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NOT
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APR 29 2004
ALLEGANY COUNTY
ADMINISTRATOR

COMMITTEE OF THE WHOLE
April 12, 2004

Present: R. Bennett, E. Burdick, C. Crandall, W. Dibble, J. Graffrath, R. Heineman (left early), S. Myers, K. Nielsen, J. Palmer, P. Regan, D. Russo, E. Sherman, R. Sobeck, R. Truax, J. Margeson, D. Guiney, B. Rigby, A. Finnemore, Several Department Heads and County Employees and Approximately 25 Members of the Public

Absent: B. Reynolds

Call to Order at 2:45 p.m. by Chairman Palmer.

The purpose of the Committee of the Whole meeting was to consider options for the management of the Allegany County landfill/transfer station system. Representatives from Colucci and Gallaher had presented information on several options (Sale, Long-Term Lease with a Private Operator, Creation of a Refuse District, Creation of a Public Benefit Corporation) at a meeting of the Facilities Planning and Management Committee held on March 29. Chairman Palmer opened the floor to members of the public desiring to speak, followed by legislators' comments.

PUBLIC COMMENTS:

Helen McCarty, Wellsville

Ms. McCarty expressed concern that so few people are informed on an issue of so great importance as the possible lease or sale of the landfill. Concerned Citizens of Cattaraugus County have done extensive research on Casella, the private waste management company that expressed interest in leasing, and this information can be viewed on the internet. Ms. McCarty requested that a public referendum be held before a decision is made.

Dwight Fanton, Willing (Town Supervisor)

Mr. Fanton would like to see the County consider a waste management district rather than leasing the landfill. He believes this process may take less than six months to implement. In his opinion, the landfill is well run with an excellent recycling program and considers the landfill a "jewel" for Allegany County. A district would be a separate budget line item outside of the general fund. This could put pressure on the State to give some relief to the County on Medicaid and State Retirement costs. Mr. Fanton would like to see fiscal responsibility at the County level and also feels a County Executive answering to the taxpayers would be better than the present system.

Richard Klein, Cuba

The County assumed responsibility for the landfill system when the State mandated closure of local dumps and assured localities of usage. He as a taxpayer is happy to pay his share of County obligations, but wants to see fiscal responsibility. Leasing the landfill would not be financially responsible. Taxpayers paid to build the landfill, prepaid to operate it through 2004 with taxes, are being assessed new fees for using it, and the County is selling landfill capacity at below cost. This looks like taxpayers are paying for the same thing four times. The landfill cannot support the entire County budget.

Joseph Zajicek, Amity (Town Supervisor)

Mr. Zajicek stated that some of his concerns have already been voiced and added that he didn't want to see the landfill being used as a crutch to get the County out of a financial fix. He feels that the legislature should consider alternatives to leasing the landfill.

Barb Thompson, Belfast (Landfill Employee)

Ms. Thompson voiced disappointment with some of the responses she has received when trying to contact legislators regarding the landfill issue. The landfill is being operated efficiently and stays within budget. She stated that employees offered cost-saving suggestions in the past, but none have been implemented. Take the landfill issue to the voters.

Burton Stein, Almond

A referendum should be held to allow County citizens to comment on the landfill issue. Mr. Stein feels the landfill is run efficiently. County residents take pride in our County, and a private company shouldn't be looking after hazardous materials in the County's waste system. A private company isn't going to maintain the same standards the County would. Other counties, like Steuben, are putting money into their landfills to make them safer and more efficient; why is Allegany County considering getting rid of theirs? Mr. Stein also mentioned that the Concerned Citizens of Cattaraugus County website contains a wealth of information on the landfill issue, particularly Casella.

Kevin LaForge, Wellsville (County's largest independent solid waste hauler)

Leasing the County landfill would create a defacto monopoly. Other counties engaged in landfill leasing have experienced problems (i.e. Clinton County). Mr. LaForge feels that the Colucci and Gallaher presentation advocated the leasing option of the four options being discussed. He offered a fifth option to continue as is, or to consider the waste management district if that isn't possible.

Nolan Hurd, Andover (Solid waste hauler)

Landfill leasing will lead to tipping fees, causing the independent haulers to raise their fees and lose customers. This will be detrimental to the County's small businesses and will lead to garbage dumping along roadsides. Leasing will also mean layoffs of more County employees. Mr. Hurd stated he feels the County's landfill program is well run.

LEGISLATORS' COMMENTS:

The original purpose of the Committee of the Whole meeting was reiterated: to examine landfill management options, not just leasing in particular. Options include sale, lease, waste management district, solid waste authority, and leaving as is. Several legislators stated they were not in favor of sale or leasing (some vehemently), but a viable solution is needed.

Allegany County is unique in that its landfill is supported with County real property taxes. If a profit is to be made from waste, let it be the County making the profit and using it to offset costs. Revenues raised by permit fees, per-bag fees, independent haulers, and out-of-county municipalities should support maintaining the system; the burden shouldn't be entirely on the taxpayers. There should be a more equitable way of figuring the revenues.

It was pointed out that in-house operation of the landfill is the more responsible alternative. Leasing presents problems with liability for the County. Cost for residents would also be an issue, as the cost of solid waste disposal in counties where a private industry holds a monopoly was estimated to run at around $80 per month per household.

Sale or Lease of the County Landfill:

A straw vote was conducted among the legislators present at the meeting, and the result was unanimous that sale or lease of the landfill would not be considered as an option while investigating funding alternatives for County solid waste management (Absent: Heineman, Reynolds).

Possible landfill funding sources were listed as property taxes, user fees, and acceptance of out-of-county waste. John Mancuso, Public Works Deputy Superintendent I, pointed out that accepting outside waste at $25 per ton doesn't break even for the County. The actual cost of waste disposal needs to include costs to build, operate, close, and repayment of debt, which is approximately $50 per ton. Private company and other county rates for municipal waste is variable: Casella charges $34, McKean County $48, and Steuben $55.

Dan Babbage, Wellsville

Doesn't want to open Allegany County landfill system to out-of-County waste. The County is not in the garbage business and Mr. Babbage would like to see the landfill run for our people.

Legislators requested John Mancuso to develop a report on costs and percentages of use for independent haulers and County residents taking waste to the landfill and transfer stations, to determine an equitable formula for how much of the landfill operation costs should be paid by the users and how much should be covered by property taxes.

Dwight Fanton

We should look at independent haulers as providing a service. If they are charged a tipping fee, they'll have to raise their rates. (Legislator Bennett pointed out that a $7 per ton tipping fee was turned down last fall. If a tipping fee was instituted, haulers would probably only have to charge each household an additional dollar.) Mr. Fanton stated that he'd be willing to pay whatever it costs to run the landfill, whether it be so much per bag or by user fees, but does not want to see the landfill being used as a revenue source. He'd like to see the landfill taken out of the general fund.

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Competition doesn't have to pay tipping fees, so they'd be able to keep rates down. To make things fair for the County's independent haulers, regulations could be made that County trash has to go to the County landfill.

On the waste district issue, concern was voiced that the County would give up control of the landfill to a local district board.

In closing, legislators stated that everyone needs to work together to find a solution, and they would like to see public input at future Public Works Committee meetings as they continue to discuss the landfill issue.

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The meeting was adjourned at 3:30 p.m.

NOT APPROVED

John Margeson
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JUL 06 2004
ALLEGANY COUNTY ADMINISTRATOR

COMMITTEE OF THE WHOLE
June 28, 2004

Present: Legislators: R. Bennett, E. Burdick, C. Crandall, W. Dibble, J. Graffrath, R. Heineman, S. Myers, J. Palmer, P. Regan, B. Reynolds, E. Sherman, R. Sobeck, R. Truax; **Others:** J. Margeson, D. Roeske, J. Mancuso, B. Rigby, A. Finnemore, Several Department Heads and County Employees and Approximately 5 Members of the Public; **Media:** A. McCracken – Cuba Patriot, S. Liebler – Wellsville Daily Reporter, and D. LeBlanc – Olean Times Herald

Absent: K. Nielsen, D. Russo

Call to Order at 2:45 p.m. by Chairman Palmer, who turned the meeting over to Legislator Bennett, Chairman of the Facilities Planning and Management Committee.

Purpose of the Meeting was to distribute proposals for funding the County's solid waste management system as recommended by the Solid Waste Ad Hoc and the Facilities Planning and Management Committees, and give all legislators an opportunity for input.

David Roeske, Public Works Superintendent, provided copies of the following documents (copies attached to original minutes) and asked that all legislators review the information and offer ideas and comments within the next week.

- Proposals for Funding the Allegany County Solid Waste Management System
- Allegany County Solid Waste Management System Price Schedule
- 2004 Cost Summary for the Operation of the Allegany County Solid Waste Management System: Allegany County Landfill and Seven Transfer Stations
- Proposal on Solid Waste Flow Control Legislation

Mr. Roeske and John Mancuso, Deputy Public Works Superintendent, fielded some preliminary questions from the legislators.

Legislator Graffrath noted the next Public Works Committee meeting is scheduled for Wednesday, July 7, when the solid waste management system funding will be discussed again. Hopefully a plan will be formulated at that time, which would then be referred on to the Facilities Planning and Management Committee prior to consideration by the full Board. The County Attorney is in the process of drafting a solid waste flow control law, and contacting other Counties for their input. Before a final decision is made, releases will be made to the media to keep the public informed and provide an opportunity for input.

Legislator Crandall voiced the opinion that this proposed user fee system is what should have been implemented before rather than the permit fee. Mr. Crandall inquired if current waste flow could be evaluated to determine if anticipated revenue estimates are in line. Mr. Roeske and Mr. Mancuso stated that the department has a good idea now, going by tonnage history, and the projections they used are conservative. Waste flow could change with implementation of the new system, but the flow control law should ensure revenues to some extent. Recycling will probably increase.

Legislator Truax voiced concern about the proposed $25 per ton fee for municipal solid waste disposal when the actual cost for burying each ton of waste at the landfill is approximately $44. Mr. Mancuso replied that their decision to keep this figure at $25 was not based so much on current market concerns, but the impact on the citizens.

It was noted that not all the information contained in the handouts was arrived at during the committee meetings and is therefore not actually being recommended by committee, but is being included as suggestions to be considered.

Legislator Dibble stated that the fee system that is finally decided upon should be equitable for all County residents, regardless of who transports the solid waste, and should also promote recycling.

The landfill can't solve the County's budget problems, but instituting a solid waste management system funding plan, including a user fee schedule, will shift the actual operating cost to revenue received from the users of the system.

The punch card user fee system will be fairer than the straight annual permit fee system in effect now, as people will pay based on the amount of trash actually disposed of. Noted as examples of lower volume landfill users were seasonal residents and the elderly. Some of the possible problems to consider with the proposed punch card system might be longer lines at the transfer stations causing more traffic and the need for additional manpower.

The meeting was adjourned at 3:30 p.m.

HIGHWAY
SOLID WASTE
BUILDINGS & GROUNDS

ALLEGANY COUNTY DEPARTMENT OF
PUBLIC WORKS
7 COURT STREET • ROOM 210
BELMONT, NEW YORK 14813-1078
TELEPHONE 585-268-9230 FAX 585-268-9648

DAVID S. ROESKE
Superintendent

JOHN J. MANCUSO
Deputy Superintendent I

GUY R. JAMES
Deputy Superintendent II

YVONNE M. RECHICHI
Accountant

Proposals for funding the Allegany County Solid Waste Management System

I. Description:

A user fee system based on the use of pre-purchased punch cards at transfer stations and scale based per ton charges at the County landfill.

II. Main Features:

A. Operate the following transfer stations:
- Wellsville
- Almond
- Bolivar
- Caneadea
- Landfill convenience station

B. Close the Canaseraga and Friendship stations.
- Remove equipment and cleanup Canaseraga.
- Maintain Friendship for recycling storage and processing.

C. Reduce the days that Bolivar and Caneadea are open from three to two days per week (Friday and Saturday).

D. Would require two (2) additional employees in the field and one (1) senior account clerk typist in the office.

E. Punch cards:
Sold at the County Office Building (Public Works and Treasurer's Office), County landfill, Town and Village Clerks, at least one private business location in each town.

F. Implement a per ton fee at the landfill:

1. Contaminated soil	$15/ton
2. Municipal solid waste	$25/ton
3. Towns/Villages	A reduced rate??

G. All recyclables free except for the following:
Tires - existing fee schedule
Refrigerators/Freezers - $10.00 each (we could still not charge for these to avoid the inevitable problem of illegal dumping).

H. Eliminate the permit system.

III. Projected Revenues (annually)

2005

A. Transfer station fees:	$ 350,000
B. Landfill fees:	$ 452,000
C. Annual planned revenues:	$ 281,700
D. Contaminated soil:	$ 30,000
TOTAL	$1,113,700

IV. Shortfalls

A. $2,588,000 annual cost	$1,258,000
B. $1,672,000 (no closure or debt service)	$ 342,000
C. Cost to hire three (3) employees including fringe benefits	
Solid Waste	$ 68,896
Administration	$ 33,149

V. Advantages

A. Potential to earn similar revenues to 2004 without using up the air space we are depleting by taking additional waste (35,000 – 40,000 cubic yards per year)
B. Permit system would be optional – would not be needed.
C. Should increase recycling because a true economic incentive would exist.

VI. Disadvantages

A. Would require extra manpower, especially if all the current transfer stations remain open.
B. Expected tonnage of waste could go to other facilities if better disposal rates are available.

JJM/cmt
5-20-04
fundingproposalSWmgmt

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ALLEGANY COUNTY SOLID WASTE MANAGEMENT SYSTEM PRICE SCHEDULE

A. Transfer station fees (includes landfill convenience station)
Pre-paid disposal tickets must be used.

ITEM	PRICE
1. 15 gallon garbage bag or equivalent	$1.00
2. 30 gallon garbage bag or equivalent	$2.00
3. 55 gallon garbage bag or equivalent	$3.00
3. Miscellaneous items of solid waste: couches, chairs, box springs/mattresses, sinks/toilets, cabinets, dressers, tables, etc.	$2.00
4. Small packers less than 7 yards	$40.00
5. Loose, uncompacted solid waste:	
Pick-up level to original sides	$20.00
Pick-up with racks (cab height)	$30.00
6. All recyclable items pursuant to County law are free at the transfer stations and landfill.	

B. Landfill fees

1. Municipal solid waste (includes sludges, construction/demolition debris)	$25.00/ton
2. Contaminated soil	$20.00/ton
3. Animal carcasses	$4.00/each
4. Tires (no rims)	
17" or less	$1.50/each
18" to 24.5"	$9.00/each
greater than 24.5"	$ .35/lb.
Truck loads of any size tire	$150/ton
5. Minimum fee for all weighed loads	$10.00

JJM/cmt
6-22-04
swmgmtpriceschedule

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2004 cost summary for the operation of the Allegany County Solid Waste Management System: Allegany County Landfill, Seven Transfer Stations.

1. Annual Operations: Landfill and transfer stations.

   (a.) Personal Service including fringe benefits for:
   Superintendent (25%)
   Deputy Superintendent 1 (90%)
   Accountant (50%)
   Account Clerk Typist (25%)
   19 Solid Waste Employees $1,126,808.00

   (b.) Equipment, Vehicles, Tools:
   An estimated $400,000 will be needed during the remaining life of the constructed landfill (6.5 years).
   $66,000.00

   (c.) Annual appropriations for Operations and maintenance
   A8160.4 accounts $479,200.00

2. Landfill Closure Funding
   Closure of Cells 4-9 (remaining portion of the constructed landfill that would require a final cover system) is estimated to cost $4,406,571. Beginning in 2005, budgeting $10/ton at 56600 tons annually would amount to $566,000 per year.
   $566,000.00

3. Debt Service
Annual payments for outstanding bonds for landfill construction projects and equipment purchases.

$350,000.00

Total: $2,588,000.00

4. Option 1
Budget $5.00/ton for 56600 tons $2,305,000.00

5. Option 2
Budget $5.00/ton for 30,000 tons or
$150,000 per year as was traditionally done. $2,172,000.00

6. Total Solid Waste System costs with no closure or debt service funding:

$1,672,000.00

7. Cost to Operate Landfill Only using 2004 total of $2,588,000.

	$1,839,369.00
Using Option 1:	$1,556,369.00
Using Option 2:	$1,423,369.00

8. Cost to operate Landfill Only with no closure or debt service funding:

$923,369.00

Cost to Operate Transfer Station System:	$748,631.00
9. Cost Per Ton of waste landfilled using cost for entire solid waste system: $2,588,000 (56600 tons):	$45.72
10. Cost per Ton of waste landfilled using Option 1 cost: $2,305,000	$40.72
11. Cost per ton of Waste landfilled using Option 2 and 2003 tonnage total.	$57.16
12. Cost per ton of waste landfilled with no debt service or closure funding and 2003 tonnage (38,000).	$44.00
13. Cost per ton of waste landfilled with no debt service or closure funding and projected 2004 tonnage (56,600).	$29.54
14. Per ton cost to add on for the capital cost of air space consumption (cubic yards) for each ton of waste landfilled. It costs an average of $7.88 to build each cubic yard of air space in the landfill and each ton of waste consumes an average of 1.7 cubic yards.	$13.40

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Solid Waste Proposal

1.) Enact Flow Control Legislation by amending our Solid Waste Local Law to require that all solid waste generated in Allegany County shall be disposed of in the Allegany County Landfill.

2.) By Superintendent's regulation create a per bag/per ton disposal system.

3.) Repeal the Permit System.

4.) Emergency Service providers (not-for-profit) will be exempt from fees.

This system will insure the amount of solid waste delivered to the landfill thereby providing a predictable revenue figure for budgetary purposes. Also, all not-for-profits, school, colleges and other organizations not currently paying the cost of disposal will be brought into the fee system. This system will also encourage recycling which will in turn conserve landfill space and increase revenues from the sale of recycled materials.

Comm / Whole

Attendance

ROLL CALL

Intro No. _____ Date 06/28/04

Audit _____

RESOLUTION/AUDIT				AMEND/TABLE			2/3 RDS VOTE			
Moved:				Moved:			Moved:			
Seconded:				Seconded:			Seconded:			
Voice Vote:				Voice Vote:			Voice Vote:			
Legislator	**Ayes**	**Noes**	**Absent**	**Ayes**	**Noes**	**Absent**	**Ayes**	**Noes**	**Absent**	**Legislator**
Bennett	✓									Bennett
Burdick	✓									Burdick
Crandall	✓									Crandall
Dibble	✓									Dibble
Graffrath	✓									Graffrath
Heineman	✓									Heineman
Myers	✓									Myers
Nielsen			✓							Nielsen
Palmer	✓									Palmer
Regan	✓									Regan
Reynolds	✓									Reynolds
Russo			✓							Russo
Sherman	✓									Sherman
Sobeck	✓									Sobeck
Truax	✓									Truax
TOTALS										**TOTALS**

Margeson, Eyby, Finnerty
Reeske, Mancuso, F. Sinclair
K. LaFarge, Thompson, D. Aumick, D. Reynolds, P. Schnalzer.

NOT APPROVED

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NOV 03 2004
ALLEGANY COUNTY ADMINISTRATOR

COMMITTEE OF THE WHOLE
October 26, 2004

Present: R. Bennett, E. Burdick, C. Crandall, W. Dibble, S. Myers, K. Nielsen, J. Palmer, P. Regan, D. Russo, E. Sherman, J. Margeson, B. Rigby, A. Finnemore, K. Toot, S. Presutti; **Media Reps.:** A. McCracken, S. Liebler, D. LeBlanc

Absent: J. Graffrath, R. Heineman, B. Reynolds, R. Sobeck, R. Truax

Call to Order at 1:15 p.m. by Chairman James G. Palmer.

Chairman Palmer noted the purpose of the meeting was to examine the 2005 County Tentative Budget, which the Finance Committee has been working on since July and already reflects a large number of cuts and adjustments. Chairman Palmer turned the meeting over to Budget Officer John Margeson, who stated that the Tentative Budget, released on October 12, represents a joint effort between the Finance Committee, County Treasurer/Deputy Budget Officer Terri Ross, and himself. Committee of the Whole meetings have been scheduled to give all legislators an opportunity to ask questions and offer suggestions for additional adjustments. This committee is empowered to sponsor resolutions, via the Finance Committee, amending the Tentative Budget, to be considered at the second Board meeting in November, at which time the Final Budget hopefully will be approved.

Landfill Permit and User Fees:

The Public Works Committee is sponsoring a resolution to establish a policy for landfill permit/user fees and per ton tipping fees. At this point, anticipated revenue from the proposed per ton tipping fees is not included in the Tentative Budget, but is estimated at $500,000. It was pointed out that the proposed tipping fees wouldn't take effect for municipalities until June 1 because of the different fiscal years, but would be instituted January 1 for the private sector, schools, and colleges. There is no significant expense attached to the collection of this additional revenue.

County-Owned Vehicles and Centralized Fleet Operation:

All requested expenses for vehicle purchases have been removed from the Tentative Budget, but after the first of the year decisions will need to be made on a Countywide basis and will probably involve the purchase of eight or nine new vehicles. If necessary, they can be bonded. (Lease payments for vehicles presently being leased are included in the budget.)

A centralized fleet management operation was discussed. Ideally this would include centralized vehicle purchase and replacement schedule, motor pool, operation, and maintenance, with firmly established rules and policies. Maintenance is currently being done individually, so some of the money required to institute a central maintenance system is already included in the departmental budgets. Under a centralized system, maintenance would be done on a more regular basis at a central location, with an opportunity to save money on some items as they could be purchased in quantity. Having a set policy for vehicle replacement would enable accurate budgeting. The issue of vehicles being driven home or hardly ever used once assigned has to be dealt with. A committee or individual would need to have control for the system to work. The consensus seemed to favor moving forward with the issue.

Setting up the motor pool would require an estimated $200,000 for vehicles and $100,000-150,000 for a maintenance site (in an established building). Legislator Nielsen stated that when he worked at Houghton College, their fleet consisted of 150 vehicles and one employee in the garage. All vehicles acquired were one standard model, which streamlines

inventory and makes emergency replacement of a vehicle easier, as it wouldn't have to be bid out. He offered to share Houghton's fleet policy as a sample to consider.

Health Department Home Health Care Account Status:

Public Health Director Gary Ogden reported to the Finance Committee on October 25 that the Health Department Home Health Care program will probably end the year in the black. It was noted that this program was on a one-year trial period after operating significantly over budget in the past. There has been a change in the way the Federal government reimburses, and the County has learned to take full advantage of the reimbursement. There has also been an increase in rates for reimbursement for 2004. It is anticipated the account will be in good shape for 2005 as well.

Mortgage Tax Collection Expense Reimbursement:

It was asked if the $25,000 State reimbursement for mortgage tax collection expenses is included in the Tentative Budget. Mr. Margeson noted that it is.

Sheriff and Jail Clothing and Food Accounts:

Concern was expressed that if the Sheriff had such a large amount of money remaining in his clothing accounts that he could request a transfer to a vehicle account, maybe there isn't a need for the entire amount currently being budgeted for clothing. Mr. Margeson stated that the 2004 amended budget total for Sheriff and Jail clothing was $50,275 and is now at $38,000 for 2005. The clothing policy involves replacing damaged clothing from inventory kept on hand. There is no longer an annual clothing allowance given to each employee.

Legislator Dibble questioned the Budget Officer's reduction in Account No. A3150.423 (Jail Food) from $65,000 to $62,000. Mr. Margeson had examined the history and felt this was an accurate estimate.

Sales Tax Revenue:

Concern was expressed that anticipated sales tax revenue may be too high. Mr. Margeson stated that he used a formula that includes a 2.5 percent cost of living increase. Recent Consumer Price Index figures show a 3.9 percent cost of living increase for 2004. If this trend continues, the 2.5 figure he used is conservative, so he feels the estimate should be in line. Legislator Bennett pointed out that we have no experience with the additional half percent; the formula is correct, but it's still a guess. It was noted that other counties seem to be scrambling to exercise the option to implement additional sales tax, notably Erie and Chautauqua Counties, with some counties considering adding one percent.

Bond Payments:

Bonding being considered for 2005 was discussed, and several legislators present advised caution. The Budget Officer has removed requested appropriations from the 2005 Tentative Budget for all vehicles, all County bridge projects, and all Public Works heavy equipment, as all of these expenses, totaling $1.3 million, can be bonded. The bridges and heavy equipment account for $1.1 million. Mr. Sherman stated bridge projects should be carefully assessed as to need because occasionally closing a road may be a better option. Mr. Dibble stated that he is opposed to bonding vehicles and would rather see the extra solid waste fees revenue used for that.

When asked how much of past bonds have been paid off, Mr. Margeson stated one bond from 1989 was retired in 2004, we're presently paying on one serial bond from 1996 and two bond anticipation notes from 2002 and 2003. In 2005, $1,179,800 is budgeted for repayment of debt.

Fund Balance:

Concern was expressed about the fund balance, which has been depleted over the past two years. Mr. Margeson pointed out that it will take time to rebuild, but feels economic conditions are turning around.

Consolidation of Services:

Legislator Regan offered for consideration the idea of consolidating all Departments of Public Works within the County, to include Towns and Villages. The savings wouldn't be immediate and the issue would need to be driven at the local level. New York is one of the only states to have separate County and Town/Village Departments of Public Works. It was suggested that supervisors be invited to discuss the issue to determine if there's any interest.

Legislator Regan also suggested we re-visit the idea of District Court for criminal cases, which would save money by eliminating transportation of inmates to local courts. Costs for District Justices would be picked up by the State. (Local Justices would still be responsible for marriages and traffic cases.) Mr. Margeson reported that a central booking arrangement is already being designed in the new Jail and Public Safety Complex. The possibility of video arraignments was also discussed.

Legislator Myers mentioned assessing real property at the County level.

Retirement Fund:

The 2004 billing for the NYS Retirement Fund totals $1.8 million, but isn't due until February 2005. The County Budget Officer is planning to carry over $1.1 million into 2005 and budgeted the difference between the bill in February 2005 and the $1.1 million, so the budget is fine for 2005. The bill for 2006 will be more than 2005, it's unknown by how much, but Mr. Margeson is recommending the anticipated relief in 2006 in Family Health Plus be applied against the retirement payment.

Adjustments to the 2005 County Tentative Budget:

Legislator Crandall, Chairman of the Finance Committee, stated the budget as it stands is lean, but feels it's a good budget. He'd hate to see more adjustments made to lower the tax rate just for the sake of lowering it, because there does need to be a little cushion. Mr. Margeson recommends the budget be left at the 6.25 percent tax rate increase, and hopes to end 2005 with a little fund balance. Mr. Margeson also noted that the memo sent by Treasurer Terri Ross to departments, requesting that account transfers be made to those accounts running short and notification of accounts expected to run over budget by year-end, was a very good idea for keeping a handle on this year's account balances.

The Finance Committee, Treasurer, and Budget Officer were commended for the work accomplished so far on the 2005 Tentative Budget. This year's process of having the Finance Committee begin budget work early as well as the year-round monitoring of the accounts was the approach needed and would be advantageous if continued into 2005. Mr. Margeson noted that when going over all the non-mandated cost centers, he found there really is no excess that

can be scaled back. Until the State cuts back on mandates, there's not much more that can be done.

Accounts A6101 and A6119 (Medicaid and Child Care) were tagged to be looked at later in the year. Mr. Margeson stated he'd like to look at them further just before budget adoption, as the State hasn't set levels yet. The State had promised to pick up a portion of the local cost of Family Health Plus for 2005 and 100 percent by the end of 2006.

County Budget Officer John Margeson requested that Account No. A1180.429 (Justices & Constables) in the 2005 County Tentative Budget be adjusted from $0 to $2,000, as this appropriation was inadvertently omitted. A motion was made by E. Burdick, seconded by P. Regan and carried to approve this request.
Referred for Resolution – as part of Tentative Budget Adjustment Resolution to be considered at November 22, 2004 Board meeting.

County Budget Officer John Margeson also requested that Account No. A3310.4 (Traffic Control, Contractual Expenses) in the 2005 County Tentative Budget be adjusted from $0 to $2,125, appropriated within the Contractual Expenses accounts at the same levels as the 2004 amended budget amounts, as these amounts were inadvertently omitted:

A3310.401 Postage	$ 50
A3310.402 Mileage	75
A3310.408 General Supplies	1,545
A3310.409 Fees	455

A motion was made by W. Dibble, seconded by E. Sherman and carried to approve this request.
Referred for Resolution – as part of Tentative Budget Adjustment Resolution to be considered at November 22, 2004 Board meeting.

The meeting was adjourned.

Respectfully submitted,
Adele Finnemore, Deputy Clerk of the Board

MEMORANDUM OF EXPLANATION

Intro. No. _____
(Clerk's Use Only)

COMMITTEE: Committee of the Whole DATE: 10/26/04

The 2005 County Tentative Budget, dated October 5, 2004, is amended as follows:

APPROPRIATIONS – GENERAL FUND:

Account #	Account Description	Amendment	Change
A1180.429	Justices & Constables	Change from $0 to $2,000	$2,000
A3310.401	Traffic Control Postage	Change from $0 to $50	50
A3310.402	Traffic Control Mileage	Change from $0 to $75	75
A3310.408	Traffic Control Gen. Supplies	Change from $0 to $1,545	1,545
A3310.409	Traffic Control Fees	Change from $0 to $455	455
TOTAL APPROPRIATIONS ADJUSTMENTS:			**$4,125**

FISCAL IMPACT: $4,125

For further information regarding this matter, contact:

Brenda A. Rigby, Clerk of the Board
Ext. 220

NOT APPROVED

RECEIVED
DEC 10 2004
ALLEGANY COUNTY ADMINISTRATOR

COMMITTEE OF THE WHOLE
December 13, 2004

Present: R. Bennett, E. Burdick, C. Crandall, W. Dibble, J. Graffrath, S. Myers, K. Nielsen, J. Palmer, P. Regan, B. Reynolds, D. Russo, R. Sobeck, E. Sherman, R. Truax, J. Margeson, D. Guiney, B. Rigby, A. Finnemore; and Carolyn Miller, Chief Clerk of the Allegany County Surrogate and Family Courts; **Media Reps.:** S. Liebler, D. LeBlanc

Absent: R. Heineman

Also Present from the NYS Office of Court Administration: William Clark, Counsel for Capital Planning, NYS Office of Court Administration; Jeanette Helms, Representative from the Office of the Administrative Judge for the 8th Judicial District

Call to Order at 3:08 p.m. by Chairman James G. Palmer.

Chairman Palmer noted the purpose of the Committee of the Whole meeting was to hear a presentation by the New York State Office of Court Administration. He turned the meeting over to William Clark, Counsel for Capital Planning in the New York State Office of Court Administration.

At the direction of the Capital Review Board, which has representation from all three branches of New York State government, and headed by Chief Administrative Judge Jonathan Lippman, Mr. Clark visited Allegany County on November 18 to observe the County Court facilities, and review the County's progress on compliance with its obligations to provide suitable and adequate Court facilities. His conclusion was that the County is not meeting its obligations.

Mr. Clark reviewed the County's seventeen-year history of non-compliance since being directed in 1987 to submit a capital plan for provision of adequate facilities for the Courts. In 1989, a plan was prepared, but more space was needed, as well as handicapped accessibility. The County's plan was disapproved in 1995, at which time financial sanctions could have been imposed, but in 1996 the State stayed any action on the sanctions. Also in 1996, the County submitted a new plan including a new building, allowing expansion of the Courts. The stay was extended 1997 through 2001. In 2001, the MRB Group performed a study of County space needs that included extension of the Courts into the entire second floor of the present County Office Building. Attempts were made in 2003 and 2004 to facilitate moving the County forward. Recently the County moved on construction of a new jail and there was some question on whether this would free up space for Court expansion. Last month they were told that the new construction would not create additional space for the courts.

Mr. Clark stated that no further delay will be tolerated. The County's capital plan has been in disapproved status for almost a decade.

Although the Office of Court Administration has no preference of how the County provides the additional space needed for the Courts, Mr. Clark indicated that new construction may have some advantage over rehabilitation of existing facilities due to inadequacies of older construction. The following points were made to illustrate the inadequacy of the present court space:

- There is a move in the Court system toward problem-solving courts, as in the recently formed drug court and upcoming integrated domestic violence court. These functions are meant to assist the community, but require more space and additional staffing.

- Technological needs often require re-evaluating use of space, secure closets for data centers, and running cabling (difficult in older buildings)
- Need for attorney conference rooms and waiting space
- Handicapped accessibility
- Changes in security concerns, screening, traffic flow
- Difficulty in achieving separation of the various levels of circulation for family, civil and criminal court users
- The volume of work has expanded over the years with the addition of more quasi-judicial staff members
- Energy efficiencies

The solution suggested by Mr. Clark is to work together to remedy the County's non-compliance status and avoid consequences. The County needs to develop a plan and submit it at the next meeting of the Capital Review Board. The consequence of continued non-compliance is that the stay could be lifted; a calculation would then be made of the cost of new court facilities and necessary funds would be deducted from any State funding due to the County. The County needs to authorize hiring a consultant as soon as possible and release RFPs for evaluation of existing facilities addressing recommendations on modification of current facilities, alternate facilities, or new construction. The County needs to make this a priority. Mr. Clark suggested the following schedule:

January 2005	Authorize study
February	Reports prepared
March	RFPs issued
April	Reponses due
May	Hire a qualified consultant
May to October	Evaluation of options
October/November	County to make selection, submit capital plan including timetable
	Capital Review Board to accept plan
2006	Begin design
2007	Implementation, begin actual construction

Legislator Reynolds pointed out the financial difficulties of small rural counties and that the court needs should be less complex than those of a large urban area. Mr. Reynolds asked for the minimum requirements for compliance. Mr. Clark stated that a consultant would ascertain minimum requirements while keeping court needs in mind and also comparison of our County's population, size and resources with other similar areas in the State.

Legislator Dibble questioned if any grant money is available to fund the consultant through the special court concerns mentioned (drug court and integrated domestic violence). Mr. Clark's answer was no, the County has an obligation and responsibility to meet the Court Facilities Act requirements.

The meeting was adjourned following a motion made by Legislator Truax, seconded by Legislator Sobeck and carried.

Respectfully submitted,
Adele Finnemore, Journal Clerk