted average maturity	(e) Yield
21	02/ /05	\$ 247,000.00	\$ N/A	4 years	5.35 %

Part IV Uses of Proceeds of Bond Issue (including underwriters' discount)

22 Proceeds used for accrued interest	22	N/A
23 Issue price of entire issue (enter amount from line 21, column (b))	23	N/A
24 Proceeds used for bond issuance costs (including underwriters' discount)	24	N/A
25 Proceeds used for credit enhancement	25	N/A
26 Proceeds allocated to reasonably required reserve or replacement fund	26	N/A
27 Proceeds used to currently refund prior issues	27	N/A
28 Proceeds used to advance refund prior issues	28	N/A
29 Total (add lines 24 through 28)	29	N/A
30 Nonrefunding proceeds of the issue (subtract line 29 from line 23 and enter amount here)	30	N/A

Part V Description of Refunded Bonds (Complete this part only for refunding bonds.)

31 Enter the remaining weighted average maturity of the bonds to be currently refunded	N/A	years
32 Enter the remaining weighted average maturity of the bonds to be advance refunded	N/A	years
33 Enter the last date on which the refunded bonds will be called	N/A	
34 Enter the date(s) the refunded bonds were issued	N/A	

Part VI Miscellaneous

35 Enter the amount of the state volume cap allocated to the issue under section 141(b)(5)	35	N/A
36a Enter the amount of gross proceeds invested or to be invested in a guaranteed investment contract (see instructions)	36a	N/A
b Enter the final maturity date of the guaranteed investment contract		
37 Pooled financings: a Proceeds of this issue that are to be used to make loans to other governmental units	37a	N/A
b If this issue is a loan made from the proceeds of another tax-exempt issue, check box <input type="checkbox"/> and enter the name of the issuer		
38 If the issuer has designated the issue under section 265(b)(3)(B)(i)(III) (small issuer exception), check box <input type="checkbox"/>		
39 If the issuer has elected to pay a penalty in lieu of arbitrage rebate, check box <input type="checkbox"/>		
40 If the issuer has identified a hedge, check box <input type="checkbox"/>		

Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete.

Please Sign Here

Signature of issuer's authorized representative: Brenda R. Hotchkiss Date: 3/6/02

Type or print name and title: Brenda Hotchkiss, Clerk
Allegany County Board of
Legislators



EXHIBIT G

INSURANCE COVERAGE REQUIREMENTS

TO: Volvo Commercial Finance

FROM: Allegany County

SUBJECT: Insurance Coverage Requirements of Equipment Lease-Purchase Agreement (the "Agreement"), dated 02/08/02, between Volvo Commercial Finance, a division of VFS US LLC, as lessor, and Allegany County, as lessee

1. In accordance with Section 8.03 of the Agreement, we have instructed the insurance agent named below (please fill in name, address, and telephone number)

Lawrence Dye, Inc. (Dennis Dye)

73 Genesee Street, PO Box 107

Cuba, NY 14727

(585) 968-1182

to issue:

a. All Risk Physical Damage Insurance on the equipment leased pursuant to the Agreement, evidenced by a Certificate of Insurance and Long Form Loss Payable Clause naming VFS US LLC as loss payee.

Coverage Required: Full Replacement Value

b. Comprehensive General Liability Insurance evidenced by a Certificate of Insurance naming VFS US LLC or its assigns as an additional insured.

Minimum Coverage Required:

\$1,000,000 per occurrence bodily injury liability
\$250,000 per occurrence property damage liability
\$1,000,000 per occurrence combined single limit

OR

2. Pursuant to Section 8.03 of the Agreement, we are self-insured for all risk and physical damage and will provide proof of such self-insurance in letter form together with a copy of the statute authorizing this form of insurance.

3. Proof of insurance coverage will be provided prior to the time that the leased equipment is delivered to us.

Lessee: Allegany County

By: Brenda R. Hotchkiss
Brenda R. Hotchkiss, Clerk

Dated: March 4, 2002

ALLEGANY COUNTY BOARD OF LEGISLATORS

COUNTY OFFICE BUILDING * 7 COURT STREET
BELMONT, NEW YORK 14813-1083
TELEPHONE 585-268-9222 * FAX 585-268-9446

EDGAR SHERMAN
CHAIRMAN

BRENDA R. HOTCHKISS
CLERK

March 4, 2002

Mr. Dennis Dye
Lawrence Dye, Inc.
73 Genesee Street
PO Box 107
Cuba, NY 14727

Dear Dennis:

Please make the following changes to our insurance coverage effective immediately:

PUBLIC WORKS DEPARTMENT

Add:

2002 Gradall, Truck Mounted Excavator
Model XL4100
Serial Number: 0416545
Cost: \$247,000

Thank you for your attention to this matter.

Sincerely,

Brenda R. Hotchkiss

Brenda R. Hotchkiss, Clerk
Allegany County Board of Legislators

xc: Yvonne M. Rechichi, Accountant, Public Works
Brian Baty, H & V Risk Consultants

Hotchkiss, Brenda

From: Hotchkiss, Brenda
ent: Monday, March 04, 2002 10:21 AM —
o: 'Dye Insurance'
Cc: 'Baty, Brian'; Rechichi, Yvonne M.
Subject: New Equipment + Insurance Certificate

Lee:

Attached is a letter requesting that you add new equipment to our insurance policy. We are purchasing the equipment under a lease-purchase agreement, and they will require an insurance certificate. Could you fax (268-9446) and mail me a certificate and long form loss payable clause naming VFS US LLC as loss payee for the equipment described on the attached letter.

Thank you,
Brenda R. Hotchkiss



Equipment

Additions-Deletions....



INVOICE

PLEASE DIRECT ALL CORRESPONDENCE AND INQUIRY TO

Volvo Commercial Finance LLC The Americas

7025 ALBERT PICK ROAD SUITE 105
GREENSBORO, NC 27409

PO BOX 26131
GREENSBORO, NC 27402-61

TELEPHONE: (336) 931-4000

PO Box 7247-0236
Philadelphia, PA 19170-0236

Allegany County

Invoice # 1

CONTRACT NO.	DESCRIPTION	CONTRACT PAYMENT	SALES/USE TAX	LATE CHARGES	TOTAL DUE
502-5030477-001	Muni Lease	66,725.39			66,725.39
			If tax exempt, please provide tax exempt certificate		
HERE IS A CHANGE IN INVOICING ADDRESS PLEASE COMPLETE REVERSE SIDE.				TOTAL DUE	66,725.39

RETURN THIS PORTION

WITH CHECK PAYABLE TO



INVOICE #1

CONTRACT NO.

502-5030477-001

TOTAL DUE

66,725.39

DATE DUE



Volvo Commercial Finance LLC The Americas

PO Box 7247-0236
Philadelphia, PA 19170-0236

At Signing

RETURN THIS PORTION

Allegany County

TOTAL DUE
66,725.39

**NOT
APPROVED**

Allegany County
Department of Public Works
Special Committee Meeting
March 11, 2002 1:15PM

Margerson
RECEIVED
MAR 12 2002
ALLEGANY COUNTY
BOARD OF LEGISLATORS

Present: J. Graffrath, R. Bennett, B. Reynolds, D. Roeske, J. Mancuso

1. Chairman Graffrath called the meeting to order at 1:15PM.
2. A motion was made by Mr. Bennett and seconded by Mr. Reynolds approving the bridge work for the HBRR Federal program as recommended. MOTION CARRIED.
3. Mr. Bennett made a motion to accept the Town of Hornellsvilles' bid for the Gradall. Mr. Reynolds seconded the motion. MOTION CARRIED.
4. The meeting was adjourned at 1:25PM by Chairman Graffrath.

Respectfully Submitted



David S. Roeske, Superintendent

TOWN OF HORNELLSVILLE

P.O. BOX 1, 4 PARK AVE.
ARKPORT, NEW YORK 14807
607-295-7768

Charles Flanders, Supervisor
Kenneth Isaman, Board Member
Robert Parada, Board Member
Ronald Kennell, Board Member
William Caldwell, Board Member

FAX# 607-295-8015

Sheryl Isaman, Town Clerk
Brigette Smith, Tax Collector
Raymond Kring, Hwy. Supt.
John Johnson, Justice
Howard Plank, Justice

March 7, 2002

The town of Hornellsville would like to submit the bid of
\$12,575.00 for 1984 Model G 880 Gradall.

Raymond E. Kring



Highway Superintendent
Town of Hornellsville

TOWN	LOCAL BRIDGE #	ROUTE	COND. RATE	SUFF. RATE
X Rushford	23-11	Co. Rt. 7-B	4.593	0624
X Hume	20-14	Co. Rt. 4	4.812	0705
X Angelica	07-22	Co. Rt. 16	4.468	0816
X Angelica	07-19	Co. Rt. 16	4.406	0844
X Friendship	16-10	Co. Rt. 20	4.072	0754
X Wellsville	26-16	Truax Rd.	3.649	0039
Centerville	13-06	Higgins Rd.	3.711	0479
Andover	06-01	North Main St.	4.568	0502

**NOT
APPROVED**

PUBLIC WORKS COMMITTEE
APRIL 3, 2002
1:00 PM

Margeson

RECEIVED

APR 04 2002

ALLEGANY COUNTY
BOARD OF LEGISLATORS

Present: J. Graffrath, R. Bennett, B. Reynolds, R. Truax, E. Sherman,
J. Margeson, J. Mancuso, G. James

Others: S. Myers, T. Windus, P. Barry (AL Blades), LC Whitford,
F. Demick (Town of Angelica), S. Miller (Goodkind & O'Dea),
K. Ross (Wlsv. Reporter), Cuba Patriot, D. Russo

1. Meeting called to order
2. Approval of March 6 & March 11, 2002 minutes
3. Approval of audit
4. Bid opening – Joncy Bridge
5. Reminder of joint Public Works/Public Safety meeting
6. Landfill Closure Project update
7. Permission to hire laborer at landfill
8. Permission to award roll-off
9. Spring cleanups
10. Permission to award Bridge 28-03
11. Permission to award flatbed
12. Permission to hire seasonal employees
13. Permission to send equipment to auction
14. Repaving of I-86 – Resolution

1. The meeting was called to order at 1:07PM by Chairman Graffrath.
2. A motion was made by Mr. Reynolds and seconded by Mr. Bennett approving the minutes of March 6 and March 11, 2002. MOTION CARRIED.
3. A motion was made by Mr. Truax and seconded by Mr. Bennett approving the audit.
4. The following sealed bids for the Joncy Bridge were opened: A. L. Blades - \$2,853,796.90, L. C. Whitford - \$3,048,887.00 The bid will be reviewed and awarded at a later date.
5. Mr. Mancuso reminded the committee of the joint Public Works/Public Safety meeting to be held at 2:00PM today regarding security issues.
6. Mr. Mancuso updated the committee on the Landfill Closure Project.
7. Mr. Bennett made a motion to approve hiring a laborer to fill a vacancy at the Landfill. Mr. Truax seconded the motion. MOTION CARRIED.
8. A motion was made by Mr. Truax and seconded by Mr. Bennett approving the award of one (1) new and unused roll-off to the lowest bidder, CYNCON. MOTION CARRIED.
9. Mr. Mancuso informed the committee that the Department of Public Works is again assisting Towns and Village with their spring cleanups this year.
10. Mr. Graffrath made a motion approving the award of Bridge 28-03 to the lowest bidder, which was L.C. Whitford. The four-rail option was selected. Mr. Bennett seconded the motion. MOTION CARRIED.
11. A motion was made by Mr. Bennett and seconded by Mr. Truax to award the bid of one 1990 Dodge flatbed to the highest bidder. MOTION CARRIED.



HIGHWAY
SOLID WASTE
BUILDINGS & GROUNDS

ALLEGANY COUNTY DEPARTMENT OF
PUBLIC WORKS

7 COURT STREET • ROOM 210
BELMONT, NEW YORK 14813-1078
TELEPHONE 716-268-9230 FAX 716-268-9648

DAVID S. ROESKE
Superintendent

JOHN J. MANCUSO
Deputy Superintendent I

GUY R. JAMES
Deputy Superintendent II

YVONNE M. RECHICHI
Accountant

April 3, 2002

Joseph H. Boardman, Commissioner
New York State Dept. of Transportation
1220 Washington Avenue
Albany, NY 12232

Dear Mr. Boardman:

This letter is being written in response to the schedule of rehabilitation projects in Region 6 that was sent to County Legislator Sue Myers from the Regional Planning and Program Manager, James Clements. The portion of I-86 that runs through Allegany County from the western County line to Angelica is not scheduled to be repaved until 2010. This County is depending heavily on the potential economic benefits to be derived from the recent conversion of this road to an Interstate Highway but the present condition of the concrete pavement has given rise to concern.

We are therefore asking that the Department of Transportation reconsider the timetable for repaving I-86. This highway is vital to the economic well being of the entire Southern Tier and to allow it to deteriorate for another eight years with only maintenance treatments to provide some degree of riding quality is not in the best interest of this region. We sincerely hope you will give this request your consideration. Thank you.

Sincerely,

John J. Mancuso
Deputy Superintendent I
Allegany County
Department of Public Works

JJM/cmt
04-03-02
I-86repaving

**NOT
APPROVED**

PUBLIC WORKS
SALE OF EQUIPMENT
BID OPENING – MARCH 29, 2002
10:00 AM

J. Margason
RECEIVED
MAR 29 2002
ALLEGANY COUNTY
BOARD OF LEGISLATORS

Present: John Mancuso, Guy James, Wayne Green

1997 Trail-eze 50 ton lowboy trailer – NO BIDS

1990 Dodge 1 ton flat bed:

NAME	BID AMOUNT
Portville Sales, Inc.	\$666.00
Joseph Scicchitano	\$500.00
Dean Robinson	\$705.00

Respectfully submitted,

Guy R. James

Guy R. James
Deputy Superintendent II
Allegany County
Department of Public Works

GRJ/cmt
03-29-02
bidopen3-29-02

**NOT
APPROVED**

PUBLIC WORKS/PUBLIC SAFETY MEETING
APRIL 3, 2002
2:00PM

Margason

RECEIVED

APR 04 2002

ALLEGANY COUNTY
BOARD OF LEGISLATORS

Present: E. Sherman, R. Truax, R. Bennett, J. Graffrath, B. Reynolds,
D. Dunham, P. Cherree, K. Weich, B. Dibble, J. Mancuso,
G. James, D. Russo, K. Ross, T. Parker, J. Tucker, R. Belmont,
D. Sirrianni

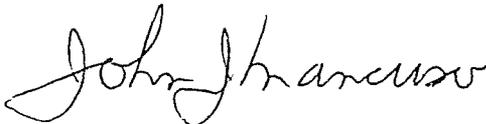
The meeting was called to order at 2:01PM by Chairman Graffrath.

A motion was made by Mr. Truax and seconded by Mr. Bennett to secure both stairwell doors on the 1st floor (DSS) but to get a big enough unit so add-ons can be done in the future if necessary. Randy Belmont would be involved in selection process. MOTION CARRIED.

It was decided that the Sheriff's Department will conduct an experimental clean up of CR20 and CR48, utilizing inmates as laborers. Sheriff Belmont will report back to the committees on the overtime costs, number of hours to complete task and how many people were needed.

Chairman Graffrath adjourned the meeting at 2:34PM.

Respectfully submitted,



John J. Mancuso
Deputy Superintendent I
Allegany County
Department of Public Works

JJM/cmt
04-04-02
jointmtg

**NOT
APPROVED**

J. Margeson
Allegany County
Department of Public Works
Special Committee Meeting
April 22, 2002 1:15PM

RECEIVED
APR 23 2002
ALLEGANY COUNTY
BOARD OF LEGISLATORS

Present: J. Graffrath, R. Bennett, B. Reynolds, E. Sherman, J. Palmer, R. Sobeck,
R. Truax, K. Dirlam, T. Parker, D. Roeske, J. Mancuso, G. James

1. Chairman Graffrath called the meeting to order at 1:15PM.
2. A motion was made by Mr. Bennett and seconded by Mr. Reynolds approving the award of the Alton Saylor Memorial Bridge Over Joncy Gorge to A. L. Blades. MOTION CARRIED.
3. Mr. Truax made a motion to award the Village of Belmont water/sewer engineering report to LaBella Assc. Mr. Bennett seconded the motion. MOTION CARRIED.
4. There will be a kick-off meeting for the water/sewer project held on April 26, 2002 at 1:00PM.
5. The meeting was adjourned at 1:30PM by Chairman Graffrath.

Respectfully Submitted



David S. Roeske, Superintendent

J. Margeson

**NOT
APPROVED**

PUBLIC WORKS COMMITTEE
May 1, 2002
1:00 PM

RECEIVED

MAY 02 2002

ALLEGANY COUNTY
BOARD OF LEGISLATORS

Present: J. Graffrath, R. Bennett, B. Reynolds, R. Truax, E. Sherman,
J. Margeson, P. Regan, D. Roeske, J. Mancuso

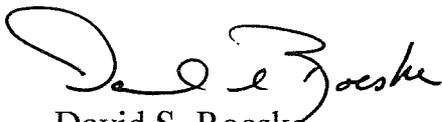
Others: S. Myers, K. Ross (Wellsville Reporter), P. Sawyer (Cuba
Patriot)

1. Meeting called to order
2. Approval of April 3 & April 9, 2002 minutes
3. Approval of audit
4. Approval to remove wall in Social Services
5. Permission to award hydro-seeding bid
6. Newsletter update
7. Approval for 2002 Household Hazardous Waste Collection
8. Permission to fill laborer position at landfill
9. Award of material bids
10. Referral to Ways & Means – Solid Waste .2 to Road Machinery .2
11. Approval to purchase backhoe
12. Project updates – W. State, W. Main, CR29
13. Mutual aid agreements
14. Equipment sold
15. PA system in Rm. 220
16. Executive session
17. Approval to sell County-owned property
18. Adjournment

1. Chairman Graffrath called the meeting to order at 1:05PM.
2. A motion was made by Mr. Bennett and seconded by Mr. Truax approving the minutes of April 3 and April 9, 2002. MOTION CARRIED.
3. A motion was made by Mr. Truax and seconded by Mr. Bennett approving the audit. MOTION CARRIED.
4. Mr. Truax made a motion approving the removal of a wall in the Social Services Department. Mr. Bennett seconded the motion. MOTION CARRIED.
5. A motion was made by Mr. Bennett and seconded by Mr. Truax approving the award of a hydro-seeding machine as recommended. MOTION CARRIED.
6. Mr. Mancuso showed the committee the rough draft of the County Newsletter.
7. The approval for the 2002 Household Hazardous Waste Collection Day was tabled until the next Committee meeting during which time Mr. Mancuso will look at alternatives for collection.
8. Mr. Reynolds made a motion to fill the laborer position at the Landfill. Mr. Bennett seconded the motion. MOTION CARRIED.
9. A motion was made by Mr. Truax and seconded by Mr. Reynolds approving the award of the material bids as recommended. MOTION CARRIED.
10. A motion was made by Mr. Bennett and seconded by Mr. Truax approving a Referral to Ways & Means to transfer \$22,000.00 from Solid Waste .2 to Road Machinery .2 to cover the cost of a backhoe. MOTION CARRIED. REFERRAL TO WAYS & MEANS.
11. Mr. Reynolds made a motion approving the purchase of a backhoe based on the equipment bid opening held January 30, 2002. Five Star Equipment was the low bidder. Mr. Bennett seconded the motion. MOTION CARRIED.

12. Mr. Roeske updated the committee on the following projects: West State Street, Wellsville; West Main St., Angelica; County Road 29, Wellsville.
13. A motion was made by Mr. Truax and seconded by Mr. Regan to create a mutual aid agreement with Cattaraugus County in regards to Rawson Rd. MOTION CARRIED.
14. Mr. Bennett made a motion to create a mutual aid agreement with neighboring counties. Mr. Truax seconded the motion. MOTION CARRIED.
15. A motion was made by Mr. Reynolds and seconded by Mr. Regan to move to Executive Session at 1:44PM. MOTION CARRIED.
16. Mr. Reynolds made a motion to end the Executive Session at 1:47PM. Mr. Truax seconded the motion. MOTION CARRIED.
17. Mr. Regan made a motion to sell a portion of the Wag Trail, from the Wellsville Village line south to the Weidrick Road, to Allegany Trails at the cost that it was appraised for. Mr. Truax seconded the motion. MOTION CARRIED.
18. The meeting was adjourned at 1:50PM.

Respectfully submitted,



David S. Roeske
Superintendent
Allegany County
Department of Public Works

REFERRAL

NAME OF COMMITTEE

MEETING DATE:

PUBLIC WORKS

DATE: MAY 01, 2002

TO: WAYS & MEANS

RE: TRANSFER WITHIN ACCOUNTS

Request a Resolution be prepared to transfer withing the following accounts:

FROM - General Fund

Solid Waste Appropriation A8160.204 \$ 22,000.00

TO - Road Machinery Fund

Road Machinery Appropriation DM5130.204 \$ 22,000.00

DATE REFERRED: 05-01-02

COMMITTEE CHAIRMAN

By: 

DSR/ymr

MEMORANDUM OF EXPLANATION

INTRODUCTION NO: _____

(CLERK'S USE ONLY)

COMMITTEE: PUBLIC WORKS

DATE: MAY 01, 2002

Request a Resolution to transfer withing the following Accounts:

FROM - GENERAL FUND

Solid Waste Appropriation A8160.204 \$22,000.00

TO - Road Machinery Fund

Appropriation DM5130.204 \$22,000.00

FISCAL IMPACT: \$none

For further information regarding this matter, contact:

David S. Roeske
Superintendent

(716)268-9230

DSR/ymr

**NOT
APPROVED**

PUBLIC WORKS COMMITTEE

June 5, 2002

1:00 PM

J. Margeson

RECEIVED

JUN 10 2002

ALLEGANY COUNTY
BOARD OF LEGISLATORS

Present: J. Graffrath, R. Bennett, B. Reynolds, R. Truax, E. Sherman,
J. Margeson, D. Roeske, J. Mancuso

Others: G. Nye, K. Ross (Wellsville Reporter), P. Sawyer (Cuba Patriot)

1. Meeting called to order
2. Approval of May 1, 2002 minutes
3. Approval of audit
4. Wellsville Exchange Club – Gene Nye
5. Phone/computer lines - OFA
6. Grant award
7. Closure project
8. Household Hazardous Waste event
9. Referral to Ways & Means – Supplemental Agreement
10. Referral to Ways & Means – Willing
11. Resolution – abandonment of bridge
12. NYSAC letter
13. Employee recognition
14. July meeting date
15. County-owned vehicle maintenance
16. Executive Session
17. Adjournment

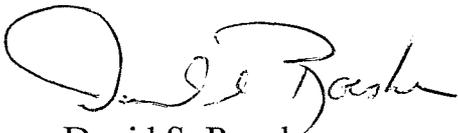
1. The meeting was called to order at 1:05PM by Chairman Graffrath.
2. A motion was made by Mr. Reynolds and seconded by Mr. Bennett approving the minutes of May 1, 2002. **MOTION CARRIED.**
3. Mr. Bennett made a motion approving the audit. Mr. Reynolds seconded the motion. **MOTION CARRIED.**
4. Mr. Gene Nye, of the Wellsville Exchange Club, gave an overview of the Freedom Shrine. A motion was made by Mr. Bennett and seconded by Mr. Reynolds to place the Shrine on the wall of the main entrance of the new part of the Courthouse. **MOTION CARRIED.**
5. Mr. Mancuso informed the committee that they will be installing new phone and computer lines at the Office for the Aging building.
6. Mr. Mancuso told the committee that the County will receive a grant from the NYSDEC for the closure project for about 50% of the total project cost.
7. The bid opening for the closure project will be on 6/24/02. Mr. Mancuso informed the committee that the closure project will be a 2 year project and will be bid as such.
8. A motion was made by Mr. Reynolds and seconded by Mr. Bennett approving the Household Hazardous Waste Collection Day. Mr. Truax opposed the motion. **MOTION CARRIED.**
9. Mr. Reynolds made a motion approving the referral to Ways & Means for a supplemental agreement with NYSDOT to cover additional construction costs on the West State Street Bridge project. Mr. Bennett seconded the motion. **MOTION CARRIED. REFERRAL TO WAYS & MEANS.**
10. A motion was made by Mr. Reynolds and seconded by Mr. Truax approving the referral to Ways & Means for a transfer from DM9553.904 to H5297.200 for bridge #28-03 costs. **MOTION CARRIED. REFERRAL TO WAYS & MEANS.**

11. A motion was made by Mr. Bennett and seconded by Mr. Truax approving a resolution to remove and dispose of an abandoned bridge located at Lake Rd., No. 8-8, BIN#2214220, in the Town of Belfast. **MOTION CARRIED.**

RESOLUTION TO BE PREPARED BY COUNTY ATTORNEY.

12. Mr. Roeske informed the committee that although the state budget eliminated the CHIPS O & M program, there is \$20 million eligible to counties through the State Senator. Mr. Roeske has sent a letter to Senator McGee asking for funding for certain projects in Allegany County.
13. Copies of letters were given to all committee members showing recognition given to County employees for work they performed.
14. The committee agreed to change the July meeting date to July 10, 2002 at 11:00AM.
15. A discussion was held as to whether or not the County could benefit from having maintenance on County-owned vehicles performed by County employees. Mr. Roeske and Mr. Mancuso are going to research the matter and report back to the committee.
16. A motion was made by Mr. Reynolds and seconded by Mr. Truax to move to Executive Session. **MOTION CARRIED.**
17. The meeting was adjourned at 2:10PM.

Respectfully submitted,



David S. Roeske
Superintendent
Allegany County
Department of Public Works

MEMORANDUM OF EXPLANATION

INTRODUCTION NO: _____
(CLERK'S USE ONLY)

COMMITTEE: PUBLIC WORKS

DATE: JUNE 05, 2002

Request a Resolution be prepared allowing the disposal of abandoned Bridge #8-8, BIN 2214220 located on Lake Road in the Town of Belfast.

FISCAL IMPACT: \$

For further information regarding this matter, contact:

David S. Roeske
Superintendent

(716)268-9230

DSR/ymr

**TOWN OF BELFAST
BELFAST, NEW YORK 14711**

Office of Town Clerk

Municipal Building
13 Merton Avenue
Belfast, N.Y. 14711

RESOLUTION # 5-02

WHEREAS: BRIDGE #8-8(B.I.N. 2214220) located on Lake Road in the Town of Belfast, County of Allegany, State of New York was condemned and ordered closed by the Town Superintendent of Highways on the 23rd day of May, 1994 and

WHEREAS: BRIDGE #8-8(B.I.D. 2214220) is useless and not necessary for public convenience and welfare

THEREFORE BE IT RESOLVED: That BRIDGE #8-8 (B.I.N. 2214220) located on Lake Road in the Town of Belfast, County of Allegany, State of New York be removed and disposed of.

I Margo A. Jennings, Clerk of the Board of the Town of Belfast, County of Allegany, State of New York, do hereby certify this resolution, which was passed by said board on the 20th day of May 2002.

OFFERED BY: Joe Curcio SECONDED BY: Aaron

VOTE: AYES 5 NOES _____ ABSENT _____ VOICE _____

Supervisor, Robert W. Hauring, yes

Councilman, Alan Chamberlain, yes

Councilman, Mentle Preston, yes

Councilman, [Signature], yes

Councilman, [Signature], yes

Margo A. Jennings
Belfast Town Clerk

(SEAL)

REFERRAL

NAME OF COMMITTEE

MEETING DATE:

PUBLIC WORKS

DATE: JUNE 05, 2002

TO: WAYS & MEANS

RE: TRANSFER TO CAPITAL ACCOUNTS

Request \$85,000.00 be transferred from Road Machinery Account DM9553.904 - Interfund Transfer to Capital to Capital Project H5297.200 - CR29, Bridge #28-03.

DATE REFERRED: 06-05-02

COMMITTEE CHAIRMAN

By: 

DSR/ymr

MEMORANDUM OF EXPLANATION

INTRODUCTION NO: _____
(CLERK'S USE ONLY)

COMMITTEE: PUBLIC WORKS

DATE: JUNE 05, 2002

Request \$85,000.00 be transferred from Road Machinery Account DM9553.904 - Interfund Transfer to Capital to Project H5297 - CR29 Bridge #28-03.

FISCAL IMPACT: \$0

For further information regarding this matter, contact:

David S. Roeske
Superintendent

(716)268-9230

DSR/ymr

REFERRAL

NAME OF COMMITTEE

MEETING DATE:

PUBLIC WORKS

DATE: June 05, 2002

TO: WAYS & MEANS

RE: WEST STATE STREET BRIDGE
CAPITAL PROJECT H5256

Request Resolution be prepared approving a supplemental agreement with NYSDOT to cover additional construction costs on the above project.

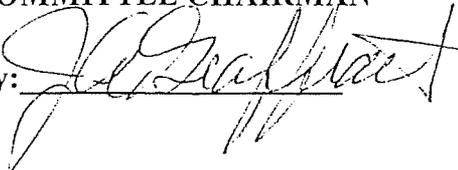
An additional \$46,000 is to be appropriated. Funding is as follows:

		<u>Corresponding Revenue Account</u>
Federal Aid	\$36,800	H11.4089.5256
State Aid	\$ 6,900	H10.3089.5256
Town Share	\$ 345	H03.2300.5256
County Share	\$ 1,955	

Requesting County Share to come from contingency fund.

DATE REFERRED: 06/05/02

COMMITTEE CHAIRMAN

By: 

DSR/ymr

MEMORANDUM OF EXPLANATION

INTRODUCTION NO: _____
(CLERK'S USE ONLY)

COMMITTEE: PUBLIC WORKS

DATE: June 05, 2002

Request resolution be prepared approving a supplemental agreement with NYSDOT to cover additional construction costs on the West State Street Bridge

An additional \$46,000 is to be appropriated to Capital Project H5256.200.
Funding is as follows:

		<u>Corresponding Revenue Account</u>
Federal Aid	\$36,800	H11.4089.5256
State Aid	\$ 6,900	H10.3089.5256
Town Share	\$ 345	H03.2300.5256
County Share	\$ 1,955	

Requesting the County Share to come from Contingency Fund.

FISCAL IMPACT: \$1,955.00 in County Funds

For further information regarding this matter, contact:

David S. Roeske (716)268-9230
Superintendent

DSR/ymr



HIGHWAY
SOLID WASTE
BUILDINGS & GROUNDS

**NOT
APPROVED**

**ALLEGANY COUNTY DEPARTMENT OF
PUBLIC WORKS**

7 COURT STREET • ROOM 210
BELMONT, NEW YORK 14813-1078
TELEPHONE 716-268-9230 FAX 716-268-9648

John Mancuso
RECEIVED

DAVID S. ROESKE
Superintendent

JUN 24 2002

JOHN J. MANCUSO
Deputy Superintendent I

ALLEGANY COUNTY
BOARD OF LEGISLATORS
CHRIS R. JAMES
Deputy Superintendent II

YVONNE M. RECHICHI
Accountant

**LANDFILL CLOSURE
BID OPENING
June 24, 2002
11:00AM**

Bid acceptance closed at 11:00AM.

Present: J. Mancuso, D. Roeske, T. Reed (TVGA),
Representatives of the construction firms listed below

	AMOUNT	BID BOND	NON-COLLUSIVE
Accadia Site Contracting	\$1,949,755.00	X	X
SLC Construction	\$2,979,476.00	X	X
New Dominion	\$2,765,750.00	X	X
Baker's of Jericho Hill	\$1,863,696.00	X	X
Grace Industries	\$2,711,246.20	X	X

Respectfully submitted,

David S. Roeske
David S. Roeske
Superintendent
Allegany County
Department of Public Works

DSR/cmt
06-24-02
lfclosbidopen

J. Margeson

**NOT
APPROVED**

PUBLIC WORKS COMMITTEE
July 10, 2002
11:00 AM

RECEIVED
JUL 15 2002
ALLEGANY COUNTY
BOARD OF LEGISLATORS

Present: J. Graffrath, R. Bennett, R. Truax, E. Sherman, J. Margeson,
D. Roeske, J. Mancuso, G. James

Others: K. Ross (Wellsville Reporter)

1. Meeting called to order
2. Approval of June 6, 2002 minutes
3. Approval of audit
4. Buildings & Grounds project updates
5. Municipal Recycling Grant approval
6. Baker's of Jericho Hill – begin week of July 15th
7. Resolution – Public Hearing
8. Referral to Ways & Means – Landfill Closure
9. Mobilization study
10. Approval to bid Sand/Salt Hauling
11. Highway project updates
12. Joncy Bridge (Alton Saylor Memorial) closed
13. Automotive repair discussion
14. Adjournment

1. The meeting was called to order at 11:07 AM by Chairman Graffrath.
2. A motion was made by Mr. Truax and seconded by Mr. Bennett approving the minutes of June 6, 2002. MOTION CARRIED.
3. A motion was made by Mr. Bennett and seconded by Mr. Truax approving the audit. MOTION CARRIED.
4. Mr. Roeske updated the committee on the Buildings & Grounds projects.
5. Mr. Mancuso informed the committee that the department has received approval for the Municipal Recycling Grant to help cover costs of the Recycling Coordinator and educational materials.

Mr. Bennett made a motion to apply for another grant for the period of May 2003 – April 2006. Mr. Truax seconded the motion. MOTION CARRIED.

6. Mr. Mancuso informed the committee that Baker's of Jericho Hill will begin work on the Landfill Closure the week of July 15, 2002.
7. Mr. Bennett made a motion approving a Resolution to set a date for a public hearing to transfer funds from the Solid Waste repair fund to the capital project fund for the Landfill closure. Mr. Truax seconded the motion. MOTION CARRIED.

RESOLUTION TO BE PREPARED BY COUNTY ATTORNEY.

8. A motion was made by Mr. Truax and seconded by Mr. Bennett approving a Referral to Ways & Means to increase the capital project for Landfill closure. MOTION CARRIED.
9. Mr. Roeske explained to the committee that the department has met with the NYSDOT regarding the traffic mobilization study performed by Sear-Brown. Plans are still being reviewed to decide what would best suit the County.
10. A motion was made by Mr. Bennett and seconded by Mr. Truax approving the bidding of sand/salt hauling. MOTION CARRIED.

11. Mr. Roeske updated the committee on the projects that the Highway Department has completed and how others are progressing.
12. Mr. Roeske informed the committee that the Joncy Bridge (Alton Saylor Memorial Bridge) has been closed. Traffic is being asked to use Peavy Rd. and CR-15 as alternate routes.
13. The committee decided after cost considerations that vehicle maintenance would remain as it is.
14. The meeting was adjourned at 11:44 AM by Chairman Graffrath.

Respectfully submitted,



David S. Roeske
Superintendent
Allegany County
Department of Public Works

DSR/cmt
07-10-02

REFERRAL

NAME OF COMMITTEE

MEETING DATE:

PUBLIC WORKS

DATE: JULY 10, 2002

TO: WAYS & MEANS

RE: INCREASE IN CAPITAL PROJECT H8171
Landfill Closure

Request Capital Project for Landfill Closure, H8171 be increased to reflect revised costs estimates along with a 50% State Funding Grant to be received.

Increase Capital Project Account H8162.200 (Revised Capital Total \$2,500,000.00)	\$1,076,082.02
--	----------------

Record State Assistance Revenue	\$1,250,000.00
---------------------------------	----------------

DATE REFERRED: 07/10/02

COMMITTEE CHAIRMAN

By: _____

DSR/ymr

MEMORANDUM OF EXPLANATION

INTRODUCTION NO: _____
(CLERK'S USE ONLY)

COMMITTEE: PUBLIC WORKS

DATE: JULY 10, 2002

Request Capital Project H8171.200 - Landfill Closure established with Resolution 55-01 be increased to reflect revised estimated costs along with a 50% State Funding Grant to be received.

APPROPRIATIONS

\$1,500,000.00	Appropriated in 2001 with Resolution 55-01 (H8171.200)
<u>\$ 76,082.02</u>	Spent in 2001
\$1,423,917.98	To carry forward in 2002
\$2,500,000.00	Total Capital Project Amount Needed
<u>\$1,423,917.98</u>	Less amount previously appropriated
\$1,076,082.02	Additional amount to be appropriated

REVENUES

\$1,250,000.00	State Assistance Revenue Account to be established
----------------	--

FISCAL IMPACT: \$1,250,000 was impacted in 2001

For further information regarding this matter, contact:

David S. Roeske
Superintendent

(716)268-9230

DSR/ymr



HIGHWAY
SOLID WASTE
BUILDINGS & GROUNDS

**ALLEGANY COUNTY DEPARTMENT OF
PUBLIC WORKS**

7 COURT STREET • ROOM 210
BELMONT, NEW YORK 14813-1078
TELEPHONE 716-268-9230 FAX 716-268-9648

DAVID S. ROESKE
Superintendent

JOHN J. MANCUSO
Deputy Superintendent I

GUY R. JAMES
Deputy Superintendent II

YVONNE M. RECHICHI
Accountant

**LANDFILL CLOSURE PROJECT
CAPITAL ACCOUNT H8171.200**

Construction Cost Estimate (July 2002)

Engineering	\$555,000.00
Contractors bid price	\$1,863,696.00
Contingency	\$81,304.00
Total	\$2,500,000.00
State Assistance Grant - 50%	\$1,250,000.00

yml 07/10/02

J. Margeson Smith

RECEIVED

AUG 19 2002

ALLEGANY COUNTY
BOARD OF LEGISLATORS

**NOT
APPROVED**

PUBLIC WORKS COMMITTEE

August 14, 2002

1:00 PM

Present: J. Graffrath, R. Bennett, R. Truax, E. Sherman, J. Margeson,
P. Regan, D. Roeske, G. James

Others: J. Tompkins (Cuba Patriot)

1. Meeting called to order
2. Approval of July 10 & July 22, 2002 minutes
3. Approval of audit
4. Buildings & Grounds project update - DSS
5. NYSDEC Agreement – Landfill Closure
6. HHW Day collection bid award
7. Sale of mineral rights – Andover property
8. CR29 bridge opening
9. Sand/salt hauling bid award
10. Project updates
11. Committee budget meeting – August 27, 2002, 1:00PM
12. Executive Session
13. Adjournment

1. The meeting was called to order at 1:07 PM by Chairman Graffrath.
2. A motion was made by Mr. Bennett and seconded by Mr. Truax approving the minutes of July 10 & July 22, 2002. ***MOTION CARRIED.***
3. A motion was made by Mr. Bennett and seconded by Mr. Truax approving the audit. ***MOTION CARRIED.***
4. Mr. Roeske updated the committee on the project in the Social Services department.
5. Mr. Bennett approved the motion to request a Resolution authorizing the execution of a contract with the New York State Department of Environmental Conservation for State assistance under the NYS Environmental Conservation Law, Article 54, Title 4, Non-Hazardous Municipal Landfill Closure Program. Mr. Truax seconded the motion. ***MOTION CARRIED.***

COUNTY ATTORNEY TO PREPARE RESOLUTION

6. A motion was made by Mr. Bennett and seconded by Mr. Regan approving the award of the Household Hazardous Waste Day collection to Safety-Kleen, Inc. Opposed by Mr. Truax. ***MOTION CARRIED.***
7. A motion was made by Mr. Bennett and seconded by Mr. Regan approving the sale of the mineral rights on a piece of County owned property on County Route 22 in the Town of Andover to Charles Joyce for the sum of \$100.00. ***MOTION CARRIED.***

COUNTY ATTORNEY TO PREPARE RESOLUTION.

8. Mr. Roeske asked that a tentative date of September 23, 2002 at 1:00PM be set for the opening of the bridge on County Route 29.
9. Mr. Truax made a motion to approve the award of the 2002 sand/salt hauling bid award as recommended. Mr. Regan seconded the motion. ***MOTION CARRIED.***
10. Mr. Roeske and Mr. James updated the committee on several projects that are in process and also future projects.

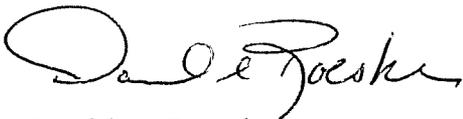
11. It was decided that a special committee meeting for the budget will be held on Tuesday, August 27, 2002, at 1:00PM.

12. A motion was made by Mr. Truax and seconded by Mr. Bennett to move to Executive Session. **MOTION CARRIED.**

13. Mr. Regan made a motion to close the Executive Session at 1:40PM. Mr. Truax seconded the motion. **MOTION CARRIED.**

14. The meeting was adjourned at 1:41PM by Chairman Graffrath.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David S. Roeske". The signature is fluid and cursive, with a large initial "D" and "R".

David S. Roeske
Superintendent
Allegany County
Department of Public Works

MEMORANDUM OF EXPLANATION

INTRODUCTION NO: _____
(CLERK'S USE ONLY)

COMMITTEE: PUBLIC WORKS

DATE: AUGUST 14, 2002

Request a Resolution authorizing the execution of a contract with the New York State Department of Environmental Conservation for State assistance under the NYS Environmental Conservation Law, Article 54, Title 4, Non-Hazardous Municipal Landfill Closure Program.

FISCAL IMPACT: \$1,145,560 in aid
With a maximum of \$2 million

For further information regarding this matter, contact:

David S. Roeske
Superintendent

(716)268-9230

DSR/ymr

John Margeson

**NOT
APPROVED**

**PUBLIC WORKS COMMITTEE
SPECIAL MEETING
AUGUST 27, 2002
1:00 PM**

RECEIVED
AUG 27 2002
ALLEGANY COUNTY
BOARD OF LEGISLATORS

PRESENT: J. Graffrath, R. Bennett, E. Sherman, R. Truax, J. Margeson, J. Mancuso, Y. Rechichi

The 2003 budget was reviewed as follows:

1. Motion by Mr. Truax to approve the Administration Budget A1490 as recommended by the Budget Officer. Seconded by Mr. Bennett. Carried.
2. Motion by Mr. Truax to approve the Buildings & Grounds Budget A1620 as recommended by the Budget Officer. Seconded by Mr. Bennett. Carried.
3. Motion by Mr. Bennett to approve the Solid Waste Budget A8160 as recommended by the Budget Officer. Seconded by Mr. Truax. Carried.
4. Motion by Mr. Truax to approve the Traffic Budget D3310 as recommended by the Budget Officer. Seconded by Mr. Bennett. Carried.
5. Motion by Mr. Truax to approve the Engineering Budget D5020 as recommended by the Budget Officer. Seconded by Mr. Bennett. Carried.
6. Motion by Mr. Truax to approve the Road Construction Budget D5112 as recommended by the Budget Office. Seconded by Mr. Bennett. Carried.
7. Motion by Mr. Bennett to approve the Snow Removal Budget D5142 as recommended by the Budget Officer. Seconded by Mr. Truax. Carried.

8. Motion by Mr. Truax to approve the County Road Budget D5110 as recommended by the Budget Officer. Seconded by Mr. Bennett. Carried.
9. Motion by Mr. Bennett to approve the Road Machinery Budget DM5130 as recommended by the Budget Officer. Seconded by Mr. Truax. Carried.

Meeting adjourned 1:25PM.

Respectfully submitted,

John J. Mancuso
Deputy Superintendent I
Allegany County
Department of Public Works

JJM/cmt
8-27-02
specbudget

Margason

**NOT
APPROVED**

Allegany County
Department of Public Works
Special Committee Meeting
July 22, 2002 2:55PM

RECEIVED
JUL 23 2002
ALLEGANY COUNTY
BOARD OF LEGISLATORS

Present: J. Graffrath, R. Bennett, B. Reynolds, D. Roeske

1. Chairman Graffrath called the meeting to order at 2:55PM.
2. A motion was made by Mr. Bennett to refer to Ways & Means to have a Resolution prepared approving a supplemental agreement with NYSDOT to cover additional construction costs on the Alton Saylor Memorial Bridge (Joncy Bridge). Mr. Reynolds seconded the motion. MOTION CARRIED.

REFERRAL TO WAYS & MEANS

3. The meeting was adjourned at 3:00PM by Chairman Graffrath.

Respectfully Submitted



David S. Roeske, Superintendent

REFERRAL

NAME OF COMMITTEE

MEETING DATE:

PUBLIC WORKS

DATE: July 22, 2002

TO: WAYS & MEANS

RE: ALTON SYLOR MEMORIAL BRIDGE AKA JONCY BRIDGE
CAPITAL PROJECT H5266

Request Resolution be prepared approving a supplemental agreement with NYSDOT to cover additional construction costs on the above project.

An additional \$750,000 is to be appropriated. Funding is as follows:

		<u>Corresponding Revenue Account</u>
Federal Aid	\$600,000	H11.4591.5266
State Aid	\$112,500	H10.3089.5266
Town Share	\$ 5,625	H03.2300.5266
County Share	\$ 31,875	

Requesting County Share to come from contingency fund.

DATE REFERRED: 07/22/02

COMMITTEE CHAIRMAN

By: 

DSR/ymr

MEMORANDUM OF EXPLANATION

INTRODUCTION NO: _____
(CLERK'S USE ONLY)

COMMITTEE: PUBLIC WORKS

DATE: July 22, 2002

Request resolution be prepared approving a supplemental agreement with NYSDOT to cover additional construction costs on the Joncy Bridge aka the Alton Saylor Memorial Bridge

An additional \$750,000 is to be appropriated to Capital Project H5266.200.
Funding is as follows:

		<u>Corresponding Revenue Account</u>
Federal Aid	\$600,000	H11.4591.5266
State Aid	\$112,500	H10.3089.5266
Town Share	\$ 5,625	H03.2300.5266
County Share	\$ 31,875	

Requesting the County Share to come from Contingency Fund.

FISCAL IMPACT: \$31,875.00 in County Funds

For further information regarding this matter, contact:

David S. Roeske
Superintendent

(716)268-9230

DSR/ymr

**CONCRETE BRIDGE
CONSTRUCTION, AND CONSTRUCTION INSPECTION**

Account		Appropriated 2002 Budget	Total Should Be	Increase
15266.200	Total	<u>\$2,260,000.00</u>	<u>\$3,010,000.00</u>	<u>\$750,000.00</u>
111.4591.5266	80% Federal	\$1,808,000.00	\$2,408,000.00	\$600,000.00
110.3089.5266	15% State	\$339,000.00	\$451,500.00	\$112,500.00
	4.25% County	\$96,050.00	\$127,925.00	\$31,875.00
103.2300.5266	.75% Town	\$16,950.00	\$22,575.00	\$5,625.00

COUNTY COSTS

4.25% OF \$3,010,000.00	\$127,925.00
Amount in 2002 Budget	<u>\$96,050.00</u>
Additional County Funds required	\$31,875.00
Requesting to come from Contingency	

mmr 07-18-02

John Margeson

RECEIVED

SEP 05 2002

ALLEGANY COUNTY
BOARD OF LEGISLATORS

**NOT
APPROVED**

PUBLIC WORKS COMMITTEE

September 4, 2002

1:00 PM

Present: J. Graffrath, R. Bennett, R. Truax, E. Sherman, J. Margeson,
P. Regan, B. Reynolds, D. Roeske, J. Mancuso, G. James

Others: J. Hopkins – Cuba Patriot

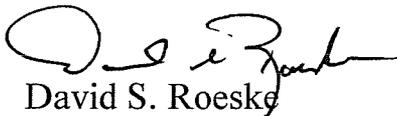
1. Meeting called to order
2. Approval of August 14th & August 27th, 2002 minutes
3. Approval of audit
4. Property in Town of Friendship
5. 2003 Free Tire Days/HHW Collection Day
6. Permission to sell TD25
7. Sheriff's Dept. Assistance
8. Multi-model 2000 funds
9. Date for DPW tour
10. Summer Conference report
11. Willing Bridge opening – 9-23-02
12. Adjournment

1. The meeting was called to order at 1:03 PM by Chairman Graffrath.
2. A motion was made by Mr. Truax and seconded by Mr. Reynolds approving the minutes of August 14 and August 27, 2002. MOTION CARRIED.
3. A motion was made by Mr. Truax and seconded by Mr. Reynolds approving the audit. MOTION CARRIED.
4. A request to purchase property in the Town of Friendship was presented to the Committee. A motion was made by Mr. Truax and seconded by Mr. Reynolds referring this matter to the County Attorney for his recommendations. MOTION CARRIED.
5. Mr. Truax made a motion approving the Free Tire Days be scheduled for 2003 in the same manner as previous years. Mr. Reynolds seconded the motion. The Household Hazardous Waste Collection Day will be decided

after the committee receives a report on this year's collection. MOTION CARRIED.

6. Mr. Reynolds made a motion approving the sale of a TD25 dozer by sealed bid. Mr. Truax seconded the motion. MOTION CARRIED.
7. Mr. Mancuso informed the committee that the Department of Public Works now has a full time Sheriff's Department Deputy who will be available for use by the department if any need should arise.
8. A motion was made by Mr. Truax and seconded by Mr. Reynolds approving the supplemental agreement of the unused portion of the 2002 Multi-Modal funds to another project and authorized the Board Chairman to execute the agreement. MOTION CARRIED. A Board Resolution is not required.
9. Mr. Roeske asked the committee if there was any interest in a DPW tour. Mr. Graffrath will inquire at the next Board of Legislators meeting if there is anyone interested in attending. The tour is tentatively scheduled for early October.
10. Mr. Roeske informed the committee of the information received at the Summer Conference.
11. Mr. Roeske informed the committee and invited all members to the Willing Bridge opening to be held on September 23, 2002, beginning at 12:00PM at the Willing Town Hall.
12. The meeting was adjourned at 1:35PM by Chairman Graffrath.

Respectfully submitted,



David S. Roeske
Superintendent
Allegany County
Department of Public Works

**NOT
APPROVED**

PUBLIC WORKS COMMITTEE
October 2, 2002
1:00 PM

John Malgosa

RECEIVED

OCT 03 2002

ALLEGANY COUNTY
BOARD OF LEGISLATORS

Present: J. Graffrath, R. Bennett, R. Truax, E. Sherman, D. Roeske,
J. Mancuso, G. James

Others: T. Windus, R. DeTine (Village of Belmont), Jim McIntosh and
Sal LaBella (LaBella Associates), W. Dibble, D. Russo

1. Meeting called to order
2. Approval of September 4, 2002 minutes
3. Approval of audit
4. LaBella presentation
5. Bid award – sale of used equipment
6. Purchase of hydroseeder
7. Household Hazardous Waste event – 2003
8. Permission to buy plasma cutter
9. DPW tour reminder
10. Railroad crossings
11. Town of Wirt request – pipe for dry hydrant

1. The meeting was called to order at 1:04 PM by Chairman Graffrath.
2. A motion was made by Mr. Truax and seconded by Mr. Bennett approving the minutes of September 4, 2002. **MOTION CARRIED.**
3. A motion was made by Mr. Truax and seconded by Mr. Bennett approving the audit. **MOTION CARRIED.**
4. A presentation was given by Jim McIntosh and Sal LaBella of Labella Associates on the Wastewater and Potable Water Service Extension. A date in early November will be set for a joint meeting with the Department of Public Works, the Village of Belmont, the Town of Amity and the District II Legislators.

5. Mr. Truax made a motion approving the sale of the used equipment bid to Baker's of Jericho Hill, Inc. Mr. Bennett seconded the motion. **MOTION CARRIED.**
6. Mr. Mancuso informed the committee that the department is going forward with the purchase of the hydroseeder that was approved at the May 1, 2002 committee meeting.
7. The committee gave approval to advertise the Household Hazardous Waste event for 2003 in upcoming publications.
8. A motion was made by Mr. Truax and seconded by Mr. Bennett approving the purchase of a plasma cutter. **MOTION CARRIED.**
9. Mr. Roeske reminded the committee that the Department of Public Works tour will be held on Thursday, October 10, 2002. The tour bus will depart from the Landfill at 9:00AM. Mr. Roeske will call the Legislators to find out who will be attending.
10. Mr. Roeske informed the committee that with the railroad beginning to operate again, the County is responsible for pavement markings and signs at each railroad crossing on a County road. Also, the department would like to assist any town along this rail line with the installation of pavement markings. This was approved by the committee.
11. The meeting was adjourned at 1:56PM by Chairman Graffrath.

Respectfully submitted,

Guy R. James DEPUTY SUPT. II

FOR

David S. Roeske
Superintendent
Allegany County
Department of Public Works

**NOT
APPROVED**

DEPARTMENT OF PUBLIC WORKS
BID OPENING – USED EQUIPMENT
SEPTEMBER 23, 2002
10:00 AM

J. Margison

RECEIVED

SEP 23 2002

ALLEGANY COUNTY
BOARD OF LEGISLATORS

Present: Y. Rechichi, C. Thomas

The following bids were opened for the sale of used equipment:

Baker's of Jericho Hill, Inc. Total bid for all items: \$10,501.00

The bid will be awarded at the next Public Works Committee meeting to be held on October 2, 2002.

Sincerely,



David S. Roeske
Superintendent
Allegany County
Department of Public Works

John Margeson

**NOT
APPROVED**

Allegany County
Department of Public Works
Special Committee Meeting
October 15, 2002 1:15PM

RECEIVED
OCT 17 2002
ALLEGANY COUNTY
BOARD OF LEGISLATORS

Present: J. Graffrath, B. Reynolds, R. Truax, E. Sherman, R. Bennett, D. Roeske,
J. Mancuso

1. Chairman Graffrath called the meeting to order at 1:15PM.
2. A motion was made by Mr. Truax and seconded by Mr. Reynolds approving a transfer of \$5,400.00 from General Supplies County Road D5110.408 to General Supplies D5110.409. MOTION CARRIED.
3. Mr. Truax made a motion to make a referral to Ways & Means to transfer funds among Capital Accounts. Mr. Reynolds seconded the motion. MOTION CARRIED.

REFERRAL TO WAYS & MEANS

4. A motion was made by Mr. Truax and seconded by Mr. Reynolds to have a Resolution prepared authorizing the filing of an application for State assistance under the Household Hazardous Waste State Assistance Program. MOTION CARRIED.

RESOLUTION TO BE PREPARED BY COUNTY ATTORNEY

5. The meeting was adjourned at 1:30PM by Chairman Graffrath.

Respectfully submitted,

John J. Mancuso

John J. Mancuso
Deputy Superintendent I

MEMORANDUM OF EXPLANATION

INTRODUCTION NO: _____

(CLERK'S USE ONLY)

COMMITTEE: PUBLIC WORKS

DATE: OCTOBER 15, 2002

Request a Resolution authorizing the filing of an application for State assistance under the Household Hazardous Waste State Assistance Program.

FISCAL IMPACT: approximately \$3,000

For further information regarding this matter, contact:

David S. Roeske
Superintendent

(716)268-9230

DSR/ymr

MEMORANDUM

FROM: PUBLIC WORKS

TO: John E. Margeson, County Administrator
and
Terri Ross, County Treasurer

PLEASE MAKE THE FOLLOWING TRANSFERS:

BUDGET

<u>From Account</u>	<u>To Account</u>	<u>Amount</u>
D5110.408 - General Supplies	D5110.409 - Fees	\$5,400.00

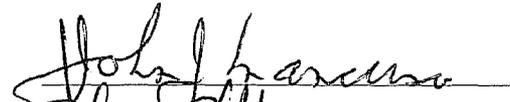
TOTAL \$5,400.00

EXPENDITURES

<u>Date of Check</u>	<u>Check #</u>	<u>From Acct. No.</u>	<u>To Acct. No.</u>	<u>Amount</u>
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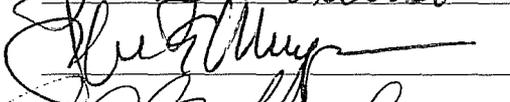
TOTAL \$0.00

DEPARTMENT AUTHORIZATION:



DATED: 09/25/02

CO. ADMIN. AUTHORIZATION:



DATED: 9-26-02

COMMITTEE AUTHORIZATION:



DATED: 10/15/02

SUBMIT THIS FORM TO COUNTY ADMINISTRATOR TO AUTHORIZE INDIVIDUAL DEPARTMENTAL TRANSFERS OR FUNDS WITHIN ANY PERSONAL SERVICES, EQUIPMENT OR CONTRACTUAL EXPENSES APPROPRIATION ACCOUNT IN AMOUNTS OF LESS THAN \$5,000.00 PER TRANSACTION. ALL OTHER TRANSACTIONS MUST HAVE COMMITTEE OF JURISDICTION APPROVAL.

MEMORANDUM OF EXPLANATION

INTRODUCTION NO: _____
(CLERK'S USE ONLY)

COMMITTEE: PUBLIC WORKS

DATE: OCTOBER 15, 2001

Request the following transfers be made among Capital Project Accounts:

From:

H5404.200	BR24-19, Allen Rd., Scio	\$ 5,000.00
H5405.200	BR15-04, CR7D, Cuba	\$22,000.00

To:

H5297.200	Br28-03, CR29, Willing	\$27,000.00
-----------	------------------------	-------------

FISCAL IMPACT: \$0

For further information regarding this matter, contact:

David S. Roeske
Superintendent

(716)268-9230

DSR/ymr

John Margeson

**NOT
APPROVED**

PUBLIC WORKS COMMITTEE
November 6, 2002
1:00 PM

RECEIVED
NOV 14 2002
ALLEGANY COUNTY
BOARD OF LEGISLATORS

Present: J. Graffrath, R. Bennett, E. Sherman, B. Reynolds, P. Regan, J. Margeson, D. Roeske, J. Mancuso, G. James

Others: T. Windus, Dr. Ogden, W. Dibble, D. Russo

1. Meeting called to order
2. Approval of October 2, 2002 minutes
3. Approval of audit
4. Health Department request – carpets
5. Update on maintenance building fire
6. Renewal of leachate agreements
7. Application for Governor's award
8. Recycling news – local award, clothing recycling project, "Make-It-Last" guide
9. Sheriff Dept. impound area – CR48
10. Permission to bid fire suppression systems
11. Permission to renew deer carcass removal contract
12. Snow & Ice fuel adjustment to Towns
13. Bridges – Boston
14. Adjournment

1. The meeting was called to order at 1:05 PM by Chairman Graffrath.
2. A motion was made by Mr. Reynolds and seconded by Mr. Bennett approving the minutes of October 2, 2002. **MOTION CARRIED.**
3. A motion was made by Mr. Bennett and seconded by Mr. Regan approving the audit. **MOTION CARRIED.**
4. A request was made from Dr. Ogden for carpet to be installed in the nurse's station in the Health Department. The Health Department has agreed to pay for the carpet, maintain it, and cover the replacement costs when the time comes. A motion was made by Mr. Reynolds and seconded by Mr. Truax approving this request. **MOTION CARRIED.** Mr. Bennett voted against this motion.

5. Mr. Roeske updated the committee on the damages from the fire in the maintenance shop and how the restoration is progressing.
6. A motion was made by Mr. Reynolds and seconded by Mr. Bennett to make a Resolution approving the renewal of the leachate agreement with the City of Olean with all terms and conditions the same. **MOTION CARRIED.**

RESOLUTION TO BE PREPARED BY COUNTY ATTORNEY.

A motion was made by Mr. Reynolds and seconded by Mr. Regan to make a Resolution approving the renewal of the leachate agreements with Bolivar, Cuba, Friendship, Houghton and Wellsville with all terms and conditions the same. **MOTION CARRIED.**

RESOLUTION TO BE PREPARED BY COUNTY ATTORNEY.

7. Mr. Mancuso informed the committee that the Department of Public Works had applied for the 2002 New York State Governor's Award for Waste Reduction and Recycling. Regrettably, the department was not selected for this year's award but was commended on the commitment to waste reduction and recycling.
8. Mr. Mancuso informed the committee that the Department of Public Works is going to be accepting nominations for the Recycler of the Year Award in Allegany County; the award will be given sometime in December. Mr. Mancuso also updated the committee on the apparent success of the clothing recycling project, and informed the committee of the "Make-It-Last" guide that is available through the department.
9. Mr. Mancuso informed the committee that there are plans being made to turn an area at the stockpile on County Road 48 into the Sheriff's Department vehicle impound area as well as an impound area for the Department of Public Works.
10. Mr. Bennett made a motion approving the bid of five fire suppression systems to be installed at the Friendship Shop along with the four district shops. Mr. Regan seconded the motion. **MOTION CARRIED.**

11. A motion was made by Mr. Regan and seconded by Mr. Bennett approving the renewal of the deer carcass removal to Simonsen Enterprises. **MOTION CARRIED.**

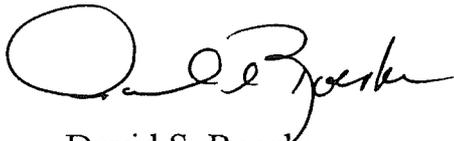
12. A motion was made by Mr. Regan and seconded by Mr. Bennett approving the 2002/2003 snow and ice season fuel adjustment of \$40.00 per center-line mile to the Towns. Payment will be included in the March 2003 payment to the Towns. **MOTION CARRIED.**

COUNTY ATTORNEY TO PREPARE RESOLUTION TO AMEND CONTRACT.

13. It was approved by the committee to send a representative to Boston, MA, for the purpose of procuring bridge superstructure panels. These panels are various sizes and will only cost shipping from Massachusetts to New York. The department will analyze its needs and act accordingly. The committee authorized the department to expend up to \$150,000 for the procurement of these panels.

14. The meeting was adjourned at 1:53PM by Chairman Graffrath.

Respectfully submitted,



David S. Roeske
Superintendent
Allegany County
Department of Public Works

DSR/cmt
11/14/02

MEMORANDUM OF EXPLANATION

INTRODUCTION NO: _____
(CLERK'S USE ONLY)

COMMITTEE: PUBLIC WORKS

DATE: November 6, 2002

Request a Resolution renewing an agreement with the Village of Friendship for leachate disposal.

FISCAL IMPACT: \$.025 per gallon

For further information regarding this matter, contact:

David S. Roeske
Superintendent

(716) 268-9230

DSR/cmt
11-14-02

MEMORANDUM OF EXPLANATION

INTRODUCTION NO: _____
(CLERK'S USE ONLY)

COMMITTEE: PUBLIC WORKS

DATE: November 6, 2002

Request a Resolution renewing an agreement with the Village of Cuba for leachate disposal.

FISCAL IMPACT: \$.025 per gallon

For further information regarding this matter, contact:

David S. Roeske
Superintendent

(716) 268-9230

DSR/cmt
11-14-02

MEMORANDUM OF EXPLANATION

INTRODUCTION NO: _____
(CLERK'S USE ONLY)

COMMITTEE: PUBLIC WORKS

DATE: November 6, 2002

Request a Resolution renewing an agreement with the Village of Bolivar for leachate disposal.

FISCAL IMPACT: \$.025 per gallon

For further information regarding this matter, contact:

David S. Roeske
Superintendent

(716) 268-9230

DSR/cmt
11-14-02

MEMORANDUM OF EXPLANATION

INTRODUCTION NO: _____
(CLERK'S USE ONLY)

COMMITTEE: PUBLIC WORKS

DATE: November 6, 2002

Request a Resolution renewing an agreement with the Village of Wellsville for leachate disposal.

FISCAL IMPACT: \$.025 per gallon

For further information regarding this matter, contact:

David S. Roeske
Superintendent

(716) 268-9230

DSR/cmt
08-01-01

MEMORANDUM OF EXPLANATION

INTRODUCTION NO: _____
(CLERK'S USE ONLY)

COMMITTEE: PUBLIC WORKS

DATE: November 6, 2002

A Resolution is required to renew the agreement with the City of Olean for the disposal of City of Olean waste water treatment sludge at the Allegany County Landfill and the treatment of our leachate at the Olean Waste Water Treatment Plant. All terms and conditions remain the same.

FISCAL IMPACT: \$35,000 estimated in revenues
 and \$10,000 in expenditures

For further information regarding this matter, contact:

David S. Roeske
Superintendent

(716) 268-9230

DSR/cmt
11-14-02

MEMORANDUM OF EXPLANATION

INTRODUCTION NO: _____
(CLERK'S USE ONLY)

COMMITTEE: PUBLIC WORKS

DATE: NOVEMBER 6, 2002

Request a Resolution be prepared amending Snow Removal and Ice Control Contract between the County of Allegany and various Towns in the County.

The per mile payment to the Town should increase \$40.00 per mile as a fuel adjustment for the 2002-2003 snow season.

FISCAL IMPACT: \$12,720.40

For further information regarding this matter, contact:

**David S. Roeske
Deputy Superintendent**

(716)268-9230

DSR/ymr

MEMORANDUM OF EXPLANATION

INTRODUCTION NO: _____
(CLERK'S USE ONLY)

COMMITTEE: PUBLIC WORKS

DATE: November 6, 2002

Request a Resolution renewing an agreement with the Village of Houghton for leachate disposal.

FISCAL IMPACT: \$.025 per gallon

For further information regarding this matter, contact:

David S. Roeske
Superintendent

(716) 268-9230

DSR/cmt
11-14-02

**NOT
APPROVED**

PUBLIC WORKS COMMITTEE

November 6, 2002

1:00 PM

REVISED (#11)

John Margeson

RECEIVED

NOV 22 2002

ALLEGANY COUNTY
BOARD OF LEGISLATORS

Present: J. Graffrath, R. Bennett, E. Sherman, B. Reynolds, P. Regan, J. Margeson, D. Roeske, J. Mancuso, G. James

Others: T. Windus, Dr. Ogden, W. Dibble, D. Russo

1. Meeting called to order
2. Approval of October 2, 2002 minutes
3. Approval of audit
4. Health Department request – carpets
5. Update on maintenance building fire
6. Renewal of leachate agreements
7. Application for Governor's award
8. Recycling news – local award, clothing recycling project, "Make-It-Last" guide
9. Sheriff Dept. impound area – CR48
10. Permission to bid fire suppression systems
11. Permission to renew deer carcass removal contract
12. Snow & Ice fuel adjustment to Towns
13. Bridges – Boston
14. Adjournment

1. The meeting was called to order at 1:05 PM by Chairman Graffrath.
2. A motion was made by Mr. Reynolds and seconded by Mr. Bennett approving the minutes of October 2, 2002. **MOTION CARRIED.**
3. A motion was made by Mr. Bennett and seconded by Mr. Regan approving the audit. **MOTION CARRIED.**
4. A request was made from Dr. Ogden for carpet to be installed in the nurse's station in the Health Department. The Health Department has agreed to pay for the carpet, maintain it, and cover the replacement costs when the time comes. A motion was made by Mr. Reynolds and seconded by Mr. Truax approving this request. **MOTION CARRIED.** Mr. Bennett voted against this motion.

5. Mr. Roeske updated the committee on the damages from the fire in the maintenance shop and how the restoration is progressing.
6. A motion was made by Mr. Reynolds and seconded by Mr. Bennett to make a Resolution approving the renewal of the leachate agreement with the City of Olean with all terms and conditions the same. **MOTION CARRIED.**

RESOLUTION TO BE PREPARED BY COUNTY ATTORNEY.

A motion was made by Mr. Reynolds and seconded by Mr. Regan to make a Resolution approving the renewal of the leachate agreements with Bolivar, Cuba, Friendship, Houghton and Wellsville with all terms and conditions the same. **MOTION CARRIED.**

RESOLUTION TO BE PREPARED BY COUNTY ATTORNEY.

7. Mr. Mancuso informed the committee that the Department of Public Works had applied for the 2002 New York State Governor's Award for Waste Reduction and Recycling. Regrettably, the department was not selected for this year's award but was commended on the commitment to waste reduction and recycling.
8. Mr. Mancuso informed the committee that the Department of Public Works is going to be accepting nominations for the Recycler of the Year Award in Allegany County; the award will be given sometime in December. Mr. Mancuso also updated the committee on the apparent success of the clothing recycling project, and informed the committee of the "Make-It-Last" guide that is available through the department.
9. Mr. Mancuso informed the committee that there are plans being made to turn an area at the stockpile on County Road 48 into the Sheriff's Department vehicle impound area as well as an impound area for the Department of Public Works.
10. Mr. Bennett made a motion approving the bid of five fire suppression systems to be installed at the Friendship Shop along with the four district shops. Mr. Regan seconded the motion. **MOTION CARRIED.**

11. A motion was made by Mr. Regan and seconded by Mr. Bennett approving the renewal of the deer carcass removal to Simonsen Enterprises. **MOTION CARRIED.**

COUNTY ATTORNEY TO PREPARE RESOLUTION

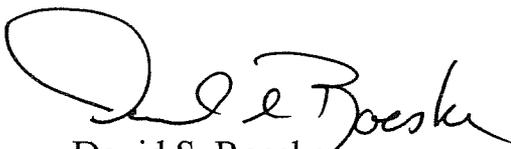
12. A motion was made by Mr. Regan and seconded by Mr. Bennett approving the 2002/2003 snow and ice season fuel adjustment of \$40.00 per center-line mile to the Towns. Payment will be included in the March 2003 payment to the Towns. **MOTION CARRIED.**

COUNTY ATTORNEY TO PREPARE RESOLUTION TO AMEND CONTRACT.

13. It was approved by the committee to send a representative to Boston, MA, for the purpose of procuring bridge superstructure panels. These panels are various sizes and will only cost shipping from Massachusetts to New York. The department will analyze its needs and act accordingly. The committee authorized the department to expend up to \$150,000 for the procurement of these panels.

14. The meeting was adjourned at 1:53PM by Chairman Graffrath.

Respectfully submitted,



David S. Roeske
Superintendent
Allegany County
Department of Public Works

MEMORANDUM OF EXPLANATION

INTRODUCTION NO: _____
(CLERK'S USE ONLY)

COMMITTEE: PUBLIC WORKS

DATE: NOVEMBER 6, 2002

Request a Resolution be prepared approving an agreement with Simonsen Enterprises for Deer Carcass removal. Contract will be for the calendar year 2003, charge of \$32.50 per pickup and shall not exceed \$10,000 total payment.

FISCAL IMPACT: \$5,000.00

For further information regarding this matter, contact:

David S. Roeske
Superintendent

(716)268-9230

DSR/ymr

John Margason

**NOT
APPROVED**

**PUBLIC WORKS COMMITTEE
SPECIAL MEETING
NOVEMBER 25, 2002**

RECEIVED
NOV 25 2002
ALLEGANY COUNTY
BOARD OF LEGISLATORS

Present: J. Graffrath, R. Bennett, P. Regan, B Reynolds, E. Sherman, D. Roeske

Chairman Graffrath called the meeting to order at 1:42.

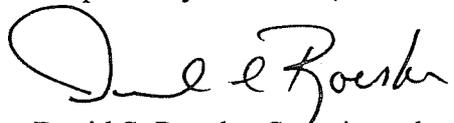
D. Roeske asked the committee to support a resolution to approve an agreement with LaForge Disposal Service, Inc., to accept municipal solid waste generated outside of Allegany County which is not toxic, hazardous, or detrimental to the County Landfill and does not involve any additional costs or potential liability to the County. The maximum reality of acceptance is 5,000 ton per year at a cost of \$35.00 per ton.

On motion by B. Reynolds, seconded by P. Regan, opposed by R. Bennett, motion was carried to approve said resolution.

PREPARE A RESOLUTION

Meeting was adjourned at 1:45.

Respectfully submitted,


David S. Roeske, Superintendent

DSR/aa
11/25/02

John Margeson

**NOT
APPROVED**

PUBLIC WORKS COMMITTEE
December 4, 2002
1:00 PM

RECEIVED
DEC 05 2002
ALLEGANY COUNTY
BOARD OF LEGISLATORS

Present: J. Graffrath, R. Bennett, E. Sherman, P. Regan, J. Margeson,
R. Truax, D. Roeske, J. Mancuso, G. James

1. Meeting called to order
2. Approval of November 6, 2002 minutes
3. Approval of audit
4. Approval of transfers
5. Petition from Department of Social Services
6. Landfill construction – winter shutdown
7. Updates on availability of bridge panels in Massachusetts
8. Resource Management referral
9. NYSCHSA Winter Conference – January 20 – 23, 2003
10. Permission to bid timber bridge decks for Allegany/Livingston Counties
11. Fuel suppression system bid award
12. Stockpile lease renewal – CR15-A
13. Tree removal at Oil Springs Indian Reservation
14. Adjournment

1. The meeting was called to order at 1:03 PM by Chairman Graffrath.
2. A motion was made by Mr. Bennett and seconded by Mr. Truax approving the minutes of November 6, 2002. **MOTION CARRIED.**
3. A motion was made by Mr. Bennett and seconded by Mr. Regan approving the audit. **MOTION CARRIED.**
4. Mr. Bennett made a motion to approve a transfer of \$12,000.00 from A1620.428 and \$3,000.00 from A1620.412 to account A1620.426. Mr. Regan seconded the motion. **MOTION CARRIED.**

5. Mr. Regan made a motion to make a referral to Ways & Means for an amendment to have transfers made within the 2003 County Budget. Mr. Bennett seconded the motion. **MOTION CARRIED.**

REFERRAL TO WAYS & MEANS

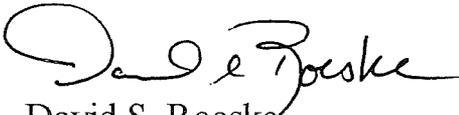
6. Mr. Roeske informed the committee that he has received a petition signed by employees of the Department of Social Services regarding his decision to collect trash twice per week due to a reduction in the Buildings & Grounds workforce. The committee understood Mr. Roeske's decision.
7. Mr. Roeske informed the committee about the bridge superstructure panels in Massachusetts and he will keep them informed of any progress.
8. A motion was made by Mr. Regan and seconded by Mr. Truax approving the request made by Resource Management to have the Seneca Oil Springs Bridge inspected to make sure the structure is sound. **MOTION CARRIED.**
9. Mr. Roeske informed the committee that the New York State County Highway Superintendents Conference in Albany will be held January 20 – 23, 2003 and asked if there was any interest by committee members in attending.
10. A motion was made by Mr. Truax and seconded by Mr. Bennett approving the bid of the timber bridge decks for Allegany and Livingston Counties for 2003. **MOTION CARRIED.**
11. Mr. Truax made a motion approving the award of the fuel pump fire suppression systems bid to the lowest bidder. Mr. Bennett seconded the motion. **MOTION CARRIED.**
12. Mr. Regan made a motion to make a referral to Ways & Means for approval of a lease of a parcel of land on CR15-A to be used for material storage for five years. Mr. Bennett seconded the motion. **MOTION CARRIED.**

REFERRAL TO WAYS & MEANS

13. Mr. Margeson asked the committee about the possibility of having some dead elm trees removed from the Oil Springs Indian Reservation. Mr. Roeske said that it should not be a problem to remove them. Mr. Margeson and Mr. Roeske will determine which trees are to be removed.

14. The meeting was adjourned at 1:31PM by Chairman Graffrath.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David S. Roeske". The signature is fluid and cursive, with the first name "David" being the most prominent.

David S. Roeske
Superintendent
Allegany County
Department of Public Works

DSR/cmt
12/05/02

REFERRAL

NAME OF COMMITTEE

MEETING DATE:

PUBLIC WORKS

DATE: DECEMBER 4, 2002

TO: WAYS & MEANS

RE: AMENDMENT TO THE 2003 COUNTY BUDGET

Request the 2003 County Budget be amended as follows:

Account No.	Account	Amendment
A8160.2	Solid Waste	Change from \$127,500 to \$75,000
A8160.4	Solid Waste	Change from \$465,200 to \$517,700
DM5130.2	Road Machinery	Change from \$142,725 to \$20,000
DM5130.4	Road Machinery	Change from \$230,235 to \$352,960

DATE REFERRED: 12/04/02


COMMITTEE CHAIRMAN

By: _____

DSR/ymr

MEMORANDUM OF EXPLANATION

INTRODUCTION NO: _____

(CLERK'S USE ONLY)

COMMITTEE: PUBLIC WORKS

DATE: DECEMBER 04, 2002

Request the 2003 County Budget be amended as follows:

<u>Account No.</u>	<u>Account</u>	<u>Amendment</u>
A8160.2	Solid Waste	Change from \$127,500 to \$75,000
A8160.4	Solid Waste	Change from \$465,200 to \$517,700
DM5130.2	Road Machinery	Change from \$142,725 to \$20,000
DM5130.4	Road Machinery	Change from \$230,235 to \$352,960

FISCAL IMPACT: \$0

For further information regarding this matter, contact:

David S. Roeske
Superintendent

(585) 268-9230

DSR/ymr

REFERRAL

NAME OF COMMITTEE:

MEETING DATE:

Resource Management

November 25, 2002

TO: Public Works Committee

FILED

RE: Seneca Oil Springs

NOV 26 2002

The Resource Management Committee request to have an

engineer survey the Seneca Oil Springs bridge to make sure

the structure is sound.

DATE REFERRED: 11/25/02

Susan F. Myers

COMMITTEE CHAIRMAN

BY: *Susan Myers*

REFERRAL

NAME OF COMMITTEE

MEETING DATE:

PUBLIC WORKS

DATE: DECEMBER 04, 2002

TO: WAYS & MEANS

RE: LEASE OF CR15A PROPERTY

Request approval to lease a parcel of land on CR15A from Duane & Terry Gelser. Lease shall be for term of five years, from January 15, 2003.

Yearly rental will be \$200.00.

DATE REFERRED: 12/04/02


COMMITTEE CHAIRMAN

By: _____

DSR/ymr

MEMORANDUM OF EXPLANATION

INTRODUCTION NO: _____
(CLERK'S USE ONLY)

COMMITTEE: PUBLIC WORKS

DATE: DECEMBER 04, 2002

Request a Resolution be prepared approving the lease of a parcel of land on CR15A from Duane & Terry Gelser.

Lease shall be for a term of five years, starting on January 15, 2003.

FISCAL IMPACT: \$200 annually

For further information regarding this matter, contact:

**David S. Roeske
Superintendent**

(585)268-9230

DSR/ymr

**NOT
APPROVED**

PUBLIC WORKS COMMITTEE
SPECIAL MEETING
December 23, 2002
1:30PM

John Margerson

RECEIVED

DEC 27 2002

ALLEGANY COUNTY
BOARD OF LEGISLATORS

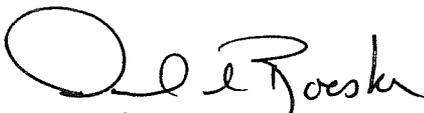
Present: James Graffrath, Rodney Bennett, Brent Reynolds, Ron Truax, David Roeske

1. The meeting was called to order by Chairman Graffrath at 1:30PM.
2. A motion was made by Mr. Bennett and seconded by Mr. Reynolds to make a referral to Ways & Means requesting a resolution be prepared approving an agreement with NYSDOT for a project on East Hill Road, Caneadea. **MOTION CARRIED.**

REFERRAL TO WAYS & MEANS

3. Mr. Reynolds made a motion approving a transfer in the amount of \$10,000.00 from various .4 accounts to DM5130.408 – general supplies. Mr. Bennett seconded the motion. **MOTION CARRIED.**
4. Mr. Truax made a motion to approve a transfer of \$10,740.30 from H5403.200 to H5406.200. Mr. Bennett seconded the motion. **MOTION CARRIED.**
5. A motion was made by Mr. Reynolds and seconded by Mr. Bennett approving the transfer of \$18,000.00 from A8160.498 – daily cover to A8160.493 – Solid Waste Reserve. **MOTION CARRIED.**
6. A motion was made by Mr. Bennett and seconded by Mr. Truax approving the transfer of \$5,685.00 from A8160.204 – motor vehicles to A8160.210 – other, fuel suppression. **MOTION CARRIED.**
7. The meeting was adjourned at 1:45PM by Chairman Graffrath.

Sincerely,



David S. Roeske
Superintendent
Allegany County
Department of Public Works

DSR/cmt
12-23-02
spec

Tawny Bennett

MEMORANDUM

FROM: PUBLIC WORKS

TO: John E. Margeson, County Administrator
and
Terri Ross, County Treasurer

PLEASE MAKE THE FOLLOWING TRANSFERS:

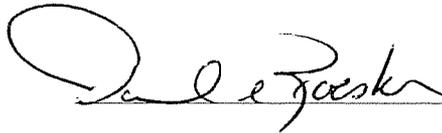
BUDGET

<u>From Account</u>	<u>To Account</u>	<u>Amount</u>
		TOTAL \$0.00

EXPENDITURES

<u>Date of Check</u>	<u>Check #</u>		<u>From Acct. No.</u>	<u>To Acct. No.</u>	<u>Amount</u>
11/25/02	1229	A.L. Blades	H5403.200	H5406.200	\$10,740.30
					TOTAL \$10,740.30

DEPARTMENT AUTHORIZATION:



12/23/02

CO. ADMIN. AUTHORIZATION:

DATED:

COMMITTEE AUTHORIZATION:

DATED:

SUBMIT THIS FORM TO COUNTY ADMINISTRATOR TO AUTHORIZE INDIVIDUAL DEPARTMENTAL TRANSFERS OR FUNDS WITHIN ANY PERSONAL SERVICES, EQUIPMENT OR CONTRACTUAL EXPENSES APPROPRIATION ACCOUNT IN AMOUNTS OF LESS THAN \$5,000.00 PER TRANSACTION. ALL OTHER TRANSACTIONS MUST HAVE COMMITTEE OF JURISDICTION APPROVAL.

*Reynolds
Barnett*

MEMORANDUM

FROM: PUBLIC WORKS

TO: John E. Margeson, County Administrator
and
Terri Ross, County Treasurer

PLEASE MAKE THE FOLLOWING TRANSFERS:

BUDGET

<u>From Account</u>	<u>To Account</u>	<u>Amount</u>
A8160.498 - Daily Cover	A8160.493 - Solid Waste Reserve	\$18,000.00

TOTAL \$18,000.00

EXPENDITURES

<u>Date of Check</u>	<u>Check #</u>	<u>From Acct. No.</u>	<u>To Acct. No.</u>	<u>Amount</u>
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TOTAL \$0.00

DEPARTMENT AUTHORIZATION: *Dee Zoeske* DATED: 12/23/02

CO. ADMIN. AUTHORIZATION: _____ DATED: _____

COMMITTEE AUTHORIZATION: _____ DATED: _____

SUBMIT THIS FORM TO COUNTY ADMINISTRATOR TO AUTHORIZE INDIVIDUAL DEPARTMENTAL TRANSFERS OR FUNDS WITHIN ANY PERSONAL SERVICES, EQUIPMENT OR CONTRACTUAL EXPENSES APPROPRIATION ACCOUNT IN AMOUNTS OF LESS THAN \$5,000.00 PER TRANSACTION. ALL OTHER TRANSACTIONS MUST HAVE COMMITTEE OF JURISDICTION APPROVAL.

*Bennett
Tracy*

MEMORANDUM

FROM: PUBLIC WORKS

TO: John E. Margeson, County Administrator
and
Terri Ross, County Treasurer

PLEASE MAKE THE FOLLOWING TRANSFERS:

BUDGET

<u>From Account</u>	<u>To Account</u>	<u>Amount</u>
A8160.204 - Motor Vehicles	A8160.210 - Other, Fuel Suppression	\$5,685.00
	TOTAL	\$5,685.00

EXPENDITURES

<u>Date of Check</u>	<u>Check #</u>	<u>From Acct. No.</u>	<u>To Acct. No.</u>	<u>Amount</u>	
				TOTAL	\$0.00

DEPARTMENT AUTHORIZATION:

Dee Boesler

DATED: 12/20/02

CO. ADMIN. AUTHORIZATION:

DATED: _____

COMMITTEE AUTHORIZATION:

DATED: _____

SUBMIT THIS FORM TO COUNTY ADMINISTRATOR TO AUTHORIZE INDIVIDUAL DEPARTMENTAL TRANSFERS OR FUNDS WITHIN ANY PERSONAL SERVICES, EQUIPMENT OR CONTRACTUAL EXPENSES APPROPRIATION ACCOUNT IN AMOUNTS OF LESS THAN \$5,000.00 PER TRANSACTION. ALL OTHER TRANSACTIONS MUST HAVE COMMITTEE OF JURISDICTION APPROVAL.

REFERRAL

NAME OF COMMITTEE

MEETING DATE:

PUBLIC WORKS

DATE: December 23, 2002

TO: WAYS & MEANS

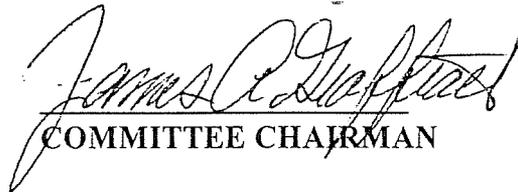
RE: East Hill Road Bridge, Caneadea

Request Resolution be prepared approving an agreement with NYSDOT for a project on East Hill Road, Caneadea.

\$661,600 is to be appropriated. Funding is as follows:

Federal Aid	\$529,280	80%
County Share	\$132,320	

DATE REFERRED: 12/23/02


COMMITTEE CHAIRMAN

By: _____

DSR/ymr

MEMORANDUM OF EXPLANATION

INTRODUCTION NO: _____
(CLERK'S USE ONLY)

COMMITTEE: PUBLIC WORKS

DATE: December 23, 2002

Request resolution be prepared approving an agreement with NYSDOT for a project on East Hill Road, Caneadea.

\$661,600 is to be appropriated to Capital Project to be set up by the County Treasurer.

Funding is as follows:

Federal Aid 80%	\$529,280
County Share	\$132,320

The department will also resubmit the Historic Preservation Grant Application.

FISCAL IMPACT: \$132,320.00 in County Funds

For further information regarding this matter, contact:

David S. Roeske (585)268-9230
Superintendent

DSR/ymr



STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
107 BROADWAY
HORNELL, N.Y. 14843

PETER E. WHITE, P.E.
REGIONAL DIRECTOR

JOSEPH H. BOARDMAN
COMMISSIONER

December 12, 2002

Mr. David S. Roeske
Superintendent
Allegany County DPW
7 Court Street
Room 210
Belmont, New York 14813

Re: **Transportation Enhancements Program**
PIN 6753.39
East Hill Road Bridge

Dear Mr. Roeske:

At this time it is necessary to execute an agreement between Allegany County and the Department of Transportation concerning your above noted Transportation Enhancements project. This agreement will authorize the County to administer the project, to first instance all costs and to be reimbursed by the State for costs incurred for a maximum of \$529,280.00.

Enclosed please find eight (8) copies of the agreement and supporting resolution. Would you please review this material and present it to the County Board of Legislators for their action, returning seven (7) executed copies to this office. **It needs to be signed by the Chairperson and the County Attorney and to be notarized.** Seven original copies of the resolution are also required.

If you have any questions, please contact me at (607) 324-8415.

Sincerely,

A handwritten signature in cursive script, appearing to read "Richard O. Rauber".

Richard O. Rauber
Municipal Programs Coordinator
ROR:lf
Enclosures

RESOLUTION BY MUNICIPALITY

RESOLUTION NUMBER: _____

Authorizing the implementation, and funding of the federal aid-eligible costs, of a transportation federal-aid project, to fully fund the local share of federal-aid eligible and ineligible project costs, and appropriating funds therefor.

WHEREAS, a Project for the East Hill Road Bridge Project, P.I.N.6753.39.321 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Allegany desires to advance the above project by making a commitment of 100% of the non-federal share of the costs of East Hill Road Bridge Project.

NOW, THEREFORE, the Board of Legislators, duly convened does hereby

RESOLVE, that the Board of Legislators hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Board of Legislators hereby authorizes the County of Allegany to pay in the first instance 100% of the federal and non-federal share of the cost of design and construction work for the Project or portions thereof, and it is further

RESOLVED, that the sum of \$661,600.00 is hereby appropriated from _____ [or, appropriated pursuant to _____] and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the County of Allegany shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof,, and it is further

RESOLVED, that the Chairperson of the County Board of Legislators be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Allegany with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid-eligible Project costs within appropriations therefor that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

**NOT
APPROVED**

**PERSONNEL COMMITTEE
SPECIAL MEETING
MINUTES
DECEMBER 9, 2002**

John Margeson
RECEIVED
DEC 10 2002
ALLEGANY COUNTY
BOARD OF LEGISLATORS

Present: R. Heineman, E. Burdick, C. Crandall, Wm. Dibble, D. Russo

The meeting was called to order by chairman Heineman at 4:00 p.m.

A motion was made by Wm. Dibble, seconded by E. Burdick and carried unanimously to offer a resolution to implement a 3% across-the-board salary increase in 2003 for all non-unit salaried employees.

PREPARE A RESOLUTION

Meeting was adjourned at 4:05 p.m.

Respectfully Submitted:

John E. Margeson