

**ALLEGANY COUNTY BOARD OF LEGISLATORS
ORGANIZATION MEETING**

JANUARY 2, 2014

CALL TO ORDER: The organization meeting of the Board of Legislators was called to order at 2:00 p.m. by Clerk of the Board Brenda Rigby Riehle.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Army Sergeant Richard L. Cutting.

INVOCATION: The Invocation was given by Legislator David Pullen.

ROLL CALL: 15 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, David Decker, Dwight Fanton, Karl Graves, Dwight "Mike" Healy, Theodore Hopkins, Charles Jessup, Kevin LaForge, Aaron McGraw, Timothy O'Grady, David Pullen, Debra Root, Norman Ungermann, Jr.

BOARD OF LEGISLATORS SWORN IN:

The Oath of Office was administered by Allegany County Judge Terrence Parker to all fifteen members of the Board of Legislators, marking the beginning of a new four-year legislative term.

RESOLUTIONS:

RESOLUTION NO. 1-14

**APPOINTMENT OF LEGISLATOR CURTIS W. CRANDALL TO CHAIRMANSHIP OF
BOARD OF LEGISLATORS; AUTHORITY TO DETERMINE NUMBER OF BOARD
MEMBERS ON COMMITTEES**

Offered by: Legislator Theodore L. Hopkins

Pursuant to County Law § 450

RESOLVED:

1. That Legislator Curtis W. Crandall is appointed Chairman of this Board of Legislators, with term of office commencing immediately and expiring December 31, 2014.
2. That said Chairman is authorized to determine the number of Board members to serve on each of the standing and special committees of this Board which have been or may be established by this Board.

Moved by: Mr. Hopkins
Seconded by: Mr. Pullen

Adopted: Voice Vote

OATH OF OFFICE ADMINISTERED:

Allegany County Judge Terrence Parker administered the Oath of Office to Chairman Curtis W. Crandall, who was accompanied by his wife, Cathy, following adoption of Resolution No. 1-14. Chairman Crandall assumed leadership of the meeting.

RESOLUTION NO. 2-14

APPOINTMENT OF LEGISLATOR DWIGHT R. FANTON AS VICE CHAIRMAN

Offered by: Legislator Karl Graves

Pursuant to Rule 70 of County Board Rules
as enacted by Resolution No. 77-89

RESOLVED:

1. That Legislator Dwight R. Fanton is appointed Vice Chairman of this Board of Legislators to act pursuant to, and during the designated time periods specified in, County Board Rules.

Moved by: Mr. Graves
Seconded by: Mr. Healy

Adopted: Voice Vote

OATH OF OFFICE ADMINISTERED:

Allegany County Judge Terrence Parker administered the Oath of Office to Vice Chairman Dwight R. Fanton, who was accompanied by his wife, Linda, following adoption of Resolution No. 2-14.

Allegany County Judge Terrence Parker administered the Oath of Office to Allegany County Treasurer Terri L. Ross, who was accompanied by Deputy County Treasurer Jenna Nelson.

A brief recess was held to allow the Legislators an opportunity to sign the Oath of Office Book.

RECOGNITION:

Chairman Crandall presented a certificate to Richard L. Cutting, former United States Army Sergeant, in grateful appreciation of his service to our country. Mr. Cutting's service dates were from May 1953 to April 1955. Following Basic Training at Fort Dix, assignments included: Fort Mead and Korea. Commendations he received included:

Korean Service Medal, Good Conduct Medal, United Nations Service Medal, and National Defense Service Medal. Mr. Cutting led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans' Honorary Pledge of Allegiance Program.

RESOLUTIONS:

RESOLUTION NO. 3-14

APPOINTMENT OF MITCHELL M. ALGER AS COUNTY ADMINISTRATOR

Offered by: Legislator Philip B. Curran

Pursuant to Local Law No. 3 of 1992

RESOLVED:

1. That Mitchell M. Alger is appointed County Administrator to serve during the pleasure of this Board of Legislators and until his successor is appointed and has qualified.

Moved by: Mr. Curran
Seconded by: Mr. Graves

Adopted: Voice Vote

RESOLUTION NO. 4-14

APPOINTMENT OF MITCHELL M. ALGER AS BUDGET OFFICER

Offered by: Legislator Timothy J. O'Grady

Pursuant to County Law § 351 (3) and Section 5. j. of
Local Law No. 3 of 1992

RESOLVED:

1. That Allegany County Administrator Mitchell M. Alger, a County officer, is appointed Budget Officer to serve during the pleasure of this Board of Legislators and until his successor is appointed and has qualified.

Moved by: Mr. O'Grady
Seconded by: Mrs. Root

Adopted: Voice Vote

RESOLUTION NO. 5-14

APPOINTMENT OF MITCHELL M. ALGER AS COUNTY AUDITOR

Offered by: Legislator Theodore L. Hopkins

Pursuant to County Law § 600

RESOLVED:

1. That Mitchell M. Alger is appointed County Auditor with term of office to commence January 1, 2014, and expire December 31, 2017.

Moved by: Mr. Hopkins
Seconded by: Mr. Decker

Adopted: Voice Vote

RESOLUTION NO. 6-14

APPOINTMENT OF THOMAS A. MINER AS COUNTY ATTORNEY

Offered by: Legislator Curtis W. Crandall

Pursuant to County Law § 500

RESOLVED:

1. That Thomas A. Miner, a resident attorney-at-law, is appointed County Attorney with term of office commencing January 1, 2014, and expiring December 31, 2017.

Moved by: Mr. Crandall
Seconded by: Mr. Pullen

Adopted: Voice Vote

RESOLUTION NO. 7-14

APPOINTMENT OF BRENDA RIGBY RIEHLE AS CLERK OF BOARD OF LEGISLATORS

Offered by: Legislator Karl Graves

Pursuant to County Law § 475

RESOLVED:

1. That Brenda Rigby Riehle is appointed Clerk of this Board of Legislators who shall serve during the pleasure of this Board and until her successor is appointed and has qualified.

Moved by: Mr. Graves
Seconded by: Mr. Fanton

Adopted: Voice Vote

RESOLUTION NO. 8-14

APPOINTMENT OF SARAH M. DECKER AS JOURNAL CLERK

Offered by: Legislator Debra A. Root

Pursuant to County Board Rules 100.C.

RESOLVED:

1. That Sarah M. Decker is appointed Journal Clerk of this Board to serve at the pleasure of this Board.

Moved by: Mrs. Root
Seconded by: Mr. Ungermann

Adopted: Voice Vote

RESOLUTION NO. 9-14

APPOINTMENT OF BARBARA J. KELLEY AS PUBLIC DEFENDER

Offered by: Legislator Dwight R. Fanton

Pursuant to Local Law No. 2 of 1974

RESOLVED:

1. That Barbara J. Kelley, a resident attorney-at-law, is appointed Public Defender with term of office commencing January 1, 2014, and expiring December 31, 2017.

Moved by: Mr. Fanton
Seconded by: Mr. Burt

Adopted: Voice Vote

RESOLUTION NO. 10-14

APPOINTMENT OF CRAIG R. BRAACK AS COUNTY HISTORIAN

Offered by: Legislator Philip B. Curran

Pursuant to County Law § 400 (4) and Arts and
Cultural Affairs Law § 57.07

RESOLVED:

1. That Craig R. Braack is appointed County Historian to serve during the pleasure of this Board of Legislators and until a successor is appointed and qualified.

Moved by: Mr. Curran
Seconded by: Mr. Jessup

Adopted: Voice Vote

RESOLUTION NO. 11-14

APPOINTMENT OF MADELEINE GASDIK AS DIRECTOR OF OFFICE FOR THE AGING

Offered by: Legislator David T. Pullen

Pursuant to Local Law No. 8 of 1974

RESOLVED:

1. That Madeleine Gasdik is appointed Director of the Office For The Aging to serve during the pleasure of this Board of Legislators and until a successor is appointed and qualified.

Moved by: Mr. Pullen

Adopted: Voice Vote

Seconded by: Mr. Fanton

RESOLUTION NO. 12-14

APPOINTMENT OF JOHN E. FOELS AS DIRECTOR OF DEVELOPMENT

Offered by: Legislator Dwight R. Fanton

Pursuant to Local Law No. 2 of 1985

RESOLVED:

1. That John E. Foels is appointed Director of Development to serve during the pleasure of this Board of Legislators and until a successor is appointed and has qualified.

Moved by: Mr. Fanton

Adopted: Voice Vote

Seconded by: Mr. Curran

RESOLUTION NO. 13-14

APPOINTMENT OF DEBORAH M. BUTTON AS DIRECTOR OF INFORMATION TECHNOLOGY

Offered by: Legislator Kevin S. LaForge

Pursuant to Local Law No. 5 of 1993

RESOLVED:

1. That Deborah M. Button is appointed Director of Information Technology to serve during the pleasure of this Board of Legislators and until a successor is appointed and has qualified.

Moved by: Mr. LaForge
Seconded by: Mr. Graves

Adopted: Voice Vote

RESOLUTION NO. 14-14

APPOINTMENT OF LINDA EDWARDS AS YOUTH BUREAU PROGRAM DIRECTOR

Offered by: Legislator Dwight "Mike" Healy

RESOLVED:

1. That Linda Edwards is appointed Youth Bureau Program Director to serve during the pleasure of this Board of Legislators and until a successor is appointed and qualified.

Moved by: Mr. Healy
Seconded by: Mr. Decker

Adopted: Voice Vote

RESOLUTION NO. 15-14

DESIGNATION OF DWIGHT "MIKE" HEALY AS MEMBER OF BOARD OF LEGISLATORS AS COUNTY JURY BOARD MEMBER

Offered by: Legislator Karl Graves

Pursuant to Judiciary Law § 503 (a) 1.

RESOLVED:

1. That Legislator Dwight "Mike" Healy is designated as a member of the County Jury Board to serve during the pleasure of this Board of Legislators and so long as he remains a County Legislator.

Moved by: Mr. Graves
Seconded by: Mr. LaForge

Adopted: Voice Vote

RESOLUTION NO. 16-14

APPROVAL OF BOARD CHAIRMAN'S APPOINTMENT OF MICHAEL D. HENNESSY AS DIRECTOR OF COUNTY VETERANS' SERVICE AGENCY

Offered by: Personnel Committee

Pursuant to Executive Law § 357 and Resolution No. 58-45

RESOLVED:

1. That the appointment by the Chairman of this Board of Legislators of Michael D. Hennessy as Director of the County Veterans' Service Agency for a term commencing January 1, 2014, and ending December 31, 2014, is approved.

Moved by: Mr. O'Grady
Seconded by: Mr. Fanton

Adopted: Voice Vote

RESOLUTION NO. 17-14

RESOLUTION DESIGNATING OFFICIAL NEWSPAPERS FOR THE PUBLICATION OF LOCAL LAWS, NOTICES AND OTHER MATTERS REQUIRED BY LAW TO BE PUBLISHED IN 2014

Offered by: Ways and Means Committee

WHEREAS, in accordance with subdivision 1 of Section 214 of the County Law the members of this Board of Legislators representing respectively each of the two principal political parties into which the people of this State are divided have designated in writing the newspapers set forth below to publish, in 2014, the concurrent resolutions of the State Legislature, election notices issued by the Secretary of State, and the official canvass:
Concurrent resolutions of the Legislature:

The Alfred Sun, Alfred, New York (Republican)
Cuba Patriot & Free Press, Cuba, New York (Democrat)

Election Notices and Official Canvass:

Wellsville Daily Reporter, Wellsville, New York (Republican)
Cuba Patriot & Free Press, Cuba, New York (Democrat)

WHEREAS, subdivision 2 of Section 214 of the County Law requires this Board of Legislators to annually designate at least two newspapers within the County of Allegany as official newspapers for the publication of all local laws, notices and other matters required by law to be published, now, therefore, be it

RESOLVED:

1. That the newspapers listed below are designated as the official newspapers of the County of Allegany for the publication of local laws, notices and other matters required by law to be published in 2014:

Wellsville Daily Reporter, Wellsville, New York (Republican)
Cuba Patriot & Free Press, Cuba, New York (Democrat)

Moved by: Mr. Hopkins
Seconded by: Mr. Healy

Adopted: Voice Vote

RESOLUTION NO. 18-14

**REAPPOINTMENT OF MEMBERS TO THE ALLEGANY COUNTY INDUSTRIAL
DEVELOPMENT AGENCY**

Offered by: Planning and Economic Development Committee

Pursuant to Title 1 of Article 18-A and
Section 906-a of the General Municipal Law

RESOLVED:

1. That John "Jack" Ormond of Cuba, New York, Michael Johnsen of Dalton, New York, Theodore L. Hopkins of Fillmore, New York, Richard Ewell of Wellsville, New York, and Jack W. Wood of Allentown, New York, are reappointed as members of the Allegany County Industrial Development Agency with term of office commencing January 1, 2014, and expiring December 31, 2017.

2. That the Clerk of this Board is directed to send a certified copy of this resolution to the Secretary of State for filing pursuant to Section 856(2) of the General Municipal Law.

Moved by: Mr. Pullen
Seconded by: Mr. Jessup

Adopted: Voice Vote

RESOLUTION NO. 19-14

**REAPPOINTMENT OF MEMBERS TO THE ALLEGANY COUNTY INDUSTRIAL AND
COMMERCIAL INCENTIVE BOARD**

Offered by: Planning and Economic Development Committee

Pursuant to Title 1 of Article 18-A
and Section 906-a of the General Municipal Law

RESOLVED:

1. That Theodore L. Hopkins of Fillmore, New York, Michael Johnsen of Dalton, New York, Richard Ewell of Wellsville, New York, John "Jack" Ormond of Cuba, New York, and Jack W. Wood of Allentown, New York, are reappointed as members of the Allegany County Industrial Development Agency and Industrial and Commercial Incentive Board with term of office commencing January 1, 2014, and expiring December 31, 2017.

2. That the Clerk of this Board is directed to send a certified copy of this resolution to the Secretary of State for filing pursuant to Section 856(2) of the General Municipal Law.

Moved by: Mr. Pullen
Seconded by: Mr. Curran

Adopted: Voice Vote

RESOLUTION NO. 20-14

REAPPOINTMENT OF MEMBERS TO THE ALLEGANY COUNTY PLANNING BOARD

Offered by: Planning and Economic Development Committee

RESOLVED:

1. That each of the following persons are reappointed to the Allegany County Planning Board, with term of office for each commencing January 1, 2014, and expiring as set forth below:

Valerie Perkins	Caneadea, New York (District I)	December 31, 2016
Larry Kaminski	Wellsville, New York (District III)	December 31, 2016
Aaron Dale Foster	Andover, New York (District IV)	December 31, 2016

2. That Theodore L. Hopkins, Chairman of the Ways and Means Committee of this Board, Guy R. James, Superintendent of Public Works, and Terri L. Ross, Allegany County Treasurer, are appointed ex-officio members of the Allegany County Planning Board with term of office to commence January 1, 2014, and expiring December 31, 2014.

Moved by: Mr. Jessup
Seconded by: Mr. Curran

Adopted: Voice Vote

RESOLUTION NO. 21-14

APPROVAL OF AGREEMENT WITH ANDREW J. CORNELL, ESQ. TO PROVIDE ADMINISTRATOR SERVICES UNDER ASSIGNED COUNSEL PLAN

Offered by: Public Safety Committee

WHEREAS, an "Assigned Counsel Plan for Indigent Persons" was approved by Resolution No. 68-65, and amended by Resolution No. 93-65, and

WHEREAS, Andrew J. Cornell, Esq., has agreed to act as Administrator pursuant to such Plan beginning January 1, 2014, and expiring December 31, 2014, now, therefore be it

RESOLVED:

1. That Agreement between the County of Allegany and Andrew J. Cornell, Esq. in relation to the Assigned Counsel Plan for Indigent Persons, is approved.

2. That the amount of \$16,000 to be paid pursuant to said Agreement shall be charged to Account No. A1171.431, Assigned Counsel.

Moved by: Mr. Healy
Seconded by: Mr. Fanton

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

APPOINTMENTS:

The Clerk of the Board announced that Chairman Curtis W. Crandall has made the following appointments:

AGRICULTURAL AND FARMLAND PROTECTION BOARD

Theodore L. Hopkins (4-year term)

COMPREHENSIVE PLAN IMPLEMENTATION GROUP (1-year term)

Charles Jessup, Alfred Station	Linda Clayson, Belmont
Edward Eicher, Wellsville	William Shuler, Cuba
Lee Gridley, Wellsville	Gretchen Hanchett, Belmont
Elaine Hardman, Wellsville	Donald Cameron, Alfred Station
Scott Torrey, Belmont	Lee James, Cuba
Steve Havey, Wellsville	Michael Johnsen, Dalton
Odeney Carty, Belmont	Julie Hart, Wellsville
Steven B. Rennie, Fillmore	

CORNELL COOPERATIVE EXTENSION (1-year term)

David T. Pullen, Fillmore (Legislative Representative)

EMERGENCY INTERIM SUCCESSOR (1-year term)

Theodore L. Hopkins, Fillmore

EMERGENCY FOOD AND SHELTER PROGRAM (1-year term)

Jeffrey N. Luckey, Fillmore

EMERGENCY MANAGEMENT AND FIRE DIRECTOR (1-year term)

Jeffrey N. Luckey, Fillmore

EMS COORDINATOR (1-year term)

Jeffrey N. Luckey, Fillmore

INTERCOUNTY ASSOCIATION (1-year term)

Voting Members:

Charles O. Jessup, Alfred Station
Kevin S. LaForge, Wellsville
Brenda Rigby Riehle, Belmont

Alternate Voting Members:

Philip B. Curran, Alfred Station
Dwight "Mike" Healy, Belmont

OPEN SPACE ADVISORY COMMITTEE (1-year term)

H. Kier Dirlam, Angelica

RESOURCE CONSERVATION AND DEVELOPMENT BOARD (1-year term)

County Representative Member: Scott Torrey, Belmont
County Alternate: Philip B. Curran, Alfred Station
Legislative Member: Norman G. Ungermann, Cuba
Member at Large: Thomas Parmenter, Fillmore

SOLID WASTE HEARING BOARD (1-year term)

Members must include the Chairman of Public Works and two Legislators who are not on the Public Works Committee.

Dwight R. Fanton, Chairman of Public Works
Scott R. Burt, District III Legislator
Debra A. Root, District III Legislator

Alternates

David A. Decker, Cuba
Dwight "Mike" Healy, Belmont

STOP-DWI COORDINATOR (1-year term)

Linda S. Edwards, Houghton

TRANSPORTATION TASK FORCE (1-year term)

Dwight R. Fanton, Wellsville
Dwight "Mike" Healy, Belmont

The Clerk of the Board announced that Chairman Crandall has made the following appointments, all of which are subject to confirmation by the Board of Legislators:

AGING, CITIZENS ADVISORY COUNCIL TO THE OFFICE FOR THE (3-year term)

The County Legislator appointee must be a member of the Human Services Committee.

William Coch
Wallace Higgins
Charles O. Jessup
David T. Pullen

FISH & WILDLIFE MANAGEMENT BOARD (Region 9) (2-year term)

Legislative Member: Dwight R. Fanton
Alternate Legislative Member: Aaron M. McGraw

ALLEGANY COUNTY PLANNING BOARD (3-year term)

Reappointments: Valerie Perkins, Caneadea (District I)
Larry Kaminski, Wellsville (District IV)
Aaron Dale Foster, Andover (District IV)

Ex-Officio Members: (Annual Appointment)
Guy R. James, Superintendent of Public Works, Scio
Terri L. Ross, County Treasurer, Angelica
Theodore L. Hopkins, Ways & Means Committee Chairman, Fillmore

VETERANS SERVICE AGENCY DIRECTOR (1-year term)

Michael D. Hennessey, Wellsville

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Communication from the Republican Party members of the Allegany County Board of Legislators recommending that the Chairman designate Theodore L. Hopkins as Majority Leader of said Board for 2014.
2. Correspondence from the Allegany County Farm Bureau inviting Legislators to attend their annual Christmas meeting/party on January 8, 2014.
3. Any Legislator wishing to attend the NYSAC Conference in Albany from February 3 through February 5, 2014, should let Brenda Rigby Riehle know today or as soon as possible.

MESSAGE FROM THE CHAIRMAN:

"I would like to thank our elected officials, department heads, family, friends, and media for attending today's organizational meeting. One of the main attractions to our organizational meeting is the distribution of committee assignments. I will tell you that much thought and deliberation goes into putting these assignments together, and it's one of the more difficult challenges of the Chairman's duties. I am confident in the selections made for the Chairman of each Standing and Ad-hoc Committee and the balanced blend of membership on each committee as well. As part of the process of making these assignments I distributed a form to each legislator asking for feedback as to their interest and desire for the assignments. I found this a very helpful tool in the process, especially with the new Legislators that are joining our Board. To prevent everyone from rushing to the door and not listening to my message I will hold off on the distribution of the committee assignments for now and make you suffer though my ramblings a few minutes longer.

As I begin this message, the first order of business is to address my fellow Board members and express my heartfelt gratitude for the opportunity you have given me by selecting me as your Chairman. In November, I sent each of you a letter expressing my desire for this position and in that letter I not only asked for your support, but if selected, I pledged to serve with the best of my ability, to respect the office, and to respect each of you. I accept the position of Chairman with utmost sincerity, and my promise to you is that I will treat this position with the dignity it deserves, and do all I can to help this Board not only meet, but exceed the responsibilities each of us is charged with as County Legislators. Thank you for your support.

Here we are at the first official meeting of a new term, a new Board of Legislators with several new members. I want to officially welcome Legislator Decker, Legislator Burt, and Legislator Root as well as Legislator Jessup. Although Mr. Jessup has been with us for a couple of months this marks the start of his first elected term. Congratulations are in order not only to the new faces on the Board, but to all Board members. Each of you is to be commended for the personal commitment it takes to serve Allegany County as a County Legislator. You each presented your position to the voters of the County and were sent here

to represent them through the electoral process we treasure so much here in America - well done.

I also want to recognize our dedicated Department Heads, fellow elected officials, and County employees that work so hard to meet the constant demands and challenges of County government - the personal responsibility you take in meeting these demands and challenges does not go unnoticed, and your ongoing efforts are much appreciated. Congratulations to our County Treasurer Terri Ross who took her oath of office with us here today. Terri has been instrumental in helping us to get our financial house in order since first being elected to the Treasurers position and as Deputy Budget Officer.

To our County Administrator Mitch Alger, thank you for the overall day-to-day management of County operations. As this Board meets, sets policy, and gives direction, it is no small task to have those directions clearly and professionally carried out. Thank you, Mitch, for your dedication and professionalism, and congratulations on your first organizational meeting as County Administrator.

Thank you to the Clerk of the Board of Legislators Brenda Rigby Riehle, and her staff for attending to all the details we need as Legislators, and helping us to serve our positions as efficiently and productively as possible. Thank you, Brenda, for all you do and for going beyond the call of duty on a regular basis on our behalf.

Thank you, also, to Tom Miner, our County Attorney, for the research, legal work, and advice he and his staff provide on our behalf and for the people of Allegany County. The people at the dais do an excellent job day in and day out for this Board and for our County as do all the department heads and employees. Let's give them a round of applause to show our gratitude.

My time as a Legislator has been interesting to say the least, as it has with the majority of the Board who are returning for another term. It has been interesting by the fact that so many changes and events have been witnessed over the last few years in connection with Allegany County. At my first organizational meeting, we had no plan for a new Jail and Public Safety Complex yet our cost for housing our prisoners out-of-county was rising in leaps and bounds as was our liability exposure for the outdated facility being used at that time. The Office of Court Administration was dealing with other counties and cities, and Allegany County hadn't yet been brought to the front burner and given the ultimatum to comply with the Court Facilities Capital Plan Act passed by the State Legislature back in 1987. Our budget was out of line with reality, we had no fund balance, and for several years our expenses far exceeded our revenue which added to an increasingly perilous deficit. The office across the hall from the County Administrator was deemed sufficient for Planning and Development as was the little house at the foot of the hill for our Office for the Aging Department. The words Comprehensive Plan hadn't been uttered thus far, at least by this body. The County Nursing Program continued on even though that too was adding to our deficit at the close of each year. The cost of our health insurance plan was sky rocketing as well and some figured this is just the way it is - a sign of the times. We had long term dedicated department heads and employees that we weren't concerned with and hadn't thought of succession - we could worry

about that when the time comes. As I say, it's been interesting. Interesting to stop a moment and reflect on the changes that have occurred in recent years. There are many other significant changes and events that could be talked about, but I think you get the picture.

It might make one think that maybe all the big stuff is taken care of, the really big challenges and projects have been met. Allegany County is in pretty good financial shape, we have a healthy fund balance, our tax rate has been reduced four years in a row, and maybe we can just relax and coast for a few years. I don't believe that and neither do you. There are not only many challenges that face us, but many opportunities as well.

Let's take a look at a couple that are already in motion.

- Our Comprehensive Plan. Not only does Allegany County now have a Comprehensive Plan, in October 2013, this Board adopted legislation that updated the plan. The original plan adopted in 2008 had numerous items that were met and listed as achievements in the new plan, many very significant. What can this Board do to help facilitate and support the new plan and keep the momentum going in the wide range of challenges and opportunities outlined in the Comprehensive Plan?
- Our finances and budget. This year's budget marks the fourth year in a row our County tax rate has gone down. This has come about by dedicating some of our fund balance in order to make that happen. Our finances are healthy; and in my opinion, in the best condition ever, but this is not sustainable without a combination of efficiencies within our expenses and increases within our revenues. Seems simple enough, but an ongoing challenge that together we can meet.
- Broadband Grant Funding. Allegany County was the only county in Western New York to be awarded \$800,000 through the Connect New York Broadband Program. In March of 2013, Governor Andrew Cuomo announced that New York State will award \$25 million in funding to expand high-speed Internet access in rural upstate and underserved urban areas of New York through the Connect NY Broadband Grant Program. The Allegany County Broadband Project will create a county-wide platform for providing access to an existing network, delivering broadband to local communities and households in Allegany County that are currently without adequate service. A few years ago we were scratching our heads and trying to come up with a plan to fund a fiber ring around the County. Circumstances changed, seemingly overnight and now we not only have a fiber optic cable running through the County, but we have some means to tap into it and utilize it. What can we do to enhance the program that is outlined in the grant and to springboard off it to bigger and better things for business expansion and development that we haven't yet discussed? By looking forward and being prepared to react, we were able to take advantage of funding that would have otherwise caught us flat footed.
- Interoperable Communications Grant. Just a few weeks ago, we were notified that Allegany County has been awarded \$5.9 million in round three of the Statewide Interoperable Communications Grant Program thorough Homeland Security. This

funding is provided to facilitate the development, consolidation and/or improved operation of public safety communications for first responders throughout New York. This announcement, along with the Broadband Grant mentioned a minute ago, helps take us to levels of communication we might not have thought possible just a few years ago. This means a lot of work needs to be done to meet the requirements within these grant applications. We can meet this challenge and be rewarded by the opportunities presented.

- *Emergency Radio Needs. No matter how good our emergency radio system becomes, it does no good if our first responders can't utilize it. Last year, a Radio Communications Task Force was put into place to help get mobile and portable radio equipment into the hands of our fire and ambulance service personnel. \$1.2 million in Emergency Radio Grant Funding was received that helps close the gap for high-band mobile and portable radios. This Board just enacted legislation that helps take up the rest of the slack and helps standardize equipment and operations. Let's not miss other opportunities as they come along to further enhance our 911 Radio System.*
- *Landfill Needs. It's no secret that our current Landfill will be full soon and that this Board will be the ones that need to make final decisions that will have a substantial impact on the citizens of Allegany County for years to come. Work has begun to explore and understand our options. Over the next few years, this will be one of the major challenges to this Board. We are positioned to meet this challenge head on, and I am confident that the right decisions can be made, and that this will be a project we can look back on and count as a success for this legislative team.*
- *Infrastructure Needs. Allegany County has a Public Works Departments that takes its stewardship of roads, bridges, buildings and grounds very serious, and they have for many years. This is evident by State Reports that have recently been shared showing Allegany County's roads and bridges are some of the best in Western New York. This doesn't mean however that more cannot be done. Our Public Works Department has looked to us for funding to make these programs even better and to keep up with the natural life cycle of our roads and bridges. Let's take up the challenge and work with this department to implement a sustainable plan. Together we can do it.*
- *Planning and Economic Development. We had conversation about this at one of our orientation meetings, but that was only a primer to the conversation and action yet to come. Our Planning and Development Department has been moved from the little office across the hall from our County Administrator, as I mentioned before, and they have done great things since those days which were not so long ago. But if this Board is serious about economic development and wants to expand the list of achievements before the next Comprehensive Plan Update is due, we need to step up the efforts. The biggest impact we can have on County taxes, which are still too high, is to expand development. We all used this as one of our positions during the election, let's take our ideas to the action stage and not let opportunities pass over Allegany County, they exist – let's not miss them.*

- Repeal of the NY State Safe Act. Allegany County was the first county in New York State to take action on January 14, 2013, when we received word of weekend work in Albany that could jeopardize our constitutional rights. On January 14, RESOLUTION NO. 17-13 - **RESOLUTION IN OPPOSITION TO ANY ATTEMPT BY THE NEW YORK STATE LEGISLATURE TO ENACT LEGISLATION WHICH BUNDLES ISSUES RELATING TO GUN CONTROL.** This resolution was soon followed by RESOLUTION NO. 32-13, **RESOLUTION CALLING FOR THE REPEAL OF THE NEW YORK SAFE ACT OF 2013.** The NY SAFE Act was adopted after minimal public discussion, it contains serious flaws and having been on the desks of the members of the New York State Legislature for only a few hours, thereafter was literally adopted in the night and signed into law by Governor Andrew Cuomo; This is an example of this Board needing to be vigilant of action that directly effects each of us and those who have sent us to Belmont. There are many mandates that have been put in place over the years as well we know when we set aside the lion's share of our budget for programs we have no control over. Let this be a constant reminder to be involved and pro-active with our State and Federal Government.

These are but a few of the challenges and opportunities that face this new Board of Legislators. So, as you can see, all the big stuff is not taken care of, and all the really big challenges and projects have not been met. As we begin this new term, we have so much to be grateful for here in Allegany County. The people of Allegany County deserve a Board of Legislators that take a positive pro-active approach to meet the needs and demands of county government, a Board that lives up to its pledge and responsibilities - we are that Board. By working as a team and cooperatively using our individual strengths, we stand to achieve a great deal for Allegany County during our term. Allegany County is a great place to live, work, and visit, and I am glad to be a steward of her assets along with you."

Curtis W. Crandall, Chairman

STANDING AND SPECIAL COMMITTEE ASSIGNMENTS:

Chairman Crandall distributed copies of his assignments to the **STANDING AND SPECIAL COMMITTEES OF THE BOARD OF LEGISLATORS FOR 2014.** Assignments are as follows; Chairmen and Vice Chairmen are listed first:

FACILITIES AND COMMUNICATIONS:

Chairman: Pullen, **Vice Chairman:** Jessup

Committee Members: Burt, Curran, Fanton, McGraw, Root

HUMAN SERVICES:

Chairman: LaForge, **Vice Chairman:** Pullen

Committee Members: Burt, Jessup, O'Grady, Root

PERSONNEL:

Chairman: O'Grady, **Vice Chairman:** Curran

Committee Members: Fanton, McGraw, Pullen, Root

Special - Negotiations Ad Hoc Committee: (Sub-Committee of Personnel)

Chairman: Pullen, **Committee Members:** O'Grady

PLANNING AND ECONOMIC DEVELOPMENT:

Chairman: Jessup, **Vice Chairman:** LaForge

Committee Members: Burt, Decker, Healy, Hopkins, Pullen, Root

PUBLIC SAFETY:

Chairman: Healy, **Vice Chairman:** Graves

Committee Members: Decker, Hopkins, McGraw, Ungermann

PUBLIC WORKS:

Chairman: Fanton, **Vice Chairman:** McGraw

Committee Members: Curran, Decker, Graves, Healy, Hopkins, Ungermann

RESOURCE MANAGEMENT:

Chairman: Graves, **Vice Chairman:** Fanton

Committee Members: Burt, Decker, Ungermann

WAYS & MEANS:

Chairman: Hopkins, **Vice Chairman:** Fanton

Committee Members: Graves, Healy, Jessup, LaForge, O'Grady, Pullen

Special - Budget Committee: (Sub-Committee of Ways & Means)

Chairman: Hopkins, **Vice Chairman:** LaForge

Committee Members: Curran, Fanton, O'Grady

ADJOURNMENT: The meeting was adjourned at 3:07 p.m. following a motion made by Legislator Graves, seconded by Legislator O'Grady, and carried.

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

JANUARY 13, 2014

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:02 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by Allegany County Veterans' Agency Director Michael Hennessy.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 15 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, David Decker, Dwight Fanton, Karl Graves, Dwight "Mike" Healy, Theodore Hopkins, Charles Jessup, Kevin LaForge, Aaron McGraw, Timothy O'Grady, David Pullen, Debra Root, Norman Ungermann, Jr.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Legislators Compensation Table for 2013
2. December 23, 2013, Board Minutes - *for review*
3. January 2, 2014, Organization Meeting Minutes - *for review*
4. Report of Tax Bill Corrections Approved by the County Administrator in December.
5. Report of Intrafund Transfers Approved by the County Administrator in December.
6. County Treasurer Terri Ross filed a copy of her appointment of Jenna L. Nelson as Deputy County Treasurer in the Clerk of the Board's Office on January 2, 2014.
7. Budget Officer Mitchell M. Alger filed a copy of his appointment of Terri L. Ross as Deputy Budget Officer in the Clerk of the Board's Office on January 2, 2014.
8. County Auditor Mitchell M. Alger filed a copy of his appointment of Edwin E. Dibert as Deputy Auditor in the Clerk of the Board's Office on January 2, 2014.
9. County Attorney Thomas A. Miner filed his Designation of Succession to the Office of Allegany County Attorney in the Clerk of the Board's Office on January 3, 2014. Leslie J. Haggstrom was appointed as First Assistant County Attorney, Carissa M. Knapp was appointed as Second Assistant County Attorney, and Nora Carnes was appointed as Third Assistant County Attorney.

10. Southern Tier West Regional Planning & Development Board meeting minutes of December 19, 2013, and meeting notice for January 16, 2014.

11. Meeting notice that the next Fire Advisory Board meeting will be held at 8 p.m. on January 23 in Room 122 of the Public Safety Facility.

12. Correspondence from the Allegany County Planning Board inviting Legislators to attend their annual dinner on January 15.

13. Allegany County Comprehensive Plan Implementation Group Chairman Edward Eicher forwarded a copy of the Group's End-of-the-Year Report.

APPOINTMENTS:

Chairman Curtis W. Crandall, in a joint measure with Norman Marsh, Chairman of the Cattaraugus County Board of Legislators, has reappointed Theresa Schueckler, Ed Giardini, Jr., Christina John, Linda Spaulding, Steve Crowley, Christine Luly, and Patricia Magara to serve on the **CATTARAUGUS-ALLEGANY WORKFORCE INVESTMENT BOARD** for a three-year term commencing January 1, 2014, and expiring December 31, 2016.

The Clerk of the Board announced that Chairman Curtis Crandall has appointed Mitchell M. Alger of Wellsville, NY, to the **CHAUTAUQUA, CATTARAUGUS, ALLEGANY AND STEUBEN SOUTHERN TIER EXTENSION RAILROAD AUTHORITY** for an undefined term commencing immediately, subject to confirmation by the Board of Legislators.

The Clerk of the Board announced that Chairman Curtis Crandall has appointed Mitchell M. Alger to fill the remainder of Frederick Sinclair's unexpired three-year term ending May 31, 2016, as a member of the **SOUTHERN TIER WEST REGIONAL PLANNING & DEVELOPMENT BOARD**, subject to confirmation by the Board of Legislators.

RESOLUTIONS:

RESOLUTION NO. 22-14

RESOLUTION SETTING DATE FOR PUBLIC HEARING ON EIGHT YEAR REVIEW OF AGRICULTURAL DISTRICT NUMBER TWO

Offered by: Planning and Economic Development Committee

Pursuant to Agriculture and Markets Law

WHEREAS, Agricultural District Number Two, being within the Towns of Allen, Amity, Andover, Angelica, Belfast, Birdsall, Clarksville, Cuba, Friendship, Scio, Ward, West Almond, Wellsville and Wirt was Created on August 13, 2001, and was last modified and continued on February 13, 2006 by Resolution No. 49-06, and

WHEREAS, an eight year review of the District is required, and

WHEREAS, the thirty day notice of such eight year review has been given, and

WHEREAS, the reports of the County Planning Board and the Agricultural and Farmland Protection Board have been received, and

WHEREAS, the law requires that a public hearing be held on such eight year review, now, therefore, be it

RESOLVED:

1. That a public hearing on the eight year review of Agricultural District Number Two shall be held by this Board at the County Legislators' Chambers, Room 221, 7 Court Street, County Office Building, Belmont, New York 14813, on January 27, 2014, at 2:00 P. M.

2. That the Soil and Water Conservation District Executive Director shall prepare, with the assistance of the County Attorney, a notice of the public hearing, and cause such notice to be published in the Wellsville Daily Reporter and mailed in accordance with Section 303-a of the Agriculture and Markets Law.

Moved by: Mr. Jessup
Seconded by: Mr. LaForge

Adopted: Voice Vote

RESOLUTION NO. 23-14

ACCEPTANCE OF INSURANCE PAYMENT FROM NYMIR AND APPROPRIATION OF FUNDS TO RISK RETENTION ACCOUNTS

Offered by: Ways and Means Committee

WHEREAS, a County chiller sustained damage from a lightning strike on September 11, 2013, and

WHEREAS, NYMIR has tendered a check in the amount of \$6,500.10, which represents the cost to repair the County's chiller less a deductible of \$4,355.85, now, therefore, be it

RESOLVED:

1. That the amount of \$6,500.10 from NYMIR, representing the cost to repair the County's chiller which sustained lightning damage, less a deductible of \$4,355.85, is accepted.

2. That the total sum of \$6,500.10 is credited to 2013 Revenue Account No. CS1930.2680.00 (Risk Retention – Insurance Recovery).

Moved by: Mr. Hopkins
Seconded by: Mr. Fanton

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 24-14

ACCEPTANCE OF INSURANCE PAYMENT FROM NYMIR AND APPROPRIATION OF FUNDS TO RISK RETENTION ACCOUNTS

Offered by: Ways and Means Committee

WHEREAS, a check in the amount of \$225, representing the cost to replace a windshield on a 2006 Ford Crown Victoria, has been offered by NYMIR in settlement for such damage, now, therefore, be it

RESOLVED:

1. That the amount of \$225 from NYMIR, representing the cost to replace a windshield on a 2006 Ford Crown Victoria, is accepted.

2. That the sum of \$225 is credited to 2013 Revenue Account No. CS1930.2680.00 (Risk Retention - Insurance Recovery).

Moved by: Mr. Hopkins
Seconded by: Mr. Curran

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 25-14

APPROVAL OF AGREEMENT WITH ALLEGANY COUNTY ASSOCIATION FOR THE BLIND AND VISUALLY HANDICAPPED, INC., IN RELATION TO THE RENDERING OF SERVICE, TRAINING OR AID TO INDIGENT BLIND IN ALLEGANY COUNTY

Offered by: Human Services Committee

Pursuant to County Law § 224 (6)

RESOLVED:

1. That the Agreement in the amount of \$8,000 between the County of Allegany and Allegany County Association for the Blind and Visually Handicapped, Inc., in relation to the rendering of service, training or aid to indigent blind in Allegany County during 2014, is approved.

2. That the Chairman of this Board is authorized to execute said Agreement in triplicate.

Moved by: Mr. LaForge
Seconded by: Mr. Graves

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 25-14 included: Legislator Ungermann stated, "I've said this before, but government is getting to be the biggest charity going. This type of thing is something that Lion's Clubs and other service clubs used to do. There are fewer requests for help from these service agencies because the government is contributing. I'm not sure what to do about it. I just hate to see the government get to be a bigger charity." Chairman Crandall stated that he believed that a couple of these appropriations have been at the same level since he's been on the Board.

RESOLUTION NO. 26-14

APPROVAL OF AGREEMENT WITH ALLEGANY COUNTY AGRICULTURAL SOCIETY FOR PAYMENT OF 2014 BUDGETARY APPROPRIATION

Offered by: Planning and Economic Development Committee

RESOLVED:

1. That the Agreement between the County of Allegany and the Allegany County Agricultural Society, is approved.
2. That the Chairman of this Board is authorized to execute such Agreement.
3. That the County Treasurer, upon receipt of a true copy of said Agreement, is authorized and directed to remit to said Society the sum of \$8,000 and charge Account No. A8752.492 therefor.

Moved by: Mr. Jessup
Seconded by: Mr. LaForge

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 26-14 included: Legislator Burt noted that he grew up in Angelica and always looked forward to the fair. He feels it's a nice cross section representing Allegany County. As a teacher, he feels the fair does a great job of supporting our youth. It's a nice place for youth to get to show off their expertise. Legislator Ungermann commented that there are several other events that bring people to Allegany County including, the Boxing Museum, Balloon Rally, Civil War Reenactment, Garlic Festival, and Tough Mudders. He's not sure that we support these other events.

RESOLUTION NO. 27-14

APPROVAL OF AGREEMENT WITH VOLUNTEER FIREMEN'S ASSOCIATION OF ALLEGANY COUNTY, INC., FOR PAYMENT OF 2014 BUDGETARY APPROPRIATION

Offered by: Public Safety Committee

Pursuant to County Law § 224

RESOLVED:

1. That the Chairman of this Board is hereby authorized to execute an agreement between the County of Allegany and the Volunteer Firemen's Association of Allegany County, Inc. that shall provide, in substance, (a) that the County of Allegany will disburse in advance to said Association the sum of \$2,000 to be used by said Association for the payment of expenses which it might incur during 2014 in providing fire training schools for training firefighters (b) that said Association will render a verified account of such expenses on or before December 31, 2014, with verified or certified vouchers therefor attached, and (c) that any unused amount will be refunded to the County of Allegany.

2. That the County Treasurer shall not pay the aforesaid sum until a memorandum receipt signed by the President and Treasurer of said Association agreeing to comply with the terms of this resolution is delivered to her office.

3. That the Treasurer of said Association shall not be required to furnish a bond.

Moved by: Mr. Healy
Seconded by: Mr. Fanton

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

AUDITS:

A motion was made by Legislator Hopkins, seconded by Legislator Healy, and carried, that the audits be acted upon collectively and by totals.

A motion was made by Legislator Hopkins, seconded by Legislator Healy, and adopted on a roll call vote of 15 Ayes, 0 Noes, 0 Absent, that the audit of claims, totaling \$3,614,424.37, including prepaid expenses, be approved for payment as recommended by the County Administrator. (*Allegany County's Local Dollar Share of the NYS Medicaid Program paid year-to-date is \$386,372.*)

ADJOURNMENT: The meeting was adjourned at 2:20 p.m. on a motion made by Legislator Graves, seconded by Legislator Burt and carried.

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

JANUARY 27, 2014

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:01 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by Former United States Air Force Sergeant Robert W. Cornell.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 15 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, David Decker, Dwight Fanton, Karl Graves, Dwight "Mike" Healy, Theodore Hopkins, Charles Jessup, Kevin LaForge, Aaron McGraw, Timothy O'Grady, David Pullen, Debra Root, Norman Ungermann, Jr.

APPROVAL OF MINUTES:

The Board meeting minutes of December 23, 2013, were approved on a motion made by Legislator Graves, seconded by Legislator Root, and carried.

The Organization meeting minutes of January 2, 2014, were approved on a motion made by Legislator Curran, seconded by Legislator Fanton, and carried.

The Board meeting minutes of January 13, 2014, were approved on a motion made by Legislator Decker, seconded by Legislator Graves, and carried.

PUBLIC HEARING:

Chairman Crandall closed the regular meeting to hold a public hearing on the Eight-Year Review of Agricultural District Number Two within the Towns of Allen, Amity, Andover, Angelica, Belfast, Birdsall, Clarksville, Cuba, Friendship, Scio, Ward, West Almond, Wellsville, and Wirt. There being no one desiring to speak, the public hearing was declared closed and the Board reconvened in regular session.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Robert W. Cornell, former United States Air Force Sergeant, in grateful appreciation of his service to our country. Mr. Cornell's service dates were from August 22, 1967, to August 20, 1971. His assignments included Vietnam, where he spent 18 months, and Plattsburgh, New York. Commendations he received included: National Defense Medal, Vietnam Service Medal, Air Force Good Conduct Medal, and Air Force Accommodation Medal. Mr. Cornell led the Pledge of

Allegiance to the Flag at the beginning of the meeting as part of the Veterans' Honorary Pledge of Allegiance Program.

Public Health Director Lori Ballengee briefly addressed the audience regarding the Health Department's new website. Clients are now able to schedule appointments online. Additionally there are forms and program listings. She hopes having these items available online will make it more convenient for County residents. The website address is www.alleganycountydepartmentofhealth.com.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. February 2014 Calendar. The Budget Committee meeting originally scheduled for February 19 was cancelled. The Committee of the Whole meeting scheduled for February 24 was moved to March 24.

2. Real Property Tax Director Joseph Budinger filed a Statement of County Equalization Pursuant to Title 2 of Article 8 of the Real Property Tax Law for Calendar Year Beginning January 1, 2014, Based on Assessment Rolls Completed, Verified, and Filed in 2013 in the Clerk of the Board's Office on January 14, 2014.

3. Correspondence from Senator Catharine Young acknowledging receipt of Allegany County Resolution No. 157-13 in support of designating a portion of the State Highway System as the "Sergeant Omar G. Blowers Memorial Highway." Senator Young reported that she plans to introduce a bill designating a portion of State Route 70, running from Canaseraga Village line to the Livingston County line as the "Sergeant Omar G. Blowers Memorial Highway."

4. Correspondence from NYS Attorney General's Office commending Board of Elections Commissioners Richard Hollis' and Michael McCormick's efforts in ensuring the polling places within Allegany County are physically accessible to voters with disabilities.

5. Correspondence from Senator Catharine Young acknowledging receipt and support of Allegany County Resolution No. 200-13 regarding residency requirements for welfare benefits. Senator Young indicated that although the United States Supreme Court ruled that denying welfare assistance to needy families who do not meet a residency requirement, but would otherwise qualify, is unconstitutional unless the denial is supported by a compelling interest; however, she is exploring legislation that would allow for welfare benefits that equal the national average for at least the first year. This would provide less incentive to move to New York State solely to take advantage of our welfare benefits.

APPOINTMENTS:

The Clerk of the Board announced that Chairman Curtis W. Crandall has appointed Vicki Grant of Houghton as a member of the **ACCORD BOARD OF DIRECTORS**, to serve at his pleasure.

The Clerk of the Board announced that Human Services Committee Chairman Kevin LaForge has appointed Reita Sobeck-Lynch of Wellsville as a member of the **ACCORD BOARD OF DIRECTORS**, to serve at his pleasure.

The Clerk of the Board announced that Chairman Curtis W. Crandall has appointed Joseph L. Budinger of Angelica as a member of the **ALLEGANY COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD** coterminous with his tenure as Real Property Tax Service Director, expiring September 30, 2019.

The Clerk of the Board announced that Chairman Curtis W. Crandall has appointed John Lewis of Wellsville as the Sportsmen's Representative Member, and Zoltan Szabo of Wellsville as the Sportsmen's Alternate Representative Member of the **REGION 9 FISH & WILDLIFE MANAGEMENT BOARD**, for a term of two years, commencing January 1, 2014, and expiring December 31, 2015, subject to confirmation by the Board of Legislators.

Chairman Curtis W. Crandall, in a joint measure with Norman L. Marsh, Chairman of the Cattaraugus County Board of Legislators, has appointed Celeste Schoonover, Owner/Operator of Swain Ski Resort, to serve on the **CATTARAUGUS-ALLEGANY WORKFORCE INVESTMENT BOARD**, filling the remainder Matt Keller's unexpired term through December 31, 2015.

RESOLUTIONS:

RESOLUTION NO. 28-14

APPOINTMENT OF ONE MEMBER TO THE CITIZENS ADVISORY COUNCIL TO THE OFFICE FOR THE AGING

Offered by: Human Services Committee

Pursuant to Resolution No. 221-74

RESOLVED:

1. That the appointment of Charles O. Jessup of Alfred Station, New York, to the Citizens Advisory Council to the Office for the Aging, with term of office commencing January 1, 2014, and to continue until another Legislator has been appointed, or until he no longer serves as a member of the Human Services Committee, is confirmed.

Moved by: Mr. LaForge
Seconded by: Mr. Pullen

Adopted: Voice Vote

RESOLUTION NO. 29-14

**REAPPOINTMENT OF FOUR INCUMBENT MEMBERS AND ONE NEW MEMBER TO
COUNTY TRAFFIC SAFETY BOARD**

Offered by: Public Safety Committee

Pursuant to Local Law No. 2 of 1972

RESOLVED:

1. That Dawn Santangelo, Ray M. Parlett, Linda Edwards, and Melinda Rounds are reappointed to the County Traffic Safety Board, with term of office for each to commence January 1, 2014, and expire December 31, 2016.

2. That Rick L. Whitney is appointed to the County Traffic Safety Board, with term of office for each to commence January 1, 2014, and expire December 31, 2016.

Moved by: Mr. Healy
Seconded by: Mr. Fanton

Adopted: Voice Vote

RESOLUTION NO. 30-14

**A RESOLUTION IN RELATION TO THE CONSTRUCTION OF TOWN BRIDGE NO. 25-06
(B.I.N. 2215050) IN TOWN OF WARD**

Offered by: Public Works Committee

Pursuant to Highway Law § 238 and
Resolution No. 65-95

WHEREAS, the County Public Works Department has submitted a report to this Board stating its reasons why Town Bridge No. 25-06 (B.I.N. 2215050) on Baker Road in the Town of Ward should be constructed, and

WHEREAS, the County Public Works Department has submitted plans, maps and specifications for the construction of such Bridge and estimated the project costs at \$188,000, and

WHEREAS, such Bridge qualifies under the Cost Sharing Plan set forth in Resolution No. 65-95, now, therefore, be it

RESOLVED:

1. That this Board of Legislators does determine that it considers Bridge No. 25-06 (B.I.N. 2215050) on Baker Road in the Town of Ward to be of sufficient importance to be constructed.

2. That the plans, maps and specifications prepared by the County Public Works Department are approved and the County Public Works Department is directed to construct such Bridge in accordance with such plans, maps and specifications.

3. That the authorized cost for the construction of such Bridge shall not exceed \$188,000.

4. That in accordance with Resolution No. 65-95, the County's share of such cost is estimated to be \$159,800 and shall be transferred to a Capital Project Account to be designated by the County Treasurer.

5. That the Town's share of such cost, estimated to be \$28,200, shall be paid to the County pursuant to the provisions of section 1 g. of Resolution No. 65-95.

6. That such Bridge shall not be constructed until the Town of Ward files the appropriate Town Board resolution in accordance with Resolution No. 65-95.

Moved by: Mr. Fanton
Seconded by: Mr. Healy

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 30-14 included: Legislator Ungermann stated that he was going to support this resolution as well as the next two, but that he feels this is something that needs a lot more discussion. He added, "Possibly towns should have a choice in who does the bridge. I realize we want to keep our people busy, but I'm not sure that's the end purpose of the Bridge Program. We do need to get these bridges fixed, but we also need to discuss the Bridge Policy".

RESOLUTION NO. 31-14

A RESOLUTION IN RELATION TO THE CONSTRUCTION OF TOWN BRIDGE NO. 18-01 (B.I.N. 2214670) IN TOWN OF GRANGER

Offered by: Public Works Committees

Pursuant to Highway Law § 238 and
Resolution No. 65-95

WHEREAS, the County Public Works Department has submitted a report to this Board stating its reasons why Town Bridge No. 18-01 (B.I.N. 2214670) on Ottis Smith Road in the Town of Granger should be constructed, and

WHEREAS, the County Public Works Department has submitted plans, maps and specifications for the construction of such Bridge and estimated the project costs at \$277,500, and

WHEREAS, such Bridge qualifies under the Cost Sharing Plan set forth in Resolution No. 65-95, now, therefore, be it

RESOLVED:

1. That this Board of Legislators does determine that it considers Bridge No. 18-01 (B.I.N. 2214670) on Ottis Smith Road in the Town of Granger to be of sufficient importance to be constructed.
2. That the plans, maps and specifications prepared by the County Public Works Department are approved and the County Public Works Department is directed to construct such Bridge in accordance with such plans, maps and specifications.
3. That the authorized cost for the construction of such Bridge shall not exceed \$277,500.
4. That in accordance with Resolution No. 65-95, the County's share of such cost is estimated to be \$235,875 and shall be transferred to a Capital Project Account to be designated by the County Treasurer.
5. That the Town's share of such cost, estimated to be \$41,625, shall be paid to the County pursuant to the provisions of section 1 g. of Resolution No. 65-95.
6. That such Bridge shall not be constructed until the Town of Granger files the appropriate Town Board resolution in accordance with Resolution No. 65-95.

Moved by: Mr. Fanton
Seconded by: Mr. Hopkins

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 32-14

**A RESOLUTION IN RELATION TO THE CONSTRUCTION OF TOWN BRIDGE NO. 20-18
(B.I.N. 2214830) IN TOWN OF HUME**

Offered by: Public Works Committees

Pursuant to Highway Law § 238 and
Resolution No. 65-95

WHEREAS, the County Public Works Department has submitted a report to this Board stating its reasons why Town Bridge No. 20-18 (B.I.N. 2214830) on Higgins Road in the Town of Hume should be constructed, and

WHEREAS, the County Public Works Department has submitted plans, maps and specifications for the construction of such Bridge and estimated the project costs at \$296,500, and

WHEREAS, such Bridge qualifies under the Cost Sharing Plan set forth in Resolution No. 65-95, now, therefore, be it

RESOLVED:

1. That this Board of Legislators does determine that it considers Bridge No. 20-18 (B.I.N. 2214830) on Higgins Road in the Town of Hume to be of sufficient importance to be constructed.

2. That the plans, maps and specifications prepared by the County Public Works Department are approved and the County Public Works Department is directed to construct such Bridge in accordance with such plans, maps and specifications.

3. That the authorized cost for the construction of such Bridge shall not exceed \$296,500.

4. That in accordance with Resolution No. 65-95, the County's share of such cost is estimated to be \$252,025 and shall be transferred to a Capital Project Account to be designated by the County Treasurer.

5. That the Town's share of such cost, estimated to be \$44,475, shall be paid to the County pursuant to the provisions of section 1 g. of Resolution No. 65-95.

6. That such Bridge shall not be constructed until the Town of Hume files the appropriate Town Board resolution in accordance with Resolution No. 65-95.

Moved by: Mr. Fanton
Seconded by: Mr. Pullen

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 32-14 included: Legislator Decker stated, "I would just like to echo Mr. Ungermann's comments. We need to spend more time on these, and come up with a more economical way of doing these."

RESOLUTION NO. 33-14

A RESOLUTION REAPPROPRIATING THE UNEXPENDED FUNDING FOR CALENDAR YEAR 2012 FROM THE NEW YORK STATE OFFICE OF HOMELAND SECURITY FOR THE SLETPP HOMELAND SECURITY GRANT

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That unexpended funds in the amount of \$10,516 from the 2012 SLETPP Homeland Security Grant (DCJS Project # LE12-1002-D00), are reappropriated to Account No. A3645.447 (Homeland Security - Sheriff) with a like sum credited to Revenue Account No. A3645.3306.SH12-2012 LETPP #T969122 (Homeland Security – Sheriff).

Moved by: Mr. Healy
Seconded by: Mr. Curran

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 34-14

A RESOLUTION REAPPROPRIATING THE UNEXPENDED FUNDS RECEIVED FROM ACCORD CORPORATION FOR THE ACT II BATTERERS PROGRAM

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That the unexpended funds from ACCORD Corporation in the amount of \$11,665 for the Act II Batterers Program are reappropriated to Account No. A3117.449 (ACT II Batterers Program-Contractual) with a like sum credited to Revenue Account No. A3117.2260.00 (ACT II Batterers Program).

Moved by: Mr. Healy
Seconded by: Mrs. Root

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 35-14

A RESOLUTION REAPPROPRIATING THE UNEXPENDED FUNDS RECEIVED FROM THE GOVERNOR'S TRAFFIC SAFETY PROGRAM STEPS IN SAFETY GRANT (SAFETY ON WHEELS) FROM OCTOBER 1, 2013, THROUGH SEPTEMBER 30, 2014

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That the unexpended funds from the Governor's Traffic Safety Program STEPS in Safety Grant (Safety On Wheels) in the amount of \$2,800 are reappropriated to Account No. A3114.4 (Traffic Program – Contractual) with a like sum credited to Revenue Account No. A3114.3389.00 (State Aid – Traffic Program).

Moved by: Mr. Healy
Seconded by: Mr. Fanton

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 36-14

**A RESOLUTION REAPPROPRIATING THE UNEXPENDED FUNDS RECEIVED FROM
NYS STOP-DWI ASSOCIATION FOR CRACKDOWN ENFORCEMENT FOR FEDERAL
FISCAL YEAR OCTOBER 1, 2013, TO SEPTEMBER 30, 2014**

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That the unexpended funds from NYS STOP-DWI Association in the amount of \$54,800 for Crackdown Enforcement for the federal fiscal year October 1, 2013, to September 30, 2014, are reappropriated to Account No. A3141.449 (Public Safety Contracts-Enforcement), with a like sum credited to Revenue Account No. A3141.1589.00 (Other Public Safety Dept. Revenue).

Moved by: Mr. Healy
Seconded by: Mr. Curran

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 37-14

**APPROVAL OF AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL
JUSTICE SERVICES, OFFICE OF PROBATION AND CORRECTIONAL ALTERNATIVES,
PROVIDING FOR THE PAYMENT OF A FEE TO ALLEGANY COUNTY FOR EACH
INDIVIDUAL RECEIVING A SENTENCE REQUIRING AN IGNITION INTERLOCK DEVICE
ON THEIR VEHICLE**

Offered by: Public Safety Committee

RESOLVED:

1. That the agreement between the New York State Division of Criminal Justice Services, Office of Probation and Correctional Alternatives, described as Contract #T523389 (GTSC Ignition Interlock Device Monitoring Program), providing for the payment of a fee to Allegany County of \$111.21 for each Probation Department client with a discharge sentence that includes an Ignition Interlock condition, up to a maximum amount of \$11,461, is approved.

2. That funds received under the agreement shall be appropriated to account A3140.101 (Probation-Personnel) with a like amount credited to Revenue Account No. A3140.3310.07.

3. That the Chairman of this Board is authorized to execute such agreement.

Moved by: Mr. Healy
Seconded by: Mr. Pullen

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 38-14

**APPROVAL OF AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND THE
COUNTY OF WYOMING FOR HOUSING WYOMING COUNTY MALE AND FEMALE
PRISONERS IN THE ALLEGANY COUNTY JAIL**

Offered by: Public Safety Committee

Pursuant to Corrections Law § 504

RESOLVED:

1. That the Agreement between the County of Allegany and the County of Wyoming in relation to the housing in of Wyoming County male and female prisoners in the Allegany County Jail for period January 1, 2014, to December 31, 2014, is approved.

Moved by: Mr. Healy
Seconded by: Mr. Graves

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 38-14 included: Legislator Graves briefly commented on the relationship Allegany County has had with Wyoming County in regards to housing inmates. He urged the other Legislators to support the resolution.

RESOLUTION NO. 39-14

**APPROVAL OF LEASE BETWEEN SJM PROPERTIES, INC. AND COUNTY OF
ALLEGANY FOR PREMISES AT 35 GLEN STREET, ALFRED, NEW YORK**

Offered by: Human Services Committee

RESOLVED:

1. That Lease between SJM Properties, Inc. and the County of Allegany for property at 35 Glen Street, Alfred, New York, is approved.

2. That the Chairman of this Board is authorized to execute said Lease and to cause the recording of same in the Allegany County Clerk's Office.

Moved by: Mr. LaForge
Seconded by: Mrs. Root

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Resolution Intro. No. 40-14 (RESOLUTION CONTINUING AGRICULTURAL DISTRICT NUMBER TWO WITH MODIFICATIONS) was not pre-filed and was considered from the floor on a motion made by Legislator Jessup, seconded by Legislator LaForge, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 40-14

**RESOLUTION CONTINUING AGRICULTURAL DISTRICT NUMBER
TWO WITH MODIFICATIONS**

Offered by: Planning and Economic Development Committee

Pursuant to Agriculture and Markets Law Sections 303-a and 303-b

WHEREAS, Agricultural District Number Two, being within the Towns of Allen, Amity, Andover, Angelica, Belfast, Birdsall, Clarksville, Cuba, Friendship, Scio, Ward, West Almond, Wellsville and Wirt was created on August 13, 2001, and was last modified and continued on February 13, 2006 by Resolution No. 49-06, and

WHEREAS, the eight-year review of Agricultural District Number Two for requesting inclusion of predominantly viable agricultural land into said District for calendar year 2014 has been completed, and

WHEREAS, 308 landowners have requested the inclusion of approximately 32,632.2 acres of predominantly viable agricultural land within Agricultural District Number Two, and

WHEREAS, 9 landowners have requested to be removed from Agricultural District Number Two totaling approximately 384.8 acres, and

WHEREAS, due notice of a public hearing on whether such predominantly viable agricultural land should be included or removed in the District having been published as required by Agriculture and Markets Law Section 303-b, and such hearing having been held before this Board on January 27, 2014, and

WHEREAS, this Board has duly deliberated on whether the District should be modified, now, therefore, be it

RESOLVED:

1. That this Board of Legislators determines after review of the report of the Agricultural and Farmland Protection Board and after a public hearing held on January 27, 2014, that Agricultural District Number Two be continued and modified to include the addition of 1,258 acres in the Town of Allen, 5,231.9 acres in the Town of Amity, 70 acres in the Town of Andover, 5,0797.7 acres in the Town of Angelica, 708 acres in the Town of Belfast, 192.5 acres in the Town of Birdsall, 1,861.6 acres in the Town of Clarksville, 523.9 acres in the Town of Cuba, 3,725.9 acres in the Town of Friendship, 3,746.3 acres in the Town of Scio, 3,300 acres in the Town of Ward, 4,807 acres in the Town of West Almond, 686.7 acres in the Town of Wellsville, and 1,440.7 acres in the Town of Wirt totaling approximately 32,632.2 acres and the removal of approximately 384.8 acres of predominantly viable

agricultural land located in the Towns of West Almond, Clarksville, Angelica, Friendship, Amity, Scio.

2. That the Clerk of this Board is directed to send a certified copy of this resolution to the New York State Commissioner of Agriculture and Markets.

3. That this Board requests that the New York State Commissioner of Agriculture certify that the proposed inclusion of the approximately 32,632.2 acres of predominantly viable agricultural lands located in the Towns of Allen, Amity, Andover, Angelica, Belfast, Birdsall, Clarksville, Cuba, Friendship, Scio, Ward, West Almond, Wellsville and Wirt and the removal of approximately 384.8 acres of predominantly viable agricultural land located in the Towns of West Almond, Clarksville, Angelica, Friendship, Amity, Scio is feasible and in the public interest.

Moved by: Mr. Jessup
Seconded by: Mr. LaForge

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Resolution Intro. No. 41-14 (ACCEPTANCE OF THE INSURANCE PROPOSAL OF NYMIR SUBMITTED BY RICHARDSON & STOUT INSURANCE COMPANY; CONTINUED AUTHORITY OF BOARD CLERK AND PERSONNEL COMMITTEE TO SECURE OTHER INSURANCE) was not pre-filed and was considered from the floor on a motion made by Legislator Decker, seconded by Legislator Fanton, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 41-14

ACCEPTANCE OF THE INSURANCE PROPOSAL OF NYMIR SUBMITTED BY RICHARDSON & STOUT INSURANCE COMPANY; CONTINUED AUTHORITY OF BOARD CLERK AND PERSONNEL COMMITTEE TO SECURE OTHER INSURANCE

Offered by: Personnel Committee

RESOLVED:

1. That the NYMIR insurance proposal and related services as submitted by Richardson & Stout Insurance Company of Wellsville, New York, to the County of Allegany for the period February 1, 2014, to February 1, 2015, is approved.

2. That the premium of \$240,635.60 plus any additional premium amounts resulting from the addition or inclusion of vehicles, equipment and other property to the policies is charged to Account No. A1910.406 of the 2014 County Final Budget in which the funds are proportionately provided to cover the whole of such premium.

3. That all other insurance not provided for in the foregoing proposal shall continue to be secured by the Clerk of the County Board of Legislators with approval of the Personnel

Committee of such County Board, limited by the funds appropriated by such County Board therefor.

Moved by: Mr. O'Grady
Seconded by: Mr. Fanton

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 41-14 included: Legislator Burt commented that he often hears from constituents that resolutions get passed without much discussion. He invites them to attend committee meetings where much of the discussion takes place. Legislator Ungermann noted that it was nice to see the premium go down.

AUDITS:

A motion was made by Legislator Hopkins, seconded by Legislator Pullen, and carried, that the audits be acted upon collectively and by totals.

A motion was made by Legislator Hopkins, seconded by Legislator Decker, and adopted on a roll call vote of 15 Ayes, 0 Noes, 0 Absent, that the audit of claims, totaling \$2,862,743.81, including prepaid expenses, be approved for payment as recommended by the County Administrator. (*Allegany County's Local Dollar Share of the NYS Medicaid Program paid year-to-date is \$772,744.*)

COMMENTS:

Legislator Hopkins remarked that he should have made a comment when voting on the Agricultural District Resolution. When Agricultural Districts were first set up, it did affect assessments. Not so much here, but in urban areas. These agricultural districts no longer affect assessments. The assessments are done by the assessor and what is filled out on Schedule F.

Legislator Pullen stated, "We've seen tremendous progress on our insurance costs." NYSAC has helped. NYMIR was set up by a number of municipalities. We are working together to fund our own insurance. Not all municipalities participate. It has resulted in substantial savings. It was an idea that took some time, but it was a good idea. This is an example of new ideas and innovations that can save money.

Legislator Decker added, "It just goes to show what we can do at the local level."

Legislator Graves remarked that credit needs to be given to the County employees. They've been conscientious in the operation of County vehicles. The loss exposure has been less.

ADJOURNMENT: The meeting was adjourned at 2:38 p.m. on a motion made by Legislator Graves, seconded by Legislator Decker, and carried.

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

FEBRUARY 10, 2014

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:03 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Army Private Second Class Richard D. Treusdell.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 14 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, David Decker, Dwight Fanton, Karl Graves, Dwight "Mike" Healy, Theodore Hopkins, Charles Jessup, Kevin LaForge, Aaron McGraw, Timothy O'Grady, David Pullen, Debra Root
Absent: Norman Ungermann, Jr.

APPROVAL OF MINUTES:

The Committee of the Whole minutes of December 2, 2013, were approved on a motion made by Legislator Graves, seconded by Legislator Healy, and carried.

The Committee of the Whole minutes of January 13, 2014, were approved on a motion made by Legislator Root, seconded by Legislator Curran, and carried.

The Board meeting minutes of January 27, 2014, were approved on a motion made by Legislator Decker, seconded by Legislator Root, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Richard D. Treusdell, former United States Army Private Second Class, in grateful appreciation of his service to our country. Mr. Truesdell's service dates were from February 15, 1954, to July 31, 1956. Following Basic Training at Fort Dix, assignments included: Fort Knox, Fort Benning, and Germany. Commendations he received included: Army Occupation Medal (Germany) and the National Defense Medal. Mr. Treusdell led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans' Honorary Pledge of Allegiance Program.

Executive Director for the Greater Allegany County Chamber of Commerce Gretchen Hanchett gave a presentation outlining the work done by the Tourism Office. She noted that tourism in the region is up, but there is still room for growth. She gave examples of some of the activities and events the Tourism Office has promoted, and the benefits received from those events. Ms. Hanchett showed two videos that had been produced to promote Allegany County. Additionally she showed a video that was made when the Fireball Run event

stopped in Allegany County. Allegany County has received a great deal of positive exposure thanks to the Chamber's participation in the Fireball Run event.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Report of Tax Bill Corrections Approved by the County Administrator in January.
2. Report of Intrafund Transfers Approved by the County Administrator in January.
3. Report of Examination from Office of the NYS Comptroller Thomas DiNapoli Division of Local Government & School Accountability on the Allegany County Jail Payroll and Inmate Prescription Medications for the period of January 1, 2012, through June 5, 2013.
4. Invitation to attend ACCORD Executive Director Charles Kalthoff's retirement party on February 28, 2014, at the Wellsville American Legion.
5. Correspondence from Senator Catharine Young acknowledging receipt and support of Allegany County's Resolution opposing the use of our official seal by New York State on any documents relating to the New York State Secure Ammunition and Firearms Enforcement (SAFE) Act.
6. Correspondence from Governor Andrew Cuomo thanking the Board for the use of our County flag for display during the State-of-the-State Address.
7. New York Farm Bureau Area Field Supervisor Timothy Bigham forwarded a copy of the February 2014 issue of the Allegany County Farm Bureau News.

APPOINTMENTS:

Chairman Curtis W. Crandall has appointed Kenneth David Porter of Wellsville, New York, as a member of the **CITIZENS ADVISORY COUNCIL TO THE OFFICE FOR THE AGING**, to fill the remainder of a three-year term commencing immediately, and expiring December 31, 2014, subject to confirmation by the Board of Legislators.

Chairman Curtis W. Crandall has appointed Rodney K. Bennett of Dalton, New York, to serve on the **ALLEGANY COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD** coterminous with his designation as Chairman of Soil and Water Conservation District's Board of Directors, for a one year term expiring December 31, 2014.

Chairman Curtis W. Crandall in a joint measure with Norman L. Marsh, Chairman of the Cattaraugus County Board, has appointed the following individuals to the **WORKFORCE INVESTMENT BOARD YOUTH COUNCIL** for two-year terms to expire December 31, 2015: Jeff Capitani, Linda Edstrom, Betty Hicks, Judy Nannen, Heather Simon, and Sherry Weirich.

RESOLUTIONS:

RESOLUTION NO. 42-14

RESOLUTION SUPPORTING THE INITIATIVE OF DR. XINGWU WANG OF ALFRED UNIVERSITY TO SURVEY LOCAL FARMERS TO ASCERTAIN THEIR INTEREST IN VARIOUS FORMS OF ENERGY PRODUCTION

Offered by: Resource Management Committee

WHEREAS, Jeffrey Porter, Director of Sponsored Research Administration at Alfred University, addressed the Resource Management Committee concerning an initiative of Alfred University Electrical Engineering Professor Dr. Xingwu Wang to survey local farmers concerning their interest in various alternative forms of energy technologies, and

WHEREAS, energy technologies such as wind, solar and biomass have the potential to provide economical and environmentally friendly sources of energy for our local farmers, and

WHEREAS, as part of the survey process, Dr. Wang will examine interest in biomass gasifiers that can be sized to suit a user's needs, and

WHEREAS, this Board is interested in declaring its support for the research efforts of our local colleges and universities that have the potential to benefit County farms and businesses, now therefore, be it

RESOLVED:

1. That the Board of Legislators does hereby declare its support for the efforts of Alfred University professor Dr. Xingwu Wang to survey local farmers concerning their interest in various alternative forms of energy technologies.
2. That the Board of Legislators encourages our local farmers to participate in Dr. Wang's survey and thoughtfully consider any recommendations that may result therefrom.
3. That the Clerk of this Board is directed to send a certified copy of this resolution to Dr. Xingwu Wang and Jeffrey Porter at Alfred University.

Moved by: Mr. Graves
Seconded by: Mr. Burt

Adopted: Voice Vote

Comments made regarding Resolution No. 42-14 included: Legislator Burt stated that he was very excited about this project. It's not what we normally think of. Many times these programs are set aside for mega-business. The potential is huge for our smaller businesses.

RESOLUTION NO. 43-14

**REAPPOINTMENT OF REITA SOBECK-LYNCH AS DIRECTOR OF
EMPLOYMENT AND TRAINING**

Offered by: Planning and Economic Development Committee

Pursuant to Local Law No. 4 of 1992

RESOLVED:

1. That Reita Sobeck-Lynch is reappointed Director of Employment and Training for a term of three years commencing March 1, 2014, and expiring February 28, 2017.

Moved by: Mr. Jessup
Seconded by: Mr. Curran

Adopted: Voice Vote

RESOLUTION NO. 44-14

**APPROVAL OF BOARD CHAIRMAN'S APPOINTMENT OF ONE MEMBER TO
SOUTHERN TIER WEST REGIONAL PLANNING AND DEVELOPMENT BOARD**

Offered by: Planning and Economic Development Committee

Pursuant to Resolution No. 35-68, as amended by Resolution No. 93-75

RESOLVED:

1. That the appointment of Mitchell M. Alger of Wellsville, New York, by the Chairman of this Board as a member of the Southern Tier West Regional Planning and Development Board, to fill an unexpired term of Frederick Sinclair, with term of office commencing January 1, 2014, and expiring May 31, 2016, is approved.

Moved by: Mr. Jessup
Seconded by: Ms. Root

Adopted: Voice Vote

RESOLUTION NO. 45-14

**APPROVAL OF BOARD CHAIRMAN'S APPOINTMENT OF ONE MEMBER TO THE
CHAUTAUQUA, CATTARAUGUS, ALLEGANY AND STEUBEN SOUTHERN TIER
EXTENSION RAILROAD AUTHORITY**

Offered by: Planning and Economic Development Committee

RESOLVED:

1. That Mitchell M. Alger of Wellsville, New York, is appointed to the Chautauqua, Cattaraugus, Allegany, and Steuben Southern Tier Extension Railroad Authority, with term of office to commence January 1, 2014 for an undefined period of time.

Moved by: Mr. Jessup
Seconded by: Mr. Fanton

Adopted: Voice Vote

RESOLUTION NO. 46-14

**REAPPOINTMENT OF TWO LEGISLATIVE MEMBERS AND ONE COUNTY AT
LARGE MEMBER TO THE ALLEGANY COUNTY SOIL AND WATER
CONSERVATION DISTRICT BOARD**

Offered by: Resource Management Committee

Pursuant to Soil and Water Conservation District Law §§ 6 and 7

RESOLVED:

1. That Theodore L. Hopkins and Karl Graves are reappointed to the Allegany County Soil and Water Conservation District Board as Legislative Members, with term of office commencing January 1, 2014, and expiring December 31, 2014.

2. That Rodney K. Bennett is reappointed to the Allegany County Soil and Water Conservation District Board as an At-Large Member, with term of office commencing January 1, 2014, and expiring December 31, 2016.

Moved by: Mr. Graves
Seconded by: Mr. Pullen

Adopted: Voice Vote

RESOLUTION NO. 47-14

**APPROVAL OF BOARD CHAIRMAN'S APPOINTMENTS OF FOUR MEMBERS TO
REGION NINE FISH AND WILDLIFE MANAGEMENT BOARD**

Offered by: Resource Management Committee

Pursuant to Environmental Conservation Law § 11-0501

RESOLVED:

1. That the appointments by the Chairman of this Board of John Lewis as Sportsmen's Representative Member and Zoltan Szabo as the Sportsmen's Alternative Representative Member, to the Region Nine Fish and Wildlife Management Board, with term of office commencing January 1, 2014, and expiring December 31, 2015, are approved.

2. That the appointments by the Chairman of this Board of Dwight R. Fanton as Legislative Representative Member and Aaron M. McGraw as Alternate Legislative Member, to the Region Nine Fish and Wildlife Management Board, with term of office commencing January 1, 2014, and expiring December 31, 2015, are approved.

Moved by: Mr. Graves
Seconded by: Mr. Decker

Adopted: Voice Vote

RESOLUTION NO. 48-14

A RESOLUTION ACCEPTING THE NEW YORK STATE TOURISM MATCHING FUNDS GRANT FOR ALLEGANY COUNTY

Offered by: Planning and Economic Development Committee

RESOLVED:

1. That the sum of \$54,597.33 from the New York State Tourism Matching Funds Grant is accepted.

2. That the sum of \$54,597.33 has been appropriated in the 2014 Budget under Account No. A6989.476 (Tourism & Culture-Contractual) and to Revenue Account No. A6989.3715.00 (State Aid-Tourism Promotion).

Moved by: Mr. Jessup
Seconded by: Mr. Curran

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 49-14

RESOLUTION AUTHORIZING A CONTINUING AGREEMENT WITH THE STATE OF NEW YORK FOR UNDERTAKING THE PROJECT AS IT RELATES TO SECTIONS 5317 AND 5316 FUNDING FOR THE COUNTY PUBLIC TRANSPORTATION SYSTEM; AUTHORIZING SUBMISSION OF ANNUAL GRANT APPLICATION

Offered by: Ways and Means Committee

WHEREAS, the U. S. Department of Transportation is authorized to make grants to states through the Federal Transit Administration to support eligible projects under Section 5317 New Freedom and Section 5316 Job Access and Reverse Commute, and

WHEREAS, NYSDOT has been designated by the Governor of the State of New York to administer Section 5317-NF and 5316-JARC Federal formula funds for projects designed for new public transportation services and public transportation alternatives beyond those required by the Americans with Disabilities Act of 1990 (ADA), that assist individuals with disabilities with transportation, including transportation to and from jobs and employment

support services, as identified through a coordinated planning process, and consistent with the eligible activities described in the FTA Circular 9045.1, and

WHEREAS, Allegany County will enter into contract with NYSDOT for the Allegany County Mobility Management System for FTA Section 5317 and Section 5316 Federal funds to implement an eligible New Freedom and Job Access and Reverse Commute service in Allegany County for an awarded Federal Share amount of \$250,000 and including the provision by it of the Local Share of \$62,499 project costs, and

WHEREAS, Allegany County has fulfilled the FTA coordinated plan requirements that the project “must be derived from the project area Coordinated Plan”, now, therefore, be it

RESOLVED:

1. That Allegany County does hereby authorize Curtis W. Crandall, Chairman of the Allegany County Board of Legislators, to file and execute agreements on behalf of Allegany County with NYSDOT to aid in the financing of a operating assistance and/or capital/mobility management project(s) pursuant to FTA Section 5317 New Freedom and FTA Section 5316 Job Access and Reverse Commute, as amended.

2. That Thomas A. Miner, Allegany County Attorney is authorized to execute and file all Annual FTA Certification and Assurances, contract/agreements or any other document required by NYSDOT.

3. That Mitchell M. Alger, Allegany County Administrator is authorized to submit and approve payment requests for reimbursement of Section 5317 and Section 5316 Federal funds from the NYSDOT for eligible activities within the FTA projects.

4. That the Allegany County Board of Legislators hereby authorizes Curtis W. Crandall, Chairman to accept and appropriate the above named project, as required by the grant agreement.

Moved by: Mr. Hopkins
Seconded by: Mr. Healy

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 49-14 included: Legislator Burt remarked that he understands the need for the County to provide medical transportation, but he’s strongly opposed to transporting our residents out of the County to shop.

RESOLUTION NO. 50-14

APPROVAL OF MEMORANDUM OF AGREEMENT WITH CORNELL COOPERATIVE EXTENSION ASSOCIATION OF ALLEGANY COUNTY AND AUTHORIZING CHAIRMAN TO EXECUTE MEMORANDUM OF AGREEMENT; AUTHORIZING COUNTY TREASURER TO MAKE APPROPRIATION PAYMENTS IN RELATION TO THE 2014 BUDGETARY APPROPRIATION FOR THE WORK OF SUCH ASSOCIATION

Offered by: Planning and Economic Development Committee

Pursuant to County Law § 224 (8)

RESOLVED:

1. That Memorandum of Agreement between the County of Allegany and the Cornell Cooperative Extension Association of Allegany County, dated January 1, 2014, in relation to the payment of appropriations to such Association by the County and the providing of services for such appropriations is approved and the Chairman of this Board is authorized to execute such Memorandum of Agreement.

2. That the County Treasurer is authorized and directed to pay one-half of the sum provided in the 2014 County Final Budget for such Association in advance on the first day of each half of the year beginning January 2014, to be used by such Association pursuant to the terms and conditions of such Agreement; such payments to be made to the duly bonded Treasurer of such Association.

Moved by: Mr. Jessup
Seconded by: Mr. Hopkins

Adopted: Roll Call
13 Ayes, 1 No, 1 Absent
Voting No: O'Grady

RESOLUTION NO. 51-14

APPROVAL OF AGREEMENT BETWEEN COUNTY OF ALLEGANY AND ALLEGANY COUNTY FEDERATION OF SNOWMOBILERS, INC.; APPROPRIATION OF STATE GRANT IN AID

Offered by: Resource Management Committee

RESOLVED:

1. That the Agreement between the County of Allegany and Allegany County Federation of Snowmobilers, Inc., is approved.

2. That the Chairman of this Board is authorized to execute said Agreement.

3. That the sum of \$99,295 in State grant in aid was appropriated in the 2014 Budget to Account No. A7185.483, with a like sum credited to Account A7185.3089.00. No budget adjustments are necessary at this time.

Moved by: Mr. Graves
Seconded by: Mr. Fanton

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

AUDITS:

A motion was made by Legislator Hopkins, seconded by Legislator Pullen, and carried, that the audits be acted upon collectively and by totals.

A motion was made by Legislator Hopkins, seconded by Legislator Graves, and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims, totaling \$3,150,621.07 including prepaid expenses, be approved for payment as recommended by the County Administrator. (*Allegany County's Local Dollar Share of the NYS Medicaid Program paid year-to-date is \$1,352,302.*)

Comments:

Legislator Hopkins directed everyone's attention to the section of the Board Audit Summary which shows the County's share of Medicaid expenses. He referred to the NYSAC conference and the Governor's budget proposal plan to cut spending. Legislator Hopkins stated if he's serious about reducing property taxes in New York State, we need to cut this down. We don't have any control over property taxes until we get rid of these mandated programs. Legislator Pullen added that anything that could be done to give us some relief from these mandated programs could help us to be able to do more of what they want us to do.

Legislator Burt remarked that he had sat in on a Public Works Committee meeting last week in which they discussed the state of the bridges in Allegany County. According to the State Bridge Report, Allegany County only has 12 percent of its bridges that fall into the deficit category. Allegany County is listed as number one in bridge condition for the entire state. Legislator Burt offered his congratulations to Public Works Superintendent Guy James and his staff for their work and this accomplishment.

Legislator Pullen commented that attending the NYSAC conference in Albany last week, he was reminded of how fortunate we are to live in Allegany County. So many other counties have greater problems with welfare and crime. Some counties are dealing with tragic and horrific situations. It's overwhelming. Our agencies are doing exemplary work. Some of the things that were recommended at the conference are things we are already doing here in the County. He cited the Broadband project. Legislator Pullen reiterated how thankful he is that he's been able to live here and raise his family here.

Legislator Decker commented on his experience attending the conference noting that of the 62 counties in New York State, 57 are upstate; few things are decided by the majority. A lot of the things we spend our time dealing with, such as these mandated programs, are being decided by the 5 counties downstate that seem to have the control of most of these things.

Legislator Hopkins recognized Clerk of the Board Brenda Rigby Riehle for her recent accomplishment of graduating from the Leadership Allegany program. Chairman Crandall added that Mrs. Riehle also is the President of the New York State Association of Clerks of

County Legislative Boards and she recently gave a presentation to approximately 200 newly elected officials who attended the NYSAC conference. She presented information about her position and the Clerk's role in County government.

ADJOURNMENT: The meeting was adjourned at 3:03 p.m. on a motion made by Legislator Graves, seconded by Legislator Fanton and carried.

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

FEBRUARY 24, 2014

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:03 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by Veterans Service Agency Director Mike Hennessy.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 12 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, David Decker, Karl Graves, Dwight "Mike" Healy, Charles Jessup, Kevin LaForge, Aaron McGraw, Timothy O'Grady, David Pullen, Debra Root Absent: Dwight Fanton, Theodore Hopkins, Norman Ungermann, Jr.

APPROVAL OF MINUTES:

The Committee of the Whole minutes of February 10, 2014, were approved on a motion made by Legislator Graves, seconded by Legislator Curran, and carried.

The Board meeting minutes of February 10, 2014, were approved on a motion made by Legislator Decker, seconded by Legislator Root, and carried.

PRIVILEGE OF THE FLOOR:

BOCES County Government Intern Instructor John Padlo introduced students participating in this year's Government Intern Program. Mr. Padlo expressed his gratitude to the County for supporting this outstanding program, which has aided many students in achieving successful careers. He also noted that the program has been in existence for almost 40 years and hopes that they will have a greater number of participants in the coming years. Program participants included: Valerie Hills and Bryce Anderson (Scio Central School), Grace Gertzen (Andover Central School), Dylan Lehman and Chelsea Halbert (Genesee Valley Central School), Brendan Butler and Arron Wixon (Wellsville Central School).

Cancer Services Coordinator Madelyn Thornton presented information regarding colorectal cancer and reminded the audience that March is Colorectal Cancer Awareness Month. She stated that colorectal cancer is the second most common cause of cancer deaths, and urged everyone to encourage family members to get screened. Ms. Thornton advised the group that there is screening available through Cancer Services for those without insurance.

Allegany County Planner Kier Dirlam gave a presentation on the new web gateway produced by the Comprehensive Plan Implementation Group. The new website www.alleganycountyny.com was set up to positively promote Allegany County and allow users the opportunity to discover all our County has to offer. The site provides links to organizations in the County that can provide information and services for residents, potential visitors, and businesses.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Allegany County 2014 Directory.
2. March 2014 Calendar of Board and Standing Committee meeting dates.
3. Annual Reports for 2013 from the following departments and agencies were distributed for review: County Attorney, County Clerk, Probation, Public Works, and Cooperative Extension. Representatives will be present at the next meeting to answer any questions.
4. Allegany Council on Alcoholism and Substance Abuse's (ACASA's) Allegany County Schools Student Risk and Protective Factor Survey for 2013.
5. Correspondence from Allegany County Office for the Aging thanking the Board for its donation to the Meals-on-Wheels Program in memory of Frances Barnes.
6. Correspondence from Allegany County Fair President Martha Roberts regarding the Fair and including a Profit and Loss Statement.

PROCLAMATION:

Chairman Curtis W. Crandall proclaimed March 2014, as Colorectal Cancer Awareness Month in Allegany County, to urge residents of Allegany County to be screened for early detection of colon cancer and to recognize and applaud the Cancer Services Program for providing information on the importance of prevention and early detection through regular screening as well as facilitating access to care for uninsured residents of Allegany County.

RESOLUTIONS:

RESOLUTION NO. 52-14

**APPOINTMENT OF ONE MEMBER TO THE CITIZENS ADVISORY COUNCIL TO
THE OFFICE FOR THE AGING**

Offered by: Human Services Committee

Pursuant to Resolution No. 221-74

RESOLVED:

1. That the appointment of Kenneth David Porter of Wellsville, New York, as an over 60 member to the Citizens Advisory Council to the Office for the Aging, with term of office commencing February 10, 2014, and expiring December 31, 2014, is confirmed.

Moved by: Mr. LaForge
Seconded by: Mr. Burt

Adopted: Voice Vote

Comments made regarding Resolution No. 49-13 included: Legislator Burt complimented Mr. Porter on the wonderful service that he and the staff at the Hart Comfort House provide. He added that he felt Mr. Porter would be a great addition to the Citizens Advisory Council to the Office for the Aging.

RESOLUTION NO. 53-14

BUDGET ADJUSTMENT TO DISTRICT ATTORNEY EQUIPMENT ACCOUNT

Offered by: Public Safety and Ways and Means Committees

WHEREAS, the District Attorney's Office requires computers that are able to communicate with one another and such computers are essential to the Traffic Diversion Program, and

WHEREAS, the Traffic Diversion Program provides significant revenue to the County through collected fines, and

WHEREAS, the IT Department has informed the District Attorney that the software in the existing computers in his office cannot be serviced after December 2013, and

WHEREAS, the District Attorney does not have sufficient funds allocated in his equipment account to replace his computers, and

WHEREAS, the District Attorney is confident that he will receive fine and forfeited bail revenue in excess of what was originally budgeted and in an amount sufficient to offset the cost of purchasing new computers, and

WHEREAS, in order to allocate sufficient funds in the budget for purchasing computers, the budget needs to be adjusted to increase the District Attorney's equipment account and a District Attorney revenue account by \$6,000, now, therefore, be it

RESOLVED:

1. That Account No. A1165.201 (District Attorney-Office Equipment) and Revenue Account No. A1165.2610.00 (District Attorney Fines-/Forfeited Bail) shall each be increased by \$6,000.

Moved by: Mr. Healy
Seconded by: Mr. Pullen

Adopted: Roll Call
12 Ayes, 0 Noes, 3 Absent

RESOLUTION NO. 54-14

TRANSFER OF FUNDS WITHIN PROBATION ACCOUNTS

Offered by: Public Safety Committee

RESOLVED:

1. That the sum of \$1,000 is transferred from Account No. A3140.413 (Probation-Rentals) to Account No. A3140.201 (Probation-Equipment) to cover the cost of a 122 DLP SVGA Projector and such additional equipment as may be needed in the coming year.

Moved by: Mr. Healy
Seconded by: Mr. Graves

Adopted: Roll Call
12 Ayes, 0 Noes, 3 Absent

RESOLUTION NO. 55-14

A RESOLUTION ACCEPTING THE HOMELAND SECURITY CONTRACT #T969130 FROM THE NEW YORK STATE OFFICE OF HOMELAND SECURITY FOR CONTRACT PERIOD SEPTEMBER 1, 2013, TO AUGUST 31, 2015; RATIFYING CHAIRMAN'S SIGNATURE AND APPROPRIATION OF FUNDS

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That funds in the amount of \$45,000 from New York State Office of Homeland Security Contract #T969130, for initial Contract period September 1, 2013, to August 31, 2015, are accepted and appropriated to Account No. A3645.448 with a like sum credited to Revenue Account No. A3645.3306.EM13 (Emergency Service).

2. That the signature of the Allegany County Board Chairman to the contract is hereby ratified.

Moved by: Mr. Healy
Seconded by: Mr. Curran

Adopted: Roll Call
12 Ayes, 0 Noes, 3 Absent

RESOLUTION NO. 56-14

APPROVAL OF AGREEMENT WITH DOMINION VOTING TO MAINTAIN AND SERVICE ALLEGANY COUNTY VOTING MACHINES; AUTHORIZING CHAIRMAN TO EXECUTE AGREEMENT; TRANSFER OF FUNDS FROM CONTINGENT ACCOUNT

Offered by: Personnel and Ways and Means Committees

RESOLVED:

1. That the agreement with Dominion Voting for period beginning September 10, 2013, and expiring December 31, 2016, to maintain and service Allegany County voting machines, is approved.
2. That the sum of \$23,200 is transferred from Account No. A1990.429 (Contingency) to Account No. A1450.404 (Elections-Contractual Expenses).
3. That the Chairman of this Board is authorized to execute said agreement.

Moved by: Mr. O'Grady
Seconded by: Mr. Curran

Adopted: Roll Call
12 Ayes, 0 Noes, 3 Absent

RESOLUTION NO. 57-14

APPROVAL OF AGREEMENT WITH DOMINION VOTING TO MAINTAIN AND SERVICE ALLEGANY COUNTY EMS SYSTEM; AUTHORIZING CHAIRMAN TO EXECUTE AGREEMENT

Offered by: Personnel and Ways and Means Committees

RESOLVED:

1. That the agreement with Dominion Voting for period beginning September 1, 2014, and expiring December 31, 2017, for maintaining and servicing Allegany County EMS System, is approved.
2. That the Chairman of this Board is authorized to execute said agreement.

Moved by: Mr. O'Grady
Seconded by: Mr. Curran

Adopted: Roll Call
12 Ayes, 0 Noes, 3 Absent

Resolution Intro. No. 58-14 (A RESOLUTION REAPPROPRIATING UNEXPENDED FUNDS FOR CALENDAR YEAR 2010 FROM THE NEW YORK STATE OFFICE OF HOMELAND SECURITY GRANT #C838200) was not pre-filed and was considered from the floor on a motion made by Legislator Healy, seconded by Legislator Decker, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 58-14

**A RESOLUTION REAPPROPRIATING UNEXPENDED FUNDS FOR
CALENDAR YEAR 2010 FROM THE NEW YORK STATE OFFICE OF
HOMELAND SECURITY GRANT #C838200**

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That unexpended funds in the amount of \$8,359 from the 2010 Homeland Security Grant #C838200 are reappropriated to Account No. A3645.449 with a like sum credited as follows: \$4,129 to Revenue Account No. A3645.3306.EM10 and \$4,230 to Revenue Account No. A3645.3306.HL10.

Moved by: Mr. Healy
Seconded by: Mr. Decker

Adopted: Roll Call
12 Ayes, 0 Noes, 3 Absent

AUDITS:

A motion was made by Legislator LaForge, seconded by Legislator Pullen, and carried, that the audits be acted upon collectively and by totals.

A motion was made by Legislator Graves, seconded by Legislator Pullen, and adopted on a roll call vote of 12 Ayes, 0 Noes, 3 Absent, that the audit of claims, totaling \$2,674,100.90, including prepaid expenses, be approved for payment as recommended by the County Administrator. (*Allegany County's Local Dollar Share of the NYS Medicaid Program paid year-to-date is \$1,738,674.*)

COMMENTS:

Chairman Crandall reminded the Board that there would be a Committee of the Whole meeting following the Board meeting.

Legislator Pullen mentioned the recent passing of his mother-in-law and what a wonderful woman she was. He stated that his family had been blessed by all of the words of support and encouragement, and all of the prayers that they had received from members of the Board, County employees, as well as community members. He added, "We live in a wonderful community, and when you have difficult things to deal with, it's good to know you're not doing it alone. Thank you."

ADJOURNMENT: The meeting was adjourned at 2:36 p.m. on a motion made by Legislator Graves, seconded by Legislator Decker and carried.

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

MARCH 10, 2014

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:00 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by retired United States Army Reserve Sergeant Major John F. Cole.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 12 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, David Decker, Karl Graves, Dwight "Mike" Healy, Charles Jessup, Kevin LaForge, Timothy O'Grady, David Pullen, Debra Root, Norman Ungermann Absent: Dwight Fanton, Theodore Hopkins, Aaron McGraw

APPROVAL OF MINUTES:

The Board meeting minutes of February 24, 2014, were approved on a motion made by Legislator Graves, seconded by Legislator Root, and carried.

The Committee of the Whole minutes of February 24, 2014, were approved on a motion made by Legislator Decker, seconded by Legislator Curran, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to John F. Cole, retired United States Army Reserve Sergeant Major, in grateful appreciation of his service to our country. Mr. Cole's service dates were from February 1953 to January 1988. Assignments included: United States Reserve D Battery 400th AAA AW Battalion in Wellsville, Company G Battalion 98th (CST) 98th Division (Training) in Olean, 3rd Battalion Regiment 98th Division (Training) in Wellsville, and Headquarters for the 98th Division in Rochester (Training). Commendations he received included: Armed Forces Reserves Medal with second Ten Year Device (1983), Army Commendation Medal (1975), Army Commendation Medal (1985), Meritorious Service Medal (1988), and Meritorious Service Medal (1994). Mr. Cole led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans' Honorary Pledge of Allegiance Program.

Chairman Crandall granted privilege of the floor to the following:

Jones Memorial Hospital CEO Eva Benedict provided an update on the hospital and health care related concerns in the County. JMH is committed to providing primary care for the entire County. They are looking at providing a walk-in clinic or an urgent care center to allow people a place to obtain after-hours care. She also mentioned new physicians they are

bringing to the area. Ms. Benedict spoke about the Medicaid waiver for New York State, and urged the Board to support our County in receiving our fair share. Additionally she mentioned several health related events in the County, including the Ridge Walk & Run held annually in Wellsville. Jones Memorial will be coordinating that event. Legislator Ungermann noted that he liked the idea of having a walk-in clinic. Chairman Crandall thanked Ms. Benedict for updating the Board, and offered the Board's help with any health care related legislation.

Youth Bureau Director Linda Edwards shared information about Youth Leadership Forum 2014. This year's event was held in Albany on February 10 and 11, and was sponsored by the Association of NYS Youth Bureaus, NYS Partnership for Children, Youth and Families, and NYS OCFS. The forum is an interactive leadership and educational seminar being offered to youth and Youth Bureau personnel from across New York State. Youth engaged in fun teambuilding exercises, participated in discussion groups and were inspired to bring what they learned back to their communities. Youth met with Senator Catharine Young and Assemblyman Joe Giglio, and also had an opportunity to tour the Capitol Building. The four youth who attended from Allegany County were Elizabeth Burdick (Scio Central School), Alexander Gabler (Wellsville Central School), Mathew Mayes (Alfred-Almond Central School), and Janae Rangel (Fillmore Central School). Mr. Mayes and Ms. Rangel were on hand to share their experience with the Board and offer their thanks and appreciation for being able to attend the very worthwhile event. Ms. Edwards thanked the Board for allowing the group to go and added that it was a pleasure to take such a wonderful group of students.

Representatives from the following departments and agencies were present to answer questions regarding their 2013 Annual Reports: County Attorney, County Clerk, Probation, Public Works, and Cooperative Extension.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Report of Intrafund Transfers Approved by the County Administrator in February.
2. 2013 Annual Reports for Review: Office for the Aging, Emergency Services, Board of Elections, Health Department, Coroners, Community Services, Real Property Tax, Fire Service, Human Resources.
3. Correspondence from the Angelica Free Library thanking the Board for its donation in memory of Ella Louise Ross.
4. Correspondence from the Ross Family thanking the Board for its donation to the Angelica Free Library in memory of their Mother.
5. Correspondence from the Melinda Swain Family thanking the Board for its expression of sympathy.

6. Southern Tier West Regional Planning & Development Board meeting minutes from January 16 and agenda for the March 20, 2014, meeting.

7. Invitation to the Sixth Annual Allegany County Chamber Dinner Meeting on March 21 at 6:00pm at Moonwinks Restaurant.

APPOINTMENTS:

The Clerk of the Board announced that Chairman Curtis W. Crandall has made the following appointments to the Allegany County Youth Board, subject to confirmation by the Board of Legislators:

Deborah Aumick	District I	Re-appointment; term expiring 03/25/17
James Galatio	District II	Re-appointment; term expiring 03/25/17
Sherry Weirich	District III	Re-appointment; term expiring 03/25/17
Ralph Eastlack	District IV	Re-appointment; term expiring 03/25/17
Amy Jacobson	District V	Re-appointment; term expiring 03/25/17

RESOLUTIONS:

RESOLUTION NO. 59-14

CHANGING LOCATION AND DATE OF JULY 14, 2014 REGULAR BOARD MEETING

Offered by: Ways and Means Committee

RESOLVED:

1. Notwithstanding Rule 110. A. of County Board Rules, the first regular meeting of this Board in the month of July 2014 shall be held on July 17, 2014, at 2:00 PM and not on July 14, 2014, at 2:00 PM.

2. Notwithstanding Rule 110.F. of County Board Rules, the first regular Board meeting for July 2014 shall be held at the Allegany County Fairgrounds, Angelica, New York, and not at the Board Chambers in Belmont, New York.

Moved by: Mr. Pullen
Seconded by: Mr. Healy

Adopted: Voice Vote

Comments made regarding Resolution No. 59-14 included: Legislator Pullen stated that he strongly supports having a Board meeting at the Allegany County Fair. It's a great way for the Legislators to get out in the public. In speaking with officials from other counties, they think it's a great idea and are planning to implement the same thing in their own counties. Legislator Ungermann concurred with Legislator Pullen's statement. He remarked that attendance is very good, and that it's a great avenue. He added that it's important that we have a full set of resolutions to discuss.

RESOLUTION NO. 60-14

**ACCEPTANCE OF INSURANCE PAYMENT FROM NYMIR AND APPROPRIATION
OF FUNDS TO REVENUE ACCOUNT**

Offered by: Ways and Means Committee

WHEREAS, a check in the amount of \$500 representing the deductible on a previous settlement in the amount of \$4,277.25 for repairs to a 2008 Chevy Impala that was damaged as the result of a motor vehicle accident on October 24, 2013, has been offered by NYMIR in settlement of such damage, now, therefore, be it

RESOLVED:

1. That the amount of \$500 from NYMIR representing the deductible on a previous settlement, for repairs to a 2008 Chevy Impala, is accepted.
2. That the sum of \$500 is appropriated to Revenue Account No. CS1930.2701 (Refund Prior Year Expense).

Moved by: Mr. O'Grady
Seconded by: Mr. Graves

Adopted: Roll Call
12 Ayes, 0 Noes, 3 Absent

AUDITS:

A motion was made by Legislator LaForge, seconded by Legislator Graves, and carried, that the audits be acted upon collectively and by totals.

A motion was made by Legislator Graves, seconded by Legislator Root, and adopted on a roll call vote of 12 Ayes, 0 Noes, 3 Absent, that the audit of claims, totaling \$3,606,618.55, including prepaid expenses, be approved for payment as recommended by the County Administrator. (*Allegany County's Local Dollar Share of the NYS Medicaid Program paid year-to-date is \$2,125,046.*)

GENERAL COMMENTES:

Chairman Crandall announced that there would be a Committee of the Whole Meeting following today's Board meeting.

Legislator Pullen commended Mr. Cole for his accomplishments. Legislator Pullen mentioned his own time spent in the Army and his experience with high ranking personnel. He remarked, "Sergeant Majors were not like mere mortals. They were so far above ordinary soldiers; they had achieved basically the highest level an enlisted person could achieve. It was like dealing with a three or four-star General. The fact you've achieved this rank, says a

great deal about you, and your dedication, for the years you spent in the Army. It's an honor to have you here. Thank you for your service, and for coming here today."

Legislator Burt remarked, "We never know what inspires us, but it always seems to be something from our youth. I was personally inspired by the two young folks who spoke today. I appreciate how they spoke. I want to congratulate Ms. Edwards on that program. The youth are our future, and we need to continue to invest in our youth or we won't have a future."

Legislator Decker added, "Having come up through the ranks of 4-H and Future Farmers of America myself, these programs are invaluable for our youth. The Youth Board and other programs that have been mentioned are wonderful programs. I'm glad these students had the opportunity to go to Albany. We need to continue to invest in our youth, and not let programs go by the wayside due to the Budget."

ADJOURNMENT: The meeting was adjourned at 2:44 p.m. on a motion made by Legislator Graves, seconded by Legislator Burt, and carried.

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

March 24, 2014

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:02 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Marine Corps Corporal Jack W. Wood.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 14 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, David Decker, Dwight Fanton, Karl Graves, Dwight "Mike" Healy, Theodore Hopkins, Charles Jessup, Kevin LaForge, Aaron McGraw, Timothy O'Grady, David Pullen, Norman Ungermann, Jr. Absent: Debra Root

APPROVAL OF MINUTES:

The Committee of the Whole minutes of March 5, 2014, were approved on a motion made by Legislator Fanton, seconded by Legislator Graves, and carried.

The Board meeting minutes of March 10, 2014, were approved on a motion made by Legislator Decker, seconded by Legislator Pullen, and carried.

The Committee of the Whole minutes of March 10, 2014, were approved on a motion made by Legislator Graves, seconded by Legislator Ungermann, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Jack W. Wood, former United States Marine Corps Corporal, in grateful appreciation of his service to our country. Mr. Wood's service dates were from June 27, 1962, to October 1, 1966. Assignments included: Milton Naval Air Station, TN, and Quantico, VA. Commendations he received included: National Defense Medal, Good Conduct Medal, Sharp Shooter Rifle Badge, and 2 professional letters of appreciation from the E.W. Bliss and American Engineering Companies during his service. Mr. Wood worked as an insurance executive for 42 years. After retirement he returned to Allegany County and became active in many local organizations. Mr. Wood is a former Alma Town Board member; he currently serves as Chairman of the Industrial Development Agency and Commercial Incentive Board; he is President of the Allegany County Historical Society; and he has been a part of the Town of Alma Community Development organization. Mr. Wood led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans' Honorary Pledge of Allegiance Program.

Chairman Crandall granted County Administrator Mitchell Alger an opportunity to address the Board of Legislators:

“I asked Chairman Crandall for an opportunity to address the Legislature and those present at this meeting. I am here to acknowledge my personal failures, apologize for my actions, and thank the Board for allowing me to return to work.

“As most of you know, on February 13 I was arrested and charged with three offenses. The charges are still pending and will hopefully be resolved in the near future. Because of the pending charges, I am not able to discuss the details of the incident leading to my arrest. However, I can state that I had taken a personal day off from work and was not performing any work-related functions at the time of the incident.

“Immediately upon release from police custody, I voluntarily checked myself into a rehabilitation facility and successfully completed a program of therapy. Subsequently, I also voluntarily engaged in medical care, therapy, and counseling programs that will provide me with on-going assistance and support.

“I have embarrassed and let down my family, friends, colleagues, myself, and most importantly the people of Allegany County. I have also caused embarrassment and difficulty for this Board. I wish I could change many of the recent circumstances, but I cannot. However, I can become a better, stronger person because of the lessons I have learned and perspective I have gained from my experiences.

“I betrayed the trust this Board placed upon me and as I said—I let you down. Only time will demonstrate whether I can earn your trust and confidence back. I am committed to doing everything in my power to prove that I can successfully serve in the challenging capacity of County Administrator. Furthermore, I am determined to become a better, stronger person and leader as a result of the recent challenges I have encountered in my life leading up to the incident. I am committed to making lasting and permanent changes in my life for the better.

“Thank you for giving me this opportunity to address you. I look forward to the opportunity and privilege of continuing to serve Allegany County.”

Chairman Crandall congratulated Jessica Norris, Allegany County American Legion Oratory Contest winner. Jessica is an 11th grade home-schooled student and is actively involved in her community. For three years, she has won first place in the Allegany County American Legion Oratory Contest. She took first place in the District Eight competition, and second place in the Zone (making her one of the top 10 American Legion student speakers in New York State). During Jessica’s high school career, she has competed in several other oratory contests including the VFW Voice of Democracy and the Frederick Douglass Oratory contest, and has participated in the American History Symposium for the last four years. Jessica presented her speech for the County Legislature.

In celebration of Public Health Week (April 7-13, 2014), Supervising Public Health Educator Theresa K. Moore presented information about some of the many important

services the Allegany County Department of Health provides. Some of the services include: restaurant inspections, flu shots, public water supply safety, balance classes for seniors to help reduce falls, rabies testing and treatment, blood pressure checks, care for pregnant moms and young children through the WIC office, cancer screening for those without insurance, services for children with disabilities, clean air/no-smoking enforcement, school lunch inspections, public pool inspections, family planning services, lead exposure testing for children, and emergency preparedness. She remarked, "...public health prevention education is working."

Social Services Commissioner Vicki Grant addressed the audience about Child Abuse Prevention Month. "This April, it is all of our responsibility to make a difference for the children in our County. Everyone has a role in preventing child abuse and supporting families.... Most people envision child abuse as physical harm, but it can entail other forms as well, including emotional abuse and neglect." Ms. Grant expressed the importance of the difficult work done by child protection workers, child preventive workers, foster care workers, PINS workers, and many others. Her office has teamed up with community partners such as the Wellsville Counseling Center, Allegany County Office of Community Services, the Allegany County Sheriff's Department, local and state police agencies, ACCORD Corporation, Kinship/SHAPE, Berkshire Farm's Turnabout Program, New Directions, and the Allegany County Probation Department. Additionally there are many others including schools, county attorneys, churches, and individuals who offer their help. She stated, "The Allegany County Department of Social Services has been recognized State-wide for their work in collaborating services with our community partners, especially surrounding trauma informed care." She closed by saying, "How can you all assist in this endeavor? Get involved: become educated on how to prevent child abuse, don't be afraid to offer help to a family in need, support our local services, support appropriate regulatory reform when needed, report a safety or risk situation when needed, thank and appreciate the workers and supervisors who do this work on a daily basis (many here today holding pinwheels) and help to support Child Abuse Prevention Month. We are asking you to wear blue on April 4th; support the Child Advocacy Center and purchase a t-shirt on April 25th for dress down day; distribute and use the child abuse prevention calendar; and wear a pinwheel or plant a pinwheel garden. Pinwheels are a symbol of a happy, carefree childhood and the belief that getting it right for kids early is less costly than trying to fix problems after things go wrong. Everyone has a role in preventing child abuse and supporting families. Child abuse prevention has many different parts; like the pinwheel, when put together, it works wonders to effect the winds of change."

Representatives from the following departments and agencies were present to answer questions regarding their 2013 Annual Reports: Office for the Aging, Emergency Services, Board of Elections, Health Department, Coroners, Community Services, Real Property Tax, Fire Service, Human Resources.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. April 2014 Calendar

2. Report of Tax Bill Corrections approved by the County Administrator in February 2014.
3. 2013 Annual Reports for Review: Employment & Training, Veterans, Youth Bureau, STOP-DWI Program, District Attorney, Public Defender, Workers' Compensation.
4. Pursuant to Article 11 of the Real Property Tax Law, the County Treasurer filed Certificates of Withdrawal of Delinquent Tax Liens for properties in the Town of Wirt in the Clerk of the Board's Office on March 14.
5. Notice of next Fire Advisory Board meeting which will be held on Thursday, March 27, at 8 p.m. in the Public Safety Facility.
6. Notice of the InterCounty Association meeting which was held on March 21 at the Dresser-Rand Challenger Learning Center of the Twin Tier Region in Allegany.
7. The Allegany County Business Conference will be held from noon to 5:00 p.m. at the Wellsville Campus of Alfred State College on April 2. The keynote speaker will be Jack Wood.
8. Tier II Emergency and Hazardous Chemicals Inventory Report for the Dresser Rand Wellsville Operations was filed in the Clerk of the Board's Office on March 3.

APPOINTMENTS:

Chairman Curtis W. Crandall, in a joint measure with Norman L. Marsh, Chairman of the Cattaraugus County Board of Legislators, has appointed Lesley Christman, Executive Director at ACCORD, to fill the remainder of Charles Kalthoff's three-year term effective immediately and expiring December 31, 2015, as a member of the **CATTARAUGUS-ALLEGANY WORKFORCE INVESTMENT BOARD**.

PROCLAMATION:

Chairman Crandall proclaimed the week of April 7-13, 2014, as National Public Health Week in Allegany County, and calls upon the people of Allegany County to observe this week by helping our families, friends, neighbors, co-workers and leaders to better understand the value of public health and adopt preventive lifestyle habits in light of this year's theme, "Public Health: Start Here."

Chairman Crandall proclaimed April 2014, Child Abuse Prevention Month in Allegany County, and urged all citizens, community agencies, religious organizations, medical facilities, and businesses to increase their participation in our efforts to prevent child abuse thereby strengthening the community in which we live.

RESOLUTIONS:

RESOLUTION NO. 61-14

**ESTABLISHING STANDARD WORK DAYS FOR ELECTED AND APPOINTED OFFICIALS
AND DIRECTING A REPORT OF DAYS WORKED TO THE NEW YORK STATE AND
LOCAL EMPLOYEES' RETIREMENT SYSTEM**

Offered by: Personnel Committee

RESOLVED:

1. Effective immediately, the Allegany County Board of Legislators hereby establishes the following as standard work days for elected and appointed officials and will report the days worked of such officials to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of the Board.

<u>Title</u>	<u>Name</u>	<u>Standard Day (Hrs./Day)</u>	<u>Term</u>	<u>Employer Record of Time (Y/N)</u>	<u>Days Worked Per Month</u>
ELECTED OFFICIALS:					
Coroner	Baker, Maynard "Bud"	6	01/01/12-12/31/15	Y	
Coroner	Rinker, Mark	6	01/01/12-12/31/15	Y	

Moved by: Mr. O'Grady
Seconded by: Mr. Curran

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 61-14 included: Legislator Ungermann remarked that he had a difficult time with reporting these hours for part-time jobs, including the Legislators. He's not sure what the answer is, but doesn't feel these numbers are truthful. County Attorney Tom Miner explained that although a standard workday must be established, actual hours worked are reported for retirement purposes.

RESOLUTION NO. 62-14

**CREATING ONE POSITION OF INTENSIVE CASE MANAGER IN THE
COMMUNITY SERVICES AGENCY**

Offered by: Human Services Committee

RESOLVED:

1. That one position of Intensive Case Manager is created in the Community Services Agency.
2. This resolution shall take effect immediately.

Moved by: Mr. LaForge
Seconded by: Mr. Pullen

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 62-14 included: Legislator Burt stated that he was dismayed at the lack of information regarding this position at the committee level. He thanked Human Services Committee Chairman Kevin LaForge for bringing in Dr. Anderson to answer questions and provide further information. Additionally, after speaking with parents of children who use the services provided by this agency, Mr. Burt understands the importance of the service being provided.

RESOLUTION NO. 63-14

APPOINTMENT OF ONE MEMBER TO THE ALLEGANY COUNTY COMMUNITY SERVICES BOARD

Offered by: Human Services Committee

RESOLVED:

1. That Carol Stonemetz of Houghton, New York, is appointed to the Allegany County Community Services Board with term of office to commence immediately and expire December 31, 2017.

Moved by: Mr. LaForge
Seconded by: Mr. Fanton

Adopted: Voice Vote

RESOLUTION NO. 64-14

REAPPOINTMENT OF ONE MEMBER TO THE ALLEGANY COUNTY COMMUNITY SERVICES BOARD

Offered by: Human Services Committee

RESOLVED:

1. That Linda Edwards of Houghton, New York, is reappointed to the Allegany County Community Services Board, with term of office to commence January 1, 2014, and expiring December 31, 2017.

Moved by: Mr. LaForge
Seconded by: Mr. Healy

Adopted: Voice Vote

RESOLUTION NO. 65-14

**AMENDING RESOLUTION NO. 209-2009 TO INCREASE TO TWENTY-ONE THE
NUMBER OF FIELD TRAINING OFFICERS ELIGIBLE TO PARTICIPATE IN THE FIELD
TRAINING PROGRAM AND RECEIVE A \$500 STIPEND**

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That Resolution No. 209-2009 is amended to increase to twenty-one the number of Field Training Officers (FTO) employed by the Allegany County Sheriff's Office eligible for a \$500 stipend per year when they participate in the Field Training Program.

Moved by: Mr. Healy
Seconded by: Mr. Decker

Adopted: Roll Call
11 Ayes, 3 Noes, 1 Absent
Voting No: Burt, Decker, Ungermann

Comments made regarding Resolution No. 65-14 included: Legislator Burt remarked that it doesn't seem fair to get the same stipend regardless of the number of officers trained. He feels it should be per diem. Sheriff Whitney replied that there is a minimum that is required for them to receive the stipend. Legislator Fanton questioned if the current arrangement of awarding the stipend was being abused in the way that Legislator Burt suggested. Sheriff Whitney replied that they recommend who is eligible for the stipend, and they will not be recommended if they don't do their share of the training. Chairman Crandall questioned if there was a reason to change the current arrangement in any way? Sheriff Whitney responded that they've never received any complaints. Legislator Burt stated, "...in no way did I ever hint that there was abuse." Legislator Decker asked if there was a minimum amount of training that was required to receive the stipend. Sheriff Whitney said there is no set minimum, but that if they don't feel a training officer has done enough, they won't get the stipend. Legislator Decker clarified, "so there is no hard and fast number?" Sheriff Whitney confirmed there is no set number. Legislator Healy remarked that this will help with the overtime problem that was pointed out by the Comptroller. Part of the overtime cost is due to the shortage of part-time Corrections Officers. We need people to train the new Corrections Officers. This should alleviate the situation of not having enough part-time officers. Legislator Ungermann commented that he had the same concerns as Legislator Burt and Legislator Decker. There is a problem with the way the hours have to be offered to full-time staff first before calling in a part-time Corrections Officer. The union contract requires that hours must be offered to full-time officers before they can be offered to part-timers. Legislator Healy argued that isn't always the case. Legislator Ungermann responded that it may not be that way all of the time, but it is quite a bit of the time.

RESOLUTION NO. 66-14

ACCEPTANCE OF INSURANCE PAYMENT FROM NYMIR AND APPROPRIATION OF FUNDS TO RISK RETENTION ACCOUNTS

Offered by: Ways and Means Committee

WHEREAS, a check in the amount of \$1,197.47, representing the settlement, less a \$500 deductible, on a 2007 International Dump Truck (#3662) that was damaged as a result of a motor vehicle accident on January 3, 2014, has been offered by NYMIR in settlement for such damage, now, therefore, be it

RESOLVED:

1. That the sum of \$1,197.47 representing the settlement on a 2007 International Dump Truck (#3662) that was damaged on January 3, 2014, is accepted.
2. That the sum of \$1,197.47 is appropriated to Account No. CS1931.429 (Risk Retention-Uninsured Property Loss) with a like sum credited to Revenue Account No. CS1930.2680.00 (Insurance Recovery).

Moved by: Mr. Hopkins
Seconded by: Mr. Fanton

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 67-14

RESOLUTION ACCEPTING FEDERAL AND STATE COLA FUNDS TO VARIOUS DEPARTMENT OF HEALTH PROGRAMS; APPROPRIATION OF FUNDS

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. The sum of \$1,463 in COLA funds to the County Health Department Children with Special Health Care Needs Program is accepted and appropriated to Account No. A4054.424 (Health-Children with Special Health Care Needs-Advertising) with a like amount credited to Revenue Account No. A4054.3401.01 (Health-Children with Special Health Care Needs).
2. The sum of \$1,105 in COLA funds to the County Health Department Rabies Program is accepted and appropriated to Account No. A4043.408 (Rabies-General Supplies) with a like amount credited to Revenue Account No. A4043.3450.00 (Public Health-Rabies-State Aid).
3. The sum of \$2,985 in COLA funds to the County Health Department Lead Poisoning Prevention Program is accepted and appropriated to Account No. A4037.408

(Public Health-Lead-General Supplies) with a like amount credited to Revenue Account No. A4037.3437.00 (Public Health-Lead-State Aid).

4. The sum of \$23,147 in COLA funds to the County Health Department WIC Program is accepted and appropriated as follows:

<u>Appropriation Accounts</u>	<u>Amount</u>
A4190.201 (WIC-Office Equipment)	\$ 250
A4190.206 (WIC-Health Equipment)	\$ 531
A4190.402 (WIC-Mileage/Transportation)	\$ 200
A4190.405 (WIC-Conference Expense)	\$ 2,490
A4190.407 (WIC-Office Supplies)	\$ 200
A4190.408 (WIC-Genera/Program Supplies)	\$ 313
A4190.409 (WIC-Fees)	\$ 390
A4190.416 (WIC-Telephone)	\$ 500
A4190.427 (WIC-Electricity)	\$ 1,000
A4190.428 (WIC-Natural Gas)	\$ 400
A4190.456 (WIC-Health Contracts)	<u>\$16,873</u>
	\$23,147
 <u>Revenue Account</u>	
A4190.4452.00 (Federal Aid)	\$23,147

5. The sum of \$13,099 in COLA funds to the County Health Department Family Planning Program is accepted and appropriated as follows:

<u>Appropriation Accounts</u>	<u>Amount</u>
A4035.201 (Family Planning-Office Equipment-Netbook Purchase)	\$ 595
A4035.206 (Family Planning-Health Equipment-Vaccine Refrigerator)	\$2,440
A4035.409 (Family Planning-Fees Ahlers Billing & Netbook Software)	\$1,315
A4035.414 (Family Planning-Clinic Site Rental)	\$3,236
A4035.426 (Family Planning-Sewer/Water)	\$ 22
A4035.427 (Family Planning-Electricity)	\$ 79
A4035.428 (Family Planning-Utilities)	\$ 548
A4035.458 (Family Planning-Health Contracts-Nurse Practitioner)	\$ 4,153
A4010.461 (Family Planning-Health Contracts-Medical Supervisor)	<u>\$ 711</u>
	\$13,099
 <u>Revenue Account</u>	
A4035.3450.00 (State Aid-Family Planning)	\$13,099

Moved by: Mr. LaForge
Seconded by: Mr. Graves

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 68-14

TRANSFER OF FUNDS WITHIN PUBLIC HEALTH ACCOUNTS

Offered by: Human Services and Ways and Means Committees

RESOLVED:

1. That the sum of \$33,800 is transferred from Account No. A4010.101 (Health Department General Fund Salaries) to Account No. A4035.458 (Family Planning–Health Contracts) to finance the cost of contracting with Norilyn Patrick as Nurse Practitioner.

Moved by: Mr. LaForge
Seconded by: Mr. Graves

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 69-14

RESOLUTION MAKING ADJUSTMENTS TO THE COMMUNITY SERVICES ACCOUNTS

Offered by: Human Services and the Ways & Means Committees

RESOLVED:

1. That the 2014 County Budget with regard to Appropriation Accounts and corresponding Revenue Accounts under the Community Services Agency shall be adjusted as follows:

<u>Accounts</u>	<u>Appropriations</u>	<u>Revenues</u>
A4313.456 ARBOR A4313.3490.1078 StAid MH Housing	\$ (2)	\$ (2)
A4313.463 ARA A4313.3490.1037P StAid MH PROS	\$ (54,425)	\$ (54,425)
A4313.464 Kendra's Law A4313.3490.039P StAid MH ARA**	\$ 11,217	\$ 11,217
A4313.464 Clinic C&F A4313.3490.046A StAid MH ARA**	\$ 2,804	\$ 2,804
A4314.456 ARC A4314.3490.1014 StAid MH CSS	\$ (56,804)	\$ (56,804)
A4310.409 Comm Serv Fees A4310.3490.1014 StAid MH CSS**	\$ 20,076	\$ 20,076
A4315.456 ARA	\$ 41,896	

A4315.3490.1200 StAid MH Comm Reinvt	\$	41,896
TOTAL	\$	(35,238)
	\$	(35,238)

(**=new accounts to be built)

Moved by: Mr. LaForge
Seconded by: Mr. Fanton

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 70-14

TRANSFER OF FUNDS WITHIN STOP-DWI PROGRAM ACCOUNTS

Offered by: Public Safety Committee

RESOLVED:

1. That the sum of \$620 is transferred from Account No. A3141.421 (STOP-DWI Program Education) to Account No. A3141.201 (STOP-DWI Program-Office Equipment) to cover the cost of a computer upgrade.

Moved by: Mr. Healy
Seconded by: Mr. Decker

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 71-14

APPROVAL OF INTERMUNICIPAL AGREEMENT BETWEEN MONROE COUNTY AND ALLEGANY COUNTY FOR FORENSIC PATHOLOGY SERVICES THROUGH THE MONROE COUNTY MEDICAL EXAMINER'S OFFICE

Offered by: Human Services Committee

Pursuant to County Law § 675

RESOLVED:

1. That Intermunicipal Agreement between Monroe County and Allegany County for forensic pathology services for the period of January 1, 2014, to December 31, 2014, is approved.

2. That the Chairman of this Board is authorized to execute said Agreement.

Moved by: Mr. LaForge
Seconded by: Mr. Hopkins

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 65-14 included: Legislator Burt remarked on the lack of time he had to look over and adequately research the contract before voting on this in the committee meeting. Because of that he voted “no” during the committee meeting. After speaking with Lori Ballengee, he will vote “yes” on this resolution. He recommended that department heads try to get their contracts to them well in advance of their meetings. Legislator Ungermann stated that he’s complained numerous times about not receiving information well enough in advance of meetings. He wanted to clarify that this contract is a one year contract; usually it’s a five year contract. He added that prices have gone up substantially, and we need to work very hard at trying to find another way of doing this. He’s received complaints from funeral directors about us transporting the bodies up there for the autopsies, but we have no way of getting them back. Chairman Crandall stated that work is being done to find a better solution. Legislator Hopkins remarked that Lori Ballengee has been working for over a year to find a better alternative. He added, “We have to have a contract to do this work.”

Resolution No. 72-14 (RESOLUTION TRANSFERRING FUNDS WITHIN EMPLOYMENT AND TRAINING APPROPRIATION ACCOUNTS TO COVER THE COST OF REPLACING FIVE COMPUTERS) was not pre-filed and was considered from the floor on a motion made by Legislator Jessup, seconded by Legislator Curran, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 72-14

RESOLUTION TRANSFERRING FUNDS WITHIN EMPLOYMENT AND TRAINING APPROPRIATION ACCOUNTS TO COVER THE COST OF REPLACING FIVE COMPUTERS

Offered by: Planning and Economic Development and the Ways & Means Committees

WHEREAS, the Information Technology Department has informed the Employment and Training Center that it needs to replace five computers that are no longer adequate to meet the needs of the Employment and Training Center, and

WHEREAS, funds will need to be transferred within the Employment and Training appropriation accounts to cover the cost of replacing these computers, now therefore, be it

RESOLVED:

1. That the sum of \$620 is transferred from Account No. CD16406.201 (D/W Equipment) to Account No. CD16400.201 (Admin Equipment) and \$2,480 from Account No. CD16406.474 (D/W Vocational Training) to Account No. CD16400.201 (Admin Equipment).

Moved by: Mr. Jessup
Seconded by: Mr. Curran

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 65-14 included: Chairman Crandall noted that this resolution was brought off the floor due to time constraints. Legislator Decker commented that maybe it would be a good idea for all departments to assess their technology needs.

AUDITS:

A motion was made by Legislator Hopkins, seconded by Legislator Fanton, and carried, that the audits be acted upon collectively and by totals.

A motion was made by Legislator Hopkins, seconded by Legislator Graves, and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims, totaling \$3,185,603.72, including prepaid expenses, be approved for payment as recommended by the County Administrator. (*Allegany County's Local Dollar Share of the NYS Medicaid Program paid year-to-date is \$2,511,418.*)

COMMENTS:

Chairman Crandall reminded the Board of the Committee of the Whole meeting to be held at 6:30 p.m.

Legislator Ungermann remarked on the speech given by Jessica Norris. He said it gets us all to think about what's happening with our Constitution. He added that he had recently attended the Allegany County Chamber of Commerce dinner at Moonwinks. Dr. Irby "Skip" Sullivan [SUNY Alfred President] had spoken and said many of the same things. They were both spot on about the Constitution. Mr. Ungermann said we need to pay attention to where things are going. He was glad to hear both presentations.

Chairman Crandall stated that he had attended the Daughters of the American Revolution event held at Houghton College which recognized area high school students. Each student was given a "pocket version" of the United States Constitution.

Legislator Pullen questioned if it would be possible for Jessica to do some research and report back on the constitutionality of the NY SAFE Act.

ADJOURNMENT: The meeting was adjourned at 3:18 p.m. on a motion made by Legislator Graves, seconded by Legislator Burt and carried.

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

APRIL 14, 2014

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:06 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Navy Radar Man 2nd Class Donald H. Fegley.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 15 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, David Decker, Dwight Fanton, Karl Graves, Dwight "Mike" Healy, Theodore Hopkins, Charles Jessup, Kevin LaForge, Aaron McGraw, Timothy O'Grady, David Pullen, Debra Root, Norman Ungermann, Jr.

APPROVAL OF MINUTES:

The Committee of the Whole minutes of March 19, 2014, were approved on a motion made by Legislator Graves, seconded by Legislator Fanton, and carried.

The Board meeting minutes of March 24, 2014, were approved on a motion made by Legislator Graves, seconded by Legislator Fanton, and carried.

The Committee of the Whole minutes of March 24, 2014, were approved on a motion made by Legislator Root, seconded by Legislator Decker, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Donald H. Fegley, former United States Navy Radar Man 2nd Class, in grateful appreciation of his service to our country. Mr. Fegley's service dates were from June 25, 1951, to June 24, 1955. Following Basic Training at Great Lakes, IL, assignments included: Key West and the Bahamas. For his service, Mr. Fegley received a National Defense Service Medal. Mr. Fegley led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans' Honorary Pledge of Allegiance Program.

Chairman Curtis W. Crandall displayed a plaque in Memory of Frank Williams, original member of the Allegany County Planning Board, "... in recognition of Mr. Williams' dedication to Allegany County and the Allegany County Planning Board." The committee meeting area of the Legislative Chambers is dedicated in his memory. The plaque was presented to his wife Marion Williams on April 26, 1999. The Planning Board was established in 1964, and Mr. Williams served on that board up until his death on August 28, 1998. Chairman Crandall remarked that this plaque is one of many that hung on the Legislative Chamber walls before the remodeling of the Chambers. He noted that this plaque will once again hang in the committee meeting area, and it will be in its rightful home. He added that the plan is to have some type of display case outside the Clerk of the Board of Legislators' office to display the many items that once hung on the walls inside the Chamber.

Allegany County Fair Board Legislative Liaison Lee Gridley presented information regarding the Allegany County Fair. She stated that the Fair is in desperate need of support. They don't get the

financial assistance from the state that they once did. She talked about the Fair Sponsorship Program, and urged those present to consider sponsorship. She noted some changes for this years' Fair. The gate fee will be ten dollars. They are offering a discount on season passes if purchased before July 7. Additionally, they are no longer printing a Fair Book as it became too expensive. All of the information regarding the Fair is available via their website www.alleganycountyfair.org.

Representatives from the following departments and agencies were present to answer questions regarding their 2013 annual reports: Employment & Training, Veterans, Youth Bureau, STOP-DWI Program, District Attorney, Public Defender, Workers' Compensation.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Report of Tax Bill Corrections Approved by the County Administrator in March.
2. Report of Intrafund Transfers Approved by the County Administrator in March.
3. 2013 Annual Reports for Review: Soil & Water Conservation, Parks & Forests, Weights & Measures, Information Technology, Historian, Sheriff.
4. Notice of next InterCounty meeting to be hosted at Batavia Downs in Genesee County on April 18.
5. The Allegany County Comprehensive Plan Implementation Group, Cuba Friends of Architecture, and the Cuba NY Chamber of Commerce are sponsoring the "Put Your Money Where your House is: Improving Your Main Street Through Community-Wide Entrepreneurship" presented by Rick Hauser at the Palmer Opera House in Cuba on April 30.
6. Notice that the Allegany County annual Office for the Aging Senior Forum will be held at the Genesee Valley Central School on April 17. Please note that registration begins at 8 a.m. this year.

APPOINTMENTS:

Chairman Crandall has appointed the following individuals as members of the **CONSOLIDATION & EFFICIENCIES AD HOC COMMITTEE**, effective immediately, to serve at his pleasure:

- Kevin LaForge, Consolidation & Efficiencies Ad Hoc Committee Chairman
- Charles Jessup, Planning & Economic Development Chairman
- Jodi Adams, Secretary to the County Administrator
- Mitch Alger, County Administrator
- Craig Clark, Alfred State
- Kier Dirlam, County Planner
- Dave Edwards, former Houghton Sewer District Admin.
- Robert Heineman, Alfred University
- Jaime Herman, Village of Wellsville
- Ron Oakerson, Houghton College

PROCLAMATION:

Chairman Crandall proclaimed the week of April 6-12, 2014, as Crime Victims' Rights Week in Allegany County. Allegany County is joining forces with victim service programs, criminal justice

officials, and concerned citizens throughout the State of New York and communities across the United States to raise awareness of victims' rights and observe National Crime Victims' Rights Week.

RESOLUTIONS:

RESOLUTION NO. 73-14

AMENDING RESOLUTION 82-2012 TO CORRECT THE FIGURES SHOWN FOR THE DAYS WORKED PER MONTH APPLICABLE TO THE COUNTY CLERK AND THE DISTRICT ATTORNEY

Offered by: Personnel Committee

WHEREAS, the figures shown in Resolution 82-2012 for the County Clerk and the District Attorney in the column representing "Days Worked Per Month" were in error, now therefore, be it

RESOLVED:

1. That Resolution 82-2012 is amended to correct an error in the "Days Worked Per Month" column applicable to the County Clerk and District Attorney and restate the information provided therein as follows:

<u>Title</u>	<u>Name</u>	<u>Standard Day (Hrs./Day)</u>	<u>Term</u>	<u>Employer Record of Time (Y/N)</u>	<u>Days Worked Per Month</u>
ELECTED OFFICIALS:					
County Clerk	Christman, Robert L.	7	01/01/12-12/31/15	N	26.31
District Attorney	Slep, Keith	7	01/01/12-12/31/15	N	26.31

Moved by: Mr. O'Grady
Seconded by: Mr. Curran

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 74-14

REQUESTING THE NEW YORK STATE LEGISLATURE REJECT THE PROPOSAL BY GOVERNOR CUOMO TO PROVIDE PRISON INMATES A COLLEGE EDUCATION AT TAXPAYER EXPENSE

Offered by: Ways and Means Committee

WHEREAS, the purpose of incarceration is to punish those who have engaged in behavior that is illegal or crimes considered severely antisocial, including murder, rape, theft, and distribution of narcotics, or a variety of other crimes, and

WHEREAS, incarcerated individuals represent a continued threat to society, and that the Allegany County Board of Legislators endorses the notion that prison is punishment, and

WHEREAS, on February 14, 2014, the Governor proposed providing this segment of society with taxpayer-funded college tuition at a cost of \$5,000 per inmate, a benefit unavailable to the children of law-abiding citizens who will finance this proposal, and

WHEREAS, it is established that the Governor offered the proposal in order to reduce the rate of re-incarceration and to subsequently use those saved tax dollars for other projects or purposes, and

WHEREAS, school districts have been struggling to operate with lower levels of state aid due to the annual state budget gap elimination adjustment (GEA), and

WHEREAS, school districts with above average levels of poverty deserve a fair and equitable share of state funds for education, and

WHEREAS, any education funds for the Governor's proposal should be allocated to local school districts in order to provide our young people with tools and skills they need to be productive members of society so that they are not left behind, and

WHEREAS, an investment in our youth will have a greater positive impact on the lives of our next generation of citizens; and, therefore, will over the long term, be far more effective as a crime deterrent than the current proposal, now, therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators calls upon its representatives in, and the leadership of, the New York State Senate and Assembly to reject the proposal to provide a college education to inmates.

2. That the Clerk of this Board is directed to forward a copy of this resolution to Governor Cuomo, Senate Leader Jeffrey Klein, Senate Leader Dean G. Skelos, Speaker of the Assembly Sheldon Silver, Senator Catharine M. Young, Assemblyman Joseph M. Giglio, New York State Association of Counties, Inter-County Association of Western New York, and all school districts in Allegany County.

Moved by: Mr. Hopkins
Seconded by: Mr. Healy

Adopted: Voice Vote

RESOLUTION NO. 75-14

RESOLUTION OFFERING AN ALTERNATIVE TO THE PROPERTY TAX FREEZE THAT WILL LEAD TO PERMANENT AND HISTORIC PROPERTY TAX REDUCTIONS BY ELIMINATING THE COST OF STATE MANDATED SPENDING IMPOSED ON COUNTY PROPERTY TAXPAYERS

Offered by: Ways and Means Committee

WHEREAS, the Governor and State Legislature have prioritized property tax relief as necessary to help improve New York's economic competitiveness especially in struggling upstate areas where the high property tax burden has contributed to a loss of economic opportunity, industrial and business decline, and flat or negative population growth over the last two decades, and

WHEREAS, the Governor has proposed a two-year property tax freeze in these same economically burdened areas, that includes a state financed rebate for any increase in property taxes

in municipalities that stay within the state imposed property tax cap over the next two years, while also pursuing shared services or consolidation of functions with other local governments in the second year, and

WHEREAS, the proposed property tax freeze would create a new layer of tax bureaucracy and procedures with unknown costs to the taxpayers, which have not been adequately analyzed, calculated, and publicly discussed, and

WHEREAS, county government has been a strong proponent of increasing cooperation, sharing services and consolidating major governmental functions across multiple jurisdictions as highlighted in the 2013 Cornell University study, "Shared Services in New York: A Reform That Works," and

WHEREAS, recent law changes enacted by the Governor and State Legislature to cap the growth in county Medicaid costs and the creation of another pension tier will help reduce pressure on future county property tax levy growth, especially in 2020 and beyond, and

WHEREAS, county elected leaders strongly support meaningful state and county efforts to lower the property tax burden for homeowners and businesses across the state, and

WHEREAS, the levying of county property taxes is directly linked to state mandated spending as county governments act as the state's administrative arm through the delivery and financing of state programs, and

WHEREAS, county officials believe the best way to improve New York's economic climate and competitiveness is to reduce property taxes through fundamental reform of state mandates that directly impacts the causes of high property taxes and not simply the symptoms (not just slow the rate of growth), and

WHEREAS, recognizing the need for property tax relief and consistent with the call for realignment of responsibilities between governments, aligning the cost of the state's human services programs with the government obligated to provide them will result in a historic and sustainable reduction in county property taxes and a more appropriate and equitable distribution of the cost of the state's human services programs; and

WHEREAS, the cost of paying for the state Medicaid program in a typical county (outside of New York City) equals about one half of the county property tax levy and in Allegany County approximate 36 percent of that levy, and

WHEREAS, the benefits, scope and ultimate cost of Medicaid has been set and controlled by the State for nearly 50 years, but not fully financed with state resources, therefore transferring a significant cost burden to local property taxpayers that contributes greatly to the disparity between property taxes in New York State and those in other states, and

WHEREAS, New York City taxpayers also dedicate a large amount of locally raised non-property taxes to support the State Medicaid program, now, therefore, be it

RESOLVED:

1. That counties find no quantifiable evidence that the property tax freeze would result in significant property tax relief, while a phased state takeover of the costs of its own mandated human

services, starting with Medicaid, would provide immediate, permanent and measurable property tax reduction.

2. The state should also provide fiscal relief to New York City for a portion of the local taxes they commit to state mandated programs.

3. That copies of this resolution be sent to the sixty-two counties of New York State encouraging member counties to enact similar resolutions.

4. That the Clerk of this Board shall forward copies of this resolution to Governor Andrew M. Cuomo, Senator Catharine M. Young, Assemblyman Joseph M. Giglio, County Towns and Villages, New York State Association of Counties, Inter-County Association of Western New York, and all others deemed necessary and proper.

Moved by: Mr. Hopkins
Seconded by: Mr. Pullen

Adopted: Voice Vote

Comments made regarding Resolution No. 75-14 included the following:

Legislator Burt expressed his discomfort with anything that would remove a property tax freeze.

Legislator Pullen stated that he had done a lot of research on this. All of us are certainly in favor of freezing taxes and possibly even rolling them back. However, he says this is not really a freeze. His concern is that taxes will go up and then the refund will go away. He feels it's the Governor's chance to have his name on a lot of refund checks so people will think he's sending them money. He's taking our money and then giving a small portion of it back. He added that there are better ways to achieve this. He remarked that the state needs to eliminate the mandated spending programs. He said, "If the state would fund its own programs, we could roll our taxes back a whole lot more." From what he's read, we can expect eighty percent of the refund will go to New York City. He added, "We are getting the leftovers. We aren't getting the prime rib that's being served down state." He feels the state needs to stop dumping their programs on us. He wants to be able to give taxpayers the rebate they deserve. He closed by saying, "I'm in favor of tax cuts, I just don't think this is going to accomplish that."

Legislator Hopkins added, "85-88 percent of the budget is state mandates. Until they (the state) reduce spending, we can't reduce the revenue. It's a pretty simple formula. I don't know why they don't understand it at the state level."

RESOLUTION INTRO. NO. 76-14 (CREATING ONE FULL-TIME POSITION OF RADIO TECHNICIAN IN THE SHERIFF'S OFFICE; PLACING THE POSITION OF RADIO TECHNICIAN IN GRADE 17 OF THE FORTY HOUR PER WEEK AFSCME LOCAL 2574 COUNCIL 66 SALARY PLAN) was TABLED following a motion made by Legislator Burt, seconded by Legislator Decker, and carried. (Voting No: Crandall, Fanton, Hopkins, Jessup, LaForge, McGraw, and Pullen.) Legislator Burt remarked that he didn't feel there was enough information about the costs associated with this position versus contracting it out. In addition to the salary and benefits for the Radio Technician, he questioned if there would be additional expenses such as trucks, and support staff. He stated, "There is no way we can make an educated and informed decision without this information."

RESOLUTION NO. 76-14

CONFIRMATION OF BOARD CHAIRMAN'S REAPPOINTMENTS TO COUNTY YOUTH BOARD

Offered by: Resource Management Committee
Pursuant to Resolution No. 95-79

RESOLVED:

1. That the reappointments by the Chairman of this Board of Deborah Aumick (District I), Caneadea, New York, James Galatio (District II), Cuba, New York, Sherry Weirich (District III), Scio, New York, Ralph Eastlack (District IV), Wellsville, New York, and Amy Jacobson (District V), Alfred, New York, to the Allegany County Youth Board, with term of office for each commencing immediately, and expiring March 25, 2017, are confirmed.

Moved by: Mr. Graves
Seconded by: Mr. Curran

Adopted: Voice Vote

RESOLUTION NO. 77-14

CANCELLATION OF 2009 TO 2013 DELINQUENT TAX LIENS AND DETERMINATION OF NO PRACTICAL METHOD TO ENFORCE DELINQUENT TAX LIENS ARISING THEREAFTER AND DIRECTING COUNTY TREASURER TO ISSUE CERTIFICATES OF CANCELLATION AND PROSPECTIVE CANCELLATION, IN RELATION TO CERTAIN TAX PARCELS

Offered by: Ways and Means Committee

WHEREAS, the County Treasurer has withdrawn certain parcels of real property from a foreclosure proceeding under Article 11 of the Real Property Tax Law for the reason that the tax on such parcels has been cancelled or is subject to cancellation pursuant to Section 558 of the Real Property Tax Law, and

WHEREAS, the Ways and Means Committee recommends that this Board determine that there is no practical method to enforce the collection of the 2009 to 2013 delinquent tax liens and those liens arising thereafter and that supplementary proceedings to enforce the collection of such existing taxes would not be effective against such parcels, now, therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators does determine that there is no practical method to enforce the collection of the 2009 to 2013 delinquent tax liens and that supplementary proceedings to enforce the collection of such taxes would not be effective, against the following parcel:

<u>Town</u>	<u>Owner</u>	<u>Tax Map Number</u>	<u>Serial Number</u>
Wirt	Fisk, David P.	247.14-1-33	None

and that such delinquent tax liens are cancelled.

2. That the Allegany County Board of Legislators does determine that there is no practical method to enforce the collection of delinquent tax liens arising thereafter against such parcels.

3. That the County Treasurer, as enforcing officer, is directed to issue a certificate of cancellation for each such parcel and to file a copy of each such certificate in the County Clerk's Office and a certificate of prospective cancellation for each such parcel and to file a copy of each such certificate with the assessor of the assessing unit in which each parcel is located and with the County Director of Real Property Tax Services.

4. That upon such respective filings the parcels shall thereby become exempt from taxation and shall remain exempt until the Allegany County Board of Legislators determines that such parcels should be restored to the taxable portion of the assessment roll.

5. That the Clerk of this Board is directed to file a copy of this resolution with the Allegany County Treasurer as enforcement officer.

Moved by: Mr. Hopkins
Seconded by: Mr. Fanton

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

AUDITS:

A motion was made by Legislator Hopkins, seconded by Legislator Graves, and carried, that the audits be acted upon collectively and by totals.

A motion was made by Legislator Hopkins, seconded by Legislator Graves, and adopted on a roll call vote of 15 Ayes, 0 Noes, 0 Absent, that the audit of claims, totaling \$4,144,802.73, including prepaid expenses, be approved for payment as recommended by the County Administrator. (*Allegany County's Local Dollar Share of the NYS Medicaid Program paid year-to-date is \$3,090,976.*)

COMMENTS:

Legislator Ungermann commented on a couple of articles that he had distributed to his fellow Legislators. One article titled "In My Experience" by Scott Walker appeared in the March/April 2014 edition of National Federation of Independent Business's publication *My Business*. The second article titled "Do You Go Along to Get Along?" was written by Steve Schumacher and appeared in the March 2014 publication of *Rock Products*.

ADJOURNMENT:

The meeting was adjourned at 2:46 p.m. on a motion made by Legislator Graves, seconded by Legislator Root, and carried.

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION
APRIL 28, 2014**

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:12 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Army Staff Sergeant Kenneth T. Irwin.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 14 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, David Decker, Dwight Fanton, Karl Graves, Dwight "Mike" Healy, Theodore Hopkins, Charles Jessup, Kevin LaForge, Aaron McGraw, Timothy O'Grady, David Pullen, Norman Ungermann, Jr. Absent: Debra Root

APPROVAL OF MINUTES:

The Board meeting minutes of April 14, 2014, were amended following a motion made by Legislator Burt, seconded by Legislator Fanton, and carried to change the type of vote for Resolution No. 75-14 from "Roll Call" to "Voice Vote." The minutes were then approved as amended following a motion made by Legislator Graves, seconded by Legislator Fanton, and carried.

The Committee of the Whole minutes of April 14, 2014, were approved on a motion made by Legislator Decker, seconded by Legislator Pullen, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Kenneth T. Irwin, former United States Army Staff Sergeant, in grateful appreciation of his service to our country. Mr. Irwin's service dates were from December 11, 1950, to September 11, 1952. Following Basic Training at Fort Dix, NJ, Mr. Irwin was part of the 51st Signal Battalion serving in South Korea. He completed his service in Indiantown Gap, PA. Commendations he received included: Korean Service Medal and United Nations Service Medal. Mr. Irwin led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans' Honorary Pledge of Allegiance Program.

Chairman Crandall presented County Planner Kier Dirlam with a plaque honoring him for his work that led to Allegany County winning the 2014 New York Planning Federation Comprehensive Plan of the Year Award. On March 31, 2014, Mr. Dirlam attended a ceremony in Saratoga Springs, NY, to accept the award for the County. Chairman Crandall remarked that Mr. Dirlam was instrumental in putting together the award winning comprehensive plan. Mr. Dirlam mentioned the astonishment of others who attended the ceremony. They wondered how he and his staff could put together such a great plan with such a small budget. While most other counties relied on consultants and others, Mr. Dirlam and his staff, as well as the volunteers who were part of the comprehensive plan group, put together the plan.

Chairman Crandall recognized the donation of a quilt made by Adele Finnemore, former Journal Clerk & Deputy Clerk of the Board. Mrs. Finnemore made the quilt "America the Beautiful" which is a Debbie Mumm Design, 2002. It was machine quilted by Sue Johnson of Wellsville. Chairman Crandall expressed his thanks to Mrs. Finnemore for the beautiful quilt. The quilt was

displayed on the dais for the meeting. Chairman Crandall noted that a permanent place will be found to display the quilt.

Sheriff Rick Whitney spoke on National Corrections Officer's Week. Sheriff Whitney read the following prepared statement.

"On May 5, 1984, President Ronald Reagan, delivered a Proclamation designating the first full week in May as *National Correctional Officers' Week* to honor the work of correctional officers and correctional personnel nationwide. That day the President and hopefully the Nation began to recognize that Corrections Officers were no longer just guards, but trained professionals.

Day in, day out, 24 hours a day, Corrections Officers across this Nation are tasked with one of the most demanding jobs in society – keeping a watchful eye on the thousands of people entrusted to their care.

Theirs can be a thankless job, mostly out of the public eye, and greatly misunderstood. It's not an easy job, those who choose this career path must possess a great deal of patience, understanding of both the law and human nature, and endure lots and lots of training to be effective, successful, and remain safe.

Every day housing unit officers may be taking on the role of authority figure, first responder, teacher, counselor and possibly the only voice of reason that some incarcerated individuals have ever heard.

I wanted to take this opportunity to let my staff know how much I appreciate them and to thank them for all that they do! In the past three and a half years I have come to truly understand the personal sacrifice and commitment that they make each and every day working for our office as corrections professionals.

I would also ask that everyone reading this to take a moment to remember and say a prayer for those who have made the ultimate sacrifice serving in corrections and the families that are left behind feeling their loss the most."

Sheriff Whitney remarked on the great staff of Corrections Officers we have in Allegany County and asked those in attendance to be sure to thank our Corrections Officers for the work they do.

Representatives from the following departments and agencies were present to answer questions regarding their 2013 annual reports: Soil & Water Conservation, Parks & Forests, Weights & Measures, Information Technology, Historian, and Sheriff.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. May 2014 Calendar of Board and Standing Committee meeting dates.
2. 2013 Annual Reports for Review: Social Services, Office of Development, Planner, Planning Board, Tourism, IDA, County Administrator.
3. Invitation to Fair Board dinner.

4. Correspondence from Governor Andrew Cuomo regarding the 2014-15 Enacted New York State Budget Summary.

5. Correspondence from NYS Acting Commissioner of Agriculture and Markets Richard Ball confirming that Allegany County Agricultural District No. 2 is eligible for districting.

6. Correspondence from the Town of Wellsville Supervisor Darwin Fanton regarding a letter of explanation and new EAF forms for the Walmart project.

7. Reminder that the Allegany County Comprehensive Plan Implementation Group, Cuba Friends of Architecture, and the Cuba NY Chamber of Commerce are sponsoring the "Put Your Money Where Your House is: Improving Your Main Street Through Community-Wide Entrepreneurship" presented by Rick Hauser at the Palmer Opera House in Cuba on April 30.

APPOINTMENTS:

Chairman Curtis W. Crandall has appointed the following as members of the **HAZARD MITIGATION TEAM**, effective immediately, to serve at his pleasure.

Jeffrey Luckey, Allegany County Office of Emergency Services
David A. Decker, Allegany County Legislator
Guy R. James, Allegany County Public Works Superintendent
Kevin (Fred) Demick, Allegany County Highway Superintendent Association President
H. Kier Dirlam, Allegany County Planner (GIS Mapping)
Darlene Wells, SWNY Chapter of American Red Cross
Tom Hull, Allegany County Deputy Public Health Director (Environmental Health)
Scott Torrey, Allegany County Soil & Water Conservation District Executive Director

Chairman Curtis W. Crandall has appointed Theodore Hopkins to the **SOUTHERN TIER WEST REGIONAL PLANNING & DEVELOPMENT BOARD**, for a three-year term commencing June 1, 2014, and expiring May 31, 2017, subject to confirmation by the Board of Legislators.

PROCLAMATION:

Chairman Crandall proclaimed May 2014 as **MENTAL HEALTH MONTH** in Allegany County in recognition of the mental health care given by all mental health care providers in Allegany County.

Chairman Crandall proclaimed May 4-10, 2014, as **NATIONAL CORRECTIONS OFFICERS AND EMPLOYEES WEEK** encouraging all our residents to join in recognition and appreciation of the outstanding service provided by our professional correctional employees for the safety and welfare of our community.

Chairman Crandall proclaimed May 4-10, 2014, as **ARSON AWARENESS WEEK**, with the theme for 2014 being Vehicle Arson. The proclamation is to focus on the importance of a collaborative effort with fire and emergency service departments, law enforcement, insurance companies and the justice system to help reduce the unscrupulous crime of vehicle arson.

Chairman Crandall proclaimed May 8, 2014, as **CUBA CHAMBER OF COMMERCE DAY** in commemoration of its 100th birthday. The Cuba Chamber of Commerce has been essential in the

revitalization of the Village of Cuba and continues to serve the citizens and businesses of Cuba, New York, and throughout Allegany County.

RESOLUTIONS:

**RESOLUTION NO. 78-14
PROHIBITING THE ACCEPTANCE OF BIDS AT THE TAX SALE AUCTION FROM A PARTY
THAT HAD AN INTEREST AS AN OWNER OF RECORD THAT WAS FORECLOSED UPON IN
THE MOST RECENT TAX FORECLOSURE PROCEEDING**

Offered by: Ways and Means Committee

WHEREAS, the County has the right to establish the terms and conditions of sale for any property that the County acquired title to as a result of a tax foreclosure proceeding; and

WHEREAS, the County has a process in place that allows an owner buy-back of certain types of residential property prior to the tax sale auction; and

WHEREAS, allowing a defaulting taxpayer to purchase their property back at a tax sale auction provides a disincentive for keeping real property taxes timely paid and avoiding the consequences of having their property foreclosed upon for non-payment of taxes; and

WHEREAS, the amount bid in at the tax sale auction is generally less than what the County would have received had their taxes been timely paid and the property not been foreclosed upon for unpaid taxes; and

WHEREAS, experience has shown that taxpayers who have been delinquent in the payment of taxes on one parcel are more likely to be delinquent in the payment of taxes on another parcel; now, therefore, be it

RESOLVED:

1. That no bid on any parcel shall be accepted at the tax sale auction from any party that held an ownership interest in a parcel of property that was foreclosed upon in the most recent tax foreclosure proceeding.

2. That prior to the start of the tax sale auction and prior to anyone registering to bid, the County Treasurer shall announce and provide written notice of the same to any prospective bidder that a bid will not be accepted if they had lost a parcel of real property to tax foreclosure in the most recent tax foreclosure proceeding.

Moved by: Mr. Hopkins
Seconded by: Mr. O'Grady

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

**RESOLUTION NO. 79-14
A RESOLUTION SUPPORTING NECESSARY REFORMS TO NEW YORK LABOR LAW §240 AND
§241**

Offered by: Ways and Means Committee

WHEREAS, New York Labor law §240 and §241, commonly known as the "Scaffold Law," outlines liability for injuries caused by an employee's fall from a height, and

WHEREAS, the laws impose strict liability on employers and owners of buildings if a worker falls from any height; and

WHEREAS, the law was first imposed in 1885 at a time when worker safety was largely neglected in New York State and at a time when modern safety equipment and scaffolding techniques did not exist; and

WHEREAS, the Scaffold Law has caused a dramatic increase in construction costs due to increased insurance required for employers in the construction business, causing New York State to have the highest general liability insurance costs in the nation; and

WHEREAS, the Scaffold Law is a boon to personal injury lawyers as half of the 30 largest lawsuits in the state stem from Scaffold Law issues and while scaffold related injuries have decreased in the past 20 years the number of Scaffold Law claims has increased 500 percent; and

WHEREAS, New York is the only state in the country to impose a construction law like the Scaffold Law that imposes strict liability on the employer; further it is one of a very few laws that mandate strict liability in the State of New York; and

WHEREAS, the increase in costs in New York drives away investment in our infrastructure when developers and contractors can get better rates in other states; and

WHEREAS, not only does the law drive away out-of-state investment in infrastructure but the lost investment to other states also serves to decrease the number of new construction jobs created every year, making it more difficult for many of New York's skilled laborers to find appropriate employment; and

WHEREAS, recent studies by SUNY's Nelson Rockefeller Institute of Government suggests that workers are more likely to be injured due to the current version of the Scaffold Law; and

WHEREAS, this was based off statistics on construction injuries in Illinois that show a decrease in work related injuries since the 1995 repeal of its Scaffold Law at a much quicker pace than here in New York; and

WHEREAS, following the removal of the Illinois Scaffold Law, the state also found an increase in the number of construction jobs created on an annual basis; and

WHEREAS, comparative negligence standards would help maintain worker safety while decreasing some of the insurance costs related to implementation of the current Scaffold law; and

WHEREAS, this negligence standard under the Scaffold Law would not ban recovery for an injured worker due to their own negligence, but would allow the employer to bring issues with employee culpability to mitigate the damages in cases where the worker's actions contributed to his or her injury; and

WHEREAS, federal regulations have been enacted that attempt to protect workers from injury to falls by requiring certain precautions to be in place for people working at height and allows an outlet for workers concerned about their safety to engage federal review of any worksite for compliance with these regulations, now, therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators is strongly in support of Scaffold Law reform as well as meaningful protection of construction workers.

2. That this Board supports the full repeal of the Scaffold Law or its modification to include a pure standard of comparative negligence.

3. That the Clerk of this Board is directed to forward certified copies of this resolution to Governor Andrew M. Cuomo, Assembly Speaker Sheldon Silver, Senate Majority Leaders Dean Skelos and Jeffrey Klein, Senator Catharine M. Young, Assemblyman Joseph M. Giglio, the local delegation to the New York State Legislature, the InterCounty Association of Western New York and the New York State Association of Counties (NYSAC).

Moved by: Mr. Hopkins
Seconded by: Mr. Jessup

Adopted: Voice Vote

Comments made regarding Resolution No. 80-14 included: Legislator Ungermann remarked that New York State has one of the highest workman's compensation rates. Cases remain open. Some sort of reform needs to happen in this area if New York State is ever going to be competitive. Legislator Decker asked Legislator Ungermann if this is something we should encourage other counties to pass resolutions for. Chairman Crandall stated that this resolution would be forwarded to the Western New York InterCounty Association as well as NYSAC. Legislator Pullen stated that he agreed with the previous comments. He added, "New York State law places strict liability on the property owner, not the contractor or those doing the work... Putting liability on the property owner may have been easier, but it's driving building costs and insurance costs up." He urged support for the adoption of this resolution.

RESOLUTION INTRO. NO. 81-14 (AUTHORIZING ALLEGANY COUNTY TO SPONSOR A GRANT APPLICATION TO REHABILITATE TWO HISTORIC COUNTY BRIDGES FOR NON-VEHICULAR USE) was TABLED following a motion made by Legislator Fanton, seconded by Legislator Graves, and carried. It was determined that there wasn't enough time to put everything together to be considered this year.

RESOLUTION NO. 80-14
RESOLUTION AUTHORIZING THE PURCHASE OF FOUR MOTOR VEHICLES FROM THE
VEHICLE REPLACEMENT CAPITAL FUND ACCOUNT

Offered by: Ways and Means Committee

WHEREAS, the County Administrator has requested authorization to purchase four motor vehicles to be financed by previously allocated resources in the Vehicle Replacement Capital Fund Account, and

WHEREAS, the Sheriff's Office seeks to purchase a 2014 Ford Utility Police Interceptor, AWD with push bumpers and decals, or equivalent, according to the NYS bid price not to exceed \$32,000, and

WHEREAS, the Health Department seeks to purchase a 2014 Ford Fusion, four door, FWD-Contract #PC66390, from Henderson Ford, or equivalent, in accordance with the NYS Office of General Services bid price not to exceed \$17,000, and

WHEREAS, the Department of Social Services seeks to purchase a seven passenger mini-van with double door entry, or equivalent, at a cost not to exceed \$18,000, and

WHEREAS, the Office for the Aging seeks to purchase a sport utility vehicle (SUV), or equivalent, at a cost not to exceed \$22,000, now, therefore, be it

RESOLVED:

1. That purchase of a 2014 Ford Utility Police Interceptor, a 2014 Ford Fusion, a seven passenger mini-van and a sport utility vehicle, all as described above, is approved.

2. That the amount of \$89,000 for the purchase of four motor vehicles from the Vehicle Replacement Capital Fund H5997.2 is approved

Moved by: Mr. Hopkins
Seconded by: Mr. Graves

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 81-14
TRANSFER OF FUNDS WITHIN WIC PUBLIC HEALTH ACCOUNT

Offered by: Human Services Committee

RESOLVED:

1. That the sum of \$12,483 is transferred from Account No. A4190.409 (Fees) to Account No. A4190.456 (Health Contracts) to cover Peer Counselor expenses.

Moved by: Mr. LaForge
Seconded by: Mr. Graves

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 82-14
REAPPROPRIATION OF HOMELAND SECURITY GRANT FUNDS FOR CALENDAR YEAR 2013 FROM NEW YORK STATE OFFICE OF HOMELAND SECURITY (CONTRACT # T969120 AND # C969110) TO HOMELAND SECURITY ACCOUNTS

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That Homeland Security Program grant funds in the amount of \$41,250, appropriated in calendar year 2013, for Contract # T969120, are reappropriated to Account No. A3645.451 (Public Safety Contract) with a like sum credited to Revenue Account No. A3645.3306.EM12 (ST AID – HS #T969120).

2. That Homeland Security Program grant funds in the amount of \$35,128, appropriated in calendar year 2013, for Contract # C969110, are reappropriated to Account No. A3645.450 (Public Safety Contract) with a like sum credited to Revenue Account No. A3645.3306.EM11 (ST AID – HS #C969110).

Moved by: Mr. Healy
Seconded by: Mr. Decker

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 83-14
ACCEPTANCE AND APPROPRIATION OF FUNDING FROM THE SUSAN G. KOMEN
FOUNDATION FOR THE 2014 BUDGET YEAR

Offered by: Human Services and Ways and Means Committees

RESOLVED:

1. That the sum of \$19,791 offered by the Susan G. Komen Foundation is accepted for the 2014 budget year.
2. That the accepted sum of \$19,791 is appropriated as follows: \$2,280 to Account No. A4010.1 (Salaries/Wages), \$17,511 to Account No. A4072.4 (Contractual) with a like sum credited to Revenue Account No. A4072.2705.00 (Gifts/Donations).

Moved by: Mr. LaForge
Seconded by: Mr. Pullen

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 84-14
RESOLUTION ACCEPTING AND APPROPRIATING FUNDS FROM ACCORD CORPORATION
FOR THE ACT II BATTERERS PROGRAM AND FUNDS IN USER FEES FOR SUCH PROGRAM

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That the sum of \$12,240 from ACCORD Corporation for the Act II Batterers Program and the sum of \$1,348 in user fees for such program, is accepted.
2. That the accepted sum of \$12,240 for the Act II Batterers Program and \$1,348 in user fees for such program is appropriated to Account No. A3117.449 (Public Safety-ACT II Batterers Program – Contractual) with a like sum placed in Revenue Account No. A3117.2260.007 (Public Safety – ACT II Batterers Program).

Moved by: Mr. Healy
Seconded by: Mr. Decker

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 85-14
ACCEPTING AND APPROPRIATING FUNDS FROM NEW YORK STATE DIVISION OF CRIMINAL
JUSTICE SERVICES TO DISTRICT ATTORNEY CONTRACTUAL EXPENSES ACCOUNT

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That the sum of \$25,140 from New York State Division of Criminal Justice Services for the purchase of equipment for the "Video Recording of Statements" (VRS), is accepted.
2. That the accepted sum of \$25,140 is appropriated to Account No. A1165.447 (District Attorney-Contractual) with a like sum credited to Revenue Account No. A1165.3031.05 (St. Aid DA-Local VRS Grant).

Moved by: Mr. Healy
Seconded by: Mr. Fanton

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 86-14
ACCEPTING AND APPROPRIATING FUNDS FROM LITERACY WEST, INC. TO JAIL
CONTRACTUAL EXPENSES ACCOUNT

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That the sum of \$24,907 from Literacy West, Inc. for the purpose of reducing recidivism through expanded educational opportunities, is accepted.
2. That the accepted sum of \$24,907 is appropriated to Account No. A3151.447 (Jail-Educational Services-Contractual) with a like sum credited to Revenue Account No. A3151.2705LW (Gifts & Donations-Jail-Literacy West).

Moved by: Mr. Healy
Seconded by: Mr. Graves

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 87-14
A RESOLUTION ACCEPTING AND APPROPRIATING 2013 FUNDS FROM THE NEW YORK
STATE OFFICE OF HOMELAND SECURITY FOR THE
LETPP GRANT LE13-1006-DO1

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That the sum of \$15,000 from the New York State Office of Homeland Security 2013 LETPP Grant LE13-1006-DO1 for overtime and backfill for FEMA approved training for Tactical/SWAT teams, night vision equipment for Tactical/SWAT Team, and MDT connectivity fees, is approved.
2. That the accepted sum of \$15,000 is appropriated to Account No. A3645.447 (Homeland Security – Contractual) with a like sum credited to Revenue Account No. A3645.3306.SHF7 (State Aid – Homeland Security – LETPP #T969132).

Moved by: Mr. Healy
Seconded by: Mr. Decker

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 87-14 included: Legislator Burt questioned what the term “backfill” referred to. Sheriff Whitney replied that it had to do with moving staff around for coverage.

RESOLUTION NO. 88-14
APPROVAL OF AGREEMENT WITH TESTA CONSTRUCTION, INC. FOR CONSTRUCTION
SERVICES RELATED TO THE ELEVATOR PROJECT TO REPLACE AND RECONFIGURE THE
OLD JAIL ELEVATOR

Offered by: Facilities & Communications Committee

WHEREAS, Testa Construction, Inc. was the sole bidder for construction services on a project related to replacing and reconfiguring the old jail elevator to enable it to serve all floors of the County Office Building; and

WHEREAS, upon further negotiation with Testa Construction, Inc., the bid price was reduced from \$271,000 to \$210,000, now, therefore, be it

RESOLVED:

1. That the agreement in the amount of \$210,000 with Testa Construction, Inc., related to the elevator project replacing and reconfiguring the old jail elevator so as to enable it to serve all floors of the County Office Building, is approved.

2. That the Chairman of this Board is authorized to execute the agreement.

Moved by: Mr. Pullen
Seconded by: Mr. Fanton

Adopted: Roll Call
9 Ayes, 5 Noes, 1 Absent
Voting No: Burt, Curran, Decker,
O'Grady, Ungermann

Comments made regarding Resolution No. 88-14 included: Legislator Decker stated that he would be voting no. He said, "These figures do not represent the total cost of putting this elevator in. We don't even have a plan for the upper floor." He added that it's the elevator to nowhere and doesn't agree with the money for it being taken from an overage on a bridge project. Legislator Fanton remarked that the money was from the Probation project. Legislator Ungermann added that he hoped there would be enough votes for the project because it had already begun. Legislator Burt stated that he had two main concerns. One concern was that there was no plan in place for the third floor. His other concern was the possible structural limitations of that floor. He had heard that \$80,000 was saved when that floor was built because it was built for its use at that time. He questioned if a study had been done to see how much the floor could hold. Legislators Ungermann and Fanton responded that a study had been done and it was capable of holding a great deal of weight. Legislator Pullen remarked that he feels they've had some healthy debate on this subject. There have been studies and plans to provide possibilities for its use. He feels that even though there isn't a definite plan in place at this time, there will be plenty of competition for that space. Additionally, his primary concern is the lack of an elevator when our only elevator is down. He feels it's essential to have a second elevator in order to provide mobility in this building. He added that he strongly recommends that we proceed. Legislator Healy remarked that he agrees with Legislator Pullen and that this project allows for future opportunities that wouldn't be possible without this investment.

RESOLUTION NO. 89-14
APPROVAL OF AMENDMENT TO AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND
KVR SERVICES LLC AMENDING THE 2014 PRICE PER MEAL
Offered by: Human Services Committee

WHEREAS, the original agreement between the County of Allegany and KVR Services LLC , approved by Resolution No. 94-2012 was previously amended by Resolution No. 195-2012; and

WHEREAS, pursuant to that amended agreement the per meal price established for January 1, 2013, to December 31, 2013, was increased to \$3.90 per meal; and

WHEREAS, that amended agreement provided a mechanism after 2013 to review meal prices prior to June 1st of each year for the following year and modify the per meal price if agreed to by both parties; and

WHEREAS, the Office for the Aging met with KVR Services LLC prior to June 1st of last year and agreed to modify the per meal price for the year 2014 from the original price of \$3.80 per meal to an amended price of \$3.95 per meal; and

WHEREAS, an amendment to the original agreement between the County of Allegany and KVR Services increasing the per meal price for 2014 to \$3.95 needs to be approved and ratified effective January 1, 2014, now, therefore, be it

RESOLVED:

1. That the agreement between the County of Allegany and KVR SERVICES LLC, is hereby amended to increase the price per meal to \$3.95 from January 1, 2014, to December 31, 2014.
2. That the Director of the Allegany County Office for the Aging is authorized to execute the agreement amending the 2014 price per meal to \$3.95.
3. That any payments heretofore made in 2014 at the higher rate of \$3.95 per meal are hereby ratified and approved.

Moved by: Mr. LaForge
Seconded by: Mr. Pullen

Adopted: Roll Call
13 Ayes, 0 Noes, 1 Absent
1 Abstention

A motion was made by Legislator Graves, seconded by Legislator Healy, and carried, to grant Legislator Burt permission to abstain from voting on Resolution Intro. No. 89-14 (APPROVAL OF AMENDMENT TO AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND KVR SERVICES LLC AMENDING THE 2014 PRICE PER MEAL).

Comments made regarding Resolution No. 89-14 included: Legislator Pullen commented that the Meals-on-Wheels Program is one of the best investments the County makes. He added, "I don't think anyone can argue that allowing people to stay at home is a better alternative than living in an institution. It benefits all of us in addition to providing a better quality of life. It's hard to find qualified contractors at an affordable price. This is a huge undertaking for the Office for the Aging." Legislator Pullen urged support of this resolution. Legislator Decker added his support of the resolution, saying he has had experience with aging family members and understands the importance of people being able to stay at home.

RESOLUTION NO. 90-14
APPROVAL OF AGREEMENT BETWEEN COUNTY OF ALLEGANY AND JAMES MCGUINNESS & ASSOCIATES, INC. FOR THE USE OF COMPUTER SOFTWARE; AUTHORIZING CHAIRMAN TO EXECUTE AGREEMENT

Offered by: Human Services Committee

RESOLVED:

1. That the Agreement between the County of Allegany and James McGuinness & Associates, Inc. for the support and/or modification of computer software for the Allegany County Department of Health Preschool Program for the term January 1, 2014, through December 31, 2015, is approved.

2. That the Chairman of this Board is authorized to execute said Agreement.

Moved by: Mr. LaForge
Seconded by: Mr. Graves

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

**RESOLUTION NO. 91-14
ACCEPTANCE OF THE INSURANCE PROPOSAL OF SAFETY NATIONAL CASUALTY
CORPORATION SUBMITTED BY RICHARDSON AND STOUT FOR EMPLOYER'S EXCESS
LIABILITY INSURANCE COVERAGE FOR ALLEGANY COUNTY WORKERS' COMPENSATION
SELF-INSURANCE PLAN**

Offered by: Personnel Committee
Pursuant to Local Law No. 3 of 2002

RESOLVED:

1. That the Safety National Casualty Corporation insurance proposal regarding Employer's Excess Liability insurance coverage for the Allegany County Workers' Compensation Self-Insurance Plan, submitted by Richardson and Stout for the period April 1, 2014, to April 1, 2015, is approved.

2. That the premium, not to exceed \$99,790, is charged to the several accounts of the 2014 County Final Budget in which the funds are proportionately provided to cover the whole of such premium.

Moved by: Mr. O'Grady
Seconded by: Mr. Curran

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 91-14 included: Legislator Ungermann asked how many proposals that had for this. Legislator O'Grady replied that there were three.

Resolution No. 92-14 (Res. Intro. 94-14) (RESOLUTION APPROVING AN AGREEMENT WITH THE ALLEGANY COUNTY AGRICULTURAL SOCIETY FOR THE STORAGE AND DISPLAY OF VARIOUS ITEMS IN THE HOLDINGS OF THE COUNTY MUSEUM) was not pre-filed and was considered from the floor on a motion made by Legislator Graves, seconded by Legislator Curran, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

**RESOLUTION NO. 92-14
RESOLUTION APPROVING AN AGREEMENT WITH THE ALLEGANY COUNTY AGRICULTURAL
SOCIETY FOR THE STORAGE AND DISPLAY OF VARIOUS ITEMS IN THE HOLDINGS OF THE
COUNTY MUSEUM**

Offered by: Resource Management and Ways and Means Committees

WHEREAS, the County is in the process of relocating its County Museum and will not have sufficient floor space to display all of its holdings; and

WHEREAS, the County is interested in finding an appropriate place to store and display various items from its museum holdings that the public would not otherwise be able to see; and

WHEREAS, the Allegany County Agricultural Society has indicated a willingness to store and display numerous items from the County Museum in a building at the Allegany County Fairgrounds; and

WHEREAS, the Allegany County Agricultural Society is a not-for-profit corporation and will not make a profit from the storage and display of these items; and

WHEREAS, the Allegany County Agricultural Society will be undertaking its 170th consecutive County Fair this summer and is an excellent example of the rich history found in Allegany County; and

WHEREAS, the storage and display of items from the County Museum at the County fairgrounds will promote the ongoing mission of the County Museum; now, therefore, be it

RESOLVED:

1. That the agreement between Allegany County and the Allegany County Agricultural Society for the storage and display of various items in the holdings of the County Museum is approved.

2. That the Chairman of this Board is authorized to execute the agreement.

Moved by: Mr. Graves
Seconded by: Mr. Curran

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 92-14 included: Legislator Burt thanked everyone for moving this along. He stated, "Having the items stored and displayed at the fair is a much better resolution to the problem of storage for these historical items." He feels displaying these items at the fair is much better than selling the items. Legislator Decker gave an example of a window from the Belmont Hotel ending up back in its rightful place after many years saying, "The efforts are well worth it." He offered his support of the resolution.

Resolution No. 93-1 (Intro. No. 76-14) (CREATING ONE FULL-TIME POSITION OF RADIO TECHNICIAN IN THE SHERIFF'S OFFICE; PLACING THE POSITION OF RADIO TECHNICIAN IN GRADE 17 OF THE FORTY HOUR PER WEEK AFSCME LOCAL 2574 COUNCIL 66 SALARY PLAN) was removed from the table following a motion made by Legislator Pullen, seconded by Legislator Graves, and carried. It was originally tabled on April 14, 2014.

RESOLUTION NO. 93-14
CREATING ONE FULL-TIME POSITION OF RADIO TECHNICIAN IN THE SHERIFF'S OFFICE;
PLACING THE POSITION OF RADIO TECHNICIAN IN GRADE 17 OF THE FORTY HOUR PER
WEEK AFSCME LOCAL 2574 COUNCIL 66 SALARY PLAN

Offered by: Public Safety and Personnel Committees

RESOLVED:

1. That one full-time position of Radio Technician is created in the Sheriff's Office.

2. That the position of Radio Technician is placed in Grade 17 of the forty hour per week AFSCME Local 2574 Council 66 salary plan.

Moved by: Mr. Pullen
Seconded by: Mr. Graves

Adopted: Roll Call
9 Ayes, 5 Noes, 1 Absent
Voting No: Burt, Curran, Decker,
O'Grady, Ungermann

Comments made regarding Resolution No. 93-14 included: Legislator Decker stated that he would not be supporting the resolution as he feels this position is "just the tip of the iceberg." He feels it will eventually lead to having a full blown department. Legislator Healy expressed his support of the resolution. He feels it would be best to have someone on staff who can represent our interests and not just the interests of the vendor we would be contracting with. He added that we should take advantage of the 911 grant to improve the system as it benefits fire, law enforcement, and other emergency responders. Legislator Burt stated, "I want to thank those who took the bull by the horns and got the figures for this. I have to make a knee jerk reaction to the information. I personally believe we will have a full blown department in the future." He also questioned whether it would even be possible to have one person working on a tower. Legislator O'Grady remarked that he would not be supporting the resolution for the same reasons that were already stated. He appreciates that figures were obtained to help with the decision making. Legislator Ungermann expressed his concern about the future costs of this. He stated that he would not be supporting the resolution. Legislator Hopkins clarified the figures that were stated on the RFPs. Legislator Pullen offered his support for the resolution stating, "I don't see how any contractor can do this for less than we can." He remarked that he would be skeptical about future plans to increase the position into a department. Legislator Pullen added, "We have spent a great deal of time and money on upgrading our systems. Our society believes government should provide this service." Legislator Fanton stated, "Let us not forget we have a contract with fire and ambulance departments. We will have to make up the difference between what the contractor charges and what we charge the fire and ambulance companies. Is that correct? I'm going to support this for that reason, if nothing else." He also expressed his concern about a contractor having to send someone the long distance from Buffalo.

AUDITS:

A motion was made by Legislator Hopkins, seconded by Legislator Graves, and carried, that the audits be acted upon collectively and by totals.

Legislator Ungermann asked the County Administrator to give detail of his expenses totaling \$7,786.83. Mr. Alger stated that \$7,659.94 was paid to Bond, Schoeneck, & King, PLLC for legal services, and the remaining was for cell phone and mileage reimbursements.

A motion was made by Legislator Hopkins, seconded by Legislator Pullen, and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims, totaling \$2,633,012.94, including prepaid expenses, be approved for payment as recommended by the County Administrator. (*Allegany County's Local Dollar Share of the NYS Medicaid Program paid year-to-date is \$3,477,348.*)

ADJOURNMENT: The meeting was adjourned at 3:38 p.m. on a motion made by Legislator Graves, seconded by Legislator Burt, and carried.

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

MAY 12, 2014

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:00 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by Retired United States Army Staff Sergeant and Navy Petty Officer First Class Arthur R. Robbins.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 14 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, David Decker, Dwight Fanton, Karl Graves, Dwight "Mike" Healy, Theodore Hopkins, Charles Jessup, Kevin LaForge, Timothy O'Grady, David Pullen, Debra Root, Norman Ungermann, Jr. Absent: Aaron McGraw

APPROVAL OF MINUTES:

The Board meeting minutes of April 28, 2014, were approved on a motion made by Legislator Graves, seconded by Legislator Curran, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall reminded the audience that it was time again for the American Legion Poppies fundraiser to support disabled Veterans. He urged everyone to support our Veterans.

Chairman Crandall presented a certificate to Arthur R. Robbins, retired United States Army Staff Sergeant and Navy Petty Officer First Class, in grateful appreciation of his service to our country. Mr. Robbins' service dates were from December 1962 to August 1983. Following Basic Training at Fort Dix, NJ, assignments included: Aberdeen Proving Ground, MD, Fort Benning, GA, Fort Hood, TX, Fort Carson, CO, Korea, Germany, Berlin, and Vietnam. Commendations he received included: National Defense Service Medal, Vietnam Service Medal, Vietnam Campaign Medal, Army Occupational Medal (Berlin), three Good Conduct Medals, Navy "E" Ribbon, two Overseas Bars, Sharpshooter 45 Caliber Pistol, Expert M14 and M16 Rifle. Mr. Robbins led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans' Honorary Pledge of Allegiance Program.

ProAct Prescription Plan Representative Kayse Diamond provided information regarding the ProAct Prescription Plan, and urged Legislators to pass the information along to their constituents. The program is geared towards people who are uninsured or underinsured. The program began in 2005, with Allegany County implementing the program

in 2011. Since that time, Allegany County residents have saved over \$140,000 on nearly 3,600 prescriptions. She hoped that use of the program would continue to increase.

Office for the Aging Director Madeleine Gasdik and Allegany Senior Foundation President Reita Sobeck-Lynch were on hand to present information regarding this year's Senior Gala. A proclamation designating May as Older Americans' Month in Allegany County was read by Chairman Crandall. Ms. Gasdik stated, "We at the Office for the Aging are thrilled to be able to serve the older Americans of Allegany County and we do that with your support..." Ms. Sobeck-Lynch remarked that the Senior Foundation raised \$30,000 last year for the Office for the Aging. One of the ways they do this is through events such as Swingin' 4 the Oldies. She reminded the audience of the fourth annual Swingin' 4 the Oldies event to be held Saturday, May 31, at Genesee Valley Central School. She urged those in attendance to participate in the event.

Community Services Director Dr. Robert Anderson reminded those present of the prevalence of mental illness in the World, United States, and Allegany County. He noted that anxiety is more prevalent than depression. Less than thirty-percent of those with mental illness ever seek help for it. Instead, people tend to self-medicate, lock themselves up in their houses, and do other things to make it through a day. Mental illness makes it far less possible to function and be able to maintain a job. Allegany County has been very successful in dealing with mental illness. Dr. Anderson commended the Sheriff's Department for the great job our County Jail has done with treating the mentally ill with respect. Many mentally ill people end up in jail. Dr. Anderson is very grateful to the County Departments his office works with including the staff who have worked to take care of our citizens who are the least able to take care of themselves. He mentioned the Affordable Care Act's goal of make prevention more attainable. He commented on the increase of children with severe chronic mental illness. His office is trying to address the cases as quickly and appropriately as they can. He remarked that he appreciates the support the County Legislature has given Community Services.

Representatives from the following departments were present to answer questions regarding their 2013 Annual Reports: Social Services, Office of Development, Planner, Planning Board, Tourism, IDA, and County Administrator.

Legislator Ungermann stated that he was bothered by the IDA and other organizations competing with one another. He gave an example of the manufacturing company Amexstra moving from Alfred to Hornell. He questioned if we had an opportunity to talk with them. He stated, "I hate to see a business get away from Allegany County."

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Report of Tax Bill Corrections Approved by the County Administrator in April.
2. Report of Intrafund Transfers Approved by the County Administrator in April.

3. Pursuant to Article 11 of the NYS Real Property Tax Law, County Treasurer Terri Ross filed Certificates of Withdrawl of Delinquent Tax Liens for properties in the Town of Wirt in the Clerk of the Board's Office on May 8, 2014.

4. Reminder that the annual Fair Board appreciation dinner will be held at 6 p.m. on May 13 in the 4-H building on the Fairgrounds.

5. Correspondence from L. Chandler Whitford, Vice President of the L.C. Whitford Company, Inc., thanking the Board for passing Resolution No. 79-14 regarding reforms to the Scaffold Law.

6. Correspondence from Allegany County Planning Board Chair Lee Gridley thanking the Board for refurbishing and rehanging the Frank Williams Commemorative Plaque in the Board room.

7. Notice of the InterCounty Association meeting which was hosted by Wayne County on May 9.

8. Invitation to attend the Legislative Intern Model session on June 9 at 11 a.m.

APPOINTMENTS:

Chairman Curtis W. Crandall appointed Gordon Grantier of Wellsville to the Citizens Advisory Council to the Office for the Aging for a term of three years commencing immediately and expiring December 31, 2016, subject to confirmation by the Board.

PROCLAMATION:

Chairman Crandall proclaimed May 2014 as Older Americans Month in Allegany County, urging every citizen to take time this month to engage with our older citizens through enjoyable social interactions such as sports, games, contests, and other forms of play.

Chairman Crandall proclaimed May 18-24, 2014, as Emergency Medical Services Week, encouraging the community to observe this week with appropriate programs, ceremonies, and activities.

RESOLUTIONS:

RESOLUTION NO. 94-14

APPROVAL OF APPORTIONMENT OF MORTGAGE TAX TO TAX DISTRICTS AND AUTHORIZING WARRANT THEREFOR

Offered by: Ways and Means Committee

Pursuant to Tax Law § 261 (3)

RESOLVED:

1. That the Semi-Annual Report for the period October 1, 2013, through March 31, 2014, relating to Mortgage Tax Receipts and Disbursements, and the proposed distribution of such mortgage tax receipts therein, is approved.
2. That the Clerk of this Board is authorized and directed to execute a warrant of this Board to the County Treasurer directing her to distribute to the several tax districts in the County their respective share of such mortgage tax.

Moved by: Mr. Hopkins
Seconded by: Mr. Pullen

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 95-14

AUTHORIZING PAYMENT TO TOWNS AND VILLAGES FROM ADDITIONAL MORTGAGE TAX FEE RETAINAGE BY COUNTY CLERK; APPROPRIATING FUNDS THEREFOR

Offered by: Ways and Means Committee

WHEREAS, by Resolution No. 214-2004 the County Clerk was authorized pursuant to Section 262 of the Tax Law to request and receive reimbursement from the State of New York for all of his necessary expenses incurred in the administration of the Mortgage Tax Program on behalf of the State of New York, and

WHEREAS, it was the intent of this Board in adopting such resolution that the Towns and Villages of the County would not suffer any adverse financial consequences as a result of any increased retained expense reimbursement to the County Clerk, and

WHEREAS, the County Clerk has received reimbursement of his necessary expenses incurred in the administration of the Mortgage Tax Program, and

WHEREAS, this Board wishes to appropriate part of such reimbursement of necessary expenses received by the County Clerk for the administration of the Mortgage Tax Program to the Towns and Villages of the County, now, therefore, be it

RESOLVED:

1. The amount of \$25,504.38 is appropriated from Account No. A1410.432 (County Clerk – Contractual) and shall be distributed to the Towns and Villages of the County as follows:

TOWNS	AMT RETAINED BY CO. CLERK FOR MORTGAGE TAX FEE	REBATE AMT TO TOWN	REBATE AMT TO VILLAGE	VILLAGES
Alfred	774.47	619.70	154.77	Alfred
Allen	335.83	335.83		
Alma	251.30	251.30		
Almond	894.62	826.26	68.36	Almond
Amity	809.59	676.42	133.17	Belmont
Andover	1,056.78	876.77	180.01	Andover
Angelica	455.53	378.18	77.35	Angelica
Belfast	478.54	478.54		
Birdsall	75.59	75.59		
Bolivar	767.03	607.93	120.77	Bolivar
			38.33	Richburg
Burns	462.10	405.35	56.75	Canaseraga
Caneadea	7,631.83	7,631.83		
Centerville	354.21	354.21		
Clarksville	182.36	182.36		
Cuba	2,497.86	2,147.95	349.91	Cuba
Friendship	387.43	387.43		
Genesee	374.81	374.81		
Granger	279.00	279.00		
Grove	371.92	371.92		
Hume	753.42	753.42		
Independence	619.75	619.75		
New Hudson	290.48	290.48		
Rushford	1,354.25	1,354.25		
Scio	789.10	789.10		
Ward	48.10	48.10		
Wellsville	2,193.82	1,610.54	583.28	Wellsville
West Almond	80.15	80.15		
Willing	494.92	494.92		
Wirt	439.59	408.69	30.90	Richburg
TOTALS	25,504.38	23,710.78	1,793.60	

2. The Chairman of this Board, Allegany County Clerk, and Allegany County Treasurer are authorized to execute any and all vouchers, warrants, and other necessary documents of every nature and kind in order to effect the purpose of this resolution.

Moved by: Mr. Hopkins
Seconded by: Mr. Healy

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 96-14

APPROVAL OF BOARD CHAIRMAN'S REAPPOINTMENT OF MEMBER TO SOUTHERN TIER WEST REGIONAL PLANNING AND DEVELOPMENT BOARD

Offered by: Planning and Economic Development Committee

Pursuant to Resolution No. 35-68, as amended by Resolution No. 93-75

RESOLVED:

1. That the reappointment of Theodore L. Hopkins of Fillmore, New York, by the Chairman of this Board as a member of the Southern Tier West Regional Planning and Development Board, with term of office commencing June 1, 2014, and expiring May 31, 2017, is approved.

Moved by: Mr. Jessup
Seconded by: Mr. LaForge

Adopted: Voice Vote

RESOLUTION NO. 97-14

APPROVAL OF AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND THE GREATER ALLEGANY COUNTY CHAMBER OF COMMERCE TO ADMINISTER COUNTY TOURISM; AUTHORIZING BOARD CHAIRMAN TO EXECUTE SAID AGREEMENT

Offered by: Planning and Economic Development Committee

RESOLVED:

1. That Agreement between the County of Allegany and the Greater Allegany County Chamber of Commerce to administer tourism as the County Tourism Promotion Agency for an annual fee of \$80,000, commencing January 1, 2014, and ending on December 31, 2014, is approved.

Moved by: Mr. Jessup
Seconded by: Mrs. Root

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 97-14 included: Legislator Burt stated, "This is an example of a contractual agreement that works." He remarked that having a presence at the

New York State Fair and Swain Ski Center would be beneficial. He expressed his concern about using a matrix to measure the success of the Tourism program, citing the fact that the matrix has not yet been developed. He feels it's almost unfair to make this agreement without the matrix being determined. Legislator Ungermann stated he thinks it's difficult to gage the success of this. He gave an example of participation and revenue rates for an event that took place in Fort Niagara that were not accurate. He feels you have to look at increases in sales tax revenue as a guide. Legislator Decker remarked that he agreed with Legislators Burt and Ungermann about this being difficult to quantify. He feels more should be done to come up with events to bring people here, and to work on the events we already have. Legislator Burt added that there's no need to measure as long as there are benchmarks along the way.

Resolution Intro. No. 99-14 (Changing the Salary Grade for the Position of Deputy County Clerk III in the County Non-Unit Salary Plan from Grade 6 to Grade 7) was not pre-filed and was considered from the floor on a motion made by Legislator O'Grady, seconded by Legislator Curran, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 98-14

CHANGING THE SALARY GRADE FOR THE POSITION OF DEPUTY COUNTY CLERK III IN THE COUNTY NON-UNIT SALARY PLAN FROM GRADE 6 TO GRADE 7

Offered by: Personnel and Ways and Means Committees

RESOLVED:

1. That the Salary Grade for the position of Deputy County Clerk III in the County Non-Unit Salary Plan is hereby changed from Grade 6 to Grade 7.
2. That the individual currently holding the position of Deputy County Clerk III is hereby moved to Grade 7, Step 3.
3. That this resolution shall take effect immediately.

Moved by: Mr. O'Grady
Seconded by: Mr. Curran

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Resolution Intro. No. 100-14 (Approval of Retainer Agreement with KHEOPS Architecture, Engineering & Survey, DPC for Grant Writing Services) was not pre-filed and was considered from the floor on a motion made by Legislator Jessup, seconded by Legislator Curran, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 99-14

**APPROVAL OF RETAINER AGREEMENT WITH KHEOPS ARCHITECTURE,
ENGINEERING & SURVEY, DPC FOR GRANT WRITING SERVICES**

Offered by: Planning and Economic Development and Ways and Means Committees

RESOLVED:

1. That a one year retainer agreement with KHEOPS Architecture, Engineering & Survey, DPC at a cost of \$1,000 per month is approved.
2. That funds in the amount of \$12,000 from the contingency account shall be used to cover the cost of the agreement.
3. That the Chairman of this Board is authorized to execute said Agreement.

Moved by: Mr. Jessup
Seconded by: Mr. Curran

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 99-14 included: Legislator Burt remarked that he understood this to be a perceived cost savings. Because it is only for one year, it can be reviewed in a year. He did question the incentive, but felt that the one-year agreement outweighed that. Legislator Pullen said that he hears criticism about grants still being taxpayer dollars. His response to that is that the money is going to be spent; we need to have the money spent here. He feels this is a positive move and strongly urged the support of the other Legislators. Chairman Crandall noted that the consolidated funding process has changed and if we didn't move quickly, we would have been late with this. That is why it was put through this meeting.

AUDITS:

A motion was made by Legislator Hopkins, seconded by Legislator Healy, and carried, that the audits be acted upon collectively and by totals.

A motion was made by Legislator Hopkins, seconded by Legislator Fanton, and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims, totaling \$2,682,401.97, including prepaid expenses, be approved for payment as recommended by the County Administrator. (*Allegany County's Local Dollar Share of the NYS Medicaid Program paid year-to-date is \$3,863,720.*)

Chairman Crandall announced that there would be a Committee of the Whole meeting immediately following the Board meeting. They would be meeting with the Commissioner of Social Services, and the meeting would be in attorney/client session.

ADJOURNMENT: The meeting was adjourned at 2:53 p.m. on a motion made by Legislator Graves, seconded by Legislator Root, and carried.

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

MAY 27, 2014

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:02 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Navy Radioman Second Class Stephen P. Towner.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 14 Legislators Present: Scott Burt, Curtis Crandall, David Decker, Dwight Fanton, Karl Graves, Dwight "Mike" Healy, Theodore Hopkins, Charles Jessup, Kevin LaForge, Aaron McGraw, Timothy O'Grady, David Pullen, Debra Root, Norman Ungermann, Jr. Absent: Philip Curran

APPROVAL OF MINUTES:

The Board meeting minutes of May 12, 2014, were approved on a motion made by Legislator Graves, seconded by Legislator Burt, and carried.

The Committee of the Whole minutes of May 12, 2014, were approved on a motion made by Legislator Root, seconded by Legislator Fanton, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Stephen P. Towner, former United States Navy Radioman Second Class, in grateful appreciation of his service to our country. Mr. Towner's service dates were from August 12, 1943, to April 8, 1946. Following Basic Training at Sampson Naval Base, assignments included: Bainbridge, MD, Camp Bradford, Norfolk, VA, Chicago, IL. Commendations he received included: American Theatre Medal, Asiatic Pacific Medal with two stars, Victory Medal, and Philippine Liberation Ribbon with two stars. Mr. Towner led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans' Honorary Pledge of Allegiance Program.

Chairman Crandall presented a certificate to Secretary to the County Attorney Michael D. Spath in recognition of his service to the County. Mr. Spath will be retiring next week after twenty-seven years of service to the County. Mr. Spath has served three different County Attorneys. Mr. Spath retired from the Navy prior to his career with the County.

Chairman Crandall presented a certificate to Clerk of the Board Brenda Rigby Riehle in recognition of her term as President of the NYS Association of Clerks of County Legislative Boards. Chairman Crandall noted that many of our County staff are involved in NYS

associations. Their presence in these associations is important when issues affecting Allegany County arise.

Chairman Crandall gave privilege of the floor to Governor Cuomo's Regional Representative Lori Cornell. Ms. Cornell introduced herself and offered to hear concerns and deliver messages to the Governor's office.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. June 2014 Calendar
2. Pursuant to Article 11 of the NYS Real Property Tax Law. County Treasurer Terri Ross filed Certificates of Withdrawal of Delinquent Tax Liens for properties in the Towns of Independence, Wirt, Allen, Belfast, and Angelica in the Clerk of the Board's Office on May 12, 15, 19, 21, and 22, 2014, respectively.
3. Correspondence from the Allegany County Area Foundation thanking the Board for its donation to the Susan Foster Myers Memorial Endowment Fund.
4. County Treasurer Ross filed a copy of the Annual Financial Report for the County of Allegany for Fiscal Year Ended December 31, 2013, in the Clerk of the Board's Office on May 13, 2014. The Report was filed with New York State on April 30, 2014.
5. Reminder that all Legislators are invited to attend the Legislative Intern Model Session on Monday, June 9, 2014, at 11 a.m. in the Legislative Chambers.
6. The Southern Tier West Regional Planning & Development Board forwarded a copy of their April 17, 2014, meeting minutes and a copy of their meeting agenda for May 22, 2014.

RESOLUTIONS:

RESOLUTION NO. 100-14

RESOLUTION IN SUPPORT OF STATEWIDE INDIGENT DEFENSE LEGAL SYSTEM AND SETTLEMENT OF HURRELL-HARRING ET AL. V. STATE OF NEW YORK

Offered by: Public Safety Committee

WHEREAS, in 1963 the United States Supreme Court held in *Gideon v. Wainwright* that the right of counsel for one charged with crime is fundamental and that states need to supply lawyers for those unable to afford them, and

WHEREAS, in 1965 the State of New York delegated this state responsibility to counties, and

WHEREAS, the decision to entrench responsibility at the county level in the State of New York has resulted in the inefficient patchwork of services provided at the county level which are deficient, and

WHEREAS, implementation of the Constitutional right to counsel under Gideon is a state, not county, obligation, and

WHEREAS, public defense services are inadequately financed by the State of New York, and

WHEREAS, in 2006 the Kaye Commission on the Future of Indigent Defense Services declared the New York State System of County-Delivered Indigent Services in crisis and urged the expeditious establishment of an Independent Public Defense Commission overseeing a state-funded, statewide defender system, and

WHEREAS, the State of New York is now a defendant in Hurrell-Harring, et. al. v. State of New York, a systemic lawsuit similar to many that have been successful across the country seeking to transform the indigent defense system into a statewide defender system, and

WHEREAS, Governor Cuomo can fix the public defense system, incrementally develop a state funded model for the nation, design a cost-effective way to finance that system over time, and relieve counties of a responsibility originally delegated to them in 1965, now, therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators supports the transformation of the current County provided indigent defense system into a New York statewide defender system and calls upon the State of New York and Governor Cuomo to settle the pending litigation of Hurrell-Harring, et. al. v. State of New York.

2. That the Clerk of this Board is directed to forward a copy of this resolution to Governor Andrew Cuomo, Senate Leader Jeffrey Klein, Senate Leader Dean G. Skelos, Speaker of the Assembly Sheldon Silver, Senator Catharine M. Young, Assemblyman Joseph M. Giglio, New York State Defenders' Association, New York State Office of Indigent Legal Services, New York State Association of Counties, and all counties in New York State.

Moved by: Mr. Healy
Seconded by: Mr. Graves

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 101-14

CREATING ONE POSITION OF THIRD ASSISTANT PUBLIC DEFENDER IN PUBLIC DEFENDER'S OFFICE; AMENDING SECTION 4 OF RESOLUTION NO. 297-75

Offered by: Public Safety and Personnel Committees

RESOLVED:

1. That one position of Third Assistant Public Defender is created in the Section 4. Salary Plan at an annual salary of \$70,000.
2. That Section 4. of Resolution No. 297-75, as amended, is hereby amended by adding the title of Third Assistant Public Defender.
3. That such position shall remain filled only for so long as such position is fully funded by State, Federal or other grant-in-aid.
4. This resolution shall take effect on May 28, 2014.

Moved by: Mr. Healy
Seconded by: Mr. O'Grady

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 101-14 included: Legislators Healy and Burt both emphasized that this is for the three years in which outside funding will cover the cost of the position. Legislator Burt stated, "If funding goes away, I will be hard-pressed to support this."

RESOLUTION INTRO. NO. 103-14 (CHANGING TWO MOTOR VEHICLE CASHIER EXAMINERS POSITIONS IN THE COUNTY CLERK'S OFFICE FROM FULL-TIME TO PART-TIME) WAS WITHDRAWN following a motion made by Legislator O'Grady, seconded by Legislator Graves, and carried.

RESOLUTION NO. 102-14

GRANTING SALARY INCREMENTS EFFECTIVE JULY 1, 2014, TO UNIT AND NON-UNIT EMPLOYEES

Offered by: Personnel Committee

Pursuant to Resolution No. 1-69, as amended and Resolution No. 297-75, as amended

WHEREAS, five County unit and non-unit employees are eligible to receive an annual salary increment effective July 1, 2014, and

WHEREAS, the proper County department heads have recommended that such employees receive their respective annual salary increment effective July 1, 2014, having been satisfied, after review, with each of such employees' service, with attention having been given to the efficiency with which each of such employees has performed his or her respective duties, as well as the attendance record of each and all other factors having an effect on the work record of each, and

WHEREAS, this Board concurs in such recommendation, now, therefore, be it

RESOLVED:

1. That the following listed employees are granted their respective annual increment effective July 1, 2014, to wit:

<u>Department</u>	<u>Name</u>	<u>Title</u>	<u>Avg. Increment</u>
Sheriff	Erick J. Rosenberger	Correction Officer	\$.4674
Sheriff	Clayton L. Hulin	Registered Nurse	\$.8552
Building & Grounds	Shannon J. Bliven	Janitor	\$.3828
Treasurer	Kristy M. Evans	Payroll Clerk	\$.4729
Social Services	Abbigail M. Grabow	Caseworker	\$.6755

Moved by: Mr. O'Grady
Seconded by: Mrs. Root

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 103-14

**APPOINTMENT OF ONE MEMBER TO THE CITIZENS ADVISORY COUNCIL TO
THE OFFICE FOR THE AGING**

Offered by: Human Services Committee

Pursuant to Resolution No. 221-74

RESOLVED:

1. That the appointment of Gordon Grantier of Wellsville, New York, to the Citizens Advisory Council to the Office for the Aging, as an Over 60 (Retired Counselor) Member, with term of office commencing May 7, 2014, and expiring December 31, 2016, is confirmed.

Moved by: Mr. LaForge
Seconded by: Mr. Pullen

Adopted: Voice Vote

Comments made regarding Resolution No. 103-14 included: Legislator Pullen remarked that Mr. Grantier follows in the path pioneered by his wife who served for many years. Legislator Pullen added, "So we will continue with the same loyal and faithful service of his wife." Legislator Pullen offered his strong support of the resolution.

RESOLUTION NO. 104-14

A RESOLUTION APPROVING THE ACCEPTANCE AND APPROPRIATION OF NEW YORK STATE FY 13 STATE INTEROPERABLE COMMUNICATION GRANT-ROUND 3-SI13-1006-D00, CONTRACT NUMBER C198370; ESTABLISHING CAPITAL PROJECT

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That the sum of \$5,951,039 from New York State Grant for FY 13 State Interoperable Communication Grant-Round 3-SI13-1006-D00, Contract Number C198370, is accepted.
2. That the accepted sum of \$5,951,039 is appropriated to Account No. H3022.2 (SICG 911 Statewide Interoperable Communication Grant) with a like sum credited to Revenue Account No. H3022.3097.00 (SICG 911 Statewide Interoperable Communication Grant).
3. That the County Treasurer is directed to establish a Capital Account for the 911 Statewide Interoperable Grant: Project # SI13-1006-D00.

Moved by: Mr. Healy
Seconded by: Mr. Fanton

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 105-14

**APPROVAL OF BI INCORPORATED MONITORING SERVICE AGREEMENT;
AUTHORIZING BOARD CHAIRMAN TO EXECUTE SAID AGREEMENT**

Offered by: Public Safety Committee

RESOLVED:

1. That Monitoring Service Agreement between the County of Allegany and BI Incorporated for period July 1, 2014, to June 30, 2015, is approved.
2. That the Director of Probation is authorized to execute and deliver any and all documents necessary to complete the Monitoring Service Agreement.
3. That the Chairman of this Board is authorized to execute said agreement.

Moved by: Mr. Healy
Seconded by: Mr. Decker

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 106-14

A RESOLUTION APPROVING THE ACCEPTANCE AND APPROPRIATION OF NEW YORK STATE FY 12 PUBLIC SAFETY ANSWERING POINTS SUSTAINMENT GRANT PS12-1001-D00; ESTABLISHING A CAPITAL PROJECT AND TRANSFER OF FUNDS

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That the sum of \$318,752 from New York State for FY 12 Public Safety Answering Points Sustainment Grant PS12-1001-D00, is accepted.
2. That the accepted sum of \$318,752 is appropriated to Account No. H3023.200 (911 Public Safety Answering Points Sustainment Grant) with a sum of \$155,954 credited to Revenue Account H3023.3097.00 and \$162,798 credited to Revenue Account No. H3023.5031.00.
3. That the sum of \$157,798 is transferred from Account No. A1990.4 (Contingency) to Account No. H3023.2 and \$5,000 is transferred from Account No. A3112.201 (E-911 Dispatch Equipment) to Account No. H3023.2.
4. That the County Treasurer is directed to establish a Capital Account for the 911 Public Safety Answering Points Sustainment Grant: Project #PS12-1001-D00.

Moved by: Mr. Healy
Seconded by: Mr. Graves

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 106-14 included: Legislator Ungermann stated, "I just want to point out we have a local County share of \$162,798."

RESOLUTION NO. 107-14

APPROVAL OF AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND THE OLEAN GENERAL HOSPITAL FOR AUTOPSY WORK; AUTHORIZING BOARD CHAIRMAN TO EXECUTE SAID AGREEMENT

Offered by: Human Services Committee

RESOLVED:

1. That Agreement between the County of Allegany and the Olean General Hospital for performing autopsies commencing September 1, 2014, to December 31, 2016, is approved.
2. That the Chairman of this Board is authorized to execute such agreement.

Moved by: Mr. LaForge
Seconded by: Mrs. Root

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 101-14 included: Legislator Decker remarked that Lori Ballengee did a tremendous amount of work on this. It's saved the County a great deal of money. Legislator Ungermann noted that Brad Spink should also receive thanks for his part. Legislator Burt commented that this is another example of the great department heads we have. The department heads set great examples for others, including the legislators, on saving money.

RESOLUTION NO. 108-14

APPROVAL OF RENEWAL AGREEMENT WITH COUNTY OF ONEIDA TO PROVIDE SERVICES FOR ALLEGANY COUNTY PRISONERS HELD AT THE CENTRAL NEW YORK PSYCHIATRIC CENTER FORENSIC UNIT

Offered by: Public Safety Committee

RESOLVED:

1. That Renewal Agreement between the County of Allegany and the County of Oneida, to provide in-patient psychiatric services for Allegany County prisoners held at the Central New York Psychiatric Center Forensic Unit, is approved.
2. That the Chairman of this Board and the Allegany County Sheriff are authorized to execute said Agreement.

Moved by: Mr. Healy
Seconded by: Mr. Fanton

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Resolution Intro. No. 111-14 (RESOLUTION URGING THE NEW YORK STATE LEGISLATURE AND GOVERNOR TO CONTINUE TO ADDRESS UNFUNDED MANDATES THAT USE LOCAL TAX DOLLARS TO FUND STATE AND FEDERAL PROGRAMS AND SERVICES) was not pre-filed and was considered from the floor on a motion made by Legislator Fanton, seconded by Legislator Hopkins, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 109-14

RESOLUTION URGING THE NEW YORK STATE LEGISLATURE AND GOVERNOR TO CONTINUE TO ADDRESS UNFUNDED MANDATES THAT USE LOCAL TAX DOLLARS TO FUND STATE AND FEDERAL PROGRAMS AND SERVICES

Offered by: Ways and Means Committee

WHEREAS, many municipalities in New York State face significant fiscal challenges that are amplified by a slow economic recovery and a state imposed restriction on local revenues; and

WHEREAS, in most instances a county's fiscal challenges are directly tied to state imposed mandates and reduced state reimbursement; and

WHEREAS, counties play a central role in delivering state services, due to our state mandated role in the administration and financing of a wide variety of state programs; and

WHEREAS, in 2013, the state enacted Medicaid reforms to assume all of the growth in spending from the local taxpayers by 2015; and

WHEREAS, Allegany County taxpayers continue to fund close to \$10 million of Medicaid costs, now, therefore, be it:

RESOLVED:

1. That Allegany County strongly encourages the Governor and State Legislature to work to address the underlying causes of fiscal stress facing so many localities.

Moved by: Mr. Hopkins
Seconded by: Mr. Pullen

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 109-14 included: Legislator Hopkins remarked that this has been our standard resolution asking for mandate relief ever since our two percent cap came in. He added, "The two percent cap is not sustainable, and now we're at one and a half percent. We've been promised mandate relief. I don't think the State government is listening to us. We cannot continue at one and a half percent." Legislator Healy took the opportunity to welcome Lori Cornell, representative for Governor Cuomo. He asked Ms. Cornell to take this message back to Governor Cuomo. Legislator Graves suggested Governor Cuomo receive a copy of our mandate brochure. Legislator Ungermann suggested that she hand deliver the brochure to Governor Cuomo. Chairman Crandall noted that he wanted to make sure the press gets a copy of it, and suggested the Legislators should take copies to distribute in their districts. Chairman Crandall stated, "Medicaid takes thirty-four cents of every tax dollar here in Allegany County. No one can deny the need for the program, but Allegany County carries twenty-five percent of that bill." He remarked that the brochure outlines some of the largest mandated programs.

AUDITS:

A motion was made by Legislator Hopkins, seconded by Legislator Fanton, and carried, that the audits be acted upon collectively and by totals.

A motion was made by Legislator Hopkins, seconded by Legislator Graves, and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims, totaling \$3,061,626.65, including prepaid expenses, be approved for payment as recommended by the County Administrator. (*Allegany County's Local Dollar Share of the NYS Medicaid Program paid year-to-date is \$4,443,278.*)

Comments made regarding the Audit included: Legislator Pullen noted that two of the largest items in the Audit are under Human Services, plus payroll which are the people working to provide those services. He stated, "If we are to live within the cap, things have got to change. This is not sustainable. Wages, benefits, programs, bridges, roads... something is going to have to go. How do we pay the bills long term?"

Comments:

Chairman Crandall reminded those present of the Committee of the Whole meeting that would immediately follow the Board meeting.

Legislator Decker remarked on an ARC dinner he had recently attended along with Chairman Crandall. He said that many of those who receive services are also giving back. He noted what a wonderful program it is, and it would be a shame to have to cut back this type of program.

Legislator Pullen recognized the efforts of those who've worked on the grant applications for the communications projects, thanking them for being able to put together systems such as these with modest tax dollars.

ADJOURNMENT: The meeting was adjourned at 2:53 p.m. on a motion made by Legislator Graves, seconded by Legislator Fanton, and carried.

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

JUNE 9, 2014

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:04 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Army Corporal Joseph J. Mariotti.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 15 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, David Decker, Dwight Fanton, Karl Graves, Dwight "Mike" Healy, Theodore Hopkins, Charles Jessup, Kevin LaForge, Aaron McGraw, Timothy O'Grady, David Pullen, Debra Root, Norman Ungermann, Jr.

APPROVAL OF MINUTES:

The Board meeting minutes of May 27, 2014, were approved on a motion made by Legislator Graves, seconded by Legislator Decker, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Joseph J. Mariotti, former United States Army Corporal, in grateful appreciation of his service to our country. Mr. Gallagher's service dates were from September 12, 1989, to September 14, 1996. Following Basic Training at Fort Leonard Wood, MO, assignments included: Fort Sill, OK, Fort Hood, TX. Commendations he received included: Army Commendation Medal, Army Achievement Medal with three Oak Leaf Clusters, two Army Good Conduct Medals, National Defense Service Medal, Kuwait Liberation Medal K (issued to the unit), Kuwait Liberation Medal SA (issued to the service member), Southwest Asia Service Medal with three Bronze Service Stars, Southwest Asia Service Medal, Humanitarian Service Medal, Noncommissioned Officer's Professional Development Ribbon, Army Service Ribbon, Sharpshooter Marksmanship Badge with Grenade Bar, German Marksmanship Badge, and New York State Conspicuous Service Cross. Mr. Mariotti led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans' Honorary Pledge of Allegiance Program.

Chairman Crandall presented Allegany County Dairy Princess Lindsey Finch with a certificate. Miss Finch is the daughter of Tom and Lorraine Finch. She recently completed her freshman year at Alfred State where she is majoring in Agri-Business and Communications. Miss Finch has participated in Future Farmers of America, Alfred State Cow Club, and Alfred State Dairy Judging Club. Miss Finch addressed the audience detailing some of her responsibilities as Allegany County Dairy Princess. She expressed her concern for the lack of support explaining that she's had a difficult time getting donations of milk

products to help her promote the dairy industry. Also she's concerned about small farms' ability to continue with rising costs. She remarked that smaller farms are being charged extra for pick up by some processing plants when the farm's milk production is below a certain threshold.

Chairman Crandall presented Western New York Maple Queen Kylie Hint with a certificate. Miss Hint is the daughter of Dean and Deborah Hint. She is completing her senior year at Fillmore Central School. Miss Hint participates in Future Farmers of America, is a three-sport athlete, and an honors student. Miss Hint placed second in a Farm Bureau Essay Contest. Her family members are fourth-generation maple producers and operate Hint's Red Roof Maple. Miss Hint will be attending Alfred State College in the fall to study Environmental Technology and Agriculture. Miss Hint presented information regarding the maple industry including some of the varied and interesting products made with maple. She remarked that New York State is the second largest maple producer in the country, and at one time Allegany County was the largest maple producing county in the state.

Chairman Crandall granted privilege of the floor to New York State Farm Bureau Field Advisor Timothy Bigham. Mr. Bigham reported on agricultural activity in the County. Mr. Bigham stated that the prices farmers are receiving for their products are reasonable, but the input costs are too high. He noted that Farm Bureau had a fairly successful advocacy year last year. The funding for agricultural programs in the state budget was either maintained or increased. He thanked the Board for its opposition to the EPA's rule interpretation of the Clean Water Act. We appreciate you looking into that. Mr. Bigham expressed his concern for road closings in our County due to weight restrictions. He said it greatly impacts businesses especially forestry and farming. This adds extra time and expense because it increases the distance they must travel to transport products. This is a growing problem. Municipalities need to take the impact on businesses into consideration when they close roads. Mr. Bigham also remarked on the need for agricultural professionals to educate our students. There are many agricultural job opportunities here in Allegany County, but people need training. He mentioned the excellent college programs, Future Farmers of America, and 4-H programs we have to educate our youth. He thanked the Allegany County Dairy Princess and Western New York Maple Queen for representing the agriculture industry. Mr. Bigham presented Miss Hint with a scholarship check for placing as runner up in the Farm Bureau Essay Contest.

Chairman Crandall granted privilege of the floor to ACCORD Domestic Violence Program Manager Heather Frost, Office for the Aging Director Madeleine Gasdik, and Sheriff Rick Whitney. Ms. Frost presented information regarding Elder Abuse Awareness Month. She gave statistical information regarding elder abuse. She noted that there had been thirty-six cases of abuse in a period of a little over a year. Of those, one third were self-neglect, one third were emotional abuse, and the remaining were abuse from a spouse, significant other, or child. Ms. Gasdik remarked on some of the things they've been working on to bring about awareness including letters to the editor, palm cards, and public service announcements. Ms. Gasdik is grateful for the help they received from a St. Bonaventure University marketing class who put together, along with the help of WJQZ/WLSV, public service announcements that will be aired to raise awareness.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Report of Intrafund Transfers Approved by the County Administrator in May.
2. Invitation to attend the Kalthoff House Ribbon Cutting Ceremony on June 27, 2014.
3. Copy of correspondence from Senator Young, Assemblyman Giglio, and Assemblyman Goodell to Governor Cuomo urging the Governor to issue a State of Emergency for Allegany, Cattaraugus, and Chautauqua counties and to provide disaster recovery assistance for the damage caused by storms the week of May 12 through May 19.
4. Notice of next InterCounty meeting to be hosted by Ontario County at the Victor Campus of the Finger Lakes Community College on June 20, 2014.
5. The Legislators' annual clambake will be Friday, July 25, from 1 to 6 p.m. at Island Park in Wellsville. Please pick up tickets to sell in the Clerk of the Board's Office.

PROCLAMATION:

1. Chairman Crandall's proclamation of June 2014 as Elder Abuse Awareness Month in Allegany County, urging all citizens to commit to building safer communities for our elderly residents.

RESOLUTIONS:

RESOLUTION NO. 110-14

RESOLUTION DIRECTING A MODIFICATION OF THE GENERAL NOTICE TO DELINQUENT TAXPAYERS TO PROVIDE THAT ANY REACQUISITION OF A TAX PARCEL CONSTITUTING AN OWNER OCCUPIED RESIDENTIAL PROPERTY REQUIRES THAT THE JUDGMENT OF FORECLOSURE BE VACATED TO REMOVE THAT PARCEL FROM THE JUDGMENT OF FORECLOSURE

Offered by: Ways and Means Committee

WHEREAS, Allegany County enforces collection of delinquent real property taxes through an In Rem tax foreclosure proceeding under Article 11 of the Real Property Tax Law, and

WHEREAS, failure of a taxpayer to redeem a tax parcel from the tax foreclosure proceedings by payment of back taxes owing on the parcel results in a judgment of foreclosure directing that the title to that parcel be conveyed to Allegany County by the tax enforcement officer, and

WHEREAS, under certain conditions and prior to the annual auction of tax parcels, Allegany County has allowed the reacquisition of certain tax parcels which had been owner occupied as residential property by the defaulting taxpayer at the time of the judgment of foreclosure, and

WHEREAS, the tax foreclosure proceeding forecloses not only the property owners interest in the parcel but any other interests or liens on that parcel, and

WHEREAS, as the parcel being reacquired from the County no longer has mortgages or judgment liens against it because those interests have been foreclosed, and

WHEREAS, the County does not wish to place a delinquent taxpayer in a better position than they would have been had their property not been foreclosed, and

WHEREAS, pursuant to the County's policy for redemption or reacquisition of tax parcels the General Notice to Delinquent Taxpayers provides that Allegany County reserves the right to vacate the judgment of foreclosure as it pertains to a particular parcel, and

WHEREAS, by vacating a judgment of foreclosure as it pertains to a particular tax parcel any mortgages or liens on that parcel will remain in place, now, therefore, be it

RESOLVED:

1. That from this date forward, in order to restore the legal status of a parcel to that which existed directly prior to the entry of the Judgment of Foreclosure, the Judgment of Foreclosure shall be vacated as to any parcel constituting owner occupied residential property for which an owner satisfies the requirements set forth in the General Notice to Delinquent Taxpayers under the section entitled "Application to Repurchase Parcel After the Court Foreclosure Judgment and Prior to Auction".

2. The County Attorney is directed to take all necessary steps to insure that the Judgment of Foreclosure is vacated as to any foreclosed tax parcel that will be reacquired by the individual or individuals shown as the owner of record immediately prior to entry of the Judgment of Foreclosure.

3. That the General Notice to Delinquent Taxpayers shall be amended to state that the Judgment of Foreclosure will be vacated as to any tax parcel for which owner reacquisition ensues.

Moved by: Mr. Hopkins
Seconded by: Mr. Graves

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 111-14

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR STATE ASSISTANCE FROM THE HOUSEHOLD HAZARDOUS WASTE (HHW) STATE ASSISTANCE PROGRAM AND AUTHORIZING SIGNING OF THE ASSOCIATED STATE CONTRACT UNDER THE APPROPRIATE LAWS OF NEW YORK STATE

Offered by: Public Works Committee

WHEREAS, the State of New York provides financial aid for household hazardous waste programs, and

WHEREAS, the County of Allegany, herein called the Municipality, has examined and duly considered the applicable laws of the State of New York and the Municipality deems it to be in the public interest and benefit to file an application under these laws, and

WHEREAS, it is necessary that a Contract by and between The People of the State of New York, herein called the State, and the Municipality be executed for such State aid, now, therefore, be it

RESOLVED:

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.

2. That the Chairman of the Board or his designee is directed and authorized as the official representative of the Municipality to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the State.

3. That the Municipality agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for the State share of such costs.

4. That five (5) Certified Copies of this Resolution be prepared and sent to the NYSDEC together with a complete application.

5. That this resolution shall take effect immediately.

Moved by: Mr. Fanton
Seconded by: Mr. Curran

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 112-14

**ACCEPTANCE AND APPROPRIATION OF ADDITIONAL FEDERAL AID NOT
PREVIOUSLY APPROPRIATED TO CAPITAL PROJECT ON COUNTY ROAD 43,
ANGELICA BRIDGE, BIN 3329980**

Offered by: Public Works and Ways and Means Committees

RESOLVED:

1. The sum of \$36,000 in additional federal aid for a capital project on County Road 43, relating to the Angelica Bridge, BIN 3329980, is accepted.
2. That the accepted sum of \$36,000 is appropriated to Account No. H5935.200 (Angelica County Road 43, Bridge #07-03) with a like sum credited to Revenue Account No. H5935.4097.00 (Capital Project Fed).

Moved by: Mr. Hopkins
Seconded by: Mr. Pullen

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 113-14

**ACCEPTANCE AND APPROPRIATION OF FUNDING INCREASING THE SFY 2014-15
CONSOLIDATED HIGHWAY IMPROVEMENT PROGRAM (CHIPS)**

Offered by: Public Works and Ways and Means Committees

RESOLVED:

1. That the sum of \$196,799 increasing the SFY 2014-15 Consolidated Highway Improvement Program (CHIPS), is accepted and appropriated to Account No. D5112.223 (County Road CHIPS Paving) with a like sum credited to Revenue Account No. D5110.3501.00 (State Aid – CHIPS Revenue).

Moved by: Mr. Fanton
Seconded by: Mr. Curran

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 113-14 included: Legislator Ungermann remarked that all municipalities receive CHIPS monies. He echoed Mr. Bigham's concerns with roads being posted. He stated, "The urban population needs to understand that food doesn't come from the grocery store, it comes from the land. The problem is municipalities get this money but then they post roads." Legislator Pullen stated that he agreed with Mr. Bigham and Legislator Ungermann. He said, "It's good to have an increase in CHIPS money, but it doesn't really keep up with the expenses towns and counties are experiencing in costs to repair roads and bridges." He added that food that is produced on farms needs to be delivered to processing plants and stores.

RESOLUTION NO. 114-14

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100 PERCENT OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL AID PROJECT; APPROPRIATING FUNDS THEREFOR

Offered by: Public Works and Ways and Means Committees

WHEREAS, a Project for the Bridge Replacement (BIN 3329980) on County Road 43 over Angelica Creek in the Town of Angelica, Allegany County, PIN 6754.70 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of 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 Project by making a commitment of 100% of the non-federal share of the costs of bridge replacement (BIN 3329980) on County Road 43 over Angelica Creek in the Town of Angelica, Allegany County, PIN 6754.70, now, therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators hereby approves the above project.
2. That this board hereby authorizes the County of Allegany to pay in the first instance 100% of the federal and non-federal share of the cost of PE/Design and Right of Way Incidentals work for the Project or portions thereof.
3. That the sum of \$245,000 is appropriated from Capital Project Account No. H5935.200 and made available to cover the cost of participation in the above phase of the Project.
4. That in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Allegany County Board of Legislators shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof.
5. That the Chairman of the Allegany County Board of Legislators be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for federal aid and/or Marchiselli 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 and state aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible.

6. 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.

7. That this resolution shall take effect immediately.

Moved by: Mr. Fanton
Seconded by: Mr. Graves

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 114-14 included: Legislator Fanton remarked that we don't typically have to fund twenty percent of these bridges. We are going to pick up twenty percent of the cost rather than five percent. He said, "They give, and then they take away."

RESOLUTION NO. 115-14

RESOLUTION APPROVING THE TRANSFER OF FUNDS ON CAPITAL PROJECT ACCOUNT H5930 IN THE TOWN OF CANEADEA, BRIDGE #12-03; TRANSFER OF FUNDS FOR SUCH CAPITAL ACCOUNT

Offered by: Public Works and Ways and Means Committees

RESOLVED:

1. That the sum of \$9,000 is transferred from Account No. H5930.200 (Caneadea Bridge #12-03, Council House) to Account No. H5935.200 (Angelica County Road 43, Bridge #07-03) to cover the additional county share on BR #07-03.

Moved by: Mr. Fanton
Seconded by: Mr. Pullen

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 116-14

AUTHORIZING THE CHAIRMAN TO EXECUTE A CONTRACT BETWEEN THE COUNTY OF ALLEGANY, COUNTY OF CATTARAUGUS AND CATTARAUGUS - ALLEGANY WORKFORCE INVESTMENT BOARD FOR DELINEATION OF RESPONSIBILITIES AND DUTIES RELATED TO WORKFORCE INVESTMENT ACT SERVICES

Offered by: Planning & Economic Development Committee

Pursuant to Section 117 (d) (3) of the Workforce
Investment Act of 1998, 29 USCS 2832 (d) (3)

WHEREAS, the current contract between Allegany County, Cattaraugus County and the Cattaraugus - Allegany Workforce Investment Board expires June 30, 2014, and a new

contract is necessary between the parties to delineate the responsibilities and duties of the parties for the continued provision of Workforce Investment Act services, now, therefore, be it

RESOLVED:

1. That the Chairman of the Allegany County Board of Legislators is authorized and directed to execute a contract, on behalf of Allegany County, with Cattaraugus County and the Cattaraugus - Allegany Workforce Investment Board to delineate the responsibilities and duties of the parties to the contract for the continued provision of Workforce Investment Act services.

2. That the contract shall be effective as of July 1, 2014 and run to June 30, 2015.

Moved by: Mr. Jessup
Seconded by: Mr. LaForge

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 101-14 included: Legislator Burt reminded the audience that these issues are heavily debated before they come before the full Board.

Resolution Intro. No. 119-14 (RESOLUTION RATIFYING THE PURCHASE OF A RADIO TOWER IN THE TOWN OF BIRDSALL FROM FAMILY LIFE MINISTRIES, INC.; AUTHORIZING A TWENTY-FIVE YEAR LEASE AGREEMENT WITH THE LANDOWNERS FOR BIRDSALL TOWER SITE) was not pre-filed and was considered from the floor on a motion made by Legislator Decker, seconded by Legislator Hopkins, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 117-14

RESOLUTION RATIFYING THE PURCHASE OF A RADIO TOWER IN THE TOWN OF BIRDSALL FROM FAMILY LIFE MINISTRIES, INC.; AUTHORIZING A TWENTY-FIVE YEAR LEASE AGREEMENT WITH THE LANDOWNERS FOR BIRDSALL TOWER SITE

Offered by: Public Safety, Public Works, Facilities and Communications and Ways and Means Committees

WHEREAS, the Allegany County Sheriff's Department uses the Birdsall Tower for radio equipment as part of its E-911 system; and

WHEREAS, the Birdsall Tower was owned by Family Life Ministries, Inc.; and

WHEREAS, Family Life Ministries, Inc. no longer needs the radio tower and offered to sell it to Allegany County; and

WHEREAS, the ongoing use of the Birdsall Tower is critical to the operation of Allegany County's E-911 system; and

WHEREAS, operation of the County's E-911 system falls under the jurisdiction of the Sherriff's Office and the Sheriff's Office recently obtained a multi-million dollar grant for purposes of enhancing the E-911 system; and

WHEREAS, the Sheriff's Office used \$30,000 in grant funds to purchase the Birdsall Tower in order to assure its ongoing availability for use in the County's E-911 system; and

WHEREAS, the Birdsall Tower sits on land owned by Colie Schoonover and Deborah Schoonover that had been previously leased to Family Life Ministries, Inc.; and

WHEREAS, the lease with Family Life Ministries, Inc. has expired and the landowners are willing to lease the land for the tower site to Allegany County for a period of twenty-five years upon a lump sum payment of \$8,500, now therefore, be it

RESOLVED:

1. That the purchase of the Birdsall Tower from Family Life Ministries, Inc. for the sum of \$30,000 is hereby ratified and approved.
2. That lease of the land under the Birdsall Tower for a period of twenty-five years upon a lump sum payment of \$8,500 to the landowners, Colie and Deborah Schoonover, is approved.
3. That the Chairman of this Board is authorized to execute the lease agreement.

Moved by: Mr. Healy
Seconded by: Mr. Decker

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 117-14 included: Legislator Burt remarked that the cost to build this tower would be around \$500,000. Legislator Decker noted that this went through four different committees before it came before the full Board. Legislator Burt added that all of those committee meetings are open to the public.

Resolution Intro. No. 120-14 (RESOLUTION APPROVING A REVOCABLE PERMIT AGREEMENT FOR CLINIC SPACE BETWEEN THE STATE UNIVERSITY OF NEW YORK ON BEHALF OF THE SUNY COLLEGE OF TECHNOLOGY AT ALFRED AND THE ALLEGANY COUNTY DEPARTMENT OF HEALTH; AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN THE AGREEMENT) was not pre-filed and was considered from the floor on a motion made by Legislator LaForge, seconded by Legislator Curran, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

Resolution No. 118-14 (Intro. No. 120-14) was then amended following a motion made by Legislator Hopkins, seconded by Legislator Graves, and carried, to replace Public Health Director with Chairman of the Board in the title and under number two.

RESOLUTION NO. 118-14

RESOLUTION APPROVING A REVOCABLE PERMIT AGREEMENT FOR CLINIC SPACE BETWEEN THE STATE UNIVERSITY OF NEW YORK ON BEHALF OF THE SUNY COLLEGE OF TECHNOLOGY AT ALFRED AND THE ALLEGANY COUNTY DEPARTMENT OF HEALTH; AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN THE AGREEMENT

Offered by: Human Services and Ways and Means Committees

RESOLVED:

1. That a Revocable Permit Agreement between the State University of New York on behalf of the SUNY College of Technology at Alfred and the Allegany County Department of Health to provide space at the college for a Reproductive Health Clinic at a cost of \$300 per month is approved.
2. That the Chairman of the Board is authorized to sign the agreement.

Moved by: Mr. LaForge
Seconded by: Mr. Curran

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 118-14 included: Legislator Pullen commended Public Health Director Lori Ballengee for her efforts in contract negotiations, adding that she had had some significant successes in negotiating agreements that have saved the County money.

AUDITS:

A motion was made by Legislator Hopkins, seconded by Legislator Fanton, and carried, that the audits be acted upon collectively and by totals.

A motion was made by Legislator Hopkins, seconded by Legislator Root, and adopted on a roll call vote of 15 Ayes, 0 Noes, 0 Absent, that the audit of claims, totaling \$2,392,081.44, including prepaid expenses, be approved for payment as recommended by the County Administrator. (*Allegany County's Local Dollar Share of the NYS Medicaid Program paid year-to-date is \$4,636,464.*)

COMMENTS:

Legislator Fanton stated that there would be a tour for Legislators of our County Landfill on June 25 at one o'clock, weather permitting.

Legislator Ungermann remarked that he approved of this years' Allegany County Fair being dedicated to Rod Biehler. He stated that Mr. Biehler never ceases to promote Allegany

County. Legislator Ungermann noted that Allegany County residents were recently offered one dollar off admission at the McKean County Raceway in which Mr. Biehler is involved.

ADJOURNMENT: The meeting was adjourned at 3:01 p.m. on a motion made by Legislator Graves, seconded by Legislator Root, and carried.

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

JUNE 23, 2014

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:00 p.m. by Vice Chairman Dwight Fanton.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by retired United States Navy Chief Petty Officer Richard A. Schaefer.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 14 Legislators Present: Scott Burt, Philip Curran, David Decker, Dwight Fanton, Karl Graves, Dwight "Mike" Healy, Theodore Hopkins, Charles Jessup, Kevin LaForge, Aaron McGraw, Timothy O'Grady, David Pullen, Debra Root, Norman Ungermann, Jr. Absent: Curtis Crandall

APPROVAL OF MINUTES:

The Committee of the Whole minutes of May 27, 2014, were approved on a motion made by Legislator Graves, seconded by Legislator Root, and carried.

The Board meeting minutes of June 9, 2014, were approved on a motion made by Legislator Curran, seconded by Legislator Decker, and carried.

The Committee of the Whole minutes of June 9, 2014, were approved on a motion made by Legislator Root, seconded by Legislator Graves, and carried.

PRIVILEGE OF THE FLOOR:

Vice Chairman Dwight Fanton presented a certificate to Richard A. Schaefer, retired United States Navy Chief Petty Officer, in grateful appreciation of his service to our country. Mr. Schaefer's service dates were from January 1977 to February 1982 and November 1985 to October 1997. Following Basic Training at Great Lakes, IL, assignments included: USS Benjamin Stoddert, USS David R. Ray, USS Goldsborough, Panama Canal Zone, U.S. Naval Recruiter Command. Commendations he received included: Armed Forces Expeditionary Medal with two stars, Good Conduct Medal (five times), Kuwait Liberation Medal, National Defense Medal, Navy Achievement Medal, Navy Expert Pistol Medal, Southwest Asia Service Medal, Navy Expert Rifle Medal, Navy Expeditionary Medal, Navy E Ribbon, Navy Recruiting Service Ribbon, three Navel Unit Commendation Ribbons, Sea Service Deployment Ribbon (five times). Mr. Schaefer led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans' Honorary Pledge of Allegiance Program.

Vice Chairman Dwight Fanton granted privilege of the floor to Allegany County Agricultural Society President Martha Roberts. Ms. Roberts spoke about changes made to

the County Fair. One of the biggest changes is that there is no longer a Fair book. The County Fair website contains all of the information that would ordinarily be available in the Fair Book. Advertising has taken different forms including the use of sponsorships which has helped. She also noted that the Fair Board increased the gate entrance fee to \$10. The gate admission includes everything on the grounds. Season passes are available for \$25 before the Fair or \$30 the week of the Fair. Some repairs have been made to the fairgrounds including painting in the Domestic Arts building. This work was done by inmates from the County Jail. A portion of the grandstand had also been painted. More repairs are needed such as additional painting, electrical, as well as a new roof on the office building. The Fair Board was hoping to receive a grant to help with some of these costs, but that unfortunately fell through. On a positive note, Ms. Roberts remarked on the wonderful new display of historical items that came out of the County Museum. She thanked the Board of Legislators for their support of the Fair. This year marks the 170th year of the Allegany County Fair. Her closing remarks included confirmation that she would be stepping down as Agricultural Society President after 15 years in that role.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. July 2014 Calendar

2. The Legislators' annual clambake will be Friday, July 25, from 1 to 6 p.m. at Island Park in Wellsville. Please pick up tickets to sell in the Clerk of the Board's Office.

PROCLAMATION:

Vice Chairman Fanton proclaimed July 6-12, 2014, as Invasive Species Awareness Week in Allegany County as an opportunity for all to express support for the goals of this observance and to extend appreciation to the agencies, businesses, environmental groups, academic institutions, community organizations, and volunteers that are taking action against the spread of invasive species.

RESOLUTIONS:

RESOLUTION NO. 119-14

**ESTABLISHING STANDARD WORK DAYS FOR ELECTED AND APPOINTED OFFICIALS
AND DIRECTING A REPORT OF DAYS WORKED TO THE NEW YORK STATE AND
LOCAL EMPLOYEES' RETIREMENT SYSTEM**

Offered by: Personnel Committee

RESOLVED:

1. Effective immediately, the Allegany County Board of Legislators hereby establishes the following as standard work days for elected and appointed officials and will report the days worked of such officials to the New York State and Local Employees'

Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of the Board.

<u>Title</u>	<u>Name</u>	<u>Standard Day (Hrs./Day)</u>	<u>Term</u>	<u>Employer Record of Time (Y/N)</u>	<u>Days Worked Per/Month</u>
ELECTED OFFICIALS:					
Legislator	Crandall, Curtis W.	6	01/01/14-12/31/17	N	25.97
Legislator	Fanton, Dwight	6	01/01/14-12/31/17	N	9.33
Legislator	Hopkins, Theodore L.	6	01/01/14-12/31/17	N	6.97
Legislator	LaForge, Kevin S.	6	01/01/14-12/31/17	N	11.50
Legislator	Pullen, David T.	6	01/01/14-12/31/17	N	15.92
Treasurer, County	Ross, Terri L.	7	01/01/14-12/31/17	Y	NA
APPOINTED OFFICIALS:					
Administrator	Alger, Mitchell M.	7	01/01/14-12/31/17	Y	NA
Administrator, Secretary to the	Adams, Jodi	7	01/01/14-12/31/17	Y	NA
Aging, Office for - Director	Gasdik, Madeleine	7	01/01/14-12/31/17	Y	NA
Attorney, County	Miner, Thomas A.	7	01/01/14-12/31/17	N	24.61
Attorney, Co.-First Assist.	Haggstrom, Leslie J.	7	01/01/14-12/31/17	Y	NA
Attorney, Co.-Second Assist.	Knapp, Carissa M.	7	01/01/14-12/31/17	Y	NA
Attorney, Co.-Third Assist.	Carnes, Nora K.	7	01/01/14-12/31/17	Y	NA
Attorney, Co.-Secretary to the	Osgood, Oriana	7	01/01/14-12/31/17	Y	NA
Clerk of the Board	Riehle, Brenda Rigby	7	01/01/14-12/31/17	Y	NA
Journal Clerk	Decker, Sarah M.	7	01/01/14-12/31/17	Y	NA
Development Director	Foels, John E.	7	01/01/14-12/31/17	Y	NA
Emergency Man. & Fire Dir.	Luckey, Jeffrey N.	7	01/01/14-12/31/14	Y	NA
Emergency Man. & Fire Deputy	Barney, Michael R.	7	01/01/14-12/31/14	Y	NA
Employment & Training Dir.	Sobeck-Lynch, Reita	7	03/01/14-02/28/17	Y	NA
Historian, County	Braack, Craig R.	7	01/01/14-12/31/17	Y	NA
Information Technology Dir.	Button, Deborah	7	01/01/14-12/31/17	Y	NA
Public Defender	Kelley, Barbara J.	7	01/01/14-12/31/17	Y	NA
First Assist. Public Defender	Fogarty, Patricia K.	7	01/01/14-12/31/17	Y	NA
Second Assist. Public Defender	Carter, J.R. Santana	7	01/01/14-12/31/17	Y	NA
Secretary to Public Defender	Goldsmith, Sharon	7	01/01/14-12/31/17	Y	NA
Part-time Secretary to PD	Owen, Janelle M.	7	01/01/14-12/31/17	Y	NA
Real Property Tax Director	Budinger, Joseph L.	7	01/01/13-09/30/19	Y	NA
Treasurer, County-Deputy	Nelson, Jenna	7	01/01/14-12/31/17	Y	NA
Veterans Service Agency Dir.	Hennessy, Michael D.	7	01/01/14-12/31/14	Y	NA
Youth Bureau Dir./STOP DWI	Edwards, Linda S.	7	01/01/14-12/31/17	Y	NA

Comments made regarding Resolution No. 119-14 included: Legislator Ungermann stated that he only has a problem with the Legislators' reported hours. He questions the truthfulness.

Moved by: Mr. O'Grady
Seconded by: Mr. Pullen

Adopted: Voice Vote

RESOLUTION NO. 120-14

APPROVAL OF SALE OF 2014 TAX SALE PROPERTIES

Offered by: Ways and Means Committee

Pursuant to New York Uniform Delinquent Tax Enforcement Act and Resolution No. 195-97, as amended by Resolution No. 95-98.

RESOLVED:

1. That the sale of tax delinquent properties as shown below, to the owners and purchasers shown, for the consideration shown, subject to terms and conditions of sale for such properties, is approved.

2. That upon the securing by the County Attorney of a proper court order authorizing the conveyance to the County of such of the below mentioned properties which are subject to the 2012 and/or back to the year 1995 (TF95 up to and including TF2012) tax foreclosure proceedings and the subsequent execution of a deed of all of the below mentioned properties to the County by the County Tax Enforcement Officer, the Chairman of this Board of Legislators is authorized and directed to execute on behalf of the County of Allegany and to cause to deliver to such owners and purchasers quit claim deeds of the County's interest in such properties and to affix to each such deed the official seal; all upon satisfaction of the terms and conditions of sale and the full payment to the County Treasurer of the monetary considerations.

<u>New owner</u> <u>Address</u> <u>Sale price</u>	<u>Parcel details</u>	<u>County title</u> <u>Recorded date</u> <u>Liber</u> <u>Page</u>
BALLARD JAY J 10270 DALEY RD FILLMORE, NY 14735 Tax sale amount: 17,500	Parcel ID:022400;263.-1-31.11 Property loc:Byrne Rd Assessed value:16,000 acres: 26.5	County of Allegany Book: 901 Page: 00178
LEWIS WESLEY E 5918 PHILLIPS RD BOLIVAR, NY 14715 Tax sale amount: 5,900	Parcel ID:022400;301.2-1-8 Property loc:365 Co Rd 18 Assessed value:29,800 acres: 0.29	County of Allegany Book: Page:
SCHULTZ TRAVIS W 84 TEETER HOLLOW RD PO BOX 85 GENESEE, PA 16923 Tax sale amount: 4,200	Parcel ID:022601;126.7-2-41 Property loc:59 Main St Assessed value:50,000 acres: 0.4	County of Allegany Book: 2009 Page: 37595
HURD-HARVEY TAMMY & HARVEY TYLER E & TRAVIS L 2318 CO RD 2 ALMOND, NY 14804 Tax sale amount: 21,700	Parcel ID:022601;126.11-1-66 Property loc:90 Main St Assessed value:45,000 acres: 0.52	County of Allegany Book: 1664 Page: 171
KELLOGG JAMIE M 2 JANSEN RD NEW PALTZ, NY 12581 Tax sale amount: 12,000	Parcel ID:022601;126.11-1-67 Property loc:88 Main St Assessed value:50,000 acres: 0.51	County of Allegany Book: 1664 Page: 171

TOWN OF AMITY 1 SCHUYLER ST BELMONT, NY 14813 Tax sale amount: 1	Parcel ID:022801;171.16-1-42.1 Property loc:45 Norton St Assessed value:19,400 acres: 0.95	County of Allegany Book: Page:
ELLIOTT KAREN M 3 HOWARD ST BELMONT, NY 14813 Tax sale amount: 100	Parcel ID:022801;172.9-1-44.1 Property loc:9 Howard St Assessed value:2,700 acres: 0.21	County of Allegany Book: 1732 Page: 252
KELLY GIRARD P 7143 CO RD 15 ANGELICA, NY 14709 Tax sale amount: 300	Parcel ID:023289;132.-1-22.1 Property loc:County Road 16 Assessed value:4,500 acres: 0.9	County of Allegany Book: Page:
LOGUE DANNY W & LOGUE PEGGY L 6832 RAWSON RD CUBA, NY 14727 Tax sale amount: 3,100	Parcel ID:023400;117.3-1-12 Property loc:Lake Rd Assessed value:700 acres: 0.07	County of Allegany Book: Page:
LIQUORI JOHN 8874 BALCOM BEACH RD RUSHFORD, NY 14777 Tax sale amount: 4,700	Parcel ID:023600;98.-1-6.115 Property loc:Davison Rd Assessed value:6,100 acres: 5	County of Allegany Book: 1386 Page: 321
BECKHORN DANA R 22 W STATE ST WELLSVILLE, NY 14895 Tax sale amount: 2,400	Parcel ID:023801;260.13-1-49 Property loc:121 N Main St Assessed value:26,400 acres: 0	County of Allegany Book: 1180 Page: 91
VILLAGE OF BOLIVAR 252 MAIN ST BOLIVAR, NY 14715 Tax sale amount: 100	Parcel ID:023801;260.17-1-62 Property loc:64 Boss St Assessed value:18,500 acres: 0.05	County of Allegany Book: 1507 Page: 280
WASSON JAMES JR R PO BOX 329 WELLSVILLE, NY 14895 Tax sale amount: 2,400	Parcel ID:023889;261.-1-43.2 Property loc:Phillips Hill Rd Assessed value:16,600 acres: 5.4	County of Allegany Book: 1518 Page: 92
PHILLIPS VERONICA L 7417 LAMONT RD ANGELICA, NY 14709 Tax sale amount: 100	Parcel ID:023889;261.-1-56 Property loc:St Rt 417 E Assessed value:5,000 acres: 1	County of Allegany Book: 1169 Page: 252
CUSKER JOHN C 284 EATON RD ROCHESTER, NY 14617 Tax sale amount: 200	Parcel ID:023889;272.-3-11 Property loc:7475 Forman Hollow Rd Assessed value:28,300 acres: 2.1	County of Allegany Book: 1158 Page: 233
MOLISANI LOUIS JR C 6750 PLEASANT VALLEY RD	Parcel ID:023889;272.12-1-14 Property loc:7791 St Rt 417 W	County of Allegany Book: 1206

FRIENDSHIP, NY 14739 Tax sale amount: 4,200	Assessed value: 36,000 acres: 0.21	Page: 234
ELM VALLEY ESTATES LLC 5811 UNIONVILLE RD BATH, NY 14810 Tax sale amount: 19,500	Parcel ID:023889;272.15-1-15 Property loc:7836 St Rt 417 W Assessed value:46,200 acres: 0.48	County of Allegany Book: 1316 Page: 265
ALATAWNEH HALA Y 6118 ROUTE 21 ALFRED STATION, NY 14803 Tax sale amount: 1,000	Parcel ID:023889;274.-1-33 Property loc:California Hollow Rd Assessed value:26,100 acres: 0.65	County of Allegany Book: 1797 Page: 139
SCOTT JAMIE RILEY 10 JACKSON ST CANASERAGA, NY 14822 Tax sale amount: 1,000	Parcel ID:024001;34.16-1-20 Property loc:12 Jackson St Assessed value:4,800 acres: 0.25	County of Allegany Book: 1054 Page: 318
TOWN OF BURNS PO BOX 235 CANASERAGA, NY 14822 Tax sale amount: 1	Parcel ID:024001;34.20-2-1 Property loc:49-51 Main St Assessed value:1,700 acres: 0.12	County of Allegany Book: 1295 Page: 294
TOWN OF BURNS PO BOX 235 CANASERAGA, NY 14822 Tax sale amount: 1	Parcel ID:024001;34.20-2-35 Property loc:13 S Church St Assessed value:20,000 acres: 0.13	County of Allegany Book: 1064 Page: 41
TOWN OF BURNS PO BOX 235 CANASERAGA, NY 14822 Tax sale amount: 1	Parcel ID:024001;34.20-2-36 Property loc:9 S Church St Assessed value:5,100 acres: 0.33	County of Allegany Book: 1205 Page: 181
DAILY JONATHAN P 310 NORTH AVE HILTON, NY 14468 Tax sale amount: 2,800	Parcel ID:024089;48.-1-13.1 Property loc:Bull Rd Assessed value:5,500 acres: 3.9	Book: 1586 Page: 176
HULL CHARLES L 6715 RT 305 BELFAST, NY 14711 Tax sale amount: 2,500	Parcel ID:024200;66.-1-12.115 Property loc:Glinderman Rd Assessed value:7,900 acres: 4.91	County of Allegany Book: 1809 Page: 303
SCHEIB JONATHAN R 7454 COUNTY RD 49 CANEADEA, NY 14717 Tax sale amount: 300	Parcel ID:024200;78.13-1-53 Property loc:County Road 49 Assessed value:4,600 acres: 0.8	County of Allegany Book: Page:
HINZ RODNEY G & HINZ DEBRA M 10611 COUNTY RT 23 FILLMORE, NY 14735 Tax sale amount: 17,500	Parcel ID:024400;12.-1-21.21 Property loc:9764 County Road 3 Assessed value: 66,100 acres: 1	County of Allegany Book: 1257 Page: 297

EATON DANIEL L 38 MAIN ST SAVONA, NY 14879 Tax sale amount: 1,700	Parcel ID:024600;219.-2-11 Property loc:Lyman Rd Assessed value:7,500 acres: 4.5	County of Allegany Book: 1420 Page: 61
BEAVER HOPE R 4479 EAST ROAD ANGELICA, NY 14709 Tax sale amount: 1,100	Parcel ID:024801;179.6-1-11 Property loc:91 W Main St Assessed value:75,000 acres: 0.44	County of Allegany Book: 1470 Page: 107
MILKS BRYAN R PO BOX 249 DELEVAN, NY 14042 Tax sale amount: 4,700	Parcel ID:024889;166.-1-31 Property loc:Rt 446 Assessed value:75,000 acres: 1.1	County of Allegany Book: 1173 Page: 27
ERVIN RUSSELL C 10892 RT 19A FILLMORE, NY 14735 Tax sale amount: 1,600	Parcel ID:025000;182.7-1-18 Property loc:11 North St Assessed value:12,400 acres: 0.5	County of Allegany Book: 1242 Page: 327
MILKS BRYAN R PO BOX 249 DELEVAN, NY 14042 Tax sale amount: 1,600	Parcel ID:025000;182.7-1-39.1 Property loc:40 Queen Ann St Assessed value:12,900 acres: 0.46	County of Allegany Book: 1108 Page: 307
PORTER RICHARD C & PORTER HELEN J 12240 PRATHAM RD EAST CONCORD, NY 14055 Tax sale amount: 5,100	Parcel ID:025000;182.11-1-16 Property loc:26 Elmwood Ave Assessed value:35,000 acres: 0.5	County of Allegany Book: 2010 Page: 42754
GLENNY ELIZABETH J 147 PINE ST, APT 1 WELLSVILLE, NY 14895 Tax sale amount: 1,000	Parcel ID:025000;182.11-2-47 Property loc:5 Maple Ave Assessed value:15,500 acres: 0.33	County of Allegany Book: 1045 Page: 324
ELM VALLEY ESTATES LLC 5811 UNIONVILLE RD BATH, NY 14810 Tax sale amount: 2,200	Parcel ID:025000;182.12-2-35 Property loc:42 W Water St Assessed value:28,900 acres: 0.32	County of Allegany Book: 1237 Page: 237
MILKS BRYAN R PO BOX 249 DELEVAN, NY 14042 Tax sale amount: 100	Parcel ID:025200;283.-1-12 Property loc:Nauvoo Rd Assessed value:6,000 acres: 1.03	County of Allegany Book: 1657 Page: 198
SMITH ALEXANDER R 8345 MAIN ST LITTLE GENESEE, NY 14754 Tax sale amount: 1,300	Parcel ID:025200;285.17-1-3 Property loc:8350 Main St Assessed value: 35,400 acres: 1.1	County of Allegany Book: 1517 Page: 7
PLANTS PAUL R	Parcel ID:025200;296.-1-33.2	County of Allegany

& PLANTS ELOISE M
835 CHAMPLIN HOLLOW RD
PO BOX 481
SHINGLEHOUSE, PA 16748
Tax sale amount: 400

Property loc:Rt 17 Ceres
Assessed value:4,800
acres: 0.8

Book: 1757
Page: 147

ELLIS GEORGE I
9423 W CENTERVILLE RD
HOUGHTON, NY 14744
Tax sale amount: 3,900

Parcel ID:025800;16.2-1-46
Property loc:11566 Church St
Assessed value:11,100
acres: 0.5

County of Allegany
Book: 1547
Page: 299

CASSIDY WYATT D
8179 BALLARD RD
FILLMORE, NY 14735
Tax sale amount: 19,000

Parcel ID:025800;26.11-1-66
Property loc:10868 County Road 23
Assessed value:48,900
acres: 2.5

County of Allegany
Book: 720
Page: 00108

BURRIS GREGORY P
& BURRIS SUSAN M
2674 SWEDEN WALKER RD
BROCKPORT, NY 14420
Tax sale amount: 3,600

Parcel ID:026000;269.-1-11.2
Property loc:1452 Heselton Gully Rd
Assessed value:17,000
acres: 0.6

County of Allegany
Book: 1239
Page: 307

NICKERSON JONATHON P
4012 DAVIS HILL RD
SCIO, NY 14880
Tax sale amount: 2,700

Parcel ID:026600;199.-3-27.2
Property loc:3992 East Nickerson Ave
Assessed value:40,000
acres: 1

County of Allegany
Book:
Page:

MARION ARTHUR F
& MARION CYNTHIA E
3913 CO RD 10
SCIO, NY 14880
Tax sale amount: 3,100

Parcel ID:026600;212.-1-19.1
Property loc:3944 Vandermark Rd
Assessed value:16,500
acres: 1

County of Allegany
Book: 1239
Page: 163

DUNN MIKE E
2473 ST RT 49E
COUDERSPORT, PA 16915
Tax sale amount: 900

Parcel ID:027001;238.8-1-51.1
Property loc:373 Lewis Pl
Assessed value:600
acres: 1

County of Allegany
Book: 1149
Page: 130

BUTTON ETELKA L
8 SOUTH MAIN ST
ALMOND, NY 14804
Tax sale amount: 1,300

Parcel ID:027001;239.5-1-47
Property loc:296 Scott Ave
Assessed value:18,000
acres: 0.22

County of Allegany
Book:
Page:

CLINE RODDY D
179 MADISON ST
Wellsville, NY 14895
Tax sale amount: 4,300

Parcel ID:027001;239.5-3-25.1
Property loc:179 Madison St
Assessed value:44,600
acres: 0.55

County of Allegany
Book: 1137
Page: 162

DUNN MIKE E
2473 ST RT 49E
COUDERSPORT, PA 16915
Tax sale amount: 5,300

Parcel ID:027001;239.9-1-31.1
Property loc:205 E State St
Assessed value: 23,400
acres: 0.49

County of Allegany
Book: 1722
Page: 137

ELM VALLEY ESTATES LLC 5811 UNIONVILLE RD BATH, NY 14810 Tax sale amount: 900	Parcel ID:027001;239.10-1-76 Property loc:3 Loring Ave Assessed value:41,200 acres: 0.18	County of Allegany Book: 1272 Page: 247
VANETTEN DUANE M & VANETTEN JOELLE L 4079 BRANDES ST SCIO, NY 14880 Tax sale amount: 4,200	Parcel ID:027001;239.14-1-47 Property loc:1 Allen Ave Assessed value:31,500 acres: 0.19	County of Allegany Book: 1146 Page: 172
COLEMAN RONALD M & COLEMAN PENELOPE J 305 FARNUM ST WELLSVILLE, NY 14895 Tax sale amount: 100	Parcel ID:027089;225.-3-21 Property loc:Farnum St Assessed value:200 acres: 0.23	County of Allegany Book: 1309 Page: 78
WASSON JAMES JR R PO BOX 329 WELLSVILLE, NY 14895 Tax sale amount: 2,600	Parcel ID:027089;238.-1-57 Property loc:Fassett Ln Assessed value:1,600 acres: 6.3	County of Allegany Book: 1374 Page: 107
BLACK JEFFREY S & BLACK JEANNIE L 4459 NILES HILL RD WELLSVILLE, NY 14895 Tax sale amount: 3,000	Parcel ID:027089;251.-1-37.1 Property loc:4489 Niles Hill Rd Assessed value:26,800 acres: 8.7	County of Allegany Book: 1330 Page: 338
ELIAS FREDERICK R & GEE ASHLEY J 4477 NILES HILL RD WELLSVILLE, NY 14895 Tax sale amount: 1,000	Parcel ID:027089;251.-1-37.2 Property loc:Niles Hill Rd Assessed value:3,000 acres: 0.61	County of Allegany Book: 1102 Page: 18
STRUBLE FRANCES L 3428 CO RD 2A ALMOND, NY 14804 Tax sale amount: 100	Parcel ID:027200;109.-1-11.2 Property loc:George Rd Assessed value:8,800 acres: 0.38	County of Allegany Book: 1081 Page: 80
GRIFFITHS TRACY W 4008 FORDS BROOK RD WELLSVILLE, NY 14895 Tax sale amount: 2,300	Parcel ID:027400;265.-1-44.2 Property loc:Fords Brook Rd S Assessed value:3,800 acres: 5	County of Allegany Book: 1771 Page: 343
TOWN OF WIRT 210 MAIN ST RICHBURG, NY 14774 Tax sale amount: 20	Parcel ID:027601;247.18-1-37 Property loc:Griffin St Assessed value:29,800 acres: 0.44	County of Allegany Book: 1056 Page: 194
STRAWSER, DANA J 221 EVANS AVE PO BOX 127 RICHBURG, NY 14774	Parcel ID:027601;247.18-1-75 Property loc:157 Evans St Assessed value: 23,600 acres: 0.5	County of Allegany Book: Page:

Tax sale amount: 500

SORTORE BRIAN D
3957 HICKS HILL RD
FRIENDSHIP, NY 14739
Tax sale amount: 2,300

Parcel ID:027689;208.-1-3.2
Property loc:3920 Hicks Hill Rd
Assessed value:7,200
acres: 5.5

County of Allegany
Book: 1596
Page: 271

Moved by: Mr. Hopkins
Seconded by: Mr. Healy

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 120-14 included: Legislator Ungermann stated that retrieving \$4,200 on a \$50,000 assessment is a problem.

RESOLUTION NO. 121-14

AMENDMENT OF RESOLUTION NO. 80-2014 TO INCREASE FUNDS OF THE PREVIOUSLY APPROVED BUDGETED AMOUNT FOR THE DEPARTMENT OF SOCIAL SERVICES TO PURCHASE A MINIVAN FOR THE USE OF TRANSPORTING FOSTER CHILDREN FROM \$18,000 TO \$22,000

Offered by: Ways and Means and Human Services Committees

RESOLVED:

1. That Resolution No. 80-2014 is amended to increase funds of previously approved budgeted amount for the Department of Social Services to purchase a minivan for the use of transporting foster children.

2. That the amount approved for the purchase of the four vehicles heretofore described in Resolution No. 80-2014 from the Vehicle Replacement Capital Fund H5997.2 is hereby increased by \$4,000 to \$93,000.

Comments made regarding Resolution No. 113-14 included: Legislator Burt remarked that this is important for the safety of the children being transported. He added, "As a matter of procedure, I would like an MOE with this."

Moved by: Mr. Hopkins
Seconded by: Mr. LaForge

Adopted: Roll Call
13 Ayes, 1 Noes, 1 Absent
Voting No: Ungermann

RESOLUTION NO. 122-14

ACCEPTANCE AND APPROPRIATION OF FUNDS FROM ACCORD CORPORATION FOR ACT II BATTERERS PROGRAM

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That funds in the amount of \$4,080 for the ACT II Batterers Program are accepted and appropriated to Account No. A3117.449 (ACT II Batterers Program-Contractual) with a like sum credited to Revenue Account No. A3117.2260.00 (ACT II Batterers Program – Public Safety Services of Other Government).

Moved by: Mr. Healy
Seconded by: Mr. Decker

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 123-14

**REAPPROPRIATION OF FEDERAL FUNDS RECEIVED FROM THE SYSTEMS
INTEGRATION GRANT; APPROPRIATION OF GRANT FUNDS TO OFA-PERSONNEL
SERVICES AND CONTRACTUAL EXPENSES ACCOUNTS**

Offered by: Human Services and Ways and Means Committees

RESOLVED:

1. That the sum of \$5,381 in federal funding received from Systems Integration Grant to solidify the connection to and among long-term services and supports for the Office For The Aging is accepted.

2. That the accepted sum of \$5,381 is appropriated as follows: \$2,500 to Account No. A6788.101 (Regular Pay), \$881 to Account No. A6788.402 (Mileage) and \$2,000 to Account No. A6788.408 (General Supplies) with a like sum of \$5,381 credited to Revenue Account No. A6788.4772.00 (Federal Aid – OFA).

Moved by: Mr. LaForge
Seconded by: Mr. Graves

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 124-14

TRANSFER OF FUNDS WITHIN OFFICE FOR THE AGING ACCOUNT

Offered by: Human Services Committee

RESOLVED:

1. That the sum of \$1,000 is transferred from Account No. A6787.806 (Hosp/Med) to Account No. A6787.408 (General Supplies).

Moved by: Mr. LaForge
Seconded by: Mr. Curran

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 125-14

TRANSFER OF FUNDS WITHIN COMMUNITY SERVICES ACCOUNTS

Offered by: Human Services Committee

RESOLVED:

1. That transfer of the following appropriations within Community Services Accounts to purchase a Chevy Impala from state bid for \$18,209.55 is approved.

From:	To:	Amount:
A4310.205 (Furniture)		\$ 2,500
A4310.201 (Office Furniture)		\$ 2,000
A4310.409 (Fees)		\$14,500
	A4310.204 (Motor Vehicles)	\$19,000

Moved by: Mr. LaForge
Seconded by: Mr. Pullen

Adopted: Roll Call
11 Ayes, 3 Noes, 1 Absent
Voting No: Burt, Decker, Ungermann

Resolution No. 125-14 (Intro. No. 127-1) was amended following a motion made by Legislator LaForge, seconded by Legislator Graves, and carried, to change "Social Services" to "Community Services" in the title as well as the body of the resolution. Additionally, "Ways and Means" was removed from the second line as a sponsor of the resolution.

Comments made regarding Resolution No. 125-14 included: Legislator Burt remarked that this resolution confused him at the committee level. There was no MOE, and he didn't appreciate how this was presented at the committee level. Legislator Hopkins explained that this is a typical resolution to transfer money between accounts. He also noted that only a percentage of this is County tax dollars.

AUDITS:

A motion was made by Legislator Hopkins, seconded by Legislator Healy, and carried, that the audits be acted upon collectively and by totals.

A motion was made by Legislator Hopkins, seconded by Legislator Root, and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims, totaling \$2,466,473.51, including prepaid expenses, be approved for payment as recommended by the County Administrator. (*Allegany County's Local Dollar Share of the NYS Medicaid Program paid year-to-date is \$5,022,836.*)

COMMENTS:

Legislator Ungermann remarked that Cuba Dairy Week was successful. They moved the date back a couple of weeks hoping for better weather and they got it. Additional upcoming Allegany County events were mentioned including: Pioneer Oil Days in Bolivar, July 4th celebration in Andover, and the Bare Knuckle Boxing Hall of Fame Induction Weekend in Belfast.

ADJOURNMENT: The meeting was adjourned at 2:33 p.m. on a motion made by Legislator Graves, seconded by Legislator Curran, and carried.

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

JULY 17, 2014

CALL TO ORDER: The regular meeting of the Board of Legislators, which was held at the Allegany County Fairgrounds, was called to order at 2:11 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Flag was presented by Angelica Boy Scout Troop 736 represented by Connor Cockle, Gunther Krohn, and Jonathan Rizzo. The Pledge of Allegiance was led by former United States Navy Petty Officer Third Class John M. Stengel.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 15 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, David Decker, Dwight Fanton, Karl Graves, Dwight "Mike" Healy, Theodore Hopkins, Charles Jessup, Kevin LaForge, Aaron McGraw, Timothy O'Grady, David Pullen, Debra Root, Norman Ungermann, Jr.

APPROVAL OF MINUTES:

The Committee of the Whole minutes of April 24, 2014, were approved on a motion made by Legislator Decker, seconded by Legislator Hopkins, and carried.

The Committee of the Whole minutes of June 18, 2014, were approved on a motion made by Legislator Root, seconded by Legislator Fanton, and carried.

The Board meeting minutes of June 23, 2014, were approved on a motion made by Legislator Healy, seconded by Legislator Burt, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to John M. Stengel, former United States Army Signalman Third Class, in grateful appreciation of his service to our country. Mr. Stengel's service dates were from February 23, 1968, to May 17, 1972. Mr. Stengel's assignments included the USS Constellation. Commendations he received included: National Defense Service Medal, Vietnam Service Medal with three Bronze Stars, Republic of Vietnam Campaign Medal with Device, Meritorious Unit Commendation. Mr. Stengel led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans' Honorary Pledge of Allegiance Program.

Chairman Crandall presented Connor Cockle, Gunther Krohn, and Jonathan Rizzo with certificates recognizing them for their hard work as members of Angelica Boy Scout Troop 736. Connor is a First Class Scout and has almost achieved his Star rank. Gunther is

a First Class Scout and is also close to the Star rank. Jonathan is a Tenderfoot Scout and is working toward Second Class Scout.

Chairman Crandall presented a certificate to Christian Lewis recognizing him for his many 4-H accomplishments. Mr. Lewis has been a part of 4-H for fifteen years, starting as a clover bud at the age of four. He has been involved with public presentations, Fashion Review, and has shown numerous animals throughout the years. Additionally, he has participated in livestock judging and skill-a-thons at the county and state levels.

Chairman Crandall recognized Rod Biehler for being honored with having the 2014 Allegany County Fair dedicated to him. Mr. Biehler has done a tremendous job promoting Allegany County for many years and serves as the Tourism Committee Chairman for the Greater Allegany County Chamber of Commerce. Mr. Biehler is currently the General Manager of Pembroke Pines' WZKZ 101.9 and WQRW 93.5 radio stations. The Fair Board is honoring Mr. Biehler for his many years of promoting the Fair and for his willingness to volunteer as the announcer at numerous events.

Chairman Crandall presented Allegany County Fair President Martha Roberts with a plaque to honor her many years of dedicated service to the Allegany County Fair. He stated, "Martha would be the first to say that it's about the volunteers and all the work they do..., but we know that it wouldn't happen without a great leader like her." Chairman Crandall listed some of the many improvements made to the Fairgrounds that have happened under Martha's leadership. Ms. Roberts served for fifteen years as president. Ms. Roberts remarked that she was very surprised by the recognition. She said, "I couldn't have done it without our board, the volunteers, and most of all, my husband."

The following elected representatives addressed the Board:

Assemblyman Joseph Giglio remarked that he was grateful to be able to speak at the meeting and thanked Veteran John Stengel, the Boy Scouts, 4-H members, and Martha Roberts. One of the displays he looked at in walking through the Fair was the STOP-DWI display. He thanked the Sheriff's Office and others who have helped to greatly reduce the number of DWIs and DWI-related accidents. He mentioned the I-STOP Program which was passed to help take prescription drugs off the streets. He added, "Now we're working on heroin... We can beat these problems... We have to always renew our efforts to protect our communities..."

Joe Sempolinski (representing Congressman Tom Reed) remarked, "The Fair is indicative of all of the things that are good and right and wholesome in our country." Our communities, children, agriculture are all represented. This meeting represents the most American principles. You're going to see how County government operates here in front of the people they work for. That's the most important thing you can take away. This is a government of the people, by the people, for the people. This doesn't happen without our Veterans and our Armed Services. It's the sacrifices of those folks that allow us to live in freedom and security.

William Heaney (representing Senator Catharine Young) read a message from Senator Young in which she thanked everyone for the honor of being invited to speak at the meeting. She expressed the importance of agriculture as "...a major economic driver in Allegany County and New York State." She noted, "The 2014-2015 state budget includes \$8 million in new funding for agricultural programs, initiatives, research, education, and agriculture promotion."

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Report of Tax Bill Corrections Approved by the County Administrator in June.
2. Report of Intrafund Transfers approved by the County Administrator in June.
3. Reminder of the Legislators' Clambake on July 25. Money and any remaining tickets should be turned in to the Clerk of the Board's Office as soon as possible.
4. Notice of the next Greater Allegany County Chamber of Commerce Business After Hours Event to be hosted by East Wind Landscape Nursery on July 23.
5. The annual Senior Picnic will be held on the County Fairgrounds in Angelica on July 31, 2014, from 11 a.m. to 3 p.m.
6. Reminder of the Andover Wetlands Restoration Project Annual Kids' Fishing Contest to be held August 2 from 8 a.m. to 3 p.m.
7. Correspondence from Assemblyman Giglio notifying Allegany County that bills A8328a and S6116a have passed both houses of the State Legislature. These bills designate the portion of State Route 70 beginning at the Allegany/Steuben County line, through the Towns of Burns and Grove and the Village of Canaseraga, and terminating at the Allegany/Livingston County line as the "Sergeant Omar G. Blowers Memorial Highway."
8. Reminder that the County Landfill tour has been rescheduled for Wednesday, July 23.
9. Notice of a Committee of the Whole meeting scheduled for July 28 after the Board meeting.
10. Bare Knuckle Boxing Hall of Fame Induction Day 2014 brochures.

PROCLAMATION:

Chairman Curtis W. Crandall proclaimed July 14-19, 2014, as Allegany County Fair Week in Allegany County. The Allegany County Fair has been serving the community for 170 years. The Allegany County Fair promotes our community and its resources. The Allegany County Board of Legislators wishes to acknowledge and thank the volunteers who contribute

their time and energy to making the Fair a success and encourages all citizens and our neighboring communities to participate in this event.

RESOLUTIONS:

RESOLUTION NO. 126-14

APPOINTMENT OF ONE MEMBER TO ALLEGANY COUNTY COMMUNITY SERVICES BOARD

Offered by: Human Services Committee

RESOLVED:

1. That Deborah Marshall of Wellsville, New York is appointed to the remainder of a four-year term on the Allegany County Community Services Board, with term of office commencing immediately and expiring December 31, 2017.

Moved by: Mr. LaForge
Seconded by: Mr. Fanton

Adopted: Voice Vote

RESOLUTION NO. 127-14

RESOLUTION OPPOSING CLEAN WATER ACT DRAFT GUIDANCE PROPOSED BY THE ENVIRONMENTAL PROTECTION AGENCY

Offered by: Planning and Economic Development Committee

WHEREAS, Allegany County affirms its commitment to environmental stewardship and the protection of our natural resources, and recognizes the need to harmonize municipal programs and services with the legislative intent and objectives of the Clean Water Act (CWA), and

WHEREAS, the CWA was not intended to protect ditches and other channels through which water flows intermittently nor was it intended to capture seeps, wet areas, isolated man-made ponds and other structures not currently subject to the CWA, and

WHEREAS, the Environmental Protection Agency (EPA) and the United States Corps of Engineers (Corps) have developed a proposed regulation on *Definition of "Waters of the United States" Under the Clean Water Act* to clarify the EPA and Corps' understanding and definition of the CWA that will inform all of EPA's regulatory programs and policy actions; and

WHEREAS, this proposed regulation creates uncertainty, confusion and would now capture a significant number of public works activities and transportation infrastructure that will now be subject to the CWA and its costly and time-consuming permitting and regulatory protocols, and

WHEREAS, the proposed regulation greatly expands the number of projects subject to jurisdictional determination or CWA permitting which do not currently require such oversight at great expense to the taxpayers of Allegany County with little, if any, environmental benefit while diverting scarce resources from other programs that do provide environmental protection and conservation benefits, and

WHEREAS, the financial impact of the proposed regulation to Allegany County will be significant with roadside ditch projects and ongoing maintenance costing significantly more dollars on an annual basis to Allegany County citizens due to the need for jurisdictional determinations and expanded jurisdictional authority of EPA and the Corp; and

WHEREAS, Allegany County believes that it is improper to so significantly change the scope of the Clean Water Act without legislative authorization by the U.S. Congress or through the formal rulemaking process to allow public and stakeholder comments on this critically important and complex issue, now, therefore, be it

RESOLVED:

1. That Allegany County urges EPA and the Corps to withdraw the proposed CWA regulation immediately, work collaboratively with states and local governments to clarify federal jurisdiction under the CWA that is reasonable, environmentally responsible and that respects the authority of state and local governments in ensuring the protection of our water resources.

2. That this County supports any federal legislation consistent with the above recommendations and urges Congressional and State representatives to intercede with EPA and request that EPA report to them on their response and adaptations regarding the aforementioned concerns.

3. That the Clerk of this Board is hereby authorized and directed to forward a certified copy of this resolution to Governor Andrew M. Cuomo; U.S. Senators Charles E. Schumer and Kirsten Gillibrand; U.S. Representative Tom Reed; New York State Senator Catharine M. Young; Senate Majority Leaders Dean G. Skelos and Jeffrey Klein; Assembly Speaker Sheldon Silver; Assemblymen Daniel J. Burling and Joseph M. Giglio; EPA Administrator Gina McCarthy; and EPA Region 2 Administrator Judith A. Enck.

Moved by: Mr. Jessup
Seconded by: Mr. Pullen

Adopted: Voice Vote

Comments made regarding Resolution No. 128-14 included: Legislator Ungermann remarked that Congress passing the Clean Water Act was a good thing. Unfortunately bureaucrats wrote the rules. Those rules are putting a strangle hold on everyone. If we don't do something about it our properties and highways are going to wash away. He noted the trees in the Genesee River that bounce off every bridge as they travel down the river.

RESOLUTION NO. 128-14

RESOLUTION IN SUPPORT OF THE PROPOSED OIL AND WASTE MANAGEMENT ACT OF 2014, SENATE BILL (S.7311), REQUIRING THAT A PERMIT ISSUED TO A SOLID WASTE FACILITY ACCEPTING WASTE FROM OIL AND GAS DRILLING CONTAIN SCREENING AND REJECTION CRITERIA FOR RADIOACTIVITY IN SUCH WASTE

Offered by: Resource Management Committee

WHEREAS, solid waste facilities currently accept waste generated as a result of drilling for oil and gas, and

WHEREAS, concern has been raised that some of this waste may contain radioactive material, and

WHEREAS, it is important that our citizens not be exposed to unsafe waste materials, and

WHEREAS, in New York State, the New York State Department of Environmental Conservation is charged with the regulation of oil and gas drilling as well as solid waste disposal, now therefore, be it

RESOLVED:

1. That this Board supports the adoption of Senate Bill (S.7311), which directs the New York State Department of Environmental Conservation to develop regulations requiring that a permit issued to a solid waste management facility that intends to accept waste from oil and gas drilling activities shall include screening and rejection criteria for radioactivity in such waste.

2. That the Clerk of this Board is directed to forward certified copies of this resolution to Governor Andrew M. Cuomo, Assembly Speaker Sheldon Silver, Senate Majority Leaders Dean Skelos and Jeffrey Klein, Senator Catharine M. Young, Assemblyman Joseph M. Giglio, DEC Commissioner Joseph Martins, the InterCounty Association of Western New York, and the New York State Association of Counties (NYSAC).

Moved by: Mr. Graves
Seconded by: Mr. Fanton

Adopted: Voice Vote

RESOLUTION NO. 129-14

APPROVING THE 2014 RESOURCE ALLOCATION PLAN AGREEMENT WITH OFFICE OF CHILDREN AND FAMILY SERVICES; PROVIDING FOR APPROPRIATION OF FUNDS WHEN SUBCONTRACTS ARE APPROVED

Offered by: Resource Management and Ways and Means Committees

RESOLVED:

1. That the 2014 Resource Allocation Plan agreement with Office of Children and Family Services in relation to the State's allocation of funds to the County for providing youth services under its Comprehensive Youth Service Plan is approved.
2. That the Chairman of this Board is authorized to execute such Plan Agreement.
3. That a portion of the funds to be received under such Plan agreement shall be appropriated from time to time to cover the costs under sub-contractor service provider agreements as may be approved by this Board.

Moved by: Mr. Healy
Seconded by: Mr. Curran

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Resolution No. 129-14 (Intro. No. 131-14) was amended following a motion made by Legislator Graves, seconded by Legislator Burt, and carried, to change "Public Safety" to "Resource Management" in the "offered by" line.

RESOLUTION NO. 130-14

**APPROVAL OF 2014 OFFICE OF CHILDREN AND FAMILY SERVICES
SUBCONTRACT AGREEMENTS FOR YOUTH PROGRAMS; PROVIDING PROGRAM
FUNDS**

Offered by: Resource Management and Ways and Means Committees

RESOLVED:

1. That the following Office of Children and Family Services Subcontract Agreements for calendar year 2014, are approved and appropriated as follows. These funds are paid to the County and passed through to the agencies.

Agreement	Amount	Approp. Account	Revenue Account
Allegany County Mental Health Association, Inc. (Youth Compeer Program)	\$3,300	7313.488	A.7313.3821.07
Allegany County Employment & Training (SYEP)	\$4,868	7318.486	A.7318.3822.02
Literacy West NY, Inc. (Success Tracks)	\$1,440	7318.489	A.7318.3820.50

Cattaraugus Co. Youth Bureau – Southern Tier AmeriCorps Resource Team	\$ 500	7327.489	A.7327.3820.00
Allegany Co.Youth Court/ Council on Alcoholism	\$4,270	7321.483	A.7321.3825.00
Allegany Council on Alcoholism and Substance Abuse, Inc. – Week of Alternatives	\$3,167	7312.488	A.7312.3820.85
Southern Tier Traveling Teacher HSE	\$2,825	7318.487	A.7318.3822.03
Houghton College – STEP	\$3,702	7312.486	A.7312.3820.15

TOTAL pass through programs from OCFS: \$24,072

2. That the Office of Children and Family Services funding for the following County-sponsored programs is approved. No budget adjustments are necessary, as these funds are allocated in the County budget.

Rushford Lake Project	\$6,389	7180.100	A.7180.3820.01
Youth Bureau Administration	\$7,052	7310.000	A.7310.3820.03
Cattaraugus/Allegany Board of Cooperative Educational Services – Government for Youth	\$3,478	7312.489	A.7312.3820.10

TOTAL OCFS Funding for County-sponsored programs: \$16,919

3. That the 2014 Municipal Youth Projects for recreation are approved as follows. No budget adjustments are necessary. These funds are paid directly to municipalities.

Municipality	Amount	Municipality	Amount
Village of Alfred	2,321	Town of Cuba	326
Town of Angelica	113	Village of Cuba/A Sound Beginning	1,067
Village of Angelica	222	Town of Hume	616
Town of Belfast	1,406	Town of Independence	330
Town of Bolivar	260	Town of Wellsville	1,057

Village of Bolivar	294	Town of Wellsville/Dance Theater Program	1,067
Village of Cuba	428	Town of Wirt	181

TOTAL OCFS Direct Pay to municipalities: \$9,688.00

TOTAL OCFS funding awarded to County in 2014: \$50,679.00

Moved by: Mr. Hopkins
Seconded by: Mr. Pullen

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Resolution No. 130-14 (Intro. No. 132-14) was amended following a motion made by Legislator Graves, seconded by Legislator Root, and carried, to change "Public Safety" to "Resource Management" in the "offered by" line.

RESOLUTION NO. 131-14

APPROVAL OF CONTRACT WITH NYSERDA TO DEVELOP THE ALLEGANY COUNTY COMPREHENSIVE PLANNING SCHOOL; ACCEPTANCE AND APPROPRIATION OF GRANT FUNDS

Offered by: Planning and Economic Development and Ways and Means Committees

RESOLVED:

1. That a contract with NYSERDA to develop the Allegany County Comprehensive Planning School, CFA #27929/Contract #39511, is approved.
2. That the Chairman of this Board is authorized to execute said contract.
3. That the total cost for the project shall not exceed \$90,255 with the County and participating Towns and Villages to provide in-kind services equal to \$22,556, representing 25% of the total project cost, and the balance of \$67,699 funded through a grant award from NYSERDA.
4. That NYSERDA grant funding for the project in the amount of \$67,699 is hereby accepted.
5. That the accepted sum of \$67,699 is appropriated to Account No. A8020.495 (Home & Community Serv-Contractual-Allegany County Comprehensive Planning School) with a like amount credited to Revenue Account No. A8020.3089.00 (St. Aid Other).

Moved by: Mr. Jessup
Seconded by: Mr. Decker

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Resolution No. 131-14 (Intro. No. 133-14) was amended following a motion made by Legislator Decker, seconded by Legislator Hopkins, and carried, to add "Ways and Means" to the "offered by" line.

Comments made regarding Resolution No. 131-14 included: Legislator Burt remarked that at the committee level he questioned this resolution, but thanks to Mr. Dirlam's explanation, he was now fully in favor. Legislator Pullen expressed thanks to Mr. Dirlam for his efforts.

AUDITS:

A motion was made by Legislator Hopkins, seconded by Legislator Root, and carried, that the audits be acted upon collectively and by totals.

A motion was made by Legislator Hopkins, seconded by Legislator Graves, and adopted on a roll call vote of 15 Ayes, 0 Noes, 0 Absent, that the audit of claims, totaling \$5,031,807.44, including prepaid expenses, be approved for payment as recommended by the County Administrator. (*Allegany County's Local Dollar Share of the NYS Medicaid Program paid year-to-date is \$5,795,580.*)

COMMENTS:

Legislator Hopkins pointed out that so far this year the County has had to pay \$5.7 million for Medicaid. It is his understanding that New York State is the only state in which the county has to pay a portion of Medicaid.

Linda Edwards, Director of the STOP-DWI Program, mentioned the prescription drug abuse display at the Fair. She encouraged everyone to take a moment to look at it.

Legislator Pullen mentioned the new display of County Museum items that were on display at the Fair. He remarked that one week of display at the Fair isn't the greatest, but it's better than no time on display, as many of the items had simply been stored in the basement of the Museum. Legislator Pullen commended Legislator Burt for his work in putting this together.

Legislator Burt remarked that if we can all donate time in our area of expertise, we can make our County better. He offered to give a tour of the Museum items that were on display and mentioned that the items had been a very big draw. He added that he thoroughly enjoys the opportunity of serving as Legislator and reminded the audience to be sure to contact their Legislators if they have issues they would like addressed.

Chairman Crandall thanked everyone for coming and invited the audience to attend the regular session meetings which are held in the Chambers.

ADJOURNMENT: The meeting was adjourned at 3:28 p.m. on a motion made by Legislator Graves, seconded by Legislator Decker, and carried.

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

JULY 28, 2014

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:03 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Army Specialist Fourth Class Thomas J. Carlin.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 14 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, David Decker, Dwight Fanton, Karl Graves, Dwight "Mike" Healy, Theodore Hopkins, Charles Jessup, Kevin LaForge, Aaron McGraw, Timothy O'Grady, David Pullen, Norman Ungermann, Jr. Absent: Debra Root

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Thomas J. Carlin, former United States Army Specialist Fourth Class, in grateful appreciation of his service to our country. Mr. Carlin's service dates were from January 1962 to February 1965. Following Basic Training at Fort Jackson, SC, assignments included: Fort Dix, NJ and Fort Sill, OK. Commendations he received included: Good Conduct Medal and Expert M-14 Award. Mr. Carlin led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans' Honorary Pledge of Allegiance Program.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. August 2014 Calendar.
2. Allegany County Mutual Self-Insurance Plan (Workers' Compensation) 2015 Budget together with the apportionment of costs of the budget to the County, Towns, and Villages of Allegany County approved by the Personnel Committee on June 4, 2014.
3. Reminder of the Andover Wetlands Restoration Project Annual Kids' Fishing Contest to be held August 2 from 8 a.m. to 3 p.m.

APPOINTMENTS:

The Clerk of the Board announced that Chairman Curtis W. Crandall has reappointed John E. Foels as a member of the **CHAUTAUQUA, CATTARAUGUS, ALLEGANY AND STEUBEN SOUTHERN TIER EXTENSION RAILROAD AUTHORITY** for a three-year term commencing August 28, 2014, and expiring August 27, 2017, subject to confirmation by the Board of Legislators.

PROCLAMATION:

Chairman Crandall proclaimed the week of August 1-7, 2014, as Breastfeeding Week in Allegany County to encourage, support, and to promote breastfeeding as a high priority for healthier families in our County.

RESOLUTIONS:

RESOLUTION NO. 132-14

AMENDING RESOLUTION NO. 191-2013 TO ADD THE TITLE OF DEPUTY COUNTY ADMINISTRATOR AT A BASE SALARY OF \$10,000

Offered by: Ways and Means Committee

WHEREAS, the Ways and Means Committee authorized the County Administrator to fill the position of Deputy County Administrator at a committee meeting held on April 28, 2014, and

WHEREAS, sufficient funds to cover the cost of a full-time Deputy County Administrator were provided for in the 2014 budget, and

WHEREAS, upon the recommendation of various legislators and review of the applicant pool, the County Administrator has chosen to fill the position on a part-time basis by utilizing existing staff who have the education and experience appropriate for the job, and

WHEREAS, the County Administrator has selected the individual he wants to appoint as the Deputy County Administrator, and

WHEREAS, it is necessary to amend resolution No. 191-2013 to set forth the title and base salary for the position of Deputy County Administrator, now therefore, be it

RESOLVED:

1. Paragraph number "7" of resolution No. 191-2013 is hereby amended to add the Title of Deputy County Administrator at a base salary of \$10,000.

Moved by: Mr. Hopkins
Seconded by: Mr. Fanton

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 132-14 included: Legislator Burt commended Mr. Alger for putting this together. Legislator Ungermann remarked that he thought it was, "...a good fix to the situation."

RESOLUTION INTRO. NO. 135-14 (RESOLUTION CREATING THE POSITION OF ASSISTANT TO THE COUNTY ADMINISTRATOR AND SETTING THE GRADE FOR THAT POSITION AT GRADE 7 WITHIN THE COUNTY NON-UNIT SALARY PLAN) WAS WITHDRAWN AND REFERRED BACK TO THE PERSONNEL COMMITTEE FOR FURTHER DEVELOPMENT AND CONSIDERATION following a motion made by Legislator O'Grady, seconded by Legislator Graves, and carried.

RESOLUTION NO. 133-14

DESIGNATING STEUBEN TRUST COMPANY AS DEPOSITARY FOR COUNTY CLERK FUNDS; AUTHORIZING COUNTY CLERK AND DEPUTY COUNTY CLERKS TO ACCESS SUCH FUNDS

Offered by: Personnel Committee

RESOLVED:

1. That Steuben Trust Company, of Hornell, New York, be, and is hereby designated as a depository in which funds of the Allegany County Clerk may be deposited.
2. That Allegany County Clerk Robert L. Christman, Deputy County Clerk, Linda K. Healy, Deputy County Clerk II, Kristina K. Stoll and Deputy County Clerk III, Wanda F. Middaugh, each be, and they hereby are, jointly and severally, authorized to sign checks and orders for the payment of money, withdrawing funds so deposited and that said Trust Company shall be, and hereby is, authorized and directed to honor and pay any checks and orders so drawn, when so signed, whether such checks be payable to the order of the officers signing them, or any of said officers, in their official capacity, or not.
3. That a certified copy of this resolution be filed with the said Trust Company and that said Trust Company be promptly notified in writing, of any change or changes from time to time in this resolution or in the instructions given herein, or in the personnel of any of the county officers named herein.

Moved by: Mr. O'Grady
Seconded by: Mr. Pullen

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 134-14

RESOLUTION AUTHORIZING THE SUBMISSION OF A BALANCING INCENTIVE PROGRAM (BIP) FEDERAL GRANT APPLICATION

Offered by: Human Services Committee

WHEREAS, the County of Allegany is submitting a grant application for the Balancing Incentive Program (BIP), a federal grant through Centers for Medicaid and Medicare Services (CMS) authorizing State Departments of Health to increase access to non-institutional

community-based long-term services and supports through a No Wrong Door/Single Point of Entry System, and

WHEREAS, New York will use these funds to strengthen and expand NY Connects, an information and referral service operated by the Allegany County Office for the Aging since 2006, now, therefore, be it

RESOLVED:

1. That the Office of the Aging is authorized to act on behalf of the County of Allegany to apply for the Balance Incentive Program (BIP) federal grant program from the Association on Aging in New York.

Moved by: Mr. LaForge
Seconded by: Mr. Fanton

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 135-14

RESOLUTION ACCEPTING STATE COLA FUNDS FOR THE 2014-2015 RABIES PROGRAM; APPROPRIATION OF FUNDS

Offered by: Human Services and Ways and Means Committees

RESOLVED:

1. The sum of \$1,043 in COLA funds for the County Health Department Rabies Program for the 2014 Budget Year, (2014-2015) grant year, is accepted and appropriated to Account No. A4043-4.08 (Health General Supplies) with a like sum credited to Revenue Account No. A4043-3450.00 (State Aid- Public Health).

Moved by: Mr. LaForge
Seconded by: Mr. Graves

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 135-14 included: Legislator Decker remarked that this is a very much needed program and that it does more than just screening for rabies.

RESOLUTION NO. 136-14

RESOLUTION ACCEPTING STATE COLA FUNDS FOR THE 2014-2015 TOBACCO ENFORCEMENT PROGRAM; APPROPRIATION OF FUNDS

Offered by: Human Services and Ways and Means Committees

RESOLVED:

1. The sum of \$2,427 in COLA funds for the County Health Department Tobacco Enforcement Program for the 2014 Budget Year, (2014-2015), grant year is accepted and appropriated to Account No. A4051.408 (Health – General Supplies) with a like sum credited to Revenue Account No. A4051.3450.00 (State Aid-Public Health).

Moved by: Mr. LaForge
Seconded by: Mr. Healy

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

AUDITS:

A motion was made by Legislator Hopkins, seconded by Legislator Graves, and carried, that the audits be acted upon collectively and by totals.

A motion was made by Legislator Hopkins, seconded by Legislator Fanton, and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims, totaling \$1,532,765.35, including prepaid expenses, be approved for payment as recommended by the County Administrator. (*Allegany County's Local Dollar Share of the NYS Medicaid Program paid year-to-date is \$5,988,766.*)

COMMENTS:

Legislator LaForge commended Lori Ballengee and Madeleine Gasdik, as well as their accountants Dave Rahr and Vicki Pettit, for their recent favorable audit results.

Legislator Burt remarked on the success of the display of County historical items at the Fair and credited County Historian Craig Braack for giving many tours of the display.

ADJOURNMENT: The meeting was adjourned at 2:25 p.m. on a motion made by Legislator Graves, seconded by Legislator Decker, and carried.

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

AUGUST 11, 2014

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:03 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by retired United States Navy CTMC(SW)/Chief Petty Officer Jeffrey A. Frazier.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 13 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, David Decker, Dwight Fanton, Karl Graves, Dwight "Mike" Healy, Theodore Hopkins, Charles Jessup, Kevin LaForge, David Pullen, Debra Root, Norman Ungermann, Jr. Absent: Aaron, McGraw, Timothy O'Grady

APPROVAL OF MINUTES:

The Board meeting minutes of July 17, 2014, were approved on a motion made by Legislator Graves, seconded by Legislator Root, and carried.

The Board meeting minutes of July 28, 2014, were approved on a motion made by Legislator Decker, seconded by Legislator Fanton, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Jeffrey A. Frazier, retired United States Navy CTMC(SW)/Chief Petty Officer, in grateful appreciation of his service to our country. Mr. Frazier's service dates were from July 13, 1987, to July 31, 2007. Assignments included: Diego Garcia, Norfolk, VA, USS Paul F. Foster (DD-964), Guam, San Diego, CA, Pensacola, FL, USS Pinckney. Commendations he received included: Navy/Marine Corps Commendation Medal, Joint Service Achievement Medal, 3 Navy/Marine Corps Achievement Medals, 6 Navy Good Conduct Medals, 2 National Defense Service Medals, Southwest Asia Service Medal, Global War on Terrorism Service Medal, Humanitarian Service Medal, 2 Sea Service Deployment Ribbons, 2 Navy/Marine Corps Overseas Service Ribbons, Marksmanship Medal for Pistol, Navy Unit Commendation, Meritorious Unit Commendation, Enlisted Surface Warfare Specialist (ESWS Qualified). Mr. Frazier led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans' Honorary Pledge of Allegiance Program.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Report of Tax Bill Corrections Approved by the County Administrator in July.

2. Report of Intrafund Transfers Approved by the County Administrator in July.
3. Pursuant to Article 11 of the NYS Real Property Tax Law, Deputy County Treasurer Jenna Nelson filed a Certificate of Withdrawal of Delinquent Tax Lien for property in the Town of Belfast in the Clerk of the Board's Office on July 30, 2014.
4. Correspondence from Senator Catharine Young providing an update on the last Legislative Session.
5. Correspondence from Comprehensive Plan Implementation Group Chairman Edward Eicher providing an Interim Report.
6. Notice of Next InterCounty meeting to be hosted by Cayuga County at the Springside Inn in Auburn on August 15, 2014.
7. The FBI Antenna Site License Renewal for the period October 1, 2014, through September 30, 2015, (Renewal #9 of 10) was returned to the FBI on August 8, and a copy of the annual renewal will be filed with the 10-year agreement approved by Resolution No. 140-06.
8. All Legislators are invited to attend a meeting at the Jail at 10 a.m. on August 13 to discuss solar options.

RESOLUTIONS:

RESOLUTION NO. 137-14

ACCEPTANCE OF INSURANCE PAYMENT FROM NYMIR AND APPROPRIATION OF FUNDS TO RISK RETENTION ACCOUNTS

Offered by: Ways and Means Committee

WHEREAS, a check in the amount of \$4,201.70, representing the cost to repair an Office for the Aging 2009 Dodge Caravan, less a \$200 deductible, that was damaged during a motor vehicle/deer accident on July 3, 2014, has been offered by NYMIR in settlement for such damage, now, therefore, be it

RESOLVED:

1. That the amount of \$4,201.70 from NYMIR, representing the cost to repair an Office for the Aging 2009 Dodge Caravan that was damaged during a motor vehicle/deer accident, less the \$200 deductible for the vehicle is accepted.
2. That the total sum of \$4,201.70 is appropriated to Account No. CS1931.429 (Risk Retention – Uninsured Property Loss) with a like sum credited to Revenue Account No. CS1930.2680.00 (Risk Retention – Insurance Recovery).

Moved by: Mr. Hopkins
Seconded by: Mr. Fanton

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

Comments made regarding Resolution No. 137-14 included: Legislator Burt commented on the procedure for selecting vehicle repair businesses. He had learned that currently department heads choose where to have their vehicles repaired. He would like to look into the use of some kind of bid system for these repairs.

RESOLUTION NO. 138-14

**TRANSFER OF FUNDS FROM CLAIMS APPROVED BY SUPREME COURT
CONTRACTUAL EXPENSES ACCOUNT TO THE PROFESSIONAL SERVICES
CONTRACTUAL EXPENSES ACCOUNT**

Offered by: Ways and Means Committee

RESOLVED:

1. That the sum of \$20,000 is transferred from Account No. CS1933.431 (Claims Approved by the Supreme Court – Contractual Expenses) to Account No. CS1937.435 (Professional Services – Contractual Expenses) to cover an anticipated shortfall in the account for legal services.

Moved by: Mr. Hopkins
Seconded by: Mr. Healy

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 139-14

**BUDGET ADJUSTMENTS AND TRANSFERS IN CHIPS AND DEBT
SERVICE ACCOUNTS**

Offered by: Ways and Means Committees

WHEREAS, a budget adjustment to correct the inter-fund transfer amount for 2014 from County Road (CHIPS) to Debt Service is needed as the budgeted amount for 2014 was in excess of the allowable amount from the CHIPS funding. This will require additional funds from contingency to cover the decrease in funding from CHIPS in order to completely fund Debt Service, now, therefore, be it

RESOLVED:

The following budget adjustments are requested:

D 9553.905	IF Transfer to V Debt Service	DECREASE	\$49,193
V 9710.5031.04	IF Transfer from D County Road	DECREASE	\$49,193

D 5112.223	CHIPS appropriation	INCREASE	\$49,193
V 9710.5031.00	IF Transfer from A General	INCREASE	\$49,193
A 1990.429	Contingency	DECREASE	\$49,193
A 9560.905	IF transfer to V Debt Service	INCREASE	\$49,193

Moved by: Mr. Hopkins
Seconded by: Mr. Fanton

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 140-14

APPROVAL OF BOARD CHAIRMAN'S APPOINTMENT OF ONE MEMBER TO THE CHAUTAUQUA, CATTARAUGUS, ALLEGANY AND STEUBEN SOUTHERN TIER EXTENSION RAILROAD AUTHORITY

Offered by: Planning and Economic Development Committee

RESOLVED:

1. That John E. Foels of Angelica, New York, is appointed to the Chautauqua, Cattaraugus, Allegany, and Steuben Southern Tier Extension Railroad Authority, with term of office to commence August 28, 2014, and expire August 27, 2017.

Moved by: Mr. Jessup
Seconded by: Mr. Decker

Adopted: Voice Vote

AUDITS:

A motion was made by Legislator Hopkins, seconded by Legislator Graves, and carried, that the audits be acted upon collectively and by totals.

A motion was made by Legislator Hopkins, seconded by Legislator Jessup, and adopted on a roll call vote of 13 Ayes, 0 Noes, 2 Absent, that the audit of claims, totaling \$4,282,820.06, including prepaid expenses, be approved for payment as recommended by the County Administrator. (*Allegany County's Local Dollar Share of the NYS Medicaid Program paid year-to-date is \$6,375,138.*)

Comments: Legislator Ungermann requested that the Ad Hoc Committee meeting for Planning and Development, scheduled for August 25 at 10 a.m., be added to the meeting calendar.

ADJOURNMENT: The meeting was adjourned at 2:23 p.m. on a motion made by Legislator Ungermann, seconded by Legislator Graves, and carried.

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

AUGUST 25, 2014

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:03 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Marine Corps Corporal Walter H. Berry.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 14 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, Dwight Fanton, Karl Graves, Dwight "Mike" Healy, Theodore Hopkins, Charles Jessup, Kevin LaForge, Aaron McGraw, Timothy O'Grady, David Pullen, Debra Root, Norman Ungermann, Jr. Absent: David Decker

APPROVAL OF MINUTES:

The Committee of the Whole minutes of July 28, 2014, were approved on a motion made by Legislator Graves, seconded by Legislator Root, and carried.

The Board meeting minutes of August 11, 2014, were approved on a motion made by Legislator Curran, seconded by Legislator Graves, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Walter H. Berry, former United States Marine Corps Corporal, in grateful appreciation of his service to our country. Mr. Berry's service dates were from December 1970 to November 1972. Following Basic Training at Parris Island, assignments included: Cherry Point, NC, Camp Pendleton, CA, and Okinawa. Commendations he received included: Marine of the Month, M-14 Marksman, Good Conduct Medal. Mr. Berry led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans' Honorary Pledge of Allegiance Program.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. September 2014 Calendar.
2. Correspondence from Martha Roberts thanking the Board for honoring her at our Board meeting at the Fair on July 17 for her years of dedicated service.
3. NYMIR's 2013 Annual Report.

4. Invitation to attend the Allegany County Farmer Neighbor Dinner on September 24, 2014.

5. Press release and announcement inviting Legislators to participate in the New York State Citizen Preparedness Training Program at 10 a.m. on Saturday, September 20, at the Alfred State College Student Leadership Center. Pre-registration is required.

APPOINTMENTS:

The Clerk of the Board announced that Chairman Curtis Crandall has appointed Charles O. Jessup of Alfred Station, New York, to fill a three-year term ending May 31, 2017, as a member of the **SOUTHERN TIER WEST REGIONAL PLANNING & DEVELOPMENT BOARD**, subject to confirmation by the Board of Legislators.

PROCLAMATION:

Chairman Crandall proclaimed September 2014 as Hunger Action Month in Allegany County to raise awareness about the need to combat hunger in every part of our state and to provide additional resources that citizens of the County of Allegany need.

RESOLUTIONS:

RESOLUTION NO. 141-14

**REFUNDING BOND RESOLUTION OF THE COUNTY OF ALLEGANY, NEW YORK,
ADOPTED AUGUST 25, 2014, AUTHORIZING THE ISSUANCE PURSUANT TO
SECTION 90.10 OF THE LOCAL FINANCE LAW OF REFUNDING BONDS, TO BE
DESIGNATED SUBSTANTIALLY "PUBLIC IMPROVEMENT REFUNDING (SERIAL)
BONDS", AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO AND
THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY**

Offered by: Ways and Means Committee

WHEREAS, County of Allegany, New York (hereinafter, the "County") heretofore issued \$23,170,000 Public Improvement (Serial) Bonds, 2006 pursuant to a bond determination certificate dated September 15, 2006, and duly executed by the County Treasurer (the "2006 Bond Certificate"), to finance the cost of a new Public Safety and Training Facility in and for said County as further described in the 2006 Bond Certificate, such bonds being dated September 15, 2006 with remaining maturities on September 15 in the years 2014 through 2029, both inclusive (the "2006 Refunded Bonds"); and

WHEREAS, it would be in the public interest to refund all or a portion of the outstanding principal balance of the Refunded Bonds maturing in 2015 and thereafter by the issuance of refunding bonds pursuant to Section 90.10 of the Local Finance Law; and

WHEREAS, such refunding will only be undertaken if it results in present value savings in debt service as required by Section 90.10 of the Local Finance Law; **NOW, THEREFORE, BE IT**

RESOLVED, by at least two-thirds of the voting strength of the Board of Legislators of Allegany County, New York, as follows:

Section 1. For the object or purpose of refunding the outstanding principal balance of the Refunded Bonds maturing in 2015 and thereafter as more fully set forth in the Refunding Financial Plan (hereinafter defined), including providing moneys which, together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized, shall be sufficient to pay (i) the principal amount of such Refunded Bonds, (ii) the aggregate amount of unmatured interest payable on such Refunded Bonds to and including the date on which the Refunded Bonds which are callable are to be called prior to their maturities in accordance with the refunding financial plan, as hereinafter defined, (iii) the costs and expenses incidental to the issuance of the refunding bonds herein authorized, including the development of the refunding financial plan, as hereinafter defined, compensation to the underwriter or underwriters, as hereinafter defined, costs and expenses of executing and performing the terms and conditions of the escrow contract or contracts, as hereinafter defined, and fees and charges of the escrow holder or holders, as hereinafter mentioned, and (iv) the premium or premiums for a policy or policies of municipal bond insurance or cost or costs of other credit enhancement facility or facilities, for the refunding bonds herein authorized, or any portion thereof, there are hereby authorized to be issued not exceeding \$19,000,000 refunding serial bonds of the County pursuant to the provisions of Section 90.10 of the Local Finance Law (the "Refunding Bonds"), it being anticipated that the amount of Refunding Bonds actually to be issued will be approximately \$17,485,000, as provided in Section 4 hereof. The Refunding Bonds described herein are hereby authorized to be consolidated for purposes of sale in one or more refunding serial bond issues. The Refunding Bonds shall each be designated substantially "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BOND" together with such series designation and year as is appropriate on the date of sale thereof, shall be of the denomination of \$5,000 or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity, shall be numbered with the prefix R-14 (or R with the last two digits of the year in which the Refunding Bonds are issued as appropriate) followed by a dash and then from 1 upward, shall be dated on such dates, and shall mature annually on such dates in such years, bearing interest semi-annually on such dates, at the rate or rates of interest per annum, as may be necessary to sell the same, all as shall be determined by the County Treasurer (the "Chief Fiscal Officer") pursuant to Section 4 hereof. It is hereby further determined that (a) such Refunding Bonds may be issued in series, and (b) such Refunding Bonds may be sold at a discount in the manner authorized by paragraph a of Section 57.00 of the Local Finance Law pursuant to subdivision 2 of paragraph f of Section 90.10 of the Local Finance Law. It is hereby further determined that such Refunding Bonds may be issued to refund all, or any portion of, the Refunded Bonds, subject to the limitation hereinafter described in Section 10 hereof relating to approval by the State Comptroller.

Section 2. The Refunding Bonds may be subject to redemption prior to maturity upon such terms as the Chief Fiscal Officer shall prescribe, which terms shall be in compliance with the requirements of Section 53.00 (b) of the Local Finance Law. If less than all of the Refunding Bonds of any maturity are to be redeemed, the particular refunding bonds of such maturity to be redeemed shall be selected by the County by lot in any customary manner of selection as determined by the Chief Fiscal Officer. Notice of such call for redemption shall be given by mailing such notice to the registered owners not less than thirty (30) days prior to such date. Notice of redemption having been given as aforesaid, the bonds so called for redemption shall, on the date for redemption set forth in such call for redemption, become due and payable, together with interest to such redemption date, and interest shall cease to be paid thereon after such redemption date.

The Refunding Bonds shall be issued in registered form and shall not be registrable to bearer or convertible into bearer coupon form. In the event said Refunding Bonds are issued in non-certificated form, such bonds, when issued, shall be initially issued in registered form in denominations such that one bond shall be issued for each maturity of bonds and shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the bonds in accordance with the Book-Entry-Only system of DTC. In the event that either DTC shall discontinue the Book-Entry-Only system or the County shall terminate its participation in such Book-Entry-Only system, such bonds shall thereafter be issued in certificated form of the denomination of \$5,000 each or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity. In the case of non-certificated Refunding Bonds, principal of and interest on the bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to DTC, or to its nominee, Cede & Co., while the bonds are registered in the name of Cede & Co. in accordance with such Book-Entry-Only System. Principal shall only be payable upon surrender of the bonds at the principal corporate trust office of such Fiscal Agent (or at the office of the Chief Fiscal Officer as Fiscal Agent as hereinafter provided).

In the event said Refunding Bonds are issued in certificated form, principal of and interest on the Refunding Bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to the registered owners of the Refunding Bonds as shown on the registration books of the County maintained by the Fiscal Agent (as hereinafter defined), as of the close of business on the fifteenth day of the calendar month or first business day of the calendar month preceding each interest payment date as appropriate and as provided in a certificate of the Chief Fiscal Officer providing for the details of the Refunding Bonds. Principal shall only be payable upon surrender of bonds at the principal corporate trust office of a bank or trust company or banks or trust companies located or authorized to do business in the State of New York, as shall hereafter be designated by the Chief Fiscal Officer as fiscal agent of the County for the Refunding Bonds (collectively the "Fiscal Agent").

Refunding Bonds in certificated form may be transferred or exchanged at any time prior to maturity at the principal corporate trust office of the Fiscal Agent for bonds of the same maturity of any authorized denomination or denominations in the same aggregate principal amount.

Principal and interest on the Refunding Bonds will be payable in lawful money of the United States of America.

The Chief Fiscal Officer is hereby authorized and directed to enter into an agreement or agreements containing such terms and conditions as he shall deem proper with the Fiscal Agent, for the purpose of having such bank or trust company or banks or trust companies act, in connection with the Refunding Bonds, as the Fiscal Agent for said County, to perform the services described in Section 70.00 of the Local Finance Law, and to execute such agreement or agreements on behalf of the County, regardless of whether the Refunding Bonds are initially issued in certificated or non-certificated form.

The Chief Fiscal Officer is hereby further delegated all powers of this Board of Legislators with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for said Refunding Bonds, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

The Refunding Bonds shall be executed in the name of the County by the manual or facsimile signature of the Chief Fiscal Officer, and its corporate seal shall be imprinted thereon. In the event of facsimile signature, the Refunding Bonds shall be authenticated by the manual signature of an authorized officer or employee of the Fiscal Agent. The Refunding Bonds shall contain the recital required by subdivision 4 of paragraph j of Section 90.10 of the Local Finance Law and the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Chief Fiscal Officer shall determine. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of the Refunding Bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the Fiscal Agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the Fiscal Agent.

Section 3. It is hereby determined that:

- (a) the maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by subdivision 1 of paragraph b of Section 90.10 of the Local Finance Law;
- (b) the period of probable usefulness permitted by law at the time of the issuance of the Refunded Bonds for the object or purpose for which such Refunded Bonds were issued is thirty years;
- (c) the last installment of the Refunding Bonds will mature not later than the expiration of the period of probable usefulness of the object or purpose for which said Refunded Bonds were issued in accordance with the provisions of subdivision 1 of paragraph c of Section 90.10 of the Local Finance Law;
- (d) the estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, computed in accordance with the provisions of subdivision 2 of paragraph b of Section 90.10 of the Local Finance Law, with regard to the Refunded Bonds is as shown in the Refunding Financial Plan described in Section 4 hereof.

Section 4. The financial plan for the refunding authorized by this resolution (the "Refunding Financial Plan"), showing the sources and amounts of all moneys required to accomplish such refunding, the estimated present value of the total debt service savings and

the basis for the computation of the aforesaid estimated present value of total debt service savings, are set forth in Exhibit A attached hereto and made a part of this resolution. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in one series, and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth on Exhibit A attached hereto and made a part of this resolution. This Board of Legislators recognizes that the Refunding Bonds may be issued in one or more series, and for only portions thereof, that the amount of the Refunding Bonds, maturities, terms, and interest rate or rates borne by the Refunding Bonds to be issued by the County will most probably be different from such assumptions and that the Refunding Financial Plan will also most probably be different from that attached hereto as Exhibit A. The Chief Fiscal Officer is hereby authorized and directed to determine the amount of the Refunding Bonds to be issued, the date or dates of such bonds and the date or dates of issue, maturities and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities, whether the Refunding Bonds shall be sold at a discount in the manner authorized by paragraph e of Section 57.00 of the Local Finance Law, and the rate or rates of interest to be borne thereby, whether the Refunding Bonds shall be issued having substantially level or declining annual debt service and all matters related thereto, and to prepare, or cause to be provided, a final Refunding Financial Plan for the Refunding Bonds and all powers in connection therewith are hereby delegated to the Chief Fiscal Officer; provided, that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of Section 90.10 of the Local Finance Law. The Chief Fiscal Officer shall file a copy of his certificate determining the details of the Refunding Bonds and the final Refunding Financial Plan with the Clerk of the Board of Legislators not later than ten (10) days after the delivery of the Refunding Bonds, as herein provided.

Section 5. The Chief Fiscal Officer is hereby authorized and directed to enter into an escrow contract or contracts (collectively the "Escrow Contract") with a bank or trust company, or with banks or trust companies, located and authorized to do business in this State as said Chief Fiscal Officer shall designate (collectively the "Escrow Holder") for the purpose of having the Escrow Holder act, in connection with the Refunding Bonds, as the escrow holder to perform the services described in Section 90.10 of the Local Finance Law.

Section 6. The faith and credit of said Allegany County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on the Refunding Bonds as the same become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall be annually levied on all the taxable real property in said County a tax sufficient to pay the principal of and interest on such Refunding Bonds as the same become due and payable.

Section 7. All of the proceeds from the sale of the Refunding Bonds, including the premium, if any, but excluding accrued interest thereon, shall immediately upon receipt thereof be placed in escrow with the Escrow Holder for the Refunded Bonds. Accrued interest on the Refunding Bonds shall be paid to the County to be expended to pay interest

on the Refunding Bonds. Such proceeds as are deposited in the escrow deposit fund to be created and established pursuant to the Escrow Contract, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunded Bonds in accordance with Section 90.10 of the Local Finance Law, and the holders, from time to time, of the Refunded Bonds shall have a lien upon such moneys held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder for the Refunded Bonds in the escrow deposit fund shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the County irrespective of whether such parties have notice thereof.

Section 8. Notwithstanding any other provision of this resolution, so long as any of the Refunding Bonds shall be outstanding, the County shall not use, or permit the use of, any proceeds from the sale of the Refunding Bonds in any manner which would cause the Refunding Bonds to be an "arbitrage bond" as defined in Section 148 of the Internal Revenue Code of 1986, as amended, and, to the extent applicable, the Regulations promulgated by the United States Treasury Department thereunder.

Section 9. In accordance with the provisions of Section 53.00 and of paragraph h of Section 90.10 of the Local Finance Law, in the event such bonds are refunded, the County hereby elects to call in and redeem each Refunded Bond which the Chief Fiscal Officer shall determine to be refunded at the earliest call date available. The sum to be paid therefor on such redemption date shall be the par value thereof plus the redemption premium, if any, as provided in the Refunded Bond Certificate, and the accrued interest to such redemption date. The Escrow Agent for the Refunding Bonds is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the County in the manner and within the times provided in the Refunded Bond Certificate. Such notice of redemption shall be in substantially the form attached to the Escrow Contract. Upon the issuance of the Refunding Bonds, the election to call in and redeem the callable Refunded Bonds and the direction to the Escrow Agent to cause notice thereof to be given as provided in this paragraph shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with the publication requirements of paragraph a of Section 53.00 of the Local Finance Law, or any successor law thereto.

Section 10. The Refunding Bonds shall be sold private sale to Oppenheimer & Co., Inc. or as otherwise determined by the Chief Fiscal Officer for purchase prices to be determined by the Chief Fiscal Officer, plus accrued interest from the date or dates of the Refunding Bonds to the date or dates of the delivery of and payment for the Refunding Bonds. Subject to the approval of the terms and conditions of such private sale by the State Comptroller as required by subdivision 2 of paragraph f of Section 90.10 of the Local Finance Law, the Chief Fiscal Officer, is hereby authorized to execute and deliver a purchase contract for the Refunding Bonds in the name and on behalf of the County providing the terms and conditions for the sale and delivery of the Refunding Bonds.

Section 11. The Chief Fiscal Officer and all other officers, employees and agents of the County are hereby authorized and directed for and on behalf of the County to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.

Section 12. All other matters pertaining to the terms and issuance of the Refunding Bonds shall be determined by the Chief Fiscal Officer and all powers in connection thereof are hereby delegated to the Chief Fiscal Officer.

Section 13. The validity of the Refunding Bonds may be contested only if:

1. Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
2. The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
3. Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. A summary of this resolution, which takes effect immediately, shall be published in the official newspapers of said County, together with a notice of the Clerk of the Board of Legislators in substantially the form provided in Section 81.00 of the Local Finance Law.

Moved by: Mr. Hopkins
Seconded by: Mr. Fanton

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 141-14 included: Legislator Pullen indicated that the County will save over \$900,000 by taking advantage of this refunding. He commended the County Administrator and Treasurer for their work in putting this together. He added, "...this is the kind of attention to detail that should characterize our operations...what a wonderful and notable accomplishment..." County Attorney Tom Miner noted that Exhibit A (which the Legislators received) will be attached to the Resolution. Legislator Hopkins remarked about the importance of having a good bond rating. He said, "Due to our good bond rating, we save a great deal when we borrow." County Treasurer Terri Ross noted that it was a good opportunity for them to examine the market, and the proposal from Oppenheimer indicated that it was a good time to take advantage of this. Legislator Ungermann stated, "This is what we're supposed to do... Watch out for taxpayer dollars." Chairman Crandall added, "When done right, here we are."

RESOLUTION NO. 142-14

APPROVAL OF SALE OF 2014 TAX SALE PROPERTIES

Offered by: Ways and Means Committee

Pursuant to New York Uniform Delinquent Tax Enforcement Act and Resolution No. 195-97,
as amended by Resolution No. 95-98

RESOLVED:

1. That the sale of tax delinquent properties as shown below, to the owners and purchasers shown, for the consideration shown, subject to terms and conditions of sale for such properties, is approved.

2. That upon the securing by the County Attorney of a proper court order authorizing the conveyance to the County of such of the below mentioned properties which are subject to the 2012 and/or back to the year 1995 (TF95 up to and including TF2012) tax foreclosure proceedings and the subsequent execution of a deed of all of the below mentioned properties to the County by the County Tax Enforcement Officer, the Chairman of this Board of Legislators is authorized and directed to execute on behalf of the County of Allegany and to cause to deliver to such owners and purchasers quit claim deeds of the County's interest in such properties and to affix to each such deed the official seal; all upon satisfaction of the terms and conditions of sale and the full payment to the County Treasurer of the monetary considerations.

<u>New owner</u> <u>Address</u> <u>Sale price</u>	<u>Parcel details</u>	<u>County title</u> <u>Recorded date</u> <u>Liber</u> <u>Page</u>
LEEK WILLIAM PHELAN RYAN 58 VICTORY LANE LACKAWANNA, NY 14218 Tax sale amount: 201.00	Parcel ID:022689; 99.-1-35.1 Property loc: Brown Rd Assessed value:6,600 acres: .80	County of Allegany Book: 1186 Page: 21
ELM VALLEY ESTATES, LLC 5811 UNIONVILLE RD BATH, NY 14810 Tax sale amount: 2,124.00	Parcel ID:023089; 217.-1-4.2 Property loc: 3799 SHOVEL HOLLOW Assessed value:48,000 acres: 4.30	County of Allegany Book: 1150 Page: 3
SOUTHERN TIER ANIMAL RESCUE 7073 GLEASON HILL RD BELFAST, NY 14711 Tax sale amount: 222.00	Parcel ID:025000; 169.-1-24.3 Property loc: 5011 COUNTY RD 17 Assessed value: 13,100 acres: .31	County of Allegany Book: 1195 Page: 198
CHARLIE QUARLES LAND TRUST C/O ERIC HERM, TRUSTEE 1947 SE HILLMOOR DR. #214 PORT ST. LUCIE, FL 34952 Tax sale amount: 2.00	Parcel ID:023889; 260.-1-61.12 Property loc: ST. RT. 275 Assessed value: 2,900 acres: 4.40	County of Allegany Book: 1807 Page: 69

ESZES FRANK ESZES SUSAN ESZES JAKE 33 SOUTH STREET CUBA, NY 14727 Tax sale amount: 500.00	Parcel ID:022089; 165.-1-19 Property loc: 5823 EAST VALLEY RD Assessed value: 33,800 acres: .40	County of Allegany Book: 1675 Page: 331
ELM VALLEY ESTATES, LLC 5811 UNIONVILLE RD BATH, NY 14810 Tax sale amount: 3,124.00	Parcel ID:025200; 296.20-1-20.1 Property loc: 51 HIGH ST Assessed value: 42,000 acres: 1.00	County of Allegany Book: 989 Page: 00109
CORNELL JONATHON 1796 PURDY CREEK RD HORNELL, NY 14843 Tax sale amount: 1,100.00	Parcel ID:026000; 293.-3-4.1 Property loc: 915 SPICER RD Assessed value: 15,000 acres: .50	County of Allegany Book: 1037 Page: 21
FULLER GARY 4106 MAIN STREET SCIO, NY 14880 Tax sale amount: 1,449.49	Parcel ID:022801; 172.17-1-18 Property loc: 36 SOUTH STREET Assessed value: 24,200 acres: .50	County of Allegany Book: 1099 Page: 40
REDFORD ROY K 16 PRATT STREET, PO BOX 234 CANASERAGA, NY 14822 Tax sale amount: 1,203.00	Parcel ID:024001; 34.19-1-37 Property loc: 9-11 DEPOT ST. Assessed value: 5,500 acres: .30	County of Allegany Book: 1166 Page: 193
DEWHIRST PHILLIP 2537 STATE ROUTE 19 WELLSVILLE, NY 14895 Tax sale amount: 624.00	Parcel ID:027001; 238.11-1-23 Property loc: 63 HOWARD ST Assessed value: 24,400 acres: .23	County of Allegany Book: 1123 Page: 152
GOOD RONALD N GOOD MARCIA G 290 FARNUM ST WELLSVILLE, NY 14895 Tax sale amount: 201.00	Parcel ID:027001; 239.38-1-18 Property loc: 8 S BROAD ST Assessed value: 2,100 acres: 40 X 97	County of Allegany Book: 1189 Page: 334
ELM VALLEY ESTATES, LLC 5811 UNIONVILLE RD BATH, NY 14810 Tax sale amount: 7,540.00	Parcel ID:027001; 238.8-1-21 Property loc: 30-32 ELM ST Assessed value: 40,000 acres: .21	County of Allegany Book: 1497 Page: 179

Moved by: Mr. Hopkins
Seconded by: Mr. Healy

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 143-14

**APPROVAL OF THE SALE OF A PORTION OF THE OLD COUNTY ROAD NO. 30
RIGHT-OF-WAY TO RAVYN & ROBYN VINEYARDS, LLC**

Offered by: Public Works Committee

WHEREAS, a request has been made by the owners of Ravyn & Robyn Vineyards, LLC, to purchase a portion of the old County Road No. 30 right-of-way lying contiguous to their property, and

WHEREAS, this property consists of 1.841 acres +/- and is no longer needed for highway purposes as County Road 30 was relocated slightly to the south of the southerly bounds of those lands belonging to Ravyn & Robyn Vineyards, LLC, and

WHEREAS, there is no need to use this portion of the old right-of-way and it is not otherwise required for public use, now therefore, be it

RESOLVED:

1. That this Board hereby approves the sale of that portion of the old County Road No. 30 right-of-way, consisting of 1.841 acres +/-, which lie contiguous to the southerly bounds of lands of Ravyn & Robyn Vineyards and which land is no longer needed for highway purposes.

2. That the sale price is \$1,355 which represents \$1,105 for the parcel of land, (computed at the rate of \$600 per acre), plus attorney fees of \$250.

3. That the County Attorney is directed to prepare a deed quit claiming the County's interest in this parcel of land.

4. That upon payment of the sales price, the Chairman of this Board is authorized to execute such deed.

Moved by: Mr. Fanton
Seconded by: Mr. Graves

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 144-14

CHANGE IN REGULAR BOARD MEETING DATE IN SEPTEMBER 2014

Offered by: Ways and Means Committee

RESOLVED:

1. Notwithstanding Rule 110.A. of County Board Rules, the second regular meeting of this Board in the month of September 2014 shall be held on Thursday, September 25, 2014, at 2:00 PM and not on September 22, 2014, at 2:00 PM in order to allow Legislators to attend the annual Fall NYSAC Seminar being held September 22-24, 2014.

Moved by: Mr. Hopkins
Seconded by: Mr. Graves

Adopted: Voice Vote

RESOLUTION NO. 145-14

RESOLUTION CREATING THE POSITION OF ASSISTANT TO THE COUNTY ADMINISTRATOR AND SETTING THE GRADE FOR THAT POSITION AT GRADE 7 WITHIN THE COUNTY NON-UNIT SALARY PLAN

Offered by: Personnel and Ways and Means Committees

WHEREAS, the role of the Secretary to the County Administrator has evolved through the years and requires the exercise of responsibility, confidentiality, discretion, critical thinking and analysis of various matters coming before the County Administrator, and

WHEREAS, due to advances in technology, routine office matters such as typing and copying are often handled more efficiently by the County Administrator without the direct assistance of a secretary, and

WHEREAS, a review of the actual work performed by the Secretary to the County Administrator shows that this work goes well beyond the current job description for that position, now therefore, be it

RESOLVED:

1. That the position of Assistant to the County Administrator is hereby created.
2. That the salary for the Assistant to the County Administrator shall start at Grade 7 within the County Non-Unit Salary Plan.
3. That upon the appointment of his current secretary as Assistant to the County Administrator, the County Administrator is authorized to start her salary at Grade 7, Step 5, within the County Non-Unit Salary Plan.
4. That the position of Secretary to the County Administrator shall remain vacant pending a determination of the State Civil Service Commission regarding the civil service classification of the position of Assistant to the County Administrator.
5. That upon a determination by the State Civil Service Commission that the position of Assistant to the County Administrator is exempt, the position of Secretary to the County Administrator shall be deemed eliminated.

6. That upon a determination by the State Civil Service Commission that the position of Assistant to the County Administrator is not exempt, that position shall be deemed vacated and the County Administrator shall be authorized to fill the vacancy in the position of Secretary to the County Administrator.

Moved by: Mr. O'Grady
Seconded by: Mrs. Root

Adopted: Roll Call
12 Ayes, 2 Noes, 1 Absent

Comments made regarding Resolution No. 145-14 included: Legislator Burt remarked that he was a little uneasy with this. He understood that back at the beginning of the year the County Administrator didn't have a Deputy and his office was relying on the Secretary for more things. He feels that since a Deputy County Administrator has been appointed, the County Administrator's Secretary should be able to go back to her role as Secretary. His other concern was the salary grading system for this position. The salary received by the Administrator's Secretary will go from \$41,947 to \$47,224. The maximum for the grade ends up at \$56,000. He added, "We don't need to rely on the Secretary to do jobs that are outside of the secretary's normal duties." He indicated that he would be voting against it. Legislator Hopkins commented on the process for hiring additional help for the County Administrator. He stated, "When we started this process we authorized the Administrator to put out an RFP (Request for Proposal)." He said, "It was decided to split the Deputy Administrator position up between a couple of people." Legislator Hopkins feels that there is a lot of work for that office and more things keep getting thrown at them. He added, "If you ask a person to do more, you need to pay them more." Legislator Fanton stated, "This is saving us \$80,000 per year." Legislator Ungermann added, "The Secretary has only been here nine months. This particular raise is on the steep side." Legislator Burt said, "I never understood this as finding two people to fill one position... Just because we save money doesn't mean we have to turn around..." He added, "Going in we could have hired anyone from within. I never understood this to be two people for one position." Chairman Crandall stated, "It was budgeted as one position. A full-time position with benefits. As there was conversation about this, it was not necessarily defined as one or two positions. Mr. Alger did present it as two positions. It was kind of a package deal." Legislator Ungermann made a motion to table this resolution in order to have more discussion. Legislator Burt seconded the motion, but it was defeated by a voice vote. Legislator Pullen remarked that they had just seen an example of administration having time to seek out ways to save money (referring to the bond refunding). He stated, "Good managers more than pay for their salary and compensation through the efficiency and productivity they can bring. I want to provide the administration with that opportunity. I am going to support this." Legislator Hopkins stated, "I think Legislator Burt and I disagree on the workload. I think the workload justifies this." Legislator Healy stated, "I support the County Administrator's solution to the problem, but not necessarily the manner in which it is done. I have some questions about the salary for this position. It is quite a jump in salary. Overall, I'm still going to support this."

RESOLUTION NO. 146-14

CREATING ONE FULL-TIME POSITION OF AGING SERVICES TECHNICIAN IN THE OFFICE FOR THE AGING

Offered by: Human Services Committee

RESOLVED:

1. That one full-time position of Aging Services Technician is created in the Office for the Aging.
2. That such position shall remain filled only for so long as such position is fully funded by State, Federal or other grant-in-aid.
3. This resolution shall take effect September 8, 2014.

Moved by: Mr. LaForge
Seconded by: Mr. Pullen

Adopted: Roll Call
12 Ayes, 2 Noes, 1 Absent

Comments made regarding Resolution No. 146-14 included: Legislator Pullen remarked that he had recently attended a meeting at which the Office for the Aging Director Madeleine Gasdik explained some of the things the State has done to put pressure on Office for the Aging staff. He used the HEAP application deadline as an example. He noted that it's a challenge for them to keep up with things and that it's key that the Office for the Aging be able to comply. He expressed his feelings for the importance of the position. Legislator Burt questioned the County's share of the funding for the position. Legislator O'Grady asked for clarification on whether the twenty percent County share was the same regardless of whether this was a part-time or full-time position. It was indicated that the County would be paying twenty percent regardless of whether it was full-time or part-time.

RESOLUTION NO. 147-14

**APPROVAL OF THE PURCHASE OF A PORTION OF REAL PROPERTY LOCATED AT
8922 LOWER STREET, RUSHFORD, NEW YORK, FROM DANA AND CONNIE
RUSSELL FOR THE SUM OF FOUR THOUSAND DOLLARS**

Offered by: Public Works and Ways and Means Committees

WHEREAS, the Superintendent of Public Works, Guy James, received correspondence from a Dana and Connie Russell regarding their interest in selling a parcel of real property located at 8922 Lower Street, Rushford, New York bordering the County Highway Shop, and

WHEREAS, upon review of the situation, it was determined that acquiring additional land contiguous to the County Highway Shop would be advantageous to the County Highway Department for purposes of storage of equipment and materials, and

WHEREAS, although inquiry was made as to purchasing less than all the property being offered for sale, the Sellers have indicated they do not wish to subdivide the parcel other than to retain a portion of the property surrounding the existing house, and

WHEREAS, the offering price of \$4,000 appears reasonable given the property's location and usefulness for the County Highway Department, and

WHEREAS, the County has the option of later selling a portion of the parcel to be acquired if and when it is determined that it is not needed, now therefore, be it

RESOLVED:

1. That the County of Allegany, through its Department of Public Works, is authorized to enter into an agreement with Dana and Connie Russell to purchase a parcel of land contiguous to the County Highway Shop in the Town of Rushford for the sum of Four Thousand Dollars (\$4,000).

2. That the County Attorney is directed to review and approve all paperwork related to the agreement and conveyance of the parcel of property into the County of Allegany.

3. That the Chairman of this Board is authorized to sign all documents necessary for the sale and conveyance of this parcel into the County of Allegany.

Moved by: Mr. Fanton
Seconded by: Mr. Graves

Adopted: Roll Call
11 Ayes, 3 Noes, 1 Absent

Comments made regarding Resolution No. 147-14 included: Legislator Ungermann stated, "I am generally against anything that reduces our assessments and takes property off the tax rolls. This year several pieces of property were gifted to municipalities. To me this is a problem. There are fewer and fewer people to pay." He indicated that he had looked at the property in Rushford. He remarked on the condition of the County property used by the Department of Public Works saying that the property was not being used to its full potential. He claims there is a great deal of property taken over by weeds and materials that could be cleaned up for better utilization of the property. He stated, "There is plenty of room for parking. We don't really need it (the property). We don't need a loss to the tax roll. I'm not going to support it." Legislator O'Grady asked how large the lot was. Legislator Fanton indicated that it was approximately two acres. Legislator O'Grady said he agreed with Legislator Ungermann. He stated, "It's becoming more and more of a problem. I'm not going to support it." Legislator Burt remarked that Legislator Ungermann had changed his mind. He had originally considered the neighbors, but that he was going to vote "no." Legislator Healy stated that he would normally agree with Legislator Ungermann. He said, "However, we don't have room for expansion. It's a reasonable price. It will allow many more options for us. Once we have acquired it, we can decide what to do with it. I don't see any downside." Legislator Fanton said, "The Russels have been good neighbors. This creates a buffer zone. The wrong neighbors could create a problem for us." He also indicated that they had just sold some property that would be going back on the tax rolls. Chairman Crandall remarked that he was concerned about the neighbors. He also clarified that any

excess property could be put back on the tax roll. Legislator Fanton remarked that if there was an interested buyer, it would make a good building lot.

RESOLUTION NO. 148-14

**ESTABLISHMENT OF MAXIMUM RATES AND ALLOWANCES TO BE PAID BY
DEPARTMENT OF SOCIAL SERVICES FOR BURIALS AND CREMATIONS
OF PERSONS WHO DIE ON OR AFTER AUGUST 31, 2014**

Offered by: Human Services and Ways and Means Committees

WHEREAS, on March 8, 2004, Allegany County Legislators approved Resolution No. 61-04 which established maximum rates and allowances to be paid by the Department of Social Services for burials and cremations of indigent persons who die on or after March 9, 2004, and

WHEREAS, the Allegany-Cattaraugus County Funeral Directors Association submitted a proposal requesting a new contract with Allegany County for the provision of indigent burial services, and

WHEREAS, the County Administrator, after evaluating the proposal and researching current indigent services compensation rates by neighboring counties, determined an increase in compensation for the provision of service is warranted, and

WHEREAS, the County Administrator recommends amending Resolution No. 61-04 to include an increase in compensation for services rendered, and

WHEREAS, the County Administrator seeks approval to enter into a contract with the Allegany-Cattaraugus County Funeral Directors Association according to the terms of the amended resolution, now, therefore, be it

RESOLVED:

1. That subject to any of the provisions of section 2. of this resolution, the Allegany County Department of Social Services is authorized to pay a licensed Funeral Director, in satisfaction of all expenses incurred by such Director for the cremation or burial of any person for whom the law requires that his or her cremation or burial expenses be paid by the Allegany County Social Services District. Any costs for a traditional burial beyond the maximum cremation rate must be paid for by family and/or friends if they so choose. Allegany County will only cover the amount which equals the cost of a cremation. If the family and/or friends come up with additional funds necessary for a burial it is at their discretion and expense. The maximum cremation rates and allowances are defined as follows:

CREMATION RATES

Cremation - Still born to one year	\$ 550.00
Cremation - One year and over	\$ 1,400.00

Cremation rates include the actual cost of cremation and the cost of the least expensive urn.

CREMATION ALLOWANCES

- a) The cost of removal and transportation directly to the Crematory at \$150.00 plus \$1.75 per mile, one way, not to exceed 100 miles from the place of business.
 - b) The actual cost of all protective attire used to prevent workplace transmission of blood-borne infectious agents, not to exceed a total of \$150.00.
2. That there shall be credited or applied towards payment of the cremation or burial rate and allowances, whichever rate and allowances are applicable, the following:
- a) any assets transferred or assigned to the Department, by or on behalf of such person prior to such person's death, for application towards payment of such person's cremation or burial expenses;
 - b) any payments made or to be made by relatives, friends or personal representatives liable for such person's cremation or burial expenses by operation of law or otherwise;
 - c) any payments made or to be made by any government or agency thereof that can be legally applied towards payment of such person's cremation or burial expenses, and
 - d) any burial or cremation insurance.
3. That Resolution No. 61-2004 is repealed, but the provisions of such Resolution shall continue to apply to estates of such persons dying prior to the effective date of this resolution.
4. This resolution shall take effect on August 25, 2014, and shall apply to estates of such persons dying on or after August 25, 2014.
5. This resolution shall remain in effect for a period of at least three years from its effective date and continue thereafter until modified or repealed by resolution of the Board of Legislators.

Moved by: Mr. LaForge
Seconded by: Mr. Graves

Adopted: Roll Call
13 Ayes, 1 Noes, 1 Absent

Comments made regarding Resolution No. 148-14 included: Legislator Burt expressed his concern about negotiating a price with an association. He feels it is difficult to get the best price when dealing with an association saying, "...it's almost a restraint of trade." He feels the County would be better off dealing with them individually. As an association, they can control prices pretty well if there are no other options.

RESOLUTION NO. 149-14

ACCEPTANCE OF INSURANCE PAYMENT FROM NYMIR AND APPROPRIATION OF FUNDS TO RISK RETENTION ACCOUNTS

Offered by: Ways and Means Committee

WHEREAS, a supplemental check in the amount of \$506.85, representing a supplemental charge to repair an Office for the Aging 2009 Dodge Caravan (#5718), that was damaged during a motor vehicle/deer accident on July 3, 2014, has been offered by NYMIR (New York Municipal Insurance Reciprocal) in settlement for such damage, now, therefore, be it

RESOLVED:

1. That the amount of \$506.85 from NYMIR, representing the supplemental cost to repair an Office for the Aging 2009 Dodge Caravan that was damaged during a motor vehicle/deer accident, is accepted.

2. That the sum of \$506.85 is appropriated to Account No. CS1931.429 (Risk Retention – Uninsured Property Loss) with a like sum placed in revenue account CS1930.2680.00 (Risk Retention – Insurance Recovery).

Moved by: Mr. Hopkins
Seconded by: Mr. Curran

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 150-14

ACCEPTANCE AND APPROPRIATION OF ADDITIONAL TANF SUMMER YOUTH FUNDING

Offered by: Planning & Economic Development and Ways and Means Committees

RESOLVED:

1. The Employment & Training Center had budgeted \$126,045 in 2014 for TANF (Temporary Assistance for Needy Families) Summer Youth Funding and actually received \$135,119. This created an additional \$9,074 in funding; the additional funds are accepted and appropriated as follows:

	Amount
CD16794.101 (TANF Staff Regular Pay)	\$1,525
CD16794.402 (TANF Mileage)	\$ 625
CD16794.802 (TANF Staff Retirement)	\$ 850
CD16794.806 (TANF Staff Hosp/Med Insurance)	\$1,299

CD16795.101 (TANF Part. Regular Pay)	\$1,890
CD16795.802 (TANF Part. Retirement)	<u>\$2,885</u>
Total:	\$9,074

2. That a like sum of \$9, 074 is credited to Revenue Account No. CD16794.4701.12 (TANF SYEP).

Moved by: Mr. Jessup
Seconded by: Mrs. Root

Adopted: Roll Call
13 Ayes, 1 Noes, 1 Absent

Comments made regarding Resolution No. 150-14 included: Legislator Hopkins offered an amendment to the Resolution. He wanted the revenue account CD1 6794.4701.12 added to the Resolution. Legislator Ungermann remarked that he wanted to bring to everyone's attention that all of the money goes to employee benefits. Legislator Hopkins stated that it's the salary that runs the program.

RESOLUTION NO. 151-14

ACCEPTANCE AND APPROPRIATION OF OFFICE OF INDIGENT LEGAL SERVICES UPSTATE QUALITY IMPROVEMENT AND CASELOAD REDUCTION GRANT FUNDING

Offered by: Ways and Means Committee

WHEREAS, Allegany County was awarded \$299,528 in grant funding for the position of Third Assistant Public Defender, now, therefore, be it

RESOLVED:

1. That the sum of \$299,528 from the Office of Indigent Legal Services Upstate Quality Improvement and Caseload Reduction Grant is accepted.
2. That the funding for 2014 in the amount of \$59,025 is appropriated as follows to Account No. A1172 (ILS Public Defender Grant):

A1172.101(Reg Pay)	\$31,500(based on 12 remaining 2014 payrolls)
A1172.201(Office Equip.)	\$ 3,200(full est. amount to set up office)
A1172.405(Conf. Exp.)	\$ 2,100(1/2 of est)
A1172.409(Fees)	\$ 5,000(full est)
A1172.802(Retirement)	\$ 5,850(18.50% of salary)
A1172.803(FICA)	\$ 2,450(7.65% of salary)
A1172.804(W/C)	\$ 500(1.50% of salary)
A1172.805(Disability)	\$ 75(.17% of salary)
A1172.806(Hosp/Med)	<u>\$ 5,850</u> (18.50% of salary: subject to change)
Total:	\$59,025

3. That a like sum of \$59,025 is credited to Revenue account A1172.3089.1172 (State Aid Other – Caseload Reduction Grant).

Moved by: Mr. Hopkins
Seconded by: Mr. Fanton

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 152-14

ACCEPTING AND APPROPRIATING GRANT FUNDS FOR THE PURCHASE OF BODY ARMOR FOR THE SHERIFF'S OFFICE

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That the sum of \$8,339.65 to purchase new and/or replacement body armor (vests) for law enforcement is accepted.

2. That the sum of \$8,339.65 is appropriated to Account No. A3110.208 (Sheriff - Equipment) with a like sum credited in Revenue Account No. A3110.3316.3110 (Sheriff State Aid – Protective Gear).

Moved by: Mr. Healy
Seconded by: Mr. Fanton

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 152-14 included: Legislator Healy remarked that many people don't realize that body armor has a shelf life and that it has to be replaced. He applauded the Sheriff for pursuing outside funding to replace this equipment, and hopes the Sheriff continues to pursue these types of grants. Legislator Burt offered his support for the resolution. He then asked, "What happens to the old armor?" Sheriff Whitney stated that it is sent back to the manufacturer and recycled.

RESOLUTION NO. 153-14

ACCEPTANCE OF ADDITIONAL FUNDS RECEIVED FROM THE FEDERAL MEDICARE IMPROVEMENTS FOR PATIENTS AND PROVIDERS ACT (MIPPA) AND THE FEDERAL TITLE VII OMBUDSMAN PROGRAM; APPROPRIATION TO OFFICE FOR THE AGING ACCOUNTS

Offered by: Human Services and Ways and Means Committees

RESOLVED:

1. That additional funds from the Federal Medicare Improvements for Patients and Providers Act (MIPPA) and the Federal Title VII Ombudsman Program, in the amount of \$2,866 are accepted and appropriated as follows:

Appropriation Accounts (\$2,866)	Amount
A6774.401 (Postage)	\$ 100
A6774.402 (Mileage)	\$ 274
A6774.424 (Legal Ads)	<u>\$ 500</u>
	\$ 874
 A6781.402 (Mileage)	 \$1,992

Revenue Account (\$2,866)

A6774.4772.00 (MIPPA)	\$ 874
A6781.4772.00 (Title VII)	<u>\$1,992</u>
	\$2,866

Moved by: Mr. LaForge
Seconded by: Mr. Graves

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 154-14

ACCEPTANCE AND APPROPRIATION OF ADDITIONAL FUNDS FROM THE NEW YORK STATE COMMUNITY SERVICES FOR THE ELDERLY, AAA TRANSPORTATION AND WELLNESS IN NUTRITION PROGRAMS TO OFFICE FOR THE AGING ACCOUNTS

Offered by: Human Services and Ways and Means Committees

RESOLVED:

1. Additional funds in the amount of \$17,179 for the Community Services for the Elderly (CSE), AAA Transportation and Wellness in Nutrition (WIN) State grants for 2014 are accepted and appropriated as follows:

Appropriation Accounts (\$17,179)	Amount
A6776.101 (Regular Pay)	\$5,000
A6776.201 (Office Equipment)	\$1,000
A6776.402 (Mileage)	\$1,000
A6776.408 (General Supplies)	\$1,173
A6776.409 (Fees – PERS)	\$2,000
A6776.419 (Printing)	\$1,000
A6776.423 (Food)	\$2,500

A6776.802 (Retirement)	\$ 500
A6776.803 (FICA)	\$ 383
A6776.804 (Worker's Comp)	\$ 100
A6776.805 (Disability)	<u>\$ 42</u>
	\$14,698
A6779.422 (Gas/Oil)	\$ 2,481

2. That a like sum be credited to the following Revenue accounts:

Revenues (\$17,179)

A6776.3772.00 (CSE/Transportation)	\$14,698
A6779.3772.00 (WIN)	\$ 2,481

Moved by: Mr. LaForge
Seconded by: Mrs. Root

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 145-14 included: Legislator Pullen remarked on the importance of these programs saying, "I think it's one of the best bang for the buck programs we have. Yes, there is expense involved, but it helps keep seniors in their own homes. Not only does that save money, but it's nice for the seniors as well."

RESOLUTION NO. 155-14

ACCEPTANCE OF PROBATION STATE AID BLOCK GRANT FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES; AUTHORIZING CHAIRMAN TO EXECUTE ANY AND ALL DOCUMENTS

Offered by: Public Safety Committee

RESOLVED:

1. That the Probation State Aid Block Grant in the amount of \$151,101 for the 2014-2015 State Fiscal Year from the New York State Division of Criminal Justice Services, is accepted.

2. That the accepted sum of \$151,101 has already been budgeted for 2014 under Account No. A3140.101 (Probation-Personnel) and Revenue Account No. A3140.3310.00 (Probation Block Grant).

3. The Chairman of the Board of Legislators is authorized to execute and deliver all necessary documents and agreements to secure such funds.

Moved by: Mr. Healy
Seconded by: Mr. Hopkins

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 156-14

ACCEPTANCE OF GRANT FUNDS FROM THE DIVISION OF CRIMINAL JUSTICE SERVICES FOR COMMUNITY SERVICE PROGRAM; APPROPRIATION TO ALTERNATIVES TO INCARCERATION ACCOUNTS

Offered by: Public Safety Committee

RESOLVED:

1. That the sum of \$5,998 in Article 13-A Classification Alternatives to Incarceration grant funding from the Division of Criminal Justice Services for use in the Community Service Program for period July 1, 2014, to June 30, 2015 is accepted.

2. That the accepted sum of \$5,998 appears in the budget under the following accounts: Account No. CL11-1113-D04 (Alternatives to Incarceration-Personnel) and Account No. CL11-1036-E04 (Community Service Program).

Moved by: Mr. Healy
Seconded by: Mr. Fanton

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 157-14

RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT WITH THE ALLEGANY COUNTY AGRICULTURAL SOCIETY FOR THE STORAGE AND DISPLAY OF VARIOUS ITEMS IN THE HOLDINGS OF THE COUNTY MUSEUM

Offered by: Resource Management Committee

WHEREAS, pursuant to Resolution No. 92-2014, this Board approved entering into an agreement with the Allegany County Agricultural Society for the storage and display of various items in the holdings of the County Museum, and

WHEREAS, paragraph "4" of that agreement states- "All of the items shall be individually marked in an inconspicuous area with the following notice-"PROPERTY OF ALLEGANY COUNTY-DO NOT SELL OR TRANSFER.", and

WHEREAS, it has been determined that because of the large quantity of small items in the County's collection, physically placing tags on each small item would detract immensely from the display, and

WHEREAS, it is recommended that paragraph "4" of that agreement be amended by adding additional sentences at the end of that paragraph to remedy this concern, now therefore, be it

RESOLVED:

1. Paragraph "4" of the agreement previously entered into between the County of Allegany and the Allegany County Agricultural Society relating to the storage of various items in the holding of the County Museum is hereby amended to add the following sentences, to wit:

"If it is not feasible or appropriate for display purposes to mark an item, a photographic record that documents such item may be made in lieu of individually marking such item. If any item is moved from the main County historical display to another Fair display, then it must be physically tagged. If items are boxed for storage, the sealed box may contain just one tag securely affixed to its outside."

2. That the Chairman of this Board is authorized to execute the amended agreement.

Moved by: Mr. Graves
Seconded by: Mr. Fanton

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 158-14

APPROVAL OF AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS PROVIDING FOR REIMBURSEMENT OF EXPENSES INCURRED BY DIRECTOR OF WEIGHTS AND MEASURES IN PETROLEUM PRODUCT QUALITY PROGRAM; APPROPRIATION OF FUNDING

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That an Agreement between the County of Allegany and the New York State Department of Agriculture and Markets providing for reimbursement of certain expenses incurred by the Allegany County Director of Weights and Measures in administering the New York State Petroleum Product Quality Program with an annual reimbursement rate of \$4,480 for period beginning April 1, 2014, and ending March 31, 2019, is approved.

2. That the Chairman of this Board is authorized to execute such Agreement and all necessary required forms or vouchers to secure reimbursement.

Moved by: Mr. Healy
Seconded by: Mr. Graves

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Resolution No. 159-14 (Intro. No. 161-14) (APPROVING LOCAL PLAN FOR CATTARAUGUS-ALLEGANY WORKFORCE INVESTMENT BOARD, INC. FOR PERIOD

JULY 1, 2014, THROUGH JUNE 30, 2015; AUTHORIZING CHAIRMAN TO EXECUTE THE PLAN) was not pre-filed and was considered from the floor on a motion made by Legislator Jessup, seconded by Legislator Graves, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 159-14

APPROVING LOCAL PLAN FOR CATTARAUGUS-ALLEGANY WORKFORCE INVESTMENT BOARD, INC. FOR PERIOD JULY 1, 2014, THROUGH JUNE 30, 2015; AUTHORIZING CHAIRMAN TO EXECUTE THE PLAN

Offered by: Planning and Economic Development Committee

WHEREAS, the Local Plan for the Cattaraugus-Allegany Workforce Investment Board, Inc. for the period July 1, 2014, through June 30, 2015, has been posted for public comment, and

WHEREAS, representations made in the Plan must be affirmed to and signed by the Chairman of this Board as the Local Chief Elected Official, now, therefore, be it

RESOLVED:

1. That this Board hereby approves the Local Plan for the Cattaraugus-Allegany Workforce Investment Board, Inc. for the period July 1, 2014, through June 30, 2015.
2. The Chairman of this Board is authorized to execute said Local Plan.

Moved by: Mr. Jessup
Seconded by: Mrs. Root

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

AUDITS:

A motion was made by Legislator Hopkins, seconded by Legislator Fanton, and carried, that the audits be acted upon collectively and by totals.

A motion was made by Legislator Hopkins, seconded by Legislator Root, and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims, totaling \$2,506,495.24, including prepaid expenses, be approved for payment as recommended by the County Administrator. (*Allegany County's Local Dollar Share of the NYS Medicaid Program paid year-to-date is \$6,761,510.*)

ADJOURNMENT: The meeting was adjourned at 3:16 p.m. on a motion made by Legislator Graves, seconded by Legislator Root, and carried.

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

SEPTEMBER 8, 2014

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:04 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Army Specialist Fourth Class Christopher D. Carr.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 13 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, David Decker, Dwight Fanton, Karl Graves, Dwight "Mike" Healy, Theodore Hopkins, Charles Jessup, Kevin LaForge, Timothy O'Grady, David Pullen, Norman Ungermann, Jr.
Absent: Aaron McGraw, Debra Root

APPROVAL OF MINUTES:

The Board meeting minutes of August 25, 2014, were approved on a motion made by Legislator Graves, seconded by Legislator Curran, and carried.

The Committee of the Whole minutes of August 25, 2014, were approved on a motion made by Legislator Curran, seconded by Legislator Pullen, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Christopher D. Carr, former United States Army Specialist Fourth Class, in grateful appreciation of his service to our country. Mr. Carr's service dates were from July 10, 2001, to July 9, 2005. Following Basic Training at Fort Knox, KY, assignments included: Aberdeen, Maryland, Mannheim, Germany, Camp Doha, Kuwait, 3rd Infantry Division Operation Iraqi Freedom (supported 1st Armor Division, 3rd Armored Division, 4th Infantry Division, 82nd Airborne Division, 101st Airborne Division) 4th Division at Fort Hood, TX. Commendations he received included: Army Commendation Medal with one Oak Leaf Cluster, Global War on Terrorism Medal, Iraq Campaign Medal, National Defense Medal, Good Conduct Medal, Army Service Ribbon, and Overseas Service Ribbon. Mr. Carr led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans' Honorary Pledge of Allegiance Program.

Meredith Chilson, Regent of the Catherine Schuyler Chapter, National Society Daughters of the American Revolution and Marge Vossler, Chair of the Constitution Week Committee were granted privilege of the floor to present information on Constitution Week. Ms. Chilson stated, "This celebration of the Constitution was started by the Daughters of the American Revolution. In 1955, DAR petitioned Congress to set aside September 17-23 annually to be dedicated for the observance of Constitution Week. The resolution was later

adopted by the U.S. Congress and signed into public law in August 1956, by President Dwight D. Eisenhower. She remarked, "2014 is the 59th anniversary of Constitution week." Ms. Chilson stated, "In Abraham Lincoln's words, 'Our safety, our liberty depends upon observing the Constitution.'" Chairman Crandall thanked the ladies representing the DAR for reminding us about Constitution Week and its importance. He remarked on what a great organization the Daughters of the American Revolution is and mentioned some of the programs and events they promote. He encouraged women to look into joining the DAR. Chairman Crandall then read a proclamation declaring September 17-23, 2014, as Constitution Week in Allegany County.

Public Health Director Lori Ballengee was granted privilege of the floor to present information regarding Allegany County Cancer Services. She stated that she was diagnosed with an aggressive form of breast cancer in 2005. At the time she was only 41 years old. She remarked on how fortunate she was to have a wonderful employer, friends, and family who were able to help her through her treatment. Unfortunately not everyone has the support they need. After completing her treatment she decided to put together an organization to support people diagnosed with cancer. She remarked that it is a 100 percent volunteer organization. Because of this their overhead costs are very low and all money distributed goes only to Allegany County residents. She indicated that the organization has served 59 people since last year, giving out \$29,500. Because there is such a great demand for this assistance, it's important that Allegany County Cancer Services finds ways to raise funds. She mentioned several upcoming fundraising events including the 350 Club event taking place on September 20. They are putting on a haunted house in Andover. There will be a 5k costume walk/run in October. The Annual Christmas Auction will take place December 11-13. She remarked that she had already taken five applications requesting help in September, so the need for funding is great. Ms. Ballengee also reminded everyone of the importance of getting cancer screenings. She stated that you need to be an advocate for your own health. Chairman Crandall presented Ms. Ballengee with a check for \$500 from the Board of Legislators. He indicated that this money comes from the Legislators' flower fund which is supported by their fundraising activities. Chairman Crandall remarked that this cause is very important to the Legislators and therefore they feel strongly about supporting it.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Report of Tax Bill Corrections Approved by the County Administrator in August.
2. Report of IntraFund Transfers Approved by the County Administrator in August.
3. Pursuant to NYCRR Part 617(b)(1), Kelly Pronti with Harter Secrest & Emery LLP sent the Chairman a copy of the SEQRA Negative Declaration and Reasons Supporting the SEQRA Negative Declaration issued by the Town of Wellsville Town Board on August 13, 2014, along with a letter from the Town of Wellsville Town Clerk certifying that the documents were filed with her on August 13, 2014, relative to the proposed Wal-Mart Supercenter.
4. Reminder that the Legislative Breakfast in Houghton is on Friday, September 12.

5. Reminder that Legislators are invited to participate in the New York State Citizen Preparedness Training Program at 10 a.m. on Saturday, September 20, at the Alfred State College Student Leadership Center. Pre-registration is required.

6. Reminder that the Allegany County Farmer Neighbor Dinner is on September 24, 2014.

7. Correspondence from the Allegany County Farm Bureau inviting Legislators to attend their annual meeting and dinner to be held at Moonwinks on October 15. Reservations are due by October 10.

APPOINTMENTS:

The Clerk of the Board announced that Chairman Curtis W. Crandall, in a joint measure with Norman L. Marsh, Chairman of the Cattaraugus County Board of Legislators, has appointed Joe Hart of Lufkin Industries, to serve on the Cattaraugus-Allegany Workforce Investment Board for a three-year term expiring December 31, 2015.

The Clerk of the Board announced that County Administrator Mitchell M. Alger has appointed H. Robert Budinger of Wellsville, New York as Deputy County Administrator, to serve at his pleasure commencing July 28, 2014.

PROCLAMATION:

Chairman Curtis W. Crandall proclaimed September 17-23, 2014, as Constitution Week in Allegany County (proclamation read earlier in the meeting).

RESOLUTIONS:

RESOLUTION NO. 160-14

RESOLUTION ENDORSING THE DESIGNATION OF THE CROSSROADS WATERLINE PROJECT AND THE ALFRED CENTER FOR TECHNOLOGY TRANSFER (ACTT) PROJECT AS THIS YEAR'S TOP TWO PROJECTS ON THE COUNTY'S U.S. ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) PRIORITY DESIGNATION LIST

Offered by: Planning and Economic Development Committee

WHEREAS, the County maintains an annual list of projects for which U.S. Economic Development Administration (EDA) funding is sought, and

WHEREAS, this list is prioritized according to which projects the County deems are most critical for addressing economic development needs within the County, and

WHEREAS, the Crossroads Waterline Project remains the number one priority project on that list, and

WHEREAS, the NYS Route 417 East Waterline Project had previously held the second place position on that list, but no longer needs to be on the list as the project has received EDA funding, and

WHEREAS, Alfred University and Alfred State College are involved in a joint initiative to establish the Alfred Center for Technology Transfer (ACTT), and

WHEREAS, the ACTT Project is intended to identify technology opportunities; develop and/or assist in the development of manufacturing products and processes; provide business plan development services; help find local production facilities; provide back-office services; assist in access to venture capital, facility development and workforce preparation, and

WHEREAS, the Alfred Center for Technology Transfer (ACTT) Project appears to be able to meet EDA requirements, and

WHEREAS, this Board believes the ACTT Project has the potential to greatly enhance economic development efforts in the County and should replace the NYS Route 417 East Waterline Project on the annual list of projects for which U.S. Economic Development Administration (EDA) funding is sought, now therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators hereby endorses the designation of the Crossroads Waterline Project as the number one priority and the Alfred Center for Technology Transfer (ACTT) Project as the number two priority on the annual list of projects for which U.S. Economic Development Administration (EDA) funding is sought.

Moved by: Mr. Jessup
Seconded by: Mr. Healy

Adopted: Voice Vote

Comments made regarding Resolution No. 160-14 included: Legislator Ungermann remarked that if there were ever a third designation, it ought to be to do sewer for the Crossroads.

RESOLUTION NO. 161-14

AMENDING PARAGRAPH 3 OF RESOLUTION NO. 130-2014 TO ACCEPT AND APPROPRIATE OFFICE OF CHILDREN AND FAMILY SERVICES FUNDING FOR 2014 MUNICIPAL YOUTH PROJECTS

Offered by: Resource Management and Ways and Means Committees

WHEREAS, Office of Children and Family Services has advised the Youth Bureau that funding for Municipal Youth Projects will no longer be paid directly to Towns and Villages but instead must pass through the County, now therefore, be it

RESOLVED:

1. That paragraph "3" of Resolution No. 130-2014 is hereby amended to state the following:

That the 2014 Municipal Youth Projects for recreation are approved and the Office of Children and Family Services funding in the amount of \$9,688 is accepted, appropriated and credited as follows:

Municipality	Appropriation Account	Revenue Account	Amount
Village of Alfred	A7310.485	A7310.3820.YTVP	\$ 2,321
Town of Angelica	A7310.485	A7310.3820.YTVP	\$ 113
Village of Angelica	A7310.485	A7310.3820.YTVP	\$ 222
Town of Belfast	A7310.485	A7310.3820.YTVP	\$ 1,406
Town of Bolivar	A7310.485	A7310.3820.YTVP	\$ 260
Village of Bolivar	A7310.485	A7310.3820.YTVP	\$ 294
Town of Cuba	A7310.485	A7310.3820.YTVP	\$ 326
Village of Cuba	A7310.485	A7310.3820.YTVP	\$ 428
Village of Cuba/A Sound Beginning	A7310.485	A7310.3820.YTVP	\$ 1,067
Town of Hume	A7310.485	A7310.3820.YTVP	\$ 616
Town of Independence	A7310.485	A7310.3820.YTVP	\$ 330
Town of Wellsville	A7310.485	A7310.3820.YTVP	\$ 1,057
Town of Wellsville/Dance Theater Program	A7310.485	A7310.3820.YTVP	\$ 1,067
Town of Wirt	A7310.485	A7310.3820.YTVP	\$ 181
		Total	\$ 9,688

Moved by: Mr. Graves
Seconded by: Mr. Fanton

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 162-14

**TRANSFER OF FUNDS WITHIN EMPLOYMENT AND TRAINING APPROPRIATION
ACCOUNTS**

Offered by: Planning and Development and Ways and Means Committees

WHEREAS, Allegany County Employment and Training requests the following adjustments to various appropriation accounts, now, therefore, be it

RESOLVED:

1. That the transfer of \$50,520 within Employment and Training accounts is approved as follows:

Appropriations

From Account No.:
Amount:

To Account No.:

CD16412.101 WIA RFP Reg. Pay	CD16400.101 WIA Admin Staff Reg. Pay	\$ 225
CD16413.101 DFY Youth Participant Reg. Pay	CD16400.101 WIA Admin Staff Reg. Pay	\$ 900
CD16407.402 WIA D/W Participant Mileage	CD16400.101 WIA Admin Staff Reg. Pay	\$ 1,645
CD16412.806 WIA RFP Hosp/Med Ins	CD16400.101 WIA Admin Staff Reg. Pay	\$ 500
CD16413.402 WIA RFP Participant Mileage	CD16400.101 WIA Admin Staff Reg. Pay	\$ 1,000
CD16406.474 WIA D/W Vocational Training	CD16400.802 WIA Admin Retirement	\$ 2,500
CD16400.806 WIA Admin Hosp/Med. Ins	CD16400.803 WIA Admin FICA	\$ 1,000
CD16406.474 WIA D/W Vocational Training	CD16402.802 WIA Adult Retirement	\$ 2,500
CD16403.475 DSS Economic Opp & Dev. Cont.	CD16403.101 DSS Regular Pay	\$ 1,500
CD16403.401 DSS Postage	CD16403.802 DSS Retirement	\$ 1,000
CD16403.402 DSS Staff Mileage	CD16403.802 DSS Retirement	\$ 500
CD16403.405 DSS Conference Expense	CD16403.802 DSS Retirement	\$ 500
CD16403.475 DSS Economic Opp & Dev. Cont.	CD16403.802 DSS Retirement	\$ 5,500
CD16403.804 DSS W/C	CD16403.802 DSS Retirement	\$ 1,000
CD16403.806 DSS Hosp/Med Ins	CD16403.802 DSS Retirement	\$12,500
CD16406.474 WIA D/W Vocational Training	CD16406.802 WIA D/W Retirement	\$ 1,500
CD16411.101 WIA Youth Participant Reg. Pay	CD16410.101 WIA Youth Staff Reg. Pay	\$ 3,500
CD16412.101 WIA RFP Reg. Pay	CD16410.101 WIA Youth Staff Reg. Pay	\$ 2,250
CD16406.474 WIA D/W Vocational Training	CD16410.802 WIA Youth Retirement	\$ 7,000
CD16406.474 WIA D/W Vocational Training	CD16410.803 WIA Youth FICA	\$ 2,000
CD16406.474 WIA D/W Vocational Training	CD16410.806 WIA Youth Hosp/Med. Ins	\$ 1,500
	TOTAL	\$50,520

Moved by: Mr. Jessup
Seconded by: Mr. LaForge

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

Resolution Intro. No. 165-14 (**AMENDING PARAGRAPH 2 OF RESOLUTION NO. 156-14 TO ACCEPT GRANT FUNDS FROM THE DIVISION OF CRIMINAL JUSTICE SERVICES FOR COMMUNITY SERVICE PROGRAM; APPROPRIATION TO ALTERNATIVES TO INCARCERATION ACCOUNTS**) was not pre-filed and was considered from the floor on a motion made by Legislator Healy, seconded by Legislator Fanton, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 163-14

AMENDING PARAGRAPH 2 OF RESOLUTION NO. 156-14 TO ACCEPT GRANT FUNDS FROM THE DIVISION OF CRIMINAL JUSTICE SERVICES FOR COMMUNITY SERVICE PROGRAM; APPROPRIATION TO ALTERNATIVES TO INCARCERATION ACCOUNTS

Offered by: Public Safety Committee

RESOLVED:

1. That paragraph "2" of Resolution No. 156-14 is hereby amended to state the following:

2. That the accepted sum of \$5,998 is appropriated to Account No. A3142.101 (ATI-Personnel), with a like sum credited to Revenue Account No. A3142.3310.00 (ATI-State Aid).

Moved by: Mr. Healy
Seconded by: Mr. Graves

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

AUDITS:

A motion was made by Legislator Hopkins, seconded by Legislator Graves, and carried, that the audits be acted upon collectively and by totals.

A motion was made by Legislator Hopkins, seconded by Legislator Pullen, and adopted on a roll call vote of 13 Ayes, 0 Noes, 2 Absent, that the audit of claims, totaling \$3,245,565.11, including prepaid expenses, be approved for payment as recommended by the County Administrator. (*Allegany County's Local Dollar Share of the NYS Medicaid Program paid year-to-date is \$7,147,882.*)

COMMENTS: Legislator Ungermann reminded everyone that the Cuba Garlic Festival was taking place on September 20 and 21. He remarked on how the festival has grown.

ADJOURNMENT: The meeting was adjourned at 2:45 p.m. on a motion made by Graves, seconded by Legislator Burt, and carried.

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

SEPTEMBER 25, 2014

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:07 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Navy Electrician's Mate 3rd Class Roland R. Kemp.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 14 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, David Decker, Dwight Fanton, Karl Graves, Dwight "Mike" Healy, Theodore Hopkins, Charles Jessup, Kevin LaForge, Timothy O'Grady, David Pullen, Debra Root, Norman Ungermann, Jr. Absent: Aaron McGraw

APPROVAL OF MINUTES:

The Board meeting minutes of September 8, 2014, were approved on a motion made by Legislator Graves, seconded by Legislator Root, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Roland P. Kemp, former United States Navy Electrician's Mate 3rd Class, in grateful appreciation of his service to our country. Mr. Kemp's service dates were from December 14, 1942, to February 14, 1946. Following Basic Training at Sampson Naval Base, New York, assignments included: Newport, Rhode Island, Miami, Florida, USS Reynolds and Tompkinsville, New York. Commendations he received included: Victory Medal, American Campaign Medal, Asiatic Pacific with eight stars (signifying eight Asiatic Pacific Battle Ribbons), and Philippine Liberation Medal with one star (signifying one Philippine Battle Ribbon). Mr. Kemp led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans' Honorary Pledge of Allegiance Program.

Chairman Crandall recognized County Planner Kier Dirlam for receiving a Planning Excellence Award for Comprehensive Planning given by the New York Upstate Chapter of the American Planning Association for Allegany County's Comprehensive Plan. Lee Gridley, Patience Regan, Charles Jessup were also in attendance for their part in putting together the Comprehensive Plan. Chairman Crandall remarked on what a great plan it is and how inexpensively it was done. The purpose of putting the plan together was to have a real working Comprehensive Plan. Mr. Dirlam remarked that what makes this award special is that it was presented by professional planners from across the state. They recognize that our area hasn't had much in the way of planning. Our County is now acting as a leader for the towns and villages in our area.

Chairman Crandall granted privilege of the floor to Allegany County Senior Foundation President Reita Sobeck-Lynch. The Allegany County Senior Foundation presented the County with a \$10,000 check for the Office for the Aging Meals-on-Wheels Program. Ms. Lynch remarked that the organization had raised over \$9,700 at this year's Swinging for the Oldies event. Chairman Crandall then presented a \$500 check to the Allegany County Senior Foundation from the Legislators. This money is non-tax dollars raised by the Legislators' through various fundraising activities including their annual Clambake.

Chairman Crandall granted privilege of the floor to Allegany County Supervising Public Health Educator Theresa Moore to talk about Lead Poisoning Prevention. Ms. Moore presented information regarding lead poisoning and how to protect children from it. Children should be tested at age one and again at age two. According to the information she presented, many children in Allegany County are not being tested at age one and even fewer are being tested at age two.

Chairman Crandall granted privilege of the floor to ACCORD Domestic Violence Program Manager Heather Frost to present information on Domestic Violence Awareness. She remarked that ACCORD has seen an increase in domestic violence calls recently and can't help but wonder if some of that increase is due to so much attention given to domestic violence in the media recently. Ms. Frost is glad that people are accessing ACCORD's services. She mentioned several events that are coming up including a Purple Ribbon Family Fun Day at the David A. Howe Library in Wellsville on Saturday, October 4. Additionally a skating event will be held in Wellsville on October 11; and October 15 has been designated as Wear Purple Day.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. October 2014 Calendar.
2. Pursuant to Article 11 of the Real Property Tax Law, County Treasurer Terri Ross filed a Certificate of Withdrawal for Delinquent Tax Liens for properties in the towns of Almond, Belfast, and Granger in the Clerk of the Board's Office on September 14, 2014.
3. Alfred State College Executive Director and Dean of the School of Applied Technology Dr. Craig Clark, PE, forwarded a proposal and maps of Alfred State's START-UP NY Plan.
4. Correspondence from Allegany County Cancer Services, Inc., thanking the Board for its recent donation.
5. An Agreement for the Sale of Forest Products between Allegany County and R.T. Chamberlain Logging and Trucking dated July 24 was filed in the Clerk of the Board's Office on September 9, 2014.

PROCLAMATION:

Chairman Crandall proclaimed October 2014 as Domestic Violence Awareness Month in Allegany County to recognize the important work done by domestic violence programs. He urges all citizens to actively participate in the scheduled activities and programs sponsored by the Allegany County Domestic Violence Consortium in order to work toward improving victim safety and hold perpetrators of domestic abuse accountable.

Chairman Crandall proclaimed September 23, 2014, as National Fall Prevention Awareness Day. His proclamation urges health and human service organizations to continue developing and evaluating strategies to prevent falls among older adults that will translate into effective fall prevention interventions; and urges all Allegany County residents to be aware of their risks for falls and to participate in available programs and services to increase independence, maintain quality of life, and secure their own personal health and well-being.

RESOLUTIONS:

RESOLUTION NO. 164-14

**DESIGNATING THE ALFRED SUN AS A SUBSTITUTE OFFICIAL NEWSPAPER FOR
THE WEEK OF OCTOBER 5, 2014, TO OCTOBER 11, 2014**

Offered by: Ways and Means Committee

WHEREAS, the Clerk of this Board was informed that the Cuba Patriot & Free Press, one of the official newspapers, will not be publishing on October 8, 2014, now, therefore, be it

RESOLVED:

1. Notwithstanding the provisions of Section 1. of Resolution No. 17-2014, the newspaper the Alfred Sun is designated as a substitute official newspaper to publish local laws, notices and other matters required by law to be published during the period of October 5, 2014, to October 11, 2014.

Moved by: Mr. Hopkins
Seconded by: Mr. Jessup

Adopted: Voice Vote

RESOLUTION NO. 165-14

**SETTING PER DIEM RATE OF PAY FOR THE 2015 CALENDAR YEAR FOR PRIMARY
ELECTIONS AND GENERAL ELECTIONS**

Offered by: Personnel Committee

RESOLVED:

1. That the 2015 per diem rate of pay for an Election Inspector is hereby set at \$37.50/day for Training, \$107.50/day for a Primary Election and \$172.00/day for a General Election.
2. That the 2015 per diem rate of pay for an Election Inspector/Coordinator is hereby set at \$132.50/day for a Primary Election and \$212.00/day for a General Election.
3. This resolution shall take effect immediately.

Moved by: Mr. O'Grady
Seconded by: Mr. Graves

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 165-14 included: Legislator Ungermann remarked that it appears to be increasingly difficult to get people to do this work. He suggested, "Maybe we should let this out to younger people, perhaps college kids." He added, "It's also my understanding that the day can't be split up between people. Days are long." Rick Hollis replied that he's reached out to the colleges and they don't respond. His concern with the younger population is that they aren't as focused on running the election. They are often distracted by their electronic devices.

RESOLUTION NO. 166-14

ACCEPTANCE OF INSURANCE PAYMENT FROM ERIE INSURANCE COMPANY AND APPROPRIATION OF FUNDS TO RISK RETENTION ACCOUNTS

Offered by: Ways and Means Committee

WHEREAS, a Public Works 2007 International Dump Truck (#3662) was involved in a motor vehicle accident on January 3, 2014, and

WHEREAS, Erie Insurance Company has tendered a check for \$500 representing the reimbursement of the deductible from the January 3, 2014, motor vehicle accident, now, therefore, be it

RESOLVED:

1. That the amount of \$500 from Erie Insurance Company, representing the reimbursement of a deductible from the January 3, 2014 motor vehicle accident involving a Public Works 2007 International Dump Truck (#3662), is accepted.
2. That the total sum of \$500 is appropriated to CS1931.429 (Risk Retention – Uninsured Property Loss) and a like sum credited to Revenue Account No. CS1930.2680.00 (Risk Retention – Insurance Recovery).

Moved by: Mr. Hopkins
Seconded by: Mr. Pullen

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 167-14

**ACCEPTANCE AND APPROPRIATION OF 2014 LETPP HOMELAND
SECURITY GRANT LE14-1006-D00**

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. The 2014 LETPP Homeland Security Grant LE14-1006-D00 in the amount of \$17,500 to purchase night vision equipment for the Tactical//ALERT Team is accepted.

2. That the amount of \$17,500 shall be placed in Appropriations Account A3646.210 (Homeland Security – Equipment Other) and a like sum shall be credited to Revenue Account A3646.3306.SH14 (State Aid – HS 2014 LETPP).

Moved by: Mr. Healy
Seconded by: Mr. Graves

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

(Memo: The contract number assigned to this project is #T969142)

RESOLUTION NO. 168-14

**ACCEPTING AND APPROPRIATING OFFICE OF JUSTICE PROGRAMS (OJP) GRANT
FUNDS FOR THE PURCHASE OF BODY ARMOR FOR THE SHERIFF'S OFFICE**

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That the Office of Justice Programs Federal Grant in the sum of \$7,983.91 to purchase new and/or replacement body armor (vests) for law enforcement is accepted.

2. That the sum of \$7,983.91 is appropriated to Account No. A3110.208 (Sheriff - Equipment) with a like sum credited to Revenue Account No. A3110.4316.00 (Sheriff – Bulletproof Vest Program).

Moved by: Mr. Healy
Seconded by: Mr. Graves

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 169-14

BUDGET ADJUSTMENTS IN THE COMMUNITY SERVICES ACCOUNTS

Offered by: Human Services and Ways and Means Committees

RESOLVED:

The following budget adjustments are requested:

Increase Revenue Account A4310.4490.00 (Federal Aid-MH Medicaid)	\$25,000
Increase Appropriation Account A4310.409 (Mental Health Admin-Fees)	\$25,000
Increase Revenue Account A4313.3490.1078 (Arbor Development)	\$25,278
Increase Appropriation Account A4313.456 (MH Contracts–Contractual)	\$25,278
Increase Revenue Account A4313.3490.175A (MH ARA Adult Care)	\$47,500
Increase Appropriation Account A4313.464A (MH Contracts–Contractual)	\$47,500

Moved by: Mr. LaForge
Seconded by: Mr. Fanton

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 170-14

TRANSFER OF FUNDS FROM THE CONTINGENCY ACCOUNT FOR PAYMENT OF INVOICES FOR E-911 DISPATCHER CERTIFICATES

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That the sum of \$8,077 is transferred from Account No. A1990.4 (Contingency) to Account No. A3112.421 (Dispatch-Education) to pay invoices for E-911 Dispatcher certifications.

Moved by: Mr. Healy
Seconded by: Mr. Graves

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 171-14

TRANSFER OF FUNDS WITHIN SHERIFF'S OFFICE ACCOUNTS

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That the sum of \$3,960 is transferred from Account No. A3150.447 (Public Safety - Medical) to Account No. A3170.447 (Other Correctional Agencies) to cover the costs of an inmate who needed to be sent to a mental health facility.

Moved by: Mr. Healy

Adopted: Roll Call

Seconded by: Mr. Decker

14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 172-14

**TRANSFER OF FUNDS FROM THE CONTINGENCY ACCOUNT TO COVER
UNANTICIPATED COSTS FOR REPAIRS TO THE JAIL SEPTIC SYSTEM**

Offered by: Public Works and Ways and Means Committees

RESOLVED:

1. That the sum of \$72,295 to cover unanticipated and emergency repairs at the Jail for the septic system and tile repairs is transferred from the Contingency Account A1990.4 to the following accounts:

Appropriation Accounts	Amount
A3152.404 (Public Safety Complex – Buildings & Grounds – Maint Contracts)	\$28,080
A3152.412 (Public Safety Complex – Buildings & Grounds – Contractual – Repairs, Real Prop)	
	<u>\$44,215</u>
	\$72,295

Moved by: Mr. Fanton
Seconded by: Mr. Decker

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 172-14 included: Legislator Ungermann remarked that this just points out the need to put in proper equipment and get hooked into the village sewer system as quickly as possible.

A motion was made by Legislator Graves, seconded by Legislator Healy, and carried to grant Legislator Burt permission to abstain from voting on Resolution No. 173-14 (Intro. No. 174-14) (APPROVAL OF AMENDMENT TO AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND KVR SERVICES LLC, AMENDING THE 2015 PRICE PER MEAL).

RESOLUTION NO. 173-14

**APPROVAL OF AMENDMENT TO AGREEMENT BETWEEN THE COUNTY OF
ALLEGANY AND KVR SERVICES LLC, AMENDING THE 2015 PRICE PER MEAL**

Offered by: Human Services Committee

WHEREAS, the original agreement between the County of Allegany and KVR Services LLC, approved by Resolution No. 94-2012 was previously amended by Resolution No. 195-2012 and Resolution No. 89-2014; and

WHEREAS, pursuant to Resolution No. 89-2014, which amended the original agreement, the per meal price established for January 1, 2014, to December 31, 2014, was increased to \$3.95 per meal; and

WHEREAS, that amended agreement provided a mechanism after 2013 to review meal prices prior to June 1 of each year for the following year and modify the per meal price if agreed to by both parties; and

WHEREAS, the Office for the Aging met with KVR Services LLC prior to June 1 of this year and agreed to modify the per meal price for the year 2015 from the original price of \$3.80 per meal to an amended price of \$4.00 per meal; and

WHEREAS, an amendment to the original agreement between the County of Allegany and KVR Services LLC increasing the per meal price for 2015 to \$4.00 needs to be approved effective January 1, 2015, now, therefore, be it

RESOLVED:

1. That the agreement between the County of Allegany and KVR SERVICES LLC, is hereby amended to increase the price per meal to \$4.00 from January 1, 2015, to December 31, 2015.

2. That the Director of the Allegany County Office for the Aging is authorized to execute the agreement amending the 2015 price per meal to \$4.00.

Moved by: Mr. LaForge
Seconded by: Mr. Pullen

Adopted: Roll Call
13 Ayes, 0 Noes, 1 Absent
1 Abstaining: Burt

RESOLUTION NO. 174-14

RESOLUTION APPROVING CONTRACT WITH NYSDOT FOR THE CAPITAL ASSISTANCE PROJECT SECTION 5311 2013-2014 CONSOLIDATED GRANT ASSISTANCE; ACCEPTANCE AND APPROPRIATION OF FUNDS

Offered by Ways and Means Committee

WHEREAS, the U. S. Department of Transportation is authorized to make grants to states through the Federal Transit Administration to support eligible projects under Section 5311 Capital Assistance Projects; and

WHEREAS, NYSDOT has been designated by the Governor of the State of New York to administer Section 5311 Federal funds for projects; and

WHEREAS, Allegany County will enter into contract with NYSDOT for the Capital Assistance Project Section 5311 2013-14 Consolidated Grant Assistance which authorizes the undertaking of the Project and payment of the Federal and State shares for the project; and

WHEREAS, Allegany County has fulfilled the FTA Coordinated Plan requirements that the project “must be derived from the project area Coordinated Plan”; now therefore, be it

RESOLVED:

1. That Allegany County does hereby authorize the Chair of this Board to sign any and all agreements on behalf of Allegany County with the State of New York for the above named Project; any and all agreements on behalf of Allegany County and any third party subcontractors necessary to complete the Project; and any and all Agreements on behalf of Allegany County and any vendor for the purchase and/or installation of vehicles and/or equipment or facilities.

2. That this Board hereby certifies through this Resolution that the estimated local share of \$48,480 is committed to this Project from contracted partners.

3. That the Federal share of this grant in the amount of \$387,840 and the State share in the amount of \$48,480 is accepted and combined with the local share of \$48,480, the total sum of \$484,800 is appropriated to Account No. A5630.469 (Bus Transportation-Cont.) with a like sum of \$484,800 credited to the following revenue accounts: \$387,840 to Account No. A5630.4589.00 (Federal Aid-Other Transportation); \$48,480 to Account No. A5630.3589.00 (State Aid-Other Transportation); \$48,480 to Account No. A5630.2300.00 (Transportation Services-Other Govt).

4. No budget adjustments are necessary for the 2013-2014 budget, all funds are allocated in the 2015 budget.

Moved by: Mr. Hopkins
Seconded by: Mr. Pullen

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 175-14

**APPROVAL OF LEASE BETWEEN DONALD BALDWIN AND COUNTY OF ALLEGANY
FOR PREMISES AT 3453B NYS ROUTE 417, WELLSVILLE, NEW YORK**

Offered by: Human Services and Ways and Means Committees

RESOLVED:

1. That the Lease between Donald Baldwin and the County of Allegany for the term October 1, 2014, through September 30, 2015, for premises located at 3453B NYS

Route 417, with a monthly rental rate of \$2,100 for use by the Allegany County Department of Health WIC/Cancer Services, is approved.

2. That the Chairman of this Board is authorized to execute said Lease.

Moved by: Mr. LaForge
Seconded by: Mr. Graves

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 175-14 included: Legislator Burt remarked that he had viewed the facility and was surprised to find that they service 1,300 clients there. He is concerned about the location of the facility, and suggests they actively look for a location closer to downtown so clients are able to walk to the facility.

RESOLUTION NO. 176-14

APPROVAL OF THE 2015 ALLEGANY COUNTY PLAN UNDER COUNTY SPECIAL TRAFFIC OPTIONS PROGRAM FOR DRIVING WHILE INTOXICATED; AUTHORIZING STOP-DWI COORDINATOR TO ENTER INTO AGREEMENTS FOR SERVICES

Offered by: Public Safety and Ways and Means Committees

Pursuant to Vehicle and Traffic Law § 1197

RESOLVED:

1. That the Allegany County 2015 STOP-DWI Plan is approved.
2. Authorization for the Chairman of the Board to sign the Allegany County 2015 STOP-DWI Plan.
3. That the STOP-DWI Coordinator is authorized to enter into agreements with Towns and Villages who wish to participate in the STOP-DWI Program; all such agreements to be in accordance with the approved Plan.

Moved by: Mr. Healy
Seconded by: Mr. Fanton

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

AUDITS:

A motion was made by Legislator Hopkins, seconded by Legislator Healy, and carried, that the audits be acted upon collectively and by totals.

A motion was made by Legislator Hopkins, seconded by Legislator Root, and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims, totaling \$3,294,372.16, including prepaid expenses, be approved for payment as recommended by the County Administrator. (*Allegany County's Local Dollar Share of the NYS Medicaid Program paid year-to-date is \$7,727,440.*)

COMMENTS:

Legislator Burt stated that there would be a County-wide museum tour on October 4. All twelve museums in the County will be open, and he hopes it will become a large event.

Legislator Ungermann commented on the first Farmer Neighbor dinner which had been held September 24. He noted that it was fairly well attended, but would like to see the cheese plants and larger farms represented. He also mentioned that the Cuba Garlic Festival had a good attendance. The attendance at the opening ceremony on Saturday was the largest they had had. Even though the rains on Sunday kept attendance lower, it was a successful event.

Legislator Pullen stated that the Kerr-Pegula Athletic Complex would be dedicated during a ceremony on October 4, 2014, during Homecoming Weekend celebrations at Houghton College.

Legislator Root remarked that there will be an Alfred State Alumni Event at the David A. Howe Library in Wellsville on Friday, October 3.

Chairman Crandall reminded those in attendance of the 2nd Annual Chris Eldridge Firemen's and Emergency Expo that will be held at the Riverwalk Plaza in Wellsville on October 4. He remarked that there was a lot going on around the County.

ADJOURNMENT: The meeting was adjourned at 3:08 p.m. on a motion made by Legislator Graves, seconded by Legislator Root, and carried.

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

OCTOBER 14, 2014

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:09 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Army Specialist Fifth Class Douglas J. Tuttle.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 14 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, David Decker, Dwight Fanton, Karl Graves, Dwight "Mike" Healy, Theodore Hopkins, Charles Jessup, Kevin LaForge, Aaron McGraw, David Pullen, Debra Root, Norman Ungermann, Jr. Absent: Timothy O'Grady

APPROVAL OF MINUTES:

The Board meeting minutes of September 25, 2014, were approved on a motion made by Legislator Graves, seconded by Legislator Root, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Douglas J. Tuttle, former United States Army Specialist Fifth Class, in grateful appreciation of his service to our country. Mr. Tuttle's service dates were from February 16, 1966, to February 15, 1968. Following Basic Training at Fort Leonard Wood, MO, assignments included: Vietnam and Fort Mead, MD. Commendations he received included: Meritorious Service Medal, National Defense Medal, Vietnam Campaign Medal, Vietnam Service Medal, Army Accommodation Medal, Good Conduct Medal, Combat Infantry Badge, Marksmanship Badge, and Overseas Ribbon. Mr. Tuttle led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans' Honorary Pledge of Allegiance Program.

Health Department Director of Patient Services Laurie Hennessy addressed those in attendance about Breast Cancer Awareness Month. She indicated that one in eight women will be diagnosed with breast cancer in their lifetime. The best way to overcome breast cancer is through early detection and prevention. She reminded everyone that Allegany County Cancer Services offers free screenings. Additionally, she asked everyone to wear pink on Thursday for breast cancer awareness.

County Treasurer Terri Ross reminded the audience of the 27th Annual Allegany Artisans Tour which was being held October 18 and 19. She remarked that the tour consists of 46 artists in 39 studios.

ON THE DESKS:

1. 2015 Tentative County Budget filed on September 29, 2014.
2. Report of Intrafund Transfers Approved by the County Administrator in September.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Pursuant to Article 11 of the Real Property Tax Law, County Treasurer Terri Ross filed a Certificate of Withdrawal for Delinquent Tax Liens for properties in the town of Alma in the Clerk of the Board's Office on October 1, 2014.
2. County Treasurer Ross filed a copy of Allegany County's Financial Statements as of December 31, 2013, audited by EFP Rotenberg in the Clerk of the Board's Office on October 6, 2014.
3. Notice of next InterCounty Association meeting to be hosted by Livingston County on October 17 at the Wadsworth Homestead in Geneseo.
4. Correspondence from Allegany County Cancer Services, Inc. thanking the Board for its donation in memory of former Legislator Glenn Benson.
5. Correspondence from the Allegany Senior Foundation thanking the Board for its donation.
6. Reminder that the annual Farm Bureau dinner is at Moonwinks on October 15.
7. Correspondence from former Legislator Glenn Benson's family thanking the Board for its donation to the Allegany County Cancer Services in memory of Mr. Benson.

PROCLAMATION:

Chairman Curtis W. Crandall proclaimed October, as Breast Cancer Awareness Month in Allegany County.

Chairman Curtis W. Crandall proclaimed October 25, 2014, as Make a Difference Day in Allegany County.

INTRODUCTION OF LEGISLATION:

Legislator Hopkins introduced Local Law Intro. No. 1-2014, Print No. 1, entitled "A LOCAL LAW TO PROVIDE INCREASES IN THE COMPENSATION OF CERTAIN COUNTY OFFICERS," a copy of said proposed Local Law having been placed on each Legislator's desk.

RESOLUTIONS:

RESOLUTION NO. 177-14

RESOLUTION SETTING DATE OF PUBLIC HEARING ON 2015 COUNTY TENTATIVE BUDGET AND PROVIDING CONTENTS OF SUCH NOTICE

Offered by: Ways and Means Committee

WHEREAS, the 2015 County Tentative Budget has been presented to this Board together with a copy of the proposed appropriation resolution, and

WHEREAS, it is necessary to hold a public hearing on the Budget before any further action can be taken on the Budget and on the appropriation resolution, and

WHEREAS, it is necessary to provide notice to the public of such public hearing and to also include in such notice or in a separate notice published in the same manner and at the same time as such notice of public hearing, a statement of the maximum salary that may be fixed and payable during the year 2015 to the members of the County Board of Legislators and to its officers, now, therefore, be it

RESOLVED:

1. That a public hearing on the 2015 County Tentative Budget shall be held in the Legislators' Chambers, Room 221, at the County Office Building, 7 Court Street, Belmont, New York, at 7:00 p.m. on November 6, 2014.

2. That the notice of public hearing shall include a statement that the 2015 maximum salary for members of the Board of Legislators and the maximum salary that may be fixed and payable during said fiscal year 2015 to the Majority Leader, Minority Leader and Board Chairman, are as follows:

Members of the Board of Legislators	\$8,500. annual
Chairman of the Board of Legislators	\$8,500. annual
Majority Leader of Board	\$300. annual
Minority Leader of Board	\$300. annual

Moved by: Mr. Hopkins
Seconded by: Mr. Fanton

Adopted: Voice Vote

Comments made regarding Resolution No. 177-14 included: Legislator Burt asked for clarification that these salary amounts had not changed. Chairman Crandall indicated that the amounts had not changed, and that this resolution is to set the date of the public hearing.

RESOLUTION NO. 178-14

RESOLUTION SETTING DATE OF PUBLIC HEARING ON A LOCAL LAW TO PROVIDE INCREASES IN THE COMPENSATION OF CERTAIN COUNTY OFFICERS

Offered by: Ways and Means Committee

WHEREAS, on this 14th day of October, 2014, a local law (Intro. No. 1-2014, Print No. 1) was introduced to provide increases in the compensation of certain county officers, and

WHEREAS, it will be necessary to set a date for public hearing on said proposed local law, now, therefore, be it

RESOLVED:

1. That a public hearing shall be held on October 27, 2014, at 2:00 p.m. in the County Legislators' Chambers, Room 221, County Office Building, 7 Court Street, Belmont, New York, before the Allegany County Board of Legislators, in relation to proposed Local Law Intro. No. 1-2014, Print No. 1.

2. That the Clerk of the Board of Legislators is directed to prepare, with the assistance of the County Attorney, a notice of said public hearing, to cause the publication of a copy of said notice in each of the two newspapers which have been officially designated by this Board to publish "notices," and to affix a copy of said notice on the County bulletin board in the County Courthouse at Belmont, New York; both publication and posting to be made at least five days before the public hearing.

Moved by: Mr. Hopkins
Seconded by: Mr. Curran

Adopted: Voice Vote

Comments made regarding Resolution No. 61-14 included: Legislator Burt indicated that he had received some calls from constituents who are concerned about this. According to Legislator Burt, some feel that elected officials salaries should not change while serving their term of office. Legislator Burt encouraged those people to come to the public hearing to voice their concerns.

RESOLUTION NO. 179-14

APPROVAL OF BOARD CHAIRMAN'S APPOINTMENT OF CHARLES O. JESSUP TO SOUTHERN TIER WEST REGIONAL PLANNING AND DEVELOPMENT BOARD

Offered by: Planning and Economic Development Committee

Pursuant to Resolution No. 35-68, as amended by Resolution No. 93-75

RESOLVED:

1. That the appointment by the Chairman of this Board of Charles O. Jessup of Alfred Station, New York, to fill a vacant three-year term, as a member of the Southern Tier West Regional Planning and Development Board, with term of office commencing August 25, 2014, and expiring May 31, 2017, is approved.

A motion was made by Legislator Graves, seconded by Legislator Curran, and carried to grant Legislator Jessup permission to abstain from voting on Resolution No. 179-14 (Intro. No. 180-14) (APPROVAL OF BOARD CHAIRMAN'S APPOINTMENT OF CHARLES O. JESSUP TO SOUTHERN TIER WEST REGIONAL PLANNING AND DEVELOPMENT BOARD).

Moved by: Mr. LaForge
Seconded by: Mr. Pullen

Adopted: Voice Vote

RESOLUTION NO. 180-14

AUTHORIZING THE PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE OF THE COUNTY BOARD OF LEGISLATORS TO ACT AS TOURIST PROMOTION AGENCY AND TO APPLY FOR STATE FUNDS FOR TOURISM PROMOTION PURPOSES

Offered by: Planning & Economic Development

Pursuant to Article 5-A of the Economic Development Law

RESOLVED:

1. That the Planning & Economic Development Committee of this County Board of Legislators is authorized to act as a tourist promotion agency and to apply for state funds up to \$220,000 for tourism promotion purposes.

2. That if the application for the funding is approved, such Committee, or its designee, shall submit the grant agreement to this Board for approval and appropriation of such funds prior to commencing any work pursuant to the terms of the grant agreement or expending any of such funds.

3. That the Clerk of this Board is directed to send a certified copy of this resolution to the New York State Commissioner of Economic Development.

Moved by: Mr. Jessup
Seconded by: Mr. Healy

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 180-14 included: Legislator Burt mentioned that he had made a comment in the committee meeting regarding the funding for this. He wanted to clarify that the County was not going to be matching \$220,000 for this.

RESOLUTION NO. 181-14

CANCELLATION OF 2012 AND 2013 DELINQUENT TAX LIENS AND DETERMINATION OF NO PRACTICAL METHOD TO ENFORCE DELINQUENT TAX LIENS ARISING THEREAFTER AND DIRECTING COUNTY TREASURER TO ISSUE A CERTIFICATE OF CANCELLATION AND A CERTIFICATE OF PROSPECTIVE CANCELLATION, IN RELATION TO A CERTAIN TAX PARCEL

Offered by: Ways and Means Committee

WHEREAS, the County Treasurer has withdrawn a certain parcel of real property from a foreclosure proceeding under Article 11 of the Real Property Tax Law for the reason that the tax on such parcel has been canceled or is subject to cancellation pursuant to Section 558 of the Real Property Tax Law, and

WHEREAS, the Ways and Means Committee recommends that this Board determine that there is no practical method to enforce the collection of the 2012 and 2013 delinquent tax liens and those liens arising thereafter and that supplementary proceedings to enforce the collection of such existing taxes would not be effective against such parcel, now, therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators does determine that there is no practical method to enforce the collection of the 2012 and 2013 delinquent tax liens and that supplementary proceedings to enforce the collection of such taxes would not be effective, against the following parcel:

<u>Town</u>	<u>Owner</u>	<u>Tax Map Number</u>	<u>Serial Number</u>
Alma	Allegany County	262.-1-15.2	12-77 and 13-66

and that such delinquent tax liens are cancelled.

2. That the Allegany County Board of Legislators does determine that there is no practical method to enforce the collection of delinquent tax liens arising thereafter against such parcel.

3. That the County Treasurer, as enforcing officer, is directed to issue a certificate of cancellation for such parcel and to file a copy of such certificate in the County Clerk's Office and a certificate of prospective cancellation for such parcel and to file a copy of such certificate with the assessor of the assessing unit in which such parcel is located and with the County Director of Real Property Tax Services.

4. That upon such respective filings the parcel shall thereby become exempt from taxation and shall remain exempt until the Allegany County Board of Legislators determines that such parcel should be restored to the taxable portion of the assessment roll.

5. That the Clerk of this Board is directed to file a copy of this resolution with the Allegany County Treasurer as enforcement officer.

Moved by: Mr. Hopkins
Seconded by: Mr. Fanton

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 182-14

APPROVAL OF AN AGREEMENT WITH IOC SERVICES, LLC FOR ECONOMIC DEVELOPMENT CONSULTING SERVICES

Offered by: Planning & Economic Development and Ways & Means Committees

WHEREAS, this Board deems it to be in the best interest of Allegany County residents to promote economic development within Allegany County, and

WHEREAS, this Board believes that the coordination of public and private resources devoted to economic development will greatly assist in this process, and

WHEREAS, this Board has considered a proposal from IOC Services, LLC to serve as a coordinator of economic development efforts amongst the various public and private agencies involved in economic development work, and

WHEREAS, this Board is satisfied that Jack Wood, the individual who will provide these services through IOC Services, LLC, is well qualified for this work, now therefore, be it

RESOLVED:

1. That the agreement with IOC Services, LLC to provide economic development consulting services at an annualized cost of \$36,000 is approved.

2. That the Chairman of this Board is authorized to execute the agreement.

3. That the sum of \$10,000 is transferred from Account No. A1990.429 (Contingency) as follows: \$9,000 to Account No. A6432.474 (Economic Development Consulting) and \$1,000 to Account No. A6432.475 (Economic Development Consulting-Travel).

Moved by: Mr. Jessup
Seconded by: Mr. Healy

Adopted: Roll Call
13 Ayes, 1 Noes, 1 Absent
Voting No: Burt

Comments made regarding Resolution No. 182-14 included:

Legislator Burt remarked that he believes the County is truly fortunate to have Mr. Wood and that he's a bargain at any price. Legislator Burt also stated that he agrees with the organizational change. He does, however, disagree with the procedure. Legislator Burt stated that it looks like both the Planning & Economic Development and the Ways and Means Committees agreed to this. He said that when this was voted on in Planning & Development, there were blanks for the dollar amounts. He believed it would come back to Planning & Economic Development after the amounts were filled in. He stated that he didn't get a chance to approve the amount of \$36,000. He was thinking it would be around \$17,000. Legislator Burt feels we can't compare our salaries to other counties because we are always lower. He also questioned if this was a complete restructure because the current system is not working? He feels we should be looking at the duties of the current Director of Development, and questioned if we need to look at reducing his salary. Legislator Burt stated that he was 100 percent behind Mr. Wood, but because of the procedure, he would be voting "no."

Legislator Hopkins remarked that he views this contract and the new chart of duties as an expansion of economic development rather than a restructuring of what we're already doing. He indicated that this was their solution to increasing efforts for economic development.

Legislator Ungermann stated that he agreed with Legislator Burt. He feels they need to look at the salary picture as a whole. He stated that he believes they've found a good person for this, and for a reasonable price. He doesn't feel the County is getting much for what we're spending currently. He indicated that he would be supporting this.

Legislator Pullen voiced his support of Mr. Wood, and the work he's been doing. He remarked that he was impressed with Mr. Wood's energy and enthusiasm. He mentioned the great deal of work that Mr. Wood had done already with no compensation. Legislator Pullen urged support of this resolution saying, "The only way we are going to get out of some of our problems is to grow through economic development."

AUDITS:

A motion was made by Legislator Hopkins, seconded by Legislator Graves, and carried, that the audits be acted upon collectively and by totals.

A motion was made by Legislator Hopkins, seconded by Legislator Fanton, and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims, totaling \$2,933,237.39, including prepaid expenses, be approved for payment as recommended by the County Administrator. (*Allegany County's Local Dollar Share of the NYS Medicaid Program paid year-to-date is \$8,113,812.*)

COMMENTS:

Legislator Pullen mentioned that he had received a tax relief check from New York State. The check was for \$11. He indicated that most of the relief money was going to New York City. He remarked that it was another instance of the State doing something we should be thankful for, but that Upstate New York was getting the short end, while Downstate gets the money.

ADJOURNMENT: The meeting was adjourned at 2:47 p.m. on a motion made by Legislator Graves, seconded by Legislator Root, and carried.

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

OCTOBER 27, 2014

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:03 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Army Staff Sergeant Leroy G. Goodliff.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 15 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, David Decker, Dwight Fanton, Karl Graves, Dwight "Mike" Healy, Theodore Hopkins, Charles Jessup, Kevin LaForge, Aaron McGraw, Timothy O'Grady, David Pullen, Debra Root, Norman Ungermann, Jr.

PUBLIC HEARING:

Chairman Crandall closed the regular meeting to hold a public hearing on Local Law Intro. No. 1-2014, entitled "A Local Law to Provide Increases in the Compensation of Certain County Officers." There being no one desiring to speak, the public hearing was declared closed and the Board reconvened in regular session.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Leroy G. Goodliff, former United States Army Staff Sergeant, in grateful appreciation of his service to our country. Mr. Goodliff's active duty service dates were from June 1964 to June 1966. Following Basic Training at Fort Dix, NJ, assignments included: Vietnam and Fort Wolters, TX. Mr. Goodliff also served in the Army Reserves from 1970-1980. Commendations he received included: Vietnam Service Medal, Vietnam Campaign Medal, Vietnam Gallantry Cross with Palm Medal, Good Conduct Medal, Expert Rifle M-14, and (2) New York State Medals. Mr. Goodliff led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans' Honorary Pledge of Allegiance Program.

Chairman Curtis W. Crandall invited County Treasurer Terri Ross to come forward to be commended, along with the Board and others involved, for the recent savings achieved through a bond refinancing. He started by saying, "We're here to toot the County's horn." Allegany County in recent years has improved its financial position. This is the fifth year in a row the property tax rates have gone down. During this time we have maintained a fund balance. Standard and Poor's has recognized us for these achievements. They've increased our bond rating to an A+. We were looking to refinance the bond for the Jail Project. The County Treasurer and our financial advisors thought it was a good time to look at refinancing that bond. This refinancing achieved a savings to the County of a little over

\$1.1 million. He said, "I want to personally thank this Board and our County Treasurer in helping us to improve our financial position, and to have us recognized by Standard and Poor's, and to save the taxpayers money. Thank you Terri for what you've done as County Treasurer." Ms. Ross stated she estimated savings would be between \$600-700 thousand, so she was pleased when we sold them and found out it was \$1.1 million. She remarked, "I was one happy Treasurer. Thank you, Legislators for your support in that. This is huge." Chairman Crandall mentioned the bond for the Court Facility, saying that he hopes they will be able to look at that in a year or two. Ms. Ross echoed his statement. Chairman Crandall noted that \$800,000 was saved in the initial financing of the Court Facility because of the County's positive rating. He said, "Maintaining our fund balance and having a thumb on our finances has made a difference for our taxpayers."

Allegany Area Foundation Executive Director Denis Dahlgren and Foundation President Carolyn Miller addressed the Board. Ms. Miller remarked that there's nothing like hearing that Allegany County is the poorest county in the state. We are certainly wealthy in the things that money can't buy. However, money is necessary to fund some programs. Scholarships and grants are given out to those in our communities. She thanked the Board for its donation. Mr. Dahlgren stated that the process for handling scholarship applications has changed. With an online application process, they have more than doubled the number of scholarship applications. He noted that last year the Foundation awarded \$239,000 in scholarships to eighty-seven recipients all over Allegany County. He also mentioned the fundraising event held this past Friday at the VFW in Cuba. The Foundation had a trivia contest. Chairman Crandall, who had participated in the event, remarked that his team had come in second place by one point. He presented the Foundation with a check for \$500. (The money presented to the Foundation was raised through fundraising efforts of the Legislators' Clambake.) Chairman Crandall noted that the Board truly believes in what the Foundation is doing. This money stays in Allegany County and benefits Allegany County.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. November 2014 Calendar.
2. Invitation to attend the Cornell University Cooperative Extension Allegany-Cattaraugus Annual Meeting on Thursday, November 6. RSVP needed by October 28, 2014.
3. Invitation to attend Alfred University's Symposium on Sustainable Business on Friday, November 7.
4. Correspondence from Senator Catharine Young notifying us that the Western New York Children's Psychiatric Center (WNYCPC) in West Seneca will remain open for the next fiscal year.

RESOLUTIONS:

RESOLUTION NO. 183-14

REAPPOINTMENT OF ELECTIONS COMMISSIONER

Offered by: Personnel Committee

Pursuant to Election Law §§ 3-202, 3-204

WHEREAS, the Chairman of the Allegany County Democratic Committee has filed with the Clerk of this Board, a certificate in accordance with Election Law § 3-204 that recommends the reappointment of Michael McCormick to the Office of Commissioner of Elections, and

WHEREAS, the Personnel Committee has determined that Michael McCormick is qualified to hold such office, now, therefore, be it

RESOLVED:

1. That Michael McCormick is appointed Commissioner of Elections with term of office commencing January 1, 2015, and expiring December 31, 2018.

Moved by: Mr. O'Grady
Seconded by: Mr. Graves

Adopted: Voice Vote

RESOLUTION NO. 184-14

ACCEPTANCE OF INSURANCE PAYMENT FROM NYMIR AND APPROPRIATION OF FUNDS TO RISK RETENTION ACCOUNTS

Offered by: Ways and Means Committee

WHEREAS, a check in the amount of \$784.98 representing the settlement, less a \$500 deductible, to replace parts from a 1983 John Deere Tractor that were stolen on or around September 11, 2014, has been received from NYMIR (New York Municipal Insurance Reciprocal) in settlement of such loss, now, therefore, be it

RESOLVED:

1. That the amount of \$784.98 received from NYMIR representing the settlement, less a \$500 deductible, for replacement cost for parts from a 1983 John Deere Tractor that were stolen, is accepted.

2. That the total sum of \$784.98 is appropriated to Account No. CS1931.429 (Risk Retention – Uninsured Property Loss) with a like sum credited to Revenue Account No. CS1930.2680.00 (Risk Retention – Insurance Recovery).

Moved by: Mr. Hopkins
Seconded by: Mr. Fanton

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 185-14

**TRANSFER OF FUNDS WITHIN HEALTH DEPARTMENT ACCOUNTS FOR THE
PURCHASE OF AN AED DEVICE**

Offered by: Human Services Committee

RESOLVED:

1. That the sum of \$1,750 is transferred from Account No. A4010.456 (Health-Contracts) to Account No. A4010.206 (Health-Equipment) to fund the purchase of an automated external defibrillator (AED) device.

Moved by: Mr. LaForge
Seconded by: Mrs. Root

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 131-14 included: Legislator Burt remarked that he was not a proponent of spending money foolishly, but he couldn't believe the Office for the Aging did not have a defibrillator. He added that this is something they would be able to take to various events throughout the County. He stated that he strongly supports the resolution. Legislator Pullen agreed with Legislator Burt and offered his support of the resolution. Legislator Root remarked that her own son had benefited from having an AED available when he needed it.

RESOLUTION NO. 186-14

**TRANSFER OF FUNDS WITHIN COUNTY ATTORNEY ACCOUNTS FOR THE
PURCHASE OF AN OFFICE CHAIR**

Offered by: Ways and Means Committee

RESOLVED:

1. That the sum of \$244 is transferred from Account No. A1420.407 (County Attorney-Books & Supplies) to Account No. A1420.201 (County Attorney-Office Equipment) to fund the purchase of a new office chair.

Moved by: Mr. Hopkins
Seconded by: Mr. Pullen

Adopted: Roll Call
12 Ayes, 3 Noes, 0 Absent
Voting No: Burt, Decker, Ungermann

Comments made regarding Resolution No. 186-14 included: Legislator Burt stated that he was not a proponent of spending money. He had visited the old Jail floor before the meeting and noted that there were several chairs available for use that he thought could accommodate the secretary. Legislator Decker agreed with Legislator Burt saying, "We've got other things to worry about other than getting a chair." He feels the chairs upstairs should be utilized. Legislator Graves asked the County Attorney to explain the need for a new chair. Mr. Miner explained that his new secretary is tall and the available chairs did not work for her. Legislator Burt replied that he is 6 feet tall and they fit him just fine.

RESOLUTION NO. 187-14

ACCEPTANCE AND APPROPRIATION OF THE HOMELAND SECURITY CONTRACT #C969140 FROM THE OFFICE OF HOMELAND SECURITY

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That funds in the amount of \$52,500 from the Office of Homeland Security Contract #C969140, (Project # SH14-1002-D00 SHSP), for initial Contract period September 1, 2014, to August 31, 2016, are accepted and appropriated as follows:

Expenses: (\$52,500)

A3647.207	Public Safety Contract (Help Purchase GIS Aerial photography package of Allegany County to update 2006 version)	\$41,500
A3647.207	Public Safety Contract (Personal Protective Equipment (PPE) for Deputy Fire Coordinators)	\$10,000
A3647.447	Public Safety Contract (PDA Sustainment of Connectivity Plan for Emergency Management)	\$1,000

Revenues: (\$52,500)

A3647.3306.EM14	ST AID – HS FY2014 SHSP Grant #C969140	\$52,500
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Moved by: Mr. Healy
Seconded by: Mr. Fanton

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 187-14 included: Legislator Burt questioned the need for this with today's technology, including cell phones and GPS. Legislator Healy asked

Jeff Luckey, Director of Emergency Services, to explain what this contract was for. Mr. Luckey stated that GIS is used by numerous departments and that this contract would allow them two years to make the purchase. Legislator Burt asked what “help purchase” meant as far as County funds. Mr. Luckey said that he was in the process of looking for other grants to help fund the purchase. He noted that the cost is constantly changing and has been decreasing as there is more competition. GIS is used to make comparisons in our geography as it changes over the years. 911 uses it to look at facilities when responding to emergencies to familiarize themselves. Chairman Crandall added that this is grant money coming into the County, and Mr. Luckey is putting in options that would fit under this grant. He said that other departments could look to see what else is out there for grants. Legislator Healy remarked that he was in favor of getting all the grant money we can.

RESOLUTION NO. 188-14

**RESOLUTION APPROVING THE CONTRACT AND ACCEPTING FUNDS FOR FFY 2014
LOCAL EMERGENCY MANAGEMENT PLANNING GRANT FROM NEW YORK STATE
EMERGENCY MANAGEMENT OFFICE**

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That the contract and acceptance of funds from New York State Emergency Management Office Grant in the amount of \$23,472 for FFY 2014 (Oct 2013 – Sept 2015) to offset operational costs within the Office of Emergency Management are approved.
2. That the Chairman of this Board is authorized to execute the contract.

Moved by: Mr. Healy
Seconded by: Mr. Graves

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 188-14 included: Legislator Burt asked the County Administrator to explain the contract. Mr. Alger explained that the local share (matching funds) were in the form of wages, time and effort. It would not be anything in addition to what is already budgeted. Mr. Luckey explained that the County has to commit \$23,000 in wages and this is something that was set up years ago. Once they approve the work, they refund the wages.

RESOLUTION NO. 189-14

**APPROVAL OF AN AGREEMENT WITH CONXX INC., FOR PROFESSIONAL SERVICES
COMPRISING THE DESIGN-BUILD PORTION OF ALLEGANY COUNTY’S E-911
MICROWAVE BACKBONE**

Offered by: Facilities and Communications Committee

WHEREAS, by Resolution No. 104-2014, this Board had previously approved the acceptance and appropriation of a grant in the amount of \$5,951,039 from the Statewide Interoperable Communication Grant fund to assist in necessary upgrades to the County's E-911 system; and

WHEREAS, for purposes of assessing the needs and recommended solutions for upgrades to the E-911 system, the County had previously engaged the services of CONXX, Inc. (CONXX); and

WHEREAS, prior to the award of such grant, the County had entered into a professional services agreement with CONXX for purposes of developing a design-build proposal for a separately funded wireless broadband project; and

WHEREAS, CONXX was chosen to develop such proposal due to the specialized nature of the broadband project and CONXX's track record and unique expertise in developing state of the art wireless broadband projects, and

WHEREAS, part of that unique expertise is the use of specialized proprietary software coupled with the integration and configuration of state-of-the-art hardware to facilitate advanced wireless radio communications appropriate to the specific topography of the region served, and

WHEREAS, the same unique expertise CONXX brings to bear on the wireless broadband project is also necessary to the successful upgrade of the County's E-911 system; and

WHEREAS, development of the County's wireless broadband system will involve much of the same infrastructure put in place as part of the necessary upgrades to the County's E-911 system; and

WHEREAS, in order to maximize the synergy between each of these systems and due to the specialized technical nature of each, CONXX has proposed a design-build project for the County's E-911 system that will complement the proposed wireless broadband system, now therefore, be it

RESOLVED:

1. This Board hereby finds that the proposed design-build services of CONXX, Inc. constitute an integrated professional service due to the unique nature of the project and the highly technical and specialized work involved in upgrading the County's E-911 system in conjunction with the development of a wireless broadband system.
2. This Board further finds that given the nature of the proposed work, it is neither feasible nor in the County's best interest to solicit sealed bids or additional proposals for professional services since this is a highly technical project which is unique to its surroundings and best served through the use of professional services that integrate

the acquisition, installation and configuration of specialized hardware and software into a public safety system.

3. This Board, having thoroughly reviewed and considered the proposal of CONXX, Inc. entailing the engineering, acquisition, installation and configuration of hardware and software so as to provide microwave backbone hops between existing and proposed new towers for the sum of \$1,360,187, does hereby approve such proposal and authorizes the entry into an agreement with CONXX, Inc. along the terms of such proposal.

4. That the Chairman of this Board is authorized to execute said agreement.

Moved by: Mr. Pullen
Seconded by: Ms. Root

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 189-14 included: Legislator Ungermann stated that he wanted to caution everyone that, "...we had this issue before when we switched to high-band, and it didn't work. Our only ace in the hole was not to pay them. Keep this in mind; we shouldn't pay them until it works properly. When the Jail was constructed, it took longer than expected and they wanted more money. Let's hold the money until it does work." Legislator Pullen noted that he was the Chairman of the committee this project went through. He stated that he believes CONXX has unparalleled experience. We have not moved hastily. This is quite sophisticated and is the preferred method to approach this. He feels confident we are going to have a successful outcome, providing service to Public Safety as well as many residents in Allegany County. He strongly urged his fellow Legislators to support the resolution. Chairman Crandall gave Sheriff Whitney an opportunity to address the Board. Sheriff Whitney read the following press release which was prepared by Sheriff Whitney and Lt. Dan Hanchett.

"The Allegany County Sheriff's Office 911 Division is proud to announce the beginning steps of the \$5.9 Million radio upgrade project with the contractual award to CONXX, Inc. of Cumberland, Maryland. CONXX, Inc. is a network provider that is dedicated to helping people become more connected. They work with communities to develop comprehensive network solutions for use in government, education, public safety, business and residential settings. CONXX provides the experience, tools, and technology needed to deploy carrier-grade backbone architecture with best-of-breed wireless last-mile technology. There are many elements that go into creating a multipurpose network in any community including designing, installing, managing, monitoring, upgrading, and expanding to multipurpose networks.

"The first phase of the project will consist of the installation of a 1GB IP based microwave connection between all of the existing 911 towers. The second phase will be the design, construction and equipping of the anticipated additional 911 towers throughout Allegany County in the next 12 to 18 months.

'The technology being used will allow for a more robust, reliable, and redundant Emergency Services Radio System and will also provide a substantial increase to the current One Million Dollar Broad Band project. The equipment, system design and technology used in the Radio System will work hand in hand with the broad band initiative to allow a much greater ability for Allegany County to soon provide internet access to schools, businesses and to the general public, through private last mile providers. This will be accomplished by creating multi-purpose, multi-tenant networks that will allow Allegany County to get the most out of the \$5.9 Million grant. This means that Allegany County can place public safety, commercial, and residential traffic on the same network while keeping each group's communications secure and separate from other user groups.

'The unexpected timing of these two grants working in conjunction with one another has been one of the most economically beneficial and technologically progressive opportunities for Allegany County Emergency Services, businesses, and the public in recent memory. The ability for Allegany County to provide a radio communication system with such a strong backbone and at the same time to provide internet access where there currently is none, puts Allegany County on a path towards the future, rather than lagging behind those around us.'

Legislator Healy remarked that while attending the NYSAC conference in September, 911 communications were discussed. He became aware that Allegany County is far ahead of many counties in New York State. He feels this will help with economic development in our County as well. Legislator Healy offered his support of the resolution.

RESOLUTION NO. 190-14

APPROVAL OF RENEWAL AGREEMENT BETWEEN THE NEW YORK STATE UNIFIED COURT SYSTEM (CONTRACT #C300351) AND COUNTY OF ALLEGANY FOR SFY 2014-2015 MAINTENANCE AND OPERATION OF COURT FACILITIES

Offered by: Public Works Committee

RESOLVED:

1. That the Renewal Agreement between the New York State Unified Court System and County of Allegany, in relation to cleaning services for the interior of the Allegany County Courthouse as well as minor and emergency repairs to that facility for the period April 1, 2014, to March 31, 2015, is approved.

2. That the Chairman of this Board is authorized to execute such Agreement.

Moved by: Mr. Fanton
Seconded by: Mr. Curran

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Resolution Intro. No. 192-14 (AUTHORIZING ALLEGANY COUNTY TO PROVIDE MATCHING FUNDS TOWARDS THE COST OF AN INDEPENDENT AUDIT OF THE

ACCOUNTS OF CORNELL COOPERATIVE EXTENSION OF ALLEGANY AND CATTARAUGUS COUNTIES) was not pre-filed and was considered from the floor on a motion made by Legislator Graves, seconded by Legislator Curran, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 191-14

AUTHORIZING ALLEGANY COUNTY TO PROVIDE MATCHING FUNDS TOWARDS THE COST OF AN INDEPENDENT AUDIT OF THE ACCOUNTS OF CORNELL COOPERATIVE EXTENSION OF ALLEGANY AND CATTARAUGUS COUNTIES

Offered by: Resource Management and Ways & Means Committees

WHEREAS, Cornell Cooperative Extension, (Cooperative Extension), provides various services to Allegany County through the auspices of Cornell Cooperative Extension of Allegany and Cattaraugus Counties, and

WHEREAS, Cornell Cooperative Extension of Allegany and Cattaraugus Counties uses the same local Board of Directors, the same management and many of the same personnel for its various programs within both counties, and

WHEREAS, Cattaraugus County has significantly cut back funding provided to Cooperative Extension, and

WHEREAS, a reduction in funding from Cattaraugus County impacts the ability of Cooperative Extension to continue to provide services to Allegany County residents, and

WHEREAS, Allegany County has requested Cattaraugus County to increase its funding of Cooperative Extension so as to fairly share the cost of the services provided and maintain the economic viability of the various programs offered by Cooperative Extension, and

WHEREAS, Cattaraugus County has determined that it will not consider any funding increase until it has had a chance to review the findings of an independent audit of the accounts of Cornell Cooperative Extension of Allegany and Cattaraugus Counties, and

WHEREAS, Cattaraugus County is requiring Cornell Cooperative Extension of Allegany and Cattaraugus Counties to hire an independent auditor for an audit of fiscal year 2013 and three quarters of fiscal year 2014, and

WHEREAS, Cattaraugus County has agreed to pay an amount not to exceed \$7,500 towards the cost of such audit, and

WHEREAS, this Board believes that such audit will assist Allegany County by helping both Allegany County and Cattaraugus County better understand and evaluate the cost of the various services offered by Cooperative Extension in relation to their benefit, and

WHEREAS, this Board wishes to demonstrate its desire to work cooperatively with Cattaraugus County to fairly share in the cost and help keep the services provided by Cooperative Extension available to the residents of our respective counties, now therefore, be it

RESOLVED:

1. That subject to Allegany County being able to provide input into the selection of an auditor, Allegany County agrees to contribute the same amount, not to exceed \$7,500, as paid by Cattaraugus County, towards the cost of hiring an independent auditor required by Cattaraugus County to audit the accounts of Cornell Cooperative Extension of Allegany and Cattaraugus Counties.
2. That Allegany County reserves the right to seek an expanded audit if deemed necessary.
3. That the County Treasurer is authorized to make payment of such amount upon being provided with a copy of the auditor's invoice and proof of the amount paid by Cattaraugus County.
4. That the sum of \$7,500 is transferred from Account No. A1990.429 (Contingent) to Account No. A8751.429 (Agriculture & Livestock-Coop. Ext.).

Moved by: Mr. Graves
Seconded by: Mr. Curran

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 190-14 included: Legislator Ungermann remarked that this has been a problem for the last two to three years now. He favors having an audit, saying that they will be able to better understand what the benefits are for Allegany County. Legislator Decker commented that he was prepared to vote "no" on this resolution, but discussion at the committee level reminded him of the importance of the audit. Legislator Pullen stated that he had been the County Board's representative for the Cooperative Extension Board for nine years. He listed many of the services/programs offered by Cooperative Extension; including 4-H, agricultural, home economics, etc. He stated, "I think it's imperative that we do something. We want to show Cattaraugus County that we are committed to working with them. We want to continue the partnership we have with them." Legislator Burt remarked that he had spoken with the County Administrator about the cost of the audit, and questioned if it seemed like \$15,000 was high. Legislator Burt hopes the bids will be lower. Legislator Decker suggested that there be a representative from each County choosing who does the audit. He feels an independent audit is the best way to go. Chairman Crandall mentioned that this normally wouldn't have been considered from the floor, but that Cattaraugus County had already passed a similar resolution and hopefully the audit could get underway soon. He added that Allegany and Cattaraugus County had had this joint venture for many years, and he hoped that the two Boards could work together on the results of the audit.

Resolution Intro. No. 193-14 (ADOPTION OF LOCAL LAW INTRO NO. 1-2014, PRINT NO. 1, TO PROVIDE INCREASES IN THE COMPENSATION OF CERTAIN COUNTY OFFICERS) was not pre-filed and was considered from the floor on a motion made by Legislator Hopkins, seconded by Legislator Fanton, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 192-14

ADOPTION OF LOCAL LAW INTRO. NO. 1-2014, PRINT NO.1, TO PROVIDE INCREASES IN THE COMPENSATION OF CERTAIN COUNTY OFFICERS

Offered by: Ways and Means Committee

RESOLVED:

1. That proposed Local Law, Intro. No. 1-2014, Print No. 1, is adopted without any change in language, to wit:

COUNTY OF ALLEGANY

Intro. No. 1-2014

Print No. 1

A LOCAL LAW TO PROVIDE INCREASES IN THE COMPENSATION OF CERTAIN COUNTY OFFICERS

BE IT ENACTED by the Board of Legislators of the County of Allegany, State of New York, as follows:

Section 1. Commencing January 1, 2015, the annual salary of the incumbents of the following County offices shall be as follows: County Attorney - \$101,986; County Clerk - \$67,864; County Treasurer - \$78,992; Employment & Training Director - \$61,301; Personnel Officer - \$68,624; Public Defender - \$96,723; Public Health Director - \$75,920; Public Works Superintendent - \$84,460; Real Property Tax Director - \$67,464; Social Services Commissioner - \$78,210.

Section 2. This local law shall take effect on the date of its filing with the Secretary of State.

Moved by: Mr. Hopkins
Seconded by: Mr. Fanton

Adopted: Roll Call
12 Ayes, 3 Noes, 0 Absent
Voting No: Burt, Decker, Ungermann

Comments made regarding Resolution No. 192-14 included: Legislator Burt remarked that many of the salary amounts reflect a 2.5 percent increase. He added, "Last Thursday, it was announced that our social security recipients are going to receive a 1.7 percent cost of living increase." He asked his fellow Legislators to "do the right thing" and make the increases

equal to that what our social security recipients are getting. Legislator Fanton remarked that his increase in social security has been more than 1.7 percent, so he's not sure about that number. He also said that 1.7 percent is not going to keep up with the real cost of living. Legislator Pullen stated that while he appreciates Legislator Burt's concern, he can't help but look at what these employees are responsible for. He cited the great work done by the County Treasurer in saving the County money. He added, "These are professionals with experience, training, and dedication." He remarked on the services provided by and/or money saved by offices like the County Attorney, Department of Public Works, Social Services, and Real Property. He said, "We can't just look at saving dollars. That would be short sighted." Legislator Pullen offered his support for the resolution. Legislator Ungermann remarked, "Some people deserve raises, others don't... The tax levy is going up... This is just one of the small reasons it's going up." Legislator Burt stated, "I agree that the cost of living increase is more than 1.7 percent. I agree we have great employees. How do we explain the 2.5 percent increase to our taxpayers getting 1.7 percent?" Legislator Jessup commented that this is only one part of the entire payroll package. He indicated that the increase over the whole was 1.56 percent. Chairman Crandall stated that these salary increases are done through local law just as the Legislator salaries are, and those Legislator salaries haven't changed in years. He stated that the real range was between 0-2.5 percent. Legislator Burt argued that the salaries listed on this resolution were a 2.5 percent increase. Chairman Crandall confirmed that the salaries on this resolution were a 2.5 percent increase. Legislator Healy stated we have a professional team that needs to be treated that way. We all know the real costs aren't the salaries, it's the unfunded mandates. The two percent cap is a problem. The monkey is put on the back of local government. I'm not against trying to be more cost effective. If we really want to cut the costs, remember that on Election Day. Chairman Crandall thanked the Board for being able to address the resolution in a timely manner.

AUDITS:

A motion was made by Legislator Hopkins, seconded by Legislator Graves, and carried, that the audits be acted upon collectively and by totals.

A motion was made by Legislator Hopkins, seconded by Legislator Root, and adopted on a roll call vote of 15 Ayes, 0 Noes, 0 Absent, that the audit of claims, totaling \$3,226,899.37, including prepaid expenses, be approved for payment as recommended by the County Administrator. (*Allegany County's Local Dollar Share of the NYS Medicaid Program paid year-to-date is \$ 8,500,184.*)

Comments made regarding the Audit: Legislator Pullen remarked that sometimes people comment that the Board just rubber stamps things. He said, "I think our discussion shows there is a lot of debate which usually takes place at committee level. Not everyone agrees on every issue. I'm impressed with how this Board approaches things. We try to engage in civil dialogue. As these things move forward, I believe our Board wrestles with real issues. This is an example of where there are different viewpoints." Legislator Fanton stated, "I don't appreciate someone calling me irresponsible. We didn't get to this point by being irresponsible." Legislator Burt responded to Mr. Pullen's remarks, "...once we decide as a group, I am a team player. I know how the game goes..."

COMMENTS:

Chairman Crandall mentioned National Make a Difference Day which was held on Saturday, October 25. Locally, Celebrate Service, Celebrate Allegany Day was started as a Leadership Allegany service project. This is the third year it's been held in Allegany County. He remarked that he started off the day at Alfred State, and was impressed by the coordination involved. There were a lot of logistics to be put together in order to get the several hundred participants where they needed to go. Work was done for churches, non-profits, elderly, and towns and villages. He also noted that Legislator Curran was one of the sponsors of the day. Chairman Crandall added, "This is a great thing for Allegany County."

Legislator Ungermann addressed his fellow Legislators sharing information that he had regarding pipeline that was planned to run through a small portion of Allegany County in the town of Little Genesee. He noted that this pipeline would be carrying Marcellus Gas. He also mentioned that there were thirty-eight different agencies that would have to approve of this and that was one reason why it takes so much to get things done. He is glad that Allegany County would be getting a little piece of the pie.

Legislator Hopkins remarked on a Farm Bureau meeting he had attended last week. At the meeting, it was mentioned that a study done ranking the best places to farm in the United States ranked Allegany County as 348 out of the more than 3,000 counties in the United States. He noted the work of Cooperative Extension. He stated, "I think it's a positive thing about our County; it's a good place to farm." Chairman Crandall added, "That's just shy of the top 10 percent."

Legislator LaForge reminded the group of the Consolidations and Efficiencies Committee meeting on October 30. The Paige group from Utica will be presenting. He added that there would be two Committee of the Whole meetings in November following each of the Board meetings. Proposals from other groups will be presented at those meetings.

Legislator Pullen thanked Laura Hunsberger, Executive Director of Cornell Cooperative Extension for Cattaraugus and Allegany Counties. She came into a difficult situation. There was a lot of turmoil because Cattaraugus County had significantly cut funding for Cooperative Extension a few years ago. She's had a very challenging time. She's dedicated and making the best of a difficult situation. Obviously we still have challenges, but I'm impressed with what she's done.

Chairman Crandall remarked on a trivia program that had been held October 24 at the Cuba VFW hosted by the Allegany County Area Foundation. He participated on a team with Legislator Hopkins and Legislator Pullen along with all of their wives. The team came in second place by one point.

Legislator Burt stated that he wanted to publicly apologize to Mr. Fanton if he was offended by Legislator Burt's use of the word "irresponsible."

ADJOURNMENT: The meeting was adjourned at 3:28 p.m. on a motion made by Legislator Graves, seconded by Legislator Root, and carried.

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

NOVEMBER 10, 2014

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:04 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Army National Guard Sergeant Robert Voorhees.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 14 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, David Decker, Dwight Fanton, Karl Graves, Dwight "Mike" Healy, Theodore Hopkins, Charles Jessup, Aaron McGraw, Timothy O'Grady, David Pullen, Debra Root, Norman Ungermann, Jr. Absent: Kevin LaForge

APPROVAL OF MINUTES:

The Board meeting minutes of October 14, 2014, were approved on a motion made by Legislator Root, seconded by Legislator Graves, and carried.

The Committee of the Whole minutes of October 14, 2014, were approved on a motion made by Legislator Fanton, seconded by Legislator Curran, and carried.

The Board meeting minutes of October 27, 2014, were amended following a motion made by Legislator Burt, seconded by Legislator Ungermann, and carried to clarify Legislator Burt's comments on Resolution No. 186-14 regarding a transfer of funds within the County Attorney's accounts. The comments appear on page 5 of the minutes. Legislator Burt requested that the statement, "He is six feet tall and they fit him just fine," be included in the minutes. This was Legislator Burt's response to the County Attorney stating that his secretary was tall. The minutes were then approved as amended following a motion made by Legislator Decker, seconded by Legislator Curran, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall invited Robert Voorhees to join him while Chairman Crandall read a statement proclaiming November 10, 2014, as Jason Dunham Day. Chairman Crandall remarked that Mr. Voorhees is a member of the American Legion Riders who were part of the Jason Dunham Bridge dedication ceremony. Chairman Crandall read the following proclamation:

"Whereas, Marine Corporal Jason L. Dunham was awarded the Medal of Honor for his actions on April 14, 2004, in Operation Iraqi Freedom, when he sacrificed his life to save the lives of his fellow Marines, on behalf of our nation in the global war on terror; and

‘Whereas, in addition to the Medal of Honor and other military decorations, Corporal Dunham has also received other honors including being the namesake of a United States Navy Destroyer, the USS Jason Dunham (DDG-109); the United States Post Office in his home town of Scio, New York; a Marine Corps Barracks at Naval Submarine Base Kings Bay Georgia; a section of New York State Route 19; as well as the Jason Dunham Memorial Bridge on NYS Route 19 over Interstate Highway 86; and

‘Whereas, November 10 is Corporal Jason Dunham’s birthday, and the United States Marine Corps will celebrate its 239th birthday on November 10, 2014, as well; and

‘Whereas, the Board of Legislators wishes to continue to honor the memory of Corporal Dunham, and his ultimate sacrifice for not only his fellow Marines, but also for the freedoms which all citizens of Allegany County enjoy;

‘Now therefore, I, Curtis W. Crandall, Chairman of the Allegany County Board of Legislators, do hereby proclaim November 10, 2014, as JASON DUNHAM DAY in Allegany County in honor of the memory of Medal of Honor Recipient Marine Corps Corporal Jason Dunham for his brave service and unselfish heroism, and to shine a light of recognition on all Veterans of our armed services.”

Chairman Crandall presented a certificate to Robert Voorhees, former United States Army National Guard Sergeant, in grateful appreciation of his service to our country. Mr. Voorhees’ service dates were from June 1970 to June 1980. Following Basic Training at Fort Polk, LA, assignments included: Fort Sill, OK and Olean, NY (127th Armor Division). Mr. Voorhees led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans’ Honorary Pledge of Allegiance Program.

Chairman Crandall granted privilege of the floor to Helen Evans, Associate Director of Allegany/Western Steuben Rural Health Network. Ms. Evans invited the Board and County residents to join in celebrating National Rural Health Day on November 20. The First Annual Community Health & Wellness Fair will be held at the McLane Health and Wellness Center at Alfred University on Thursday, November 20, 2014, from 9 a.m. to 4 p.m. The event will include educational workshops, health screenings, and medication review sessions. Ms. Evans remarked that rural communities are great, but they also face some unique healthcare needs. Accessibility, lack of health care providers, and lack of proper insurance are common issues. Ms. Evans shared statistical information highlighting similarities and differences in rural versus urban communities with regards to health care. Rural residents spend more out of pocket for health care needs. One in five rural residents spends more than \$1,000 out-of-pocket each year. Rural residents experience a greater shortage of providers. Travel time to receive care also tends to be longer. She stated, “Rural communities need support to address citizens’ needs.” Cuba Memorial Hospital, Jones Memorial Hospital, Allegany/Western Steuben Rural Health Network, and the Allegany County Department of Health planned the event at Alfred University. She thanked Alfred University for hosting the event.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Report of Intrafund Transfers approved by the County Administrator in October.
2. Report of Tax Bill Corrections approved by the County Administrator in October.
3. Invitation to attend the 1st Annual Community Health & Wellness Fair at McLane Health and Wellness Center at Alfred University on Thursday, November 20, from 9 a.m. to 4 p.m. in conjunction with National Rural Health Day.
4. Notice of next InterCounty Association meeting to be hosted by Chemung County at the First Arena in Elmira.

PROCLAMATIONS:

Chairman Curtis W. Crandall proclaimed November 10, 2014, as JASON DUNHAM DAY in Allegany County (proclamation read earlier in the meeting).

Chairman Curtis W. Crandall proclaimed November 20, 2014, as NATIONAL RURAL HEALTH DAY in Allegany County. Meeting the unique healthcare needs of citizens is constantly evolving, as rural communities face accessibility issues, a lack of healthcare providers, an aging population suffering from a greater number of chronic conditions, and larger percentages of un- and underinsured citizens. Chairman Crandall calls upon the people of Allegany County to observe the third Thursday of each November as NATIONAL RURAL HEALTH DAY with appropriate programs, ceremonies, and activities.

RESOLUTIONS:

RESOLUTION NO. 193-14

RESOLUTION APPROVING A TIMESHEET POLICY FOR THE TRACKING OF EMPLOYEE HOURS WORKED AND LEAVE TAKEN

Offered by: Personnel and Ways & Means Committees

WHEREAS, this Board is interested in providing uniformity by establishing minimum standards for the documentation and reporting of County employee hours worked and leave taken, now therefore, be it

RESOLVED:

1. That the following policy is hereby adopted as the "Timesheet Policy" applicable to all Allegany County employees.
2. That the Treasurer's Office and Human Resources Office are directed to assist in providing guidance regarding this policy.

3. That this policy shall be implemented as soon as reasonably possible, but in no event later than January 1, 2015.

Timesheet Policy

Policy

The Fair Labor Standards Act (FLSA) requires that employers keep detailed records of all hours worked and leave taken during each payroll reporting period. These time records must accurately reflect all regular and extra duty hours worked, and time and leave earned and used, including personal leave, vacation leave, sick leave, compensatory time, holiday, etc.

It is the policy of Allegany County to maintain accurate attendance, leave, and payment records, and to efficiently administer compensation and payroll practices in compliance with all applicable federal, state, and local laws.

Guidelines

Although timesheets may vary from department to department, they should all contain at a minimum:

- Dates with number of regular and overtime hours worked.
- Employees must designate overtime hours worked as pay or allocate them to an appropriate compensatory bank. Overtime that is not allocated to a compensatory bank during the pay period it is earned will be paid out. Compensatory time cannot be earned/banked and then used or paid out in the same pay period.
- Leave time must be used in the proper increments (half-day, hourly, half-hour, etc.) as prescribed in the collective bargaining agreements or County policy.
- All scheduled work hours will be accounted for under appropriate payroll codes. Any unpaid time should be noted and only appear if no accruals are available or it is allowed under some other policy, statute, or a provision of a collective bargaining agreement.
- All leave time taken under the Family and Medical Leave Act (FLMA), whether paid or unpaid, will be designated as such.
- Military leave, whether paid or unpaid, will be designated as such.
- Employees will sign and date their timesheets attesting to the completeness and accuracy of the information on it.
- Department Heads are responsible for verifying the completeness and accuracy of timesheets, ensuring timesheets comply with County policies, collective bargaining agreements, and federal, state, and local laws, as well as their timely submission to the Human Resources Office.

Departments will forward employee timesheets to the Human Resources Office along with all other applicable payroll documents/reports as required.

Guidance regarding timesheets and other payroll procedures will be the responsibility of the Treasurer's Office and/or the Human Resources Office and is subject to change.

Moved by: Mr. O'Grady
Seconded by: Mr. Curran

Adopted: Roll Call
12 Ayes, 2 Noes, 1 Absent
Voting No: Decker, Ungermann

Comments made regarding Resolution No. 193-14 included: Legislator Ungermann stated that this is the electronic age. We now have to file our taxes electronically. We don't have a choice in the matter. It's the law. With employees, we ought to be keeping time electronically rather than with handwritten sheets. I'm sure there could be problems electronically tracking time for some employees because of their work location. Keeping track of employees' time isn't just a problem here; I have the same problem in my own business. I don't think this new policy will do much, maybe just improve upon the same policy we've had for a long time. Legislator Ungermann cited PERB in saying that this type of policy does not have to be negotiated. Legislator Ungermann doesn't think this policy goes far enough; there's too much room for error. He stated that he was not going to support it.

RESOLUTION NO. 194-14

APPROVAL OF APPORTIONMENT OF MORTGAGE TAX TO TAX DISTRICTS AND AUTHORIZING WARRANT THEREFOR

Offered by: Ways and Means Committee

Pursuant to Tax Law § 261 (3)

RESOLVED:

1. That the Semi-Annual Report for the period April 1, 2014, through September 30, 2014, relating to Mortgage Tax Receipts and Disbursements, and the proposed distribution of such mortgage tax receipts therein, which includes an adjustment for the period October 1, 2013, through March 31, 2014, as previously approved by Resolution No. 94-2014, is approved.

2. That the Clerk of this Board is authorized and directed to execute a warrant of this Board to the County Treasurer directing her to distribute to the several tax districts in the County their respective share of such mortgage tax.

Moved by: Mr. Hopkins
Seconded by: Mr. Pullen

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 195-14

**AUTHORIZING PAYMENT TO TOWNS AND VILLAGES FROM
ADDITIONAL MORTGAGE TAX FEE RETAINAGE BY
COUNTY CLERK; APPROPRIATING FUNDS THEREFOR**

Offered by: Ways & Means Committee

WHEREAS, by Resolution No. 214-2004 the County Clerk was authorized pursuant to Section 262 of the Tax Law to request and receive reimbursement from the State of New York for all of his necessary expenses incurred in the administration of the Mortgage Tax Program on behalf of the State of New York, and

WHEREAS, it was the intent of this Board in adopting such resolution that the Towns and Villages of the County would not suffer any adverse financial consequences as a result of any increased retained expense reimbursement to the County Clerk, and

WHEREAS, the County Clerk has received reimbursement of his necessary expenses incurred in the administration of the Mortgage Tax Program, and

WHEREAS, this Board wishes to appropriate part of such reimbursement of necessary expenses received by the County Clerk for the administration of the Mortgage Tax Program to the Towns and Villages of the County, now, therefore, be it

RESOLVED:

1. The amount of \$25,216.49 is appropriated from Account No. A1410.432 (County Clerk – Contractual) and shall be distributed to the Towns and Villages of the County as described in the attachment “Mortgage Tax Apportionment – Rebate to Towns and Villages,” which is annexed hereto and made part thereof:

2. The Chairman of this Board, Allegany County Clerk, and Allegany County Treasurer are authorized to execute any and all vouchers, warrants, and other necessary documents of every nature and kind in order to affect the purpose of this resolution.

Moved by: Mr. Hopkins
Seconded by: Mr. Healy

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 196-14

RELEVY OF RETURNED SCHOOL TAXES

Offered by: Ways & Means Committee

Pursuant to Real Property Tax Law § 1330

RESOLVED:

1. That the amount of the unpaid returned school taxes of the several school districts of Allegany County with seven per centum of the amount of principal and interest in addition thereto, is relieved upon the real property upon which the same were imposed.

2. This resolution shall take effect on November 18, 2014.

Moved by: Mr. Hopkins
Seconded by: Mr. Healy

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 196-14 included: Legislator Pullen pointed out that schools, towns, villages, and water & sewer districts all have the ability to relevel. They have security in that. The County doesn't have that security. Legislator Pullen remarked that he will support the resolution, but that it's not without risk to the County. He said, "It's something we should continue to do, but I just wanted to point out there is a risk".

RESOLUTION NO. 197-14

RELEVY OF RETURNED VILLAGE TAXES

Offered by: Ways & Means Committee

Pursuant to Local Law No. 4 of 1978 and Real Property
Tax Law § 1442

RESOLVED:

1. That the amount of the unpaid returned village taxes of each village of Allegany County which has complied with the provisions of Local Law No. 4 of 1978, together with seven per centum of the amount of principal and interest, is relieved upon the real property upon which the same were originally imposed by each such respective village.

2. This resolution shall take effect on November 18, 2014.

Moved by: Mr. Hopkins
Seconded by: Mr. Healy

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 198-14

A RESOLUTION LEVYING THE AMOUNT OF UNPAID SEWER AND WATER RENTS IN VARIOUS TOWN SEWER AND WATER DISTRICTS AGAINST THE VARIOUS REAL PROPERTIES LIABLE THEREFOR

Offered by: Ways & Means Committee

Pursuant to Article 14-F of the General Municipal Law and Town Law § 198

WHEREAS, the Towns of Belfast, Caneadea, Friendship, Hume, Independence, Scio and Wellsville have submitted to this Board of Legislators statements showing sewer and water rents unpaid by the persons or entities noted therein and the real property to be charged with such unpaid rents, and

WHEREAS, pursuant to law this Board is required to levy such sums against the real property liable therefor, now, therefore, be it

RESOLVED:

1. That the unpaid sewer and water rents by the persons or entities noted in statements filed with this Board of Legislators by the respective Supervisors of the Towns of Belfast, Caneadea, Friendship, Hume, Independence, Scio and Wellsville between October 7, 2014, and October 31, 2014, are levied against the real property noted in such statements and are to be placed on the tax rolls of such Towns in the manner provided by law.

Moved by: Mr. Hopkins
Seconded by: Mr. Fanton

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 199-14

**TRANSFER OF FUNDS WITHIN THE MIPPA BUDGET TO COVER
ANTICIPATED COSTS AND SPEND DOWN OF FEDERAL FUNDING
WITHIN OFFICE FOR THE AGING ACCOUNTS**

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. That the following adjustments be made within the MIPPA budgets to cover anticipated costs and to spend down all federal funding:

<u>From:</u>	<u>To:</u>	<u>Amount:</u>
A6774.101(OFA MIPPA-Reg Pay)	A6774.405(OFA-MIPPA Conference)	\$ 300
A6779.101(OFA-SNAP Reg Pay)	A6773.101(OFA-Supp Services Reg Pay)	<u>\$16,600</u>
	Total:	\$16,900

Moved by: Mr. Pullen
Seconded by: Mr. Fanton

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 200-14

**TRANSFER OF FUNDS WITHIN EMPLOYMENT AND TRAINING APPROPRIATION
ACCOUNTS**

Offered by: Planning and Development and Ways & Means Committees

WHEREAS, Allegany County Employment and Training requests the following adjustments to various appropriation accounts, now, therefore, be it

RESOLVED:

1. That the transfer of \$10,792 within Employment and Training accounts is approved as follows:

Appropriations:

<u>From:</u>	<u>To:</u>	<u>Amount</u>
CD16406.474 WIA Dislocated Worker ITA	CD16402.474 WIA Adult ITA	\$7,070
CD16794.408 TANF Supplies	CD16794.101 TANF Staff Regular Pay	423
CD16794.413 TANF Rentals:Personal Prop	CD16794.101 TANF Staff Regular Pay	15
CD16794.414 TANF Rentals: Real Prop	CD16794.101 TANF Staff Regular Pay	337
CD16794.416 TANF Telephone	CD16794.101 TANF Staff Regular Pay	329
CD16794.419 TANF Printing	CD16794.101 TANF Staff Regular Pay	40
CD16794.424 TANF Legal Ads	CD16794.101 TANF Staff Regular Pay	500
CD16794.402 TANF Staff Mileage	CD16795.101 TANF Part. Regular Pay	891
CD16794.408 TANF Staff Supplies	CD16795.101 TANF Part. Regular Pay	449
CD16795.804 TANF Part. W/C	CD16795.101 TANF Part. Regular Pay	429
CD16794.806 TANF Staff Hosp/Med	CD16795.101 TANF Part. Regular Pay	309
	Total	\$10,792

Moved by: Mr. Fanton
Seconded by: Mr. Healy

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 201-14

TRANSFER OF FUNDS WITHIN SHERIFF'S OFFICE ACCOUNTS

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That the sum of \$2,970 is transferred from Account No. A3150.447 (Public Safety - Medical) to Account No. A3170.447 (Other Correctional Agencies) to cover the costs of an inmate who needed to be sent to a mental health facility.

Moved by: Mr. Healy
Seconded by: Mr. Decker

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 202-14

**APPROPRIATION OF INCREASED FEDERAL FUNDING DUE TO
AN INCREASE IN THE NUMBER OF HOME DELIVERED MEALS
PROVIDED THROUGH OFFICE FOR THE AGING**

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. That the sum of \$19,300 shall be appropriated as follows due to increased federal funding as a result of an increase in the number of home delivered meals provided through Office for the Aging:

<u>Appropriation Accounts</u>	<u>Amount</u>
A6772.474 (OFA-Nutrition-Contractual)	\$ 6,400
A6779.474 (OFA-SNAP-Contractual)	<u>\$12,900</u>
Total	\$19,300

<u>Revenue Accounts</u>	
A6772.1972.01 (OFA-Nutrition-THHC-C2)	\$ 2,600
A6772.4772.03 (OFA-Nutrition-Cash in Lieu Meals)	<u>\$ 3,800</u>
	\$ 6,400
A6779.1972.00 (OFA-Community Service for Elderly- OFA Nutrition)	\$ 8,700
A6779.4772.00 (OFA-Federal Aid-OFA SNAP)	<u>\$ 4,200</u>
	\$12,900

Moved by: Mr. Pullen
Seconded by: Mrs. Root

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 202-14 included: Legislator Pullen mentioned that he had served for a number of years on the Office for the Aging Advisory Council. He remarked that one of the most important programs is Meals-on-Wheels. There has been an increase in the number of people being served by the program. The program is helping people to be able to stay in their homes, which is better for them. Even though it's an expensive program, he thinks it's important that the Board continues to support it.

RESOLUTION NO. 203-14

**ACCEPTANCE OF STATE COLA FUNDS FOR THE 2014 BUDGET
YEAR FOR THE CHILDREN WITH SPECIAL HEALTH CARE
NEEDS PROGRAM; APPROPRIATION OF FUNDS**

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. The sum of \$731 in COLA funds for the County Health Department Children with Special Health Care Needs Program is accepted and appropriated as follows: the sum of \$731 shall be placed in Revenue Account A4054.3401.01 (Health-Children with Special Health Care Needs-State Aid) with a like sum placed in Appropriations Account A4054.424 (Health-Children with Special Health Care Needs Advertising).

Moved by: Mr. Pullen
Seconded by: Mr. Fanton

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 203-14 included: Legislator Burt stated that he would be supporting the resolution. He does however question the wisdom of the State for spending money on advertising for this. It's not a reflection on our Department of Health. Legislator Decker stated that he would support the resolution. He stated that there are kids who can't get help through their parents. Kids are some of the most vulnerable in our society. Anything we can do to make sure kids don't fall through the cracks is worthwhile.

RESOLUTION NO. 204-14

**ACCEPT AND APPROPRIATE AN INCREASE IN STATE FUNDING
FOR MENTAL HEALTH SERVICES**

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. That the sum of \$72,650 is accepted and hereby placed in Appropriation Account No. A4314.456 (Mental Health CSS-ARC Workshop) with a like sum placed in Revenue Account No. A4314.3490.1014 (State Aid-Mental Health-CSS Funding).

Moved by: Mr. Pullen
Seconded by: Mrs. Root

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 204-14 included: Legislator Burt asked for clarification of the account numbers. The County Administrator verified with the County Treasurer that the handwritten account number on the MOE was correct.

**RESOLUTION NO. 205-14
APPROVING A MODIFICATION IN THE PURCHASE PRICE AND SIZE OF
A PARCEL OF REAL PROPERTY LOCATED AT 8922 LOWER STREET,
RUSHFORD, NEW YORK AS PREVIOUSLY APPROVED BY
RESOLUTION NO. 147-2014**

Offered by: Public Works and Ways & Means Committees

WHEREAS, this Board previously approved, by Resolution No 147-2014, the purchase of a parcel of real property located at 8922 Lower Street in the Town of Rushford for the sum of Four Thousand Dollars (\$4,000), and

WHEREAS, that resolution noted that inquiries had been made by the Department of Public Works to purchase a smaller parcel than being offered by the Sellers, and

WHEREAS, at the time of approving that resolution the Sellers did not wish subdivide the lot and sell a smaller lot to the County, and

WHEREAS, at the time that resolution was approved the County was prepared to acquire the full lot and then sell off a portion of the property not needed by the Department of Public Works, and

WHEREAS, subsequent to adoption of that resolution the Sellers changed their minds and decided to subdivide the lot and sell the County a smaller parcel, and

WHEREAS, the Sellers reduced their price for the smaller parcel, consisting of 0.63 acres, to One Thousand Dollars (\$1,000), and

WHEREAS, the reduced parcel size and price is preferable than the arrangement originally approved by Resolution No. 147-2014, in that it provides a parcel consistent with what the Department of Public Works was originally seeking at a reduced price, and

WHEREAS, in order to avoid delay and possibly lose the opportunity to acquire the property at a reduced cost to the County, upon the advice of the County Attorney, the Superintendent of Public Works signed the purchase agreement with the expectation that this Board would later ratify his actions, now therefore, be it

RESOLVED:

1. That this Board hereby approves the purchase of a parcel of land consisting of 0.63 acres and located at 8922 Lower Street, Rushford, New York, for the sum of One Thousand Dollars (\$1,000).

2. That to the extent this action modifies terms as previously approved by Resolution No. 147-2014, such modifications are hereby approved.

3. That the action of Guy R. James, Superintendent of Public Works, in executing a purchase contract for this parcel, is hereby ratified and approved.

4. That the Chairman of this Board is authorized to sign all documents necessary for the sale and conveyance of this parcel into the County of Allegany.

Moved by: Mr. Fanton
Seconded by: Mr. Hopkins

Adopted: Roll Call
13 Ayes, 1No, 1 Absent
Voting No: Ungermann

Comments made regarding Resolution No. 205-14 included: Legislator Ungermann remarked that he doesn't think the County should be in the real estate business. He stated, "We admittedly don't have a use for this." The ability to sell this property later is not guaranteed. If we don't have an immediate use for it, we don't need it. Legislator Fanton said that the County would be using it. He said it's basically a buffer zone. It makes a difference to the neighbors. Legislator Burt remarked that he had voted no when this property purchase was initially brought before the Board. My main concern was the possibility of building a roadway/driveway on the property. He also stated that he didn't like the idea of buying the property and then sectioning it off. He likes the idea of having a buffer zone and not being a nuisance. Legislator Decker stated that he approved of the smaller sized parcel. He had been a no vote when it was initially discussed.

RESOLUTION NO. 206-14

APPROVING A SPACE STUDY PROPOSAL BY LABELLA ASSOCIATES, DPC FOR THE COUNTY OFFICE BUILDING

Offered by: Facilities & Communications Committee

RESOLVED:

1. That a proposal dated October 9, 2014, for design services to investigate the most appropriate and efficient options for space distribution within the County Office Building for a sum not to exceed nine thousand dollars is hereby approved.

2. That the Chairman of this Board is authorized to execute a Proposal Service Agreement with LaBella Associates, DPC for their design services.

Moved by: Mr. Pullen
Seconded by: Mr. Curran

Adopted: Roll Call
12 Ayes, 2 Noes, 1 Absent
Voting No: O'Grady, Ungermann

Comments made regarding Resolution No. 206-14 included: Legislator Ungermann stated that the County went through space studies when the Courthouse was built. We knew we didn't have enough space, but we gave away 90,000 square feet of space for \$1. The County spent \$14 million when we could have spent \$10 million. He stated, "I hate to sound like Ronald Regan, but here we go again." Chairman Crandall said that he believed that some of them had supported the resolution at that time. There was a separate proposal that would have taken care of remodeling upstairs. It would have been taken care of then, but it wasn't supported.

RESOLUTION NO. 207-14

APPROVAL OF TRANSPORTATION OF PRESCHOOL CHILDREN WITH HANDICAPPING CONDITIONS AGREEMENTS WITH SIXTEEN CENTRAL SCHOOL DISTRICTS AND AUTHORIZING CHAIRMAN TO EXECUTE AGREEMENTS

Offered by: Human Services and Ways & Means Committees

WHEREAS, sixteen central school districts have agreed to provide transportation for County preschool children with handicapping conditions, now, therefore, be it

RESOLVED:

1. That each Agreement titled "Agreement Concerning The Transportation Of Pre-School Children With Handicapping Conditions" for the period July 1, 2014, to June 30, 2015, with the respective Central School Districts of Alfred-Almond, Andover, Arkport, Belfast, Bolivar-Richburg, Canaseraga, Canisteo-Greenwood, Cuba-Rushford, Fillmore, Friendship, Genesee Valley, Livingston-Wyoming NYSARC, Portville, Scio, Wellsville, and Whitesville is approved.

2. That the Chairman of this Board is authorized to execute said agreements.

Moved by: Mr. Pullen
Seconded by: Mr. Fanton

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 207-14 included: Chairman Crandall remarked that we have a former Legislator named Lee Frair who served from 1980-1993 to thank for this arrangement. Mr. Frair lived in Little Genesee and was in administration at Portville School. He has saved the County literally millions of dollars with his idea for providing transportation. Chairman Crandall felt it was fair to tip our hat to Mr. Frair. Legislator Pullen noted what a wonderful individual Mr. Frair was. Mr. Frair's involvement in education allowed him to see that this type of arrangement was a better fit than hiring an outside firm to transport these children. Legislator Pullen offered his full support of the resolution.

RESOLUTION NO. 208-14

**CREATING ONE POSITION OF SUPPORT INVESTIGATOR AND
ABOLISHING ONE POSITION OF ACCOUNT CLERK TYPIST IN
THE DEPARTMENT OF SOCIAL SERVICES**

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. That one position of Support Investigator (AFSCME, Grade 15, Step Min.) is created in the Department of Social Services.
2. That one position of Account Clerk Typist in the Department of Social Services is hereby abolished.
3. This resolution shall take effect immediately.

Moved by: Mr. Pullen
Seconded by: Mrs. Root

Adopted: Roll Call
13 Ayes, 1 No, 1 Absent
Voting No: Burt

Comments made regarding Resolution No. 208-14 included: Legislator Burt thanked Legislator Hopkins for asking the Commissioner of Social Services for numbers to justify the position when they were reviewing it at committee level. Legislator Burt said, "This looks to be the 8th position as Support Investigator. We have the opportunity to reduce the size of government. I do not believe at this time it is crucial to have this position". Legislator Pullen stated, "This is one of those situations where reasonable people can differ." He said the Commissioner of Social Services has recommended a way to increase efficiency and productivity. We recruit skilled professionals to be our department heads. It's their expertise, not mine. He will rely on the advice and counsel of the Commissioner. If he were to find a reason not to support this, he wouldn't support it. Legislator Ungermann stated that he believes the County is inundated with welfare fraud. He feels it's important we have Investigators to make sure we're getting our money's worth. Legislator Hopkins stated that the creation of the one position and the elimination of the other would amount to a net increase of \$1,300. He added that taxpayers will have to pay more if child support isn't collected. He stated, "I think it's a correct move, a good move." Legislator Decker stated that he was originally going to vote "no," but that he changed his mind because they would be eliminating one position. He's all about reducing the size of government, but he agrees with Legislator Ungermann's comment about fraud/abuse of welfare. Legislator Burt remarked that cases have not gone by the wayside. He feels replacement costs would be more than Legislator Hopkins suggested. Benefits for the position are an additional cost.

AUDITS:

A motion was made by Legislator Hopkins, seconded by Legislator Fanton, and carried, that the audits be acted upon collectively and by totals.

A motion was made by Legislator Hopkins, seconded by Legislator Root, and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims, totaling \$3,469,448.50, including prepaid expenses, be approved for payment as recommended by the County Administrator. (*Allegany County's Local Dollar Share of the NYS Medicaid Program paid year-to-date is \$8,886,556.*)

COMMENTS:

Legislator Hopkins remarked that we just held the Public Hearing on the 2015 Budget. We've paid over \$8.8 million to New York State for Medicaid which is a mandated program.

Chairman Crandall reminded the group that there would be a Committee of the Whole meeting following the Board meeting.

Legislator Decker recognized Legislator Burt for all he's done with the Boxing Hall of Fame in Belfast. Legislator Decker and Chairman Crandall had attended an event in Belfast on Thursday in which Legislator Burt (President of the Bare-Knuckle Boxing Hall of Fame) presented Bobby Gunn with the Bare-Knuckle Boxing World Championship Belt. Media was present for the event, including NBC Sports. Legislator Decker remarked that these treasures in our County don't always get the attention they deserve. He thanked Legislator Burt. Legislator Burt thanked both Legislator Decker and Chairman Crandall for attending.

ADJOURNMENT: The meeting was adjourned at 3:12 p.m. on a motion made by Legislator Graves, seconded by Legislator Decker, and carried.

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

NOVEMBER 24, 2014

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:08 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by retired United States Army Sergeant First Class Franklin C. Everett.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 13 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, David Decker, Dwight Fanton, Karl Graves, Dwight "Mike" Healy, Charles Jessup, Kevin LaForge, Timothy O'Grady, David Pullen, Debra Root, Norman Ungermann, Jr.
Absent: Theodore Hopkins, Aaron McGraw

APPROVAL OF MINUTES:

The Board meeting minutes of November 10, 2014, were amended following a motion made by Legislator Burt, seconded by Legislator O'Grady, and carried to correct the spelling of Dunham in one instance on page 3 of the minutes. Additionally, the amendment included adding the word "not" to a remark that Legislator Burt made regarding Resolution No. 208-14 on page 15. The sentence should read "Legislator Burt remarked that cases have not gone by the wayside." Additionally, the vote for that resolution should have read 13 Ayes, 1 No, 1 Absent. Legislator Burt voted "no." The minutes were then approved as amended following a motion made by Legislator Graves, seconded by Legislator Decker, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall asked Senator Catharine Young to come forward and assist him in honoring retired United States Army Sergeant First Class Franklin C. Everett. Chairman Crandall gave background information about the Honorary Vet Program for Senator Young and the audience.

Chairman Crandall presented a certificate to Franklin C. Everett, retired United States Army Sergeant First Class, in grateful appreciation of his service to our country. Mr. Everett's service dates were from July 1968 to July 1970 and January 1971 to April 1989. Following Basic Training at Fort Knox, KY, assignments included: Fort Polk, LA, Vietnam, Schofield, Barracks, HI, Fort Wainwright, AL, Fort Ord, CA, Fort Hood, TX, Germany and Korea. Commendations he received included: Bronze Star Medal, Purple Heart, Meritorious Service Medal, Air Medal (for 50 helicopter jumps in Vietnam), Army Commendation Medal (3 Oak Leaf Clusters), Combat Service Commemorative Medal, Overseas Service Commemorative Medal, Army Achievement Medal (3 oak leaf clusters), Good Conduct Medal (seven times), National Defense Service Medal, Vietnam Campaign Medal with 60 Device, Vietnam

Wounded Medal, Army Noncommissioned Officers Professional Development Ribbon, Army Primary Leadership Development Ribbon, Army Service Ribbon, Army Overseas Ribbon, Army Presidential Unit Citation, Army Meritorious Unit Citation, Combat Infantry Badge, Sharpshooter Badge with Rifle and Grenade Component. Mr. Everett led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans' Honorary Pledge of Allegiance Program.

Chairman Crandall remarked that Allegany County resident Bill Heaney works in Senator Young's office and conveys to the Senator what is going on in Allegany County. Chairman Crandall and Mr. Heaney thought it would be nice to have the Senator come to a meeting.

Senator Catharine Young thanked Chairman Crandall for the opportunity to visit the County and attend the meeting. She stated, "When I think of Allegany County, I think of a well-run operation. I'm proud to represent each and every one of you." She commended Mr. Everett for his military service. She mentioned a dinner she had recently attended with a group of Veterans, some of whom are suffering from PTSD. She said, "Our combat Veterans deserve our thanks."

Senator Young went on to give an update of what is happening in politics in New York State. She gave some history on the shift in control between the Republicans and Democrats. She remarked that 2009-2010 was very damaging for the state. Governor Patterson had a strong focus on New York City. State government was controlled by New York City. The Senate was controlled by New York City. Taxes were raised by a record \$14 billion. The economy had crashed and they were raising taxes, which made the economic condition worse. A lot of funding was being diverted from Upstate New York. In 2010 the Republicans had the majority again, but in 2012 it was lost again. Recently Republicans were able to gain the majority again. She noted that she is Chair of the Senate Republican Campaign Committee. With the Republicans back in majority in the Senate, she feels they will be able to move ahead and fight for things that are important in our district. She plans to work on reducing taxes, increasing school aid, and advancing economic development. She mentioned the Second Amendment and the additional restrictions the Democrats had planned to put forth. She also mentioned the need for additional funding for our roads and other infrastructure. She closed by saying, "I will continue to fight for our region... I will continue to always have you as my first priority." Chairman Crandall thanked the Senator for coming and presented her with a County pin.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. 2015 Final Budget (Contingent on Adoption of Resolution Intro. No. 213-14).
2. December 2014 Calendar.
3. The County Treasurer filed Certificates of Withdrawal of Delinquent Tax Liens for properties in the towns of Andover, Willing, and Independence in the Clerk of the Board's Office on November 11 and 13.

4. Allegany County Area Foundation Annual Report 2013-2014.
5. Correspondence from Allegany County Area Foundation thanking the Board for its recent donation.
6. Literacy West NY, Inc.'s financial statements dated June 30, 2013, and 2014

RESOLUTIONS:

RESOLUTION NO. 209-14

RESOLUTION APPROVING THE ALLEGANY COUNTY GRANTS MANAGEMENT PROCEDURES POLICY

Offered by: Ways & Means Committee

WHEREAS, this Board wants to ensure that decisions regarding acceptance of grant funds and undertaking new initiatives and projects are made only after proper consideration of the benefits and costs involved in such undertakings, and

WHEREAS, in order to ensure proper consideration of such benefits and costs, this Board wants to adopt a policy that establishes uniform and systematic procedures to be used when County employees apply for and accept grants, now therefore, be it

RESOLVED:

1. That the policy attached hereto as Exhibit 1, is hereby adopted as the "Allegany County Grants Management Procedures" policy to be used by any County employee applying for new grants, initiatives, projects, and programs.
2. That this policy shall take effect immediately.

Moved by: Mr. Fanton
Seconded by: Mr. Pullen

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

Resolution No. 210-14 (Intro. No. 211-14) (CREATION OF ONE POSITION OF DEPUTY LIEUTENANT WITHIN THE SHERIFF'S OFFICE) was amended on a motion made by Legislator Healy, seconded by Legislator Graves and carried, by changing the words in parentheses under #1 to read "Non-Unit, Grade 7".

RESOLUTION NO. 210-14

**CREATION OF ONE POSITION OF DEPUTY LIEUTENANT
WITHIN THE SHERIFF'S OFFICE**

Offered by: Public Safety and Personnel Committee

RESOLVED:

1. That one position of Deputy Lieutenant (Non-Unit, Grade 7) is created.
2. That this position is created to work with the current Deputy Lieutenant, who is retiring in 2015, to ensure a smooth transition.
3. That upon the retirement of the current Deputy Lieutenant and effective on or before June 30, 2015, the additional position of Deputy Lieutenant shall be abolished
4. This resolution shall take effect immediately.

Moved by: Mr. Healy
Seconded by: Mr. O'Grady

Adopted: Roll Call
11 Ayes, 2 Noes, 2 Absent
Voting No: Burt, Ungermann

Comments made regarding Resolution No. 210-14 included: Legislator Burt remarked that six months was a long time to learn a position.

RESOLUTION NO. 211-14

CREATION OF ONE POSITION OF TEMPORARY OFFICE AIDE IN THE HUMAN RESOURCES DEPARTMENT

Offered by: Personnel Committee

RESOLVED:

1. That one position of temporary Office Aide (at a rate of \$15/per hour) is created in the Human Resources Department.
2. That this temporary position will expire January 31, 2015.
3. This resolution shall take effect immediately.

Moved by: Mr. O'Grady
Seconded by: Mrs. Root

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 212-14

ADOPTION OF 2015 COUNTY FINAL BUDGET

Offered by: Ways & Means Committee

RESOLVED:

1. That the 2015 County Tentative Budget dated September 29, 2014, is adopted as the 2015 County Final Budget.

Moved by: Mr. Fanton
Seconded by: Mr. Curran

Adopted: Roll Call
10 Ayes, 3 Noes, 2 Absent
Voting No: Burt, Decker, Ungermann

Comments made regarding Resolution No. 212-14 included: Legislator Ungermann stated, "I think we've got some issues coming. I wish Senator Young wouldn't have stepped out. Seventy-five percent of people who signed up for Obama Care qualify for Medicare. We have a tax increase in the County and we have less people to pay for it. Our Budget has increased. The average increase per year is \$2 million plus. We need to do something about it to whittle it down. We need to get property values up. The state doesn't seem to think so. There are a lot of things we could do. There are \$131 million projects proposed for Allegany County. Only two of them will ever pay any real estate taxes. That really concerns me. I would like to see the levy level. We need to do something to get it that way. We have more expenses coming down the road." Legislator Burt said, "I know how much work people put into this Budget. My concern is not in the preparation of the Budget." He remarked on the reorganization chart for the Planning & Development office saying that the Budget reflects salaries prior to the new organizational chart for Planning & Development. He stated that it would be reflected in his votes on the next few resolutions. Legislator Decker remarked that he echoed many of Legislator Ungermann's statements, especially regarding the tax levy and the need to keep it flat or lower it. He feels that they need to do as much as humanly possible to keep the levy from increasing in the future. In speaking with people around the County, the thing they ask about is what is being done about the County taxes. He stated that it's not a reflection on the work the Budget Officer and Deputy Budget Officer have put into this Budget. Going forward he feels we need to stop the bleeding as much as possible. Legislator Pullen stated that everyone agrees the taxes are too high. Our taxes have come down. We will be under \$16.50 per thousand. Assessments have gone up. We've made progress but feels they aren't done. He feels that work in the Development office will provide some relief. Legislator Pullen cited the work Chemung county did in economic development and how much the added sales tax revenue has helped their budget. He feels Allegany County's current Budget is the best that can be achieved at this time. Chairman Crandall thanked the Board, the Budget Officers, Legislator Hopkins, department heads, and County employees who do a great job monitoring the Budget. He remarked that we have improved our financial position here in Allegany County. It's not just us patting ourselves on the back. We've still got more to do, but we're in a better position that we were in the past. Legislator Burt thanked Board Clerk Brenda Riehle and staff for their work in putting the Budget together.

Legislator Ungermann requested the following chart and comments, which he compiled, to be included in the minutes:

RECENT HISTORY OF LEVY / BUDGET / ASSESSED VALUE INCREASES

Starting in 2008 with levy of \$24,426,911

Starting in 2008 with assessed value of \$1,488,573,909

Year	Tax levy	Increase in levy over prior year		Budget	County assessed value		Increase in assessed value over prior year	
2009	\$25,381,144	\$954,233	3.91%	\$105,121,381	\$1,526,851,223	t*	\$38,277,314	
2010	\$27,139,034	\$1,757,890	6.93%	\$111,342,718	\$1,604,163,777	f	\$77,367,398	
2011	\$27,527,083	\$388,049	1.43%	\$123,421,457	\$1,628,184,581	f	\$24,020,804	
2012	\$28,219,857	\$692,774	2.52%	\$113,291,072	\$1,671,544,001	f	\$43,369,420	
2013	\$28,829,840	\$609,983	2.16%	\$111,022,335	\$1,709,381,188	f	\$37,827,187	
2014	\$29,349,498	\$519,658	1.80%	\$112,393,119	\$1,757,755,635	f	\$48,374,447	
2015	\$29,968,327	\$618,829	2.11%	\$121,200,909	\$1,820,641,685	t*	\$62,886,050	
Total levy increase since 2008=		\$5,541,416		Budget increase since 2009=	\$16,079,528		Total increase in assessed value since 2008=	\$332,122,620
Average increase/year=		\$791,631	2.84%	Average increase/year=	\$2,297,075	2.19%	Average increase/year=	\$47,446,089
								2.79%

(The reason the tax rate goes down is because the percent change in budget is slightly less than the percent change in levy and assessment increases. Make no mistake... our taxpayers are paying more. It is just negated by an almost equal assessment increase.)

Total assessed value of exemptions in 2009= \$906,811,151

Total assessed value of exemptions in 2015= \$869,074,363

The State lowered the assessed value of State owned property in Rushford, Birdsall, and West Almond – hence the tax rate may go up in those towns.

*t or f indicate “tentative” or “final” figures were used for budget handouts – actual figures for 2009 changed slightly, and could still change slightly for 2015.

RESOLUTION NO. 213-14

RESOLUTION MAKING APPROPRIATIONS FOR THE CONDUCT OF THE COUNTY GOVERNMENT FOR FISCAL YEAR 2015

Offered by: Ways & Means Committee

WHEREAS, this Board, by Resolution No. 212-2014, has adopted a budget for the fiscal year 2015, now, therefore, be it

RESOLVED:

1. That the several amounts specified in the 2015 County Final Budget in the column entitled "Final Budget 2015" be and they hereby are appropriated for the objects and purposes specified.

2. This resolution shall take effect on January 1, 2015.

Moved by: Mr. Fanton
Seconded by: Mr. Jessup

Adopted: Roll Call
12 Ayes, 1 No, 2 Absent
Voting No: Burt

Comments made regarding Resolution No. 213-14 included: Legislator Decker stated that he would support the resolution because the Budget had passed and was done so in the appropriate manner.

RESOLUTION NO. 214-14

RESOLUTION LEVYING COUNTY TAXES

Offered by: Ways & Means Committee

Pursuant to County Law § 360 and Real Property Tax Law § 900

WHEREAS, this Board, by Resolution No. 212-2014, has adopted a final budget for the fiscal year 2015, and

WHEREAS, this Board, by Resolution No. 213-2014, made appropriations for the conduct of the County Government for the fiscal year 2015, and

WHEREAS, in order to meet such appropriations it will be necessary to levy taxes, now, therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators levies County taxes in the amount of \$29,968,327 upon all the taxable real property in the County liable therefor.

Moved by: Mr. Fanton
Seconded by: Mr. Graves

Adopted: Roll Call
12 Ayes, 1 No, 2 Absent
Voting No: Burt

RESOLUTION NO. 215-14

CHARGEBACK TO TOWNS OF COST OF VARIOUS TAX SUPPLIES PURCHASED OR PROVIDED BY COUNTY

Offered by: Ways & Means Committee

WHEREAS, assessment rolls, field books, and various other tax supplies have been purchased or provided by the County for Towns within the County, and

WHEREAS, it is necessary to charge the cost of such items back to the Towns, now, therefore, be it

RESOLVED:

1. That the cost of assessment rolls, field books and various other tax supplies purchased or provided by the County to the Towns within Allegany County shall be charged back to the Towns on the 2015 tax rolls, as follows:

Alfred	1,533.60	Friendship	1,569.60
Allen	771.20	Genesee	1,443.60
Alma	1,288.60	Granger	709.20
Almond	1,399.20	Grove	838.80
Amity	1,711.20	Hume	1,435.20
Andover	1,657.00	Independence	1,030.60
Angelica	1,436.40	New Hudson	913.20
Belfast	1,434.00	Rushford	2,049.60
Birdsall	717.60	Scio	1,494.00
Bolivar	1,906.80	Ward	543.60
Burns	948.00	Wellsville	4,414.80
Caneadea	1,786.80	West Almond	670.80
Centerville	772.80	Willing	1,272.00
Clarksville	1,364.40	Wirt	1,203.60
Cuba	2,701.20		

Moved by: Mr. Fanton
Seconded by: Mr. Graves

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 216-14

RESOLUTION LEVYING TOWNS' 2015 SHARE OF ALLEGANY COUNTY MUTUAL SELF-INSURANCE PLAN

Offered by: Ways & Means Committee

Pursuant to § 67 (2) and § 71 of the Workers' Compensation Law
and § 13 of Local Law No. 3 of 2002

RESOLVED:

1. That this Board levies the sum of \$350,141 upon the taxable property of the Towns participating in the Allegany County Mutual Self-Insurance Plan, in the proportionate amount which each such Town is required to pay for such participation as determined by the provisions of Section 12 of Local Law No. 3 of 2002.

Moved by: Mr. Graves
Seconded by: Mr. O'Grady

Adopted: Roll Call
12 Ayes, 1 No, 2 Absent
Voting No: Ungermann

RESOLUTION NO. 217-14

TRANSFER OF FUNDS WITHIN HEALTH DEPARTMENT ACCOUNTS

Offered by: Human Services Committees

RESOLVED:

1. That the sum of \$23,915 shall be transferred from Account No. A4010.101 (Health Department-Regular Pay) to Account No. A4010.408 (Health Department-General Supplies).

Moved by: Mr. LaForge
Seconded by: Mr. Pullen

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 218-14

BUDGET ADJUSTMENT WITHIN HEALTH DEPARTMENT ACCOUNTS

Offered by: Human Services Committee

RESOLVED:

1. That the sum of \$600 is transferred from Account No. A4190.409 (WIC Fund-Fees) to Account No. A4190.201 (WIC-Office Equipment).

Moved by: Mr. LaForge
Seconded by: Mrs. Root

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 219-14

TRANSFER OF FUNDS WITHIN OFFICE FOR THE AGING ACCOUNTS

Offered by: Human Services and Ways & Means Committees

WHEREAS, Office for the Aging requests the following transfers to various accounts, now, therefore, be it

RESOLVED:

1. That the transfer of \$18,450 within and between Office for the Aging accounts is approved as follows:

From	To	Amount
A6779.101 (OFA-SNAP-Personnel)	A6779.474 (OFA-SNAP-Contractor)	\$5,300
A6775.402 (OFA-State Long Term Care Ombudsmen Program-Mileage)	A6775.101 (OFA-State Long Term Care Ombudsman Program-Personnel)	\$ 300
A6778.474 (OFA-Expanded In-Home Svcs for Elderly Program-Contractor)	A6778.101 (OFA-Expanded In-Home Svcs for Elderly Program-Personnel)	\$4,200
A6781.402 (OFA- Title VII Elder Abuse-Mileage)	A6781.101 (OFA-Title VII Elder Abuse-Personnel)	\$1,000
A6783.408 (OFA-Title III-D-General Supplies)	A6783.101 (OFA-Title III-D-Personnel)	\$ 200
A6787.806 (OFA-Single Point of Entry-Hosp/Med Ins)	A6787.101 (OFA-Single Point of Entry-Personnel)	\$3,300
A6788.408 (OFA-Systems Integration Grant-General Supplies)	A6788.101 (OFA-Systems Integration Grant-Personnel)	\$ 450
A6772.101 (OFA-Nutrition-Personnel)	A6779.474 (OFA-SNAP-Contractor)	<u>\$3,700</u>
	Total:	\$18,450

Moved by: Mr. LaForge
Seconded by: Mr. Pullen

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 220-14

BUDGET TRANSFER BETWEEN SHERIFF'S OFFICE ACCOUNTS

Offered by: Public Safety Committee

RESOLVED:

1. That the sum of \$3,571 shall be transferred from Account No. A3112.203 (E-911 Dispatch-Communications) to Account No. A3112.411 (E-911 Dispatch-Repair Personal Property).

Moved by: Mr. Healy
Seconded by: Mrs. Root

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

Comments made regarding Resolution No. 113-14 included: Legislator Burt remarked that during caucus he discovered the MOE doesn't match up with the resolution. County Administrator Alger indicated that the MOE appears to be incorrect. He explained that the reason for the Budget transfer is that there is a shortfall in the Budget. They are moving money around to keep the E-911 system up and running. Legislator Burt asked Mr. Alger to clarify that it was just a transfer and not additional money. Mr. Alger affirmed that it was just a transfer.

RESOLUTION NO. 221-14

BUDGET TRANSFER WITHIN PROBATION DEPARTMENT ACCOUNTS

Offered by: Public Safety Committee

RESOLVED:

1. That the sum of \$500 shall be transferred from Account No. A3140.413 (Probation-Rentals) to Account No. A3140.201 (Probation-Equipment).

Moved by: Mr. Healy
Seconded by: Mr. Graves

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 222-14

BUDGET TRANSFER WITHIN INDIGENT LEGAL SERVICES (ILS) PUBLIC DEFENDER GRANT

Offered by: Public Safety Committee

RESOLVED:

1. That the sum of \$2,157 shall be transferred from Account No. A1172.201 (ILS Public Defender Grant-Equipment) to the following accounts:

A1172.402 (ILS Public Defender Grant-Mileage)

\$1,397

A1172.407 (ILS Public Defender Grant-Office Supplies)	500
A1172.416 (ILS Public Defender Grant-Cell Phone)	<u>260</u>
	\$2,157

Moved by: Mr. Healy
Seconded by: Mr. Decker

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 223-14

TRANSFER OF FUNDS WITHIN MENTAL HEALTH APPROPRIATION ACCOUNTS

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. That the transfer of \$6,752 within the Mental Health accounts is approved as follows:

Appropriations:

From Account No.	To Account No.	Amount
A4310.409 (Mental Health Admin – Fees)	A4312.457 (Mental Health-Youth ICM)	\$4,051
A4310.409 (Mental Health Admin – Fees)	A4316.457 (Mental Health-ICM)	<u>\$2,701</u>
	Total	\$6,752

Moved by: Mr. LaForge
Seconded by: Mr. Jessup

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 224-14

**ACCEPTANCE OF COLA FUNDS FOR THE FAMILY PLANNING PROGRAM;
APPROPRIATION OF FUNDS**

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. The sum of \$13,143 in COLA funds for the County Health Department Family Planning Program is accepted and appropriated as follows:

<u>Appropriation Accounts</u>	<u>Amount</u>
A4035.414 (Family Planning-Rentals-Real Property)	\$3,893
A4035.460 (Family Planning-Health Contracts)	<u>\$9,250</u>
Total:	\$13,143

Revenue Account

A4035.3450.00 (State Aid-Family Planning)

\$13,143

Moved by: Mr. LaForge
Seconded by: Mr. Graves

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 225-14

ACCEPTANCE AND APPROPRIATION OF OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE (OTDA) GRANT MONIES FOR TRANSPORTATION INITIATIVES

Offered by: Human Services and Ways & Means Committee

WHEREAS, grant money from the Office of Temporary and Disability Insurance is used for the transportation needs of individuals eligible under the Temporary Assistance for Needy Families (TANF) program who are employed or participating in other allowable work activities, and

WHEREAS, this money is critical in enabling parents to engage in work preparation activities, and to seek, accept, and maintain employment so they are better able to provide financially for their families, and

WHEREAS, the Allegany County Department of Social Services is acting as a pass-through agency for the ACCORD Corporation, which is the agency overseeing the transportation needs, now, therefore, be it

RESOLVED:

1. That the sum of \$65,338 received from OTDA grant monies is accepted and these funds shall be placed in Appropriation Account No. A6010.481 (Social Services-Non-Program-Contractual) with a like sum placed in Revenue Account A6010.4610.00 (Federal Aid-Services Administration).

Moved by: Mr. LaForge
Seconded by: Mrs. Root

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 226-14

ACCEPTANCE AND APPROPRIATION OF REVENUE OFFSET MONIES FOR 2014 HEALTH DEPARTMENT ACCOUNTS

Offered by: Human Services and Ways & Means Committee

RESOLVED:

1. That the amount of \$20,870 in Revenue Offset monies for the General Fund for the 2014 Budget Year is accepted and appropriated as follows:

Appropriation Accounts:

A4010.204 (Health Department-Motor Vehicles)	\$17,650
A4010.201 (Health Department-Equipment)	<u>\$ 3,220</u>
	\$20,870

Revenue Account:

A4010.3401.00 (Public Health-State Aid)	\$20,870
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Moved by: Mr. LaForge
Seconded by: Mr. Graves

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 227-14

ACCEPTANCE AND APPROPRIATION OF PERFORMANCE INCENTIVE INITIATIVE MONIES FOR THE 2014 HEALTH DEPARTMENT ACCOUNTS

Offered by: Human Services and Ways & Means Committee

WHEREAS, these funds were awarded for increasing the timeliness and completeness of communicable disease reporting and must be appropriated and spent on Article 6 eligible activities, now, therefore, be it

RESOLVED:

1. That the amount of \$12,000 in Performance Incentive Initiative Monies for the General Fund for the 2014 Budget Year is accepted.

2. That the sum of \$12,000 shall be placed in Revenue Account No. A4010.3450.00 (Public Health-State Aid Other) with a like sum placed in Appropriations Account No. A4010.408 (Health Department-General Supplies).

Moved by: Mr. LaForge
Seconded by: Mr. Jessup

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 228-14

ACCEPTANCE OF STATE COLA FUNDS FOR THE 2014 BUDGET YEAR, 2014-2015 GRANT YEAR, FOR THE LEAD POISONING PREVENTION PROGRAM; APPROPRIATION OF FUNDS

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. The sum of \$2,918 in COLA funds for the County Health Department Lead Poisoning Prevention Program is accepted. The sum of \$2,918 shall be placed in Revenue Account No. A4037.3437.00 (Public Health-Lead-State Aid); that sum shall be appropriated as follows:

A4037.421 (Public Health-Lead-Education)	\$1,300
A4037.405 (Public Health-Conference)	\$ 632
A4037.456 (Public Health-Contractual)	<u>\$ 986</u>
Total:	\$2,918

Moved by: Mr. LaForge
Seconded by: Mr. Fanton

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 229-14

**ACCEPTANCE OF STATE COLA FUNDS FOR THE 2014 BUDGET YEAR, 2014-2015
GRANT YEAR, FOR THE IMMUNIZATION PROGRAM; APPROPRIATION OF FUNDS**

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. The sum of \$2,406 in COLA funds for the County Health Department Immunization Program is accepted. The sum of \$2,406 shall be placed in Revenue Account No. A4056.3473.00 (Immunization Under 24 Months-State Aid) with a like sum placed in Appropriations Account No. A4056.408 (Immunization Under 24 Months-General Supplies).

Moved by: Mr. LaForge
Seconded by: Mrs. Root

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 230-14

**ACCEPTING AND APPROPRIATING FUNDS FROM LITERACY WEST, INC., TO THE
JAIL CONTRACTUAL EXPENSES ACCOUNT**

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That the sum of \$11,993 received from Literacy West, Inc. for the purpose of reducing recidivism through expanded educational opportunities, is accepted.

2. That the accepted sum of \$11,993 shall be placed in Revenue Account A.3151.2705.LW (Jail-Educational Services – Gifts & Donations – Jail/Literacy West) with a like sum placed in Appropriation Account A3151.447 (Jail-Educational Services-Contractual).

Moved by: Mr. Healy
Seconded by: Mr. Decker

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

Comments made regarding Resolution No. 231-14 included: Legislator Pullen remarked that we aren't given discretion how to spend the funds. Yes, we do accept these funds, it's really difficult the way the state and federal programs work not to participate. It's not structured to give us the ability to decide how to spend the money.

RESOLUTION NO. 231-14

ACCEPTING AND APPROPRIATING FUNDS RECEIVED FROM ACCORD CORPORATION AND USER FEES FOR THE ACT II BATTERERS PROGRAM

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That the sum of \$15,476.10 received from ACCORD Corporation and \$1,179 in user fees for the ACT II Batterers Program is accepted and the sum of \$16,655.10 shall be placed in Revenue Account A3117.2260.00 (ACT II Batterers Program-Public Safety Services for Other Governments) with a like sum placed in Appropriation Account A3117.449 (ACT II Batterers Program – Contractual).

Moved by: Mr. Healy
Seconded by: Mr. Graves

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

Comments made regarding Resolution No. 231-14 included: Legislator Burt remarked that he doesn't sit on the committees that offered the resolution. He asked about the listing of future requirements after the expiration of the grant. The County Administrator stated it was safe to assume that there were none.

RESOLUTION NO. 232-14

APPROVAL OF AN AGREEMENT WITH CONXX INC., FOR PROFESSIONAL SERVICES COMPRISING THE DESIGN-BUILD PORTION OF ALLEGANY COUNTY'S WIRELESS BROADBAND PROJECT

Offered by: Facilities & Communications Committee

WHEREAS, Allegany County had previously been awarded a \$1 million dollar grant under the Connect NY Broadband Grant Program to assist in the development of a wireless broadband system to enable internet service providers the ability to provide last mile broadband internet access to areas of the County lacking broadband access to the internet, and

WHEREAS, by Resolution No. 123-2013, this Board approved entering into a professional services agreement with CONXX, Inc. (CONXX), for purposes of developing a design-build proposal for such wireless broadband project, and

WHEREAS, CONXX was chosen to develop such proposal due to the specialized nature of the broadband project and CONXX's track record and unique expertise in developing state of the art wireless broadband projects, and

WHEREAS, part of the unique expertise that CONXX brings to this project is the use of specialized proprietary software coupled with the integration and configuration of state-of-the-art hardware to facilitate advanced wireless radio communications appropriate to the specific topography of a region served, and

WHEREAS, CONXX has also been working with the County to assist in necessary upgrades to the County's E-911 system made possible through a grant in the amount of \$5,951,039 from the Statewide Interoperable Communication Grant Fund, and

WHEREAS, the same unique expertise CONXX brings to bear on the County's E-911 system is also critical to the successful development and implementation of the wireless broadband project; and

WHEREAS, development of the wireless broadband system will involve much of the same infrastructure put in place as part of the necessary upgrades to the County's E-911 system; and

WHEREAS, in order to maximize the synergy between each of these systems, and due to the specialized technical nature of each, CONXX has proposed a design-build project for the wireless broadband system that will complement the County's E-911 system, now therefore, be it

RESOLVED:

1. This Board hereby finds that the proposed design-build services of CONXX, Inc. constitutes an integrated professional service due to the unique nature of the project and the highly technical and specialized work involved in the development and implementation of a wireless broadband system in conjunction with upgrading the County's E-911 system.

2. This Board further finds that given the nature of the proposed work, it is neither feasible nor in the County's best interest to solicit sealed bids or additional proposals for professional services since this is a highly technical project which is unique to its surroundings and best served through the use of professional services that integrate the acquisition, installation, and configuration of specialized hardware and software into the wireless broadband system.

3. This Board, having thoroughly reviewed and considered the proposal of CONXX, Inc. entailing the engineering, acquisition, installation, and configuration of hardware and software so as to provide the backbone for a state-of-the-art wireless broadband system for the sum of \$723,650.00, does hereby approve such proposal and authorizes the entry into an agreement with CONXX, Inc. along the terms of such proposal.

4. That the Chairman of this Board is authorized to execute said agreement.

Moved by: Mr. Pullen
Seconded by: Mr. Jessup

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 233-14

APPROVAL OF ELECTRIC AND NATURAL GAS PURCHASE AGREEMENTS OBTAINED THROUGH THE SERVICES OF MUNICIPAL ELECTRIC AND GAS ALLIANCE (MEGA) WITH INTEGRYS ENERGY SERVICES OF NEW YORK AND DIRECT ENERGY BUSINESS MARKETING, LLC

Offered by: Public Works Committee

WHEREAS, the County has been working with Municipal Electric and Gas Alliance (MEGA) to investigate potential cost savings for electricity and natural gas, and

WHEREAS, MEGA works with various municipalities and providers of energy to secure favorable power purchase agreements for municipalities by aggregating the combined energy usage of these municipalities, and

WHEREAS, MEGA has secured favorable terms from Integrys Energy Services of New York, Inc., (Integrys), for electricity and Direct Energy Business Marketing, LLC, (Direct Energy), for natural gas, and

WHEREAS, the County has considered the terms of a power purchase agreement from Integrys for electricity and believes that it will achieve a cost savings by purchasing electricity from Integrys for the Public Safety Facility, and

WHEREAS, the County has considered the terms of a power purchase agreement from Direct Energy for natural gas and believes that it will achieve a cost savings by purchasing natural gas for all its facilities from Direct Energy, now therefore, be it

RESOLVED:

1. That a power purchase agreement for electricity from Integrys Energy Services of New York, Inc., for a two-year term is hereby approved.
2. That a power purchase agreement for natural gas from Direct Energy Business Marketing, LLC, for a two-year term is hereby approved.
3. That the Chairman of this Board is hereby authorized to execute these agreements.

Moved by: Mr. Fanton
Seconded by: Mr. Graves

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

Comments made regarding Resolution No. 233-14 included: Legislator LaForge commended Jodi Adams, the Department of Public Works, and the Sheriff's Department for the work done on these agreements.

AUDITS:

A motion was made by Legislator Healy, seconded by Legislator Fanton, and carried, that the audits be acted upon collectively and by totals.

A motion was made by Legislator Root, seconded by Legislator Pullen, and adopted on a roll call vote of 13 Ayes, 0 Noes, 2 Absent, that the audit of claims, totaling \$2,901,217.42, including prepaid expenses, be approved for payment as recommended by the County Administrator. (*Allegany County's Local Dollar Share of the NYS Medicaid Program paid year-to-date is \$9,272,928.*)

COMMENTS:

Chairman Crandall reminded the group that a Committee of the Whole meeting would follow the Board meeting. Legislator LaForge remarked that the Monday prior to Thanksgiving is a day marked to recognize and thank those who work in public health. Legislator Ungermann commented that his grandson Ryan Gowiski competed in a Spartan Race, which was televised on NBC. Mr. Gowiski is an Allegany County resident, and finished 23rd out of 440 participants.

ADJOURNMENT: The meeting was adjourned at 3:26 p.m. on a motion made by Legislator Graves, seconded by Legislator Root, and carried.

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

DECEMBER 8, 2014

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:02 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by retired United States Air Force Technical Sergeant Catherine R. Crego.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 14 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, David Decker, Dwight Fanton, Dwight "Mike" Healy, Theodore Hopkins, Charles Jessup, Kevin LaForge, Aaron McGraw, Timothy O'Grady, David Pullen, Debra Root, Norman Ungermann, Jr. Absent: Karl Graves

APPROVAL OF MINUTES:

The minutes of the 2015 Tentative Budget Public Hearing of November 6, 2014, were approved on a motion made by Legislator Decker, seconded by Legislator Pullen, and carried.

The Committee of the Whole minutes of November 10, 2014, were approved on a motion made by Legislator Curran, seconded by Legislator Fanton, and carried.

The Board meeting minutes of November 24, 2014, were approved on a motion made by Legislator Root, seconded by Legislator Decker, and carried.

The Committee of the Whole minutes of November 24, 2014, were approved on a motion made by Legislator Fanton, seconded by Legislator Curran, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Catherine R. Crego, former United States Air Force Technical Sergeant, in grateful appreciation of her service to our country. Ms. Crego's service dates were from May 1991 to June 2011. Following Basic Training at Lackland Air Force Base, TX, assignments included: Keesler Air Force Base, MS, Mather Air Force Base, CA, Osan Air Base, South Korea, Eglin Air Force Base, FL, Hurlburt Field Air Force Base, FL, Keflavik Air Station, Iceland, Air Force ROTC Rochester Institute of Technology, Rochester, NY. Commendations she received included: Meritorious Service Medal (twice), Air Force Commendation Medal (five times), Achievement Medal (twice), Gallant Unit Citation, Air Force Outstanding Unit Award with Valor Device (eight times), Air Force Organizational Excellence Award, Air Force Good Conduct Medal (seven times),

National Defense Service Medal with One Service Star, Global War on Terrorism Expeditionary Medal, Korean Defense Service Medal, Armed Forces Service Medal, Humanitarian Service Medal, Air Force Overseas Short Tour Ribbon (twice), Air Force Expeditionary Service Ribbon with Gold Border, Air Force Longevity Service (five times), USAF NCO PME Graduate Ribbon (twice), Air Force Training Ribbon, NATO Medal. Ms. Crego led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans' Honorary Pledge of Allegiance Program.

Chairman Crandall recognized the following County employees for having achieved 30 years of service with Allegany County.

Barbara Benjamin (Department of Social Services)
Linda Edwards (Youth Bureau/Stop-DWI)
Kathy Hoffman (Department of Social Services)
Anne King (Department of Health)
James Mulligan (Department of Social Services)

Ms. Benjamin and Ms. Edwards were both in attendance. Chairman Crandall presented them with plaques and thanked them for their dedication and service. Chairman Crandall remarked that longevity of employees is important. These long-standing employees of the County are able to act as mentors and provide background for their department.

STOP-DWI Coordinator Linda Edwards thanked the BOCES Culinary Arts students for the cookies and wassail served before the meeting. Ms. Edwards read the following prepared statement regarding National Drunk and Drugged Driving Prevention Month.

'The Allegany County STOP-DWI Office provides the Annual Cookie and Wassail Day in December in recognition of National Drunk and Drugged Driving Prevention Month. This effort began in 1981 with a Presidential Proclamation to raise awareness about the consequences of driving while under the influence of alcohol and drugs.

'The holiday season is the time of the year when drunk and impaired driving accidents are most prevalent. Drug and alcohol use impair judgment, delay reaction times, and can result in deadly consequences when driving. According to the National Highway Traffic Safety Administration, drugs are involved in about 18 percent of motor vehicle driver deaths while drunk driving crashes account for 31 percent of all motor vehicle accidents. Additionally, thousands of drivers and passengers lose their lives each year because of drunk and drugged driving.

'There are a number of simple tips for celebrating and driving safely this holiday season, including designating a non-drinking driver ahead of time, allowing at least one hour between drinks, setting drink limits beforehand, alternating alcoholic drinks with non-alcoholic options, not mixing alcohol and drugs, and not riding with someone who is impaired. Recommit yourself to preventing the loss of life by reminding others to be sober and drug free, and use safe driving practices on the road. The current campaign of the New York State STOP-DWI Programs is "Have a Plan, Don't Drive, Get a Ride."

'The Allegany County STOP-DWI Office will continue to work with our local agencies for enforcement, prosecution, supervision and education in an effort to address this issue. Please remember the 3-D slogan, "Don't Drink, Don't Drive, Don't Die." Please have a safe and happy Christmas holiday.'

Legislator Decker thanked Chairman Crandall and the Board for having the foresight to bring Veterans to the meetings to be honored. He stated, "What a blessed nation we live in to have these people who serve."

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Report of IntraFund Transfers Approved by the County Administrator in November 2014.
2. Report of Tax Bill Corrections Approved by the County Administrator in November 2014. *(It was noted that there were no real property tax corrections reported during this period.)*
3. Correspondence from Ardent Solutions inviting Legislators to attend their Ignite the Nite, 1st Annual Resolution Lantern Launch, to be held at the Wellsville Country Club on December 31 from 9 p.m. to 1 a.m.

PROCLAMATION:

Chairman Curtis W. Crandall proclaimed December 2014 as Drunk and Drugged Driving Prevention Month urging the citizens of Allegany County to avoid driving under the influence of alcohol and drugs.

RESOLUTIONS:

RESOLUTION NO. 234-14

RESOLUTION IN SUPPORT OF AN ACT TO AMEND THE HIGHWAY LAW TO DESIGNATE A PORTION OF THE STATE HIGHWAY SYSTEM AS THE "SUSAN FOSTER MYERS MEMORIAL BRIDGE"

Offered by: Ways & Means Committee

WHEREAS, a request has been made that this Board sponsor a resolution directed to the New York State Senate and New York State Assembly that legislation be enacted to amend the Highway Law to designate the bridges at Interstate 86, Exit 29, which is located within Allegany County in the Town of Friendship, as the "Susan Foster Myers Memorial Bridge", and

WHEREAS, Susan Foster Myers was a resident of Allegheny County for over 45 years, and

WHEREAS, Ms. Myers was a valued public service figure in the Southern Tier, serving in many capacities that included as a Councilman on the Board of the Town of Friendship and as a Legislator for Allegheny County, and

WHEREAS, Ms. Myers was a strong supporter of Economic Development in Allegheny County and the Southern Tier which led to her instrumental campaign to have New York State Route 17 designated as U.S. Interstate Highway 86, and

WHEREAS, Ms. Myers was a valued public officer who dedicated herself to the betterment of her community with involvement in numerous organizations, including but not limited to the Friendship Free Library, Southern Tier West, Genesee Valley Greenway Board, Seneca Trail Resource & Development Board, Friendship-Cuba Economic Development Zone, Allegheny County Youth Board, Allegheny County Republican Women's Club, and

WHEREAS, the Town of Friendship has passed a resolution in unanimous support of legislation that would designate the bridges at Interstate 86, Exit 29 in the Town of Friendship, as the "Susan Foster Myers Memorial Bridge", and

WHEREAS, this Board wishes to join with the Town of Friendship in seeking to recognize this committed public officer, now therefore, be it

RESOLVED:

1. That the Allegheny County Board of Legislators does hereby urge the State Senate and State Assembly to enact legislation to amend the Highway Law to designate the bridges at Interstate 86, Exit 29, Town of Friendship, Allegheny County as the "Susan Myers Memorial Bridge".

2. That the Clerk of this Board is hereby authorized and directed to forward a certified copy of this resolution to Governor Andrew M. Cuomo; New York State Senator Catharine M. Young; Senate Majority Coalition Leader Dean G. Skelos; Assembly Speaker Sheldon Silver; Assemblyman Joseph M. Giglio and Commissioner of Transportation Joan McDonald.

Moved by: Mr. Hopkins
Seconded by: Mr. Healy

Adopted: Voice Vote

Comments made regarding Resolution No. 234-14 included:

Legislator Ungermann read the following prepared statement:

"Some of you may remember that when the court room in the original Court House built in 1936, was dedicated to Jim Euken I was opposed to that. It was certainly nothing

against Judge Euken. I thought about several of the judges before him, such as Ward Hopkins, Wayne Feeman, and my friend Peter Sprague. Let's take "Pete" Sprague as an example. He was a lawyer who rather than pit two sides against one another for his own personal gain, would bring both sides together in one room to settle an issue. Pete became a County Legislator, then a judge, and a founder of the Allegheny County Area Foundation, whose very symbol uses a 'bridge between.' Is there a bridge or court room dedication in his future; or should there be?

'I believe there have already been some precedents set. A bridge on County Route 46 over the Genesee was dedicated to Harlan Hale, and the wooden arch bridge on County Route 16 in Angelica to Alton Saylor; both, I believe, served as Chairman of this Legislature at one time.

'Two bridges, one at State Route 19 and I-86, and another at State Route 305 and I-86 have been dedicated to Cpl. Jason Dunham and Sgt. Mark Bradley respectively. Both died defending our Country. Several stretches of I-86 are dedicated as Veteran Memorial Highways; as well as the bridge over the Allegheny River just west of Allegheny, New York, called the Veterans Memorial Bridge.

'I certainly have nothing against the Myers family, and Sue Myers certainly dedicated a lot of time to the County Legislature, and worked tirelessly along with numerous others to get Route 17 changed to I-86 designation. If the Town of Friendship wishes to dedicate a street or the County Bridge, such as the one on County Route 20 across from the little league park, I would support that.

'Out of respect for all Veterans, past, present, and future; I ask that this resolution be tabled for further discussion by the entire Board.'

Legislator Decker stated that he was in favor of tabling the resolution for the same reasons Legislator Ungermann spoke of. Legislator Burt stated that because of what had been brought to "light", he would second the motion to table the resolution. Legislator O'Grady remarked that this resolution came about because of a resolution the Town of Friendship had passed regarding the designation. He said that regardless of what the County Board does, this can still be pushed through. It's the state of New York's decision. Chairman Crandall noted that this resolution doesn't name anything; it simply passes it on to the State Legislature to decide. Subsequent to the motion and second to table the resolution, the Board voted against tabling the resolution. Following this vote, Legislator Burt remarked that because the Board decided not to table the resolution, he would support it.

RESOLUTION NO. 235-14

A RESOLUTION IN RELATION TO THE COMPENSATION OF COUNTY OFFICERS AND EMPLOYEES

Offered by: Ways & Means Committee

RESOLVED:

1. That commencing January 1, 2015, each unit employee occupying a position set forth in the "County Unit Salary Plan" shall receive the salary or rate of compensation for the step of the Grade of the position occupied that is set forth in "Appendix A-3" or in "Appendix B-3" of Agreement approved by Resolution No. 36-2011, and which salary or rate of compensation such unit employee is entitled to receive commencing January 1, 2015, pursuant to said Agreement and pursuant to the "County Unit Salary Plan"; the increment recommendations from the department heads for each such unit employee under their jurisdiction receiving such recommendation being approved.

2. That commencing January 1, 2015, each unit employee occupying a position set forth in Agreement between the County of Allegany and the New York State Nurses Association, which Agreement was approved by Resolution No. 25-2012, shall receive the salary or rate of compensation for the step of the Grade of the position occupied that is set forth in "Schedule A" of said Agreement, and which salary or rate of compensation such unit employee is entitled to receive commencing January 1, 2015, pursuant to said Agreement and pursuant to the "County Unit Salary Plan"; the increment recommendation from the Public Health Director for each such unit employee under her jurisdiction receiving such recommendation being approved.

3. That commencing January 1, 2015, each unit employee occupying a position set forth in Agreement between the County of Allegany and the Allegany County Deputy Sheriff's Association, which Agreement was approved by Resolution No. 130-2011, shall receive the salary or rate of compensation for the step of the Grade of the position occupied that is set forth in "Appendix A" of said Agreement, and which salary or rate of compensation such unit employee is entitled to receive commencing January 1, 2015, pursuant to said Agreement and pursuant to the "County Unit Salary Plan"; the increment recommendation from the Sheriff for each such unit employee under his jurisdiction receiving such recommendation being approved.

4. That commencing January 1, 2015, each employee occupying a position set forth in Agreement between the County of Allegany and the New York State Public Employees Federation, which Agreement was approved by Resolution No. 174-2010, shall receive the salary or rate of compensation for the step of the Grade of the position occupied that is set forth in said Agreement, and which salary or rate of compensation such employee is entitled to receive commencing January 1, 2015, pursuant to said Agreement and pursuant to the "County Unit Salary Plan"; the increment recommendations from the department heads for each such employee under their jurisdiction receiving such recommendation being approved.

5. That commencing January 1, 2015, each non-unit employee occupying a position set forth in the "County Non-Unit Salary Plan" shall receive the salary for the step of the Grade of the position occupied that is set forth in section 6 of Resolution No. 297-75, as last amended by Resolution No. 189-2012, and which salary such non-unit employee is entitled to receive commencing January 1, 2015; the increment recommendations from the

department heads for each such non-unit employee under their jurisdiction receiving such recommendation being approved.

6. That the Personnel Officer is directed to prepare and deliver a list of the names and pay of the employees affected by sections one, two, three, four and five of this resolution to the County officers who are responsible for preparing the payrolls of such employees.

7. That commencing January 1, 2015, the base salaries, none of which include any earned longevity increment, of the incumbents of the titled positions herein set forth shall be the amount set forth opposite such position, to wit:

<u>TITLE</u>	<u>BASE SALARY</u>
County Legislators (15)	8,500
Chairman of the Board	8,500
Majority Leader	300
Minority Leader	300
Budget Officer	2,500
Deputy Budget Officer	2,500
County Administrator	91,225
Deputy County Administrator	10,000
Clerk of the Board	63,428
District Attorney	152,500
Assistant District Attorney (1st)	38,604
Assistant District Attorney (2nd)	35,824
Assistant District Attorney (3rd)	35,875
Assistant District Attorney (4th)	35,875
Assistant District Attorney (5th) V & T Diversion	26,585
Assistant District Attorney (6th) Welfare	24,000
District Attorney Investigator (PT)	12,954
Crime Victims Coordinator	32,061
Assistant Public Defender (1st)	81,383
Assistant Public Defender (2nd)	73,544
Assistant Public Defender (3rd)	71,750
Deputy County Auditor	1,200
Assistant County Attorney (1st)	86,317
Assistant County Attorney (2nd)	64,227
Assistant County Attorney (3rd)	63,070
Assistant County Attorney – Support Counsel (3)	10,250
Election Commissioners (2)	16,790
Election Technicians – Election Machine Tech 1	\$16.81/hr.
Election Technicians – Election Machine Tech 2	\$18.39/hr.
Election Inspectors – Primary	\$107.50/day
Election Inspectors – General	\$172/day
Election Inspectors – Training	\$37.50/day
Seasonal Laborers (Public Works)	\$9.00/hr.

Laborers (Gatekeepers) Part-time	\$12.45/hr.
Information Technology Director	71,615
Sheriff	70,735
Undersheriff	64,088
Probation Director II	65,891
STOP DWI Program Coordinator	16,664
Youth Director	33,972
Emergency Management and Fire Director	53,111
E911 Enumerator	\$10/hr.
Medical Director	20,000
Physical Therapist (EI Part-time)	\$10/hr.
Occupational Therapist (EI Part-time)	\$10/hr.
Speech-Language Pathologist (EI Part-time)	\$10/hr.
Special Education Teacher (EI Part-time)	\$10/hr.
Community Services Director	41,820
Development Director	85,459
Office for the Aging Director	57,784
Office for the Aging:	
Site Managers	\$9-11/hr.
Drivers, Aides	\$9-11/hr.
Rushford Lake:	
Youth Agencies Director	535/wk.
Lifeguards	\$10.50/hr.

Moved by: Mr. Hopkins
Seconded by: Mr. Fanton

Adopted: Roll Call
11 Ayes, 3 Noes, 1 Absent
Voting No: Burt, Decker, Ungermann

RESOLUTION NO. 236-14

**AMENDMENT OF RESOLUTION NO. 297-75 TO PROVIDE NEW SALARY GRADE
SCHEDULE IN COUNTY NON-UNIT SALARY PLAN**

Offered by: Ways & Means Committee

RESOLVED:

1. That effective January 1, 2015, Section 6 of Resolution No. 297-75, as last amended by Resolution No. 189-2012, is amended to read as follows:

Section 6. The following salary grades are hereby established for use in determining the compensation for the positions graded in Section Three of this resolution:

Grade	Base	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Avg Inc
1	29,136	30,002	30,909	31,837	32,786	33,776	34,786	35,837	36,910	38,023	39,157	40,333	1,018
2	30,909	31,837	32,786	33,776	34,786	35,837	36,910	38,023	39,157	40,333	41,549	42,786	1,080

3	32,786	33,776	34,786	35,837	36,910	38,023	39,157	40,333	41,549	42,786	44,065	45,385	1,145
4	34,786	35,837	36,910	38,023	39,157	40,333	41,549	42,786	44,065	45,385	46,766	48,168	1,217
5	36,910	38,023	39,157	40,333	41,549	42,786	44,065	45,385	46,766	48,168	49,611	51,096	1,290
6	39,157	40,333	41,549	42,786	44,065	45,385	46,766	48,168	49,611	51,096	52,622	54,210	1,368
7	41,549	42,786	44,065	45,385	46,766	48,168	49,611	51,096	52,622	54,210	55,839	57,509	1,451
8	44,065	45,385	46,766	48,168	49,611	51,096	52,622	54,210	55,839	57,509	59,221	61,014	1,541
9	46,766	48,168	49,611	51,096	52,622	54,210	55,839	57,509	59,221	61,014	62,829	64,726	1,633
10	49,611	51,096	52,622	54,210	55,839	57,509	59,221	61,014	62,829	64,726	66,664	68,664	1,732
11	52,622	54,210	55,839	57,509	59,221	61,014	62,829	64,726	66,664	68,664	70,726	72,850	1,839

Moved by: Mr. Hopkins
Seconded by: Mr. Jessup

Adopted: Roll Call
11 Ayes, 3 Noes, 1 Absent
Voting No: Burt, Decker, Ungermann

RESOLUTION NO. 237-14

**APPROVAL OF THE FINAL ASSESSMENT ROLLS WITH TAXES EXTENDED THEREON;
AUTHORIZING AND DIRECTING THE PREPARATION AND EXECUTION OF TAX
WARRANTS AND CAUSING DELIVERY OF TAX ROLLS TO COLLECTING OFFICERS**

Offered by: Ways & Means Committee

Pursuant to Real Property Tax Law §§ 900 and 904

WHEREAS, upon the final assessment rolls of the several Towns the several taxes have been duly extended as provided by law, now, therefore, be it

RESOLVED:

1. That the final assessment rolls of the several Towns with the taxes so extended thereon are approved.
2. That the taxes so extended opposite the assessment of each parcel of real property in such rolls are determined to be the taxes thereon.
3. That there be annexed to each such roll a tax warrant in the form prepared by the Clerk of this Board to contain the respective amounts heretofore authorized to be levied upon the taxable property in each such roll and to bear the seal of the County Board of Legislators.
4. That the Chairman and Clerk of this Board shall sign each such warrant.

Moved by: Mr. Hopkins
Seconded by: Mrs. Root

Adopted: Roll Call
13 Ayes, 1 Noes, 1 Absent
Voting No: Ungermann

RESOLUTION NO. 239-14

ACCEPTANCE OF INSURANCE PAYMENT FROM NYMIR AND APPROPRIATION OF FUNDS TO RISK RETENTION ACCOUNTS

Offered by: Ways & Means Committee

WHEREAS, a check in the amount of \$235, representing the cost to replace a windshield on the Sheriff's 2008 Dodge Durango (#5025) that was damaged on or around October 24, 2014, has been offered by NYMIR (New York Municipal Insurance Reciprocal) in settlement for such damage, now, therefore, be it

RESOLVED:

1. That the amount of \$235 from NYMIR, representing the cost to replace a windshield on a 2008 Dodge Durango, is accepted.

2. That the sum of \$235 is shall be appropriated to Account No. CS1931.429 (Risk Retention-Uninsured Property Loss) with a like sum placed in Revenue Account CS1930.2680.00 (Insurance Recovery).

Moved by: Mr. Hopkins
Seconded by: Mrs. Curran

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 239-14 included: Legislator Burt asked where the vehicle was located when it was damaged, if it was know how it was damaged, and whether the vehicle was a "take-home" vehicle? Lieutenant Hanchett responded that if an accident report had not come across his desk, then it most likely happened in the parking lot.

RESOLUTION NO. 239-14

SERVICE CONTRACT FOR THE PROVISION OF PUBLIC TRANSPORTATION SERVICES PROVIDED BY THE ALLEGANY ARC

Offered by: Ways & Means Committee

RESOLVED:

1. That the Transportation Management Agreement between Allegany County and Allegany ARC commencing January 1, 2015, and expiring December 31, 2016, is approved.

2. That the Chairman of this Board is authorized to execute said agreement.

Moved by: Mr. Hopkins
Seconded by: Mr. Pullen

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 239-14 included: Legislator Burt remarked that he would reluctantly support this resolution, but only because of the cost. He strongly recommended that bus stops be changed to intersections rather than business locations. He commented that it's not meant to be for shopping. Shopping dollars are being taken away from Allegany County businesses.

Resolution Intro. No. 241-14 (LEVYING TAXES AND ASSESSMENTS REQUIRED FOR PURPOSES OF ANNUAL BUDGETS OF THE TOWNS OF ALLEGANY COUNTY) was not pre-filed and was considered from the floor on a motion made by Legislator Hopkins, seconded by Legislator Root, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 240-14

LEVYING TAXES AND ASSESSMENTS REQUIRED FOR PURPOSES OF ANNUAL BUDGETS OF THE TOWNS OF ALLEGANY COUNTY

Offered by: Ways & Means Committee

Pursuant to Town Law § 115

WHEREAS, there has been presented to the Board of Legislators a duly certified copy of the annual adopted budget of each of the several Towns in the County of Allegany for the fiscal year beginning January 1, 2015, now, therefore, be it

RESOLVED:

1. That there is levied, assessed and raised by tax and assessments upon the real property liable therefore situated in the following Towns outside of any incorporated villages wholly or partially located therein, the General Fund and Highway Fund amounts specified in the annual adopted budgets of such Towns and indicated opposite such Towns, as follows:

	General Fund	Highway Fund
Alfred	\$34,234.00	\$111,111.00
Almond	20,457.00	147,433.00
Amity	250.00	312,472.00
Andover	18,469.00	157,238.00
Angelica	2,661.00	50,270.00
Bolivar	17,673.00	218,021.00
Burns	5,910.00	60,760.00

Cuba	0.00	290,598.00
Wellsville	113,427.96	337,236.50
Wirt	3,152.95	120,796.18

2. That there is levied, assessed and raised by tax and assessments upon the real property liable therefore situated in the following Towns, the General Fund and Highway Fund amounts specified in the annual adopted budgets of such Towns and indicated opposite such Towns, as follows:

	General Fund	Highway Fund
Alfred	\$170,390.00	\$193,578.00
Allen	112,229.00	142,685.00
Alma	195,262.00	392,477.00
Almond	179,682.00	216,342.00
Amity	191,326.00	Combined w/Village Outside
Andover	174,107.00	156,936.00
Angelica	144,548.00	77,239.00
Belfast	253,414.00	427,929.00
Birdsall	137,550.00	46,805.00
Bolivar	155,761.00	212,482.00
Burns	126,220.00	167,815.00
Caneadea	225,591.00	391,984.00
Centerville	120,064.00	265,291.00
Clarksville	162,550.00	330,500.00
Cuba	705,982.00	309,747.00
Friendship	329,465.00	357,308.00
Genesee	173,250.00	405,100.00
Granger	125,400.00	164,300.00
Grove	137,262.00	301,100.00
Hume	228,513.24	462,114.00
Independence	246,654.00	421,457.00
New Hudson	137,220.00	321,543.00
Rushford	270,818.00	395,897.00
Scio	228,669.00	292,014.00
Ward	118,518.00	167,757.00
Wellsville	671,288.10	326,638.09
West Almond	105,000.00	43,450.00
Willing	224,370.00	276,741.00
Wirt	184,047.38	220,697.18

3. That there is levied, assessed and raised by tax and assessments upon the real property liable therefore in the following fire, fire protection, improvement and other special

districts in the following Towns, the amounts specified in the annual adopted budgets of such Towns for such districts and indicated opposite such Towns, as follows:

Alfred	Fire Protection	\$36,400.00
	Hydrant	352.00
Allen	Fire District	13,965.00
Alma	Fire Protection	60,000.00
	Light District	2,000.00
Almond	Fire Protection	25,000.00
Amity	Fire District	48,000.00
Andover	Fire Protection	33,250.00
Angelica	Fire Protection District	33,600.00
Belfast	Light District #1	9,500.00
	Fire Protection	64,451.00
	Water District	95,976.00
Birdsall	Fire	25,270.00
Bolivar	Richburg-Wirt Fire District	4,576.00
	Bolivar Joint Fire District	123,436.00
Burns	Canaseraga Fire Protection	17,500.00
Caneadea	Caneadea Water District	267,772.00
	Houghton Sewer District	51,484.00
	Caneadea Light	3,000.00
	Houghton Light	18,000.00
	Oramel Light	1,100.00
	Rushford Lake District	46,892.00
	Caneadea Fire	109,000.00
Centerville	Fire Districts	25,450.00
Clarksville	Fire District	78,123.00
Cuba	Fire District	261,428.00
	Sewer #1 (Echo Lanes)	0.00
	Sewer #3 (Acme)	0.00
	Sewer #5 LAKE	100,040.00
	Water #3 (Acme)	0.00
	Water #4 (School)	1,849.00
	Lake District	37,845.00
Friendship	Lighting District #1	23,916.00
	Fire District	102,000.00
	Sidewalks Fund	28,666.00
	Refuse & Garbage District	55,432.00
Genesee	Fire Protection 1 (Bolivar)	42,983.00
	Fire Protection 2 (Portville)	33,500.00
Granger	Fire Protection	20,000.00
Grove	Swain Lighting District	2,500.00
	Canaseraga Fire District 1	17,500.00

	Nunda Fire District 2	2,000.00
Hume	Fire Protection	87880.00
	Light District 1 (Hume)	3,850.00
	Light District 2 (R & W)	4,100.00
	Light District 3 (Hume)	11,500.00
	Sidewalk	5,000.00
	Sewer District	0.00
	Consolidated Water Dist.	0.00
Independence	Fire	55,200.00
	Street Light (Whitesville)	8,000.00
	Water District (Whitesville)	0.00
New Hudson	Light District 1	2,500.00
	Fire District 1	37,000.00
Rushford	Lighting District	6,800.00
	Rushford Fire District	87650.00
	Rushford Lake District	228,941.00
Scio	Consolidated Water Dist.	36,041.00
	Light District 1	16,500.00
	Fire District 1	104,000.00
Ward	Fire Protection	9,128.00
Wellsville	Fire Protection District	121,000.00
	Hillcrest Lighting District	200.00
	E. State St. Sewer District	0.00
	Sinclair Sewer District	1,500.00
	Airport Sewer District	0.00
	Sinclair Water District	500.00
	Riverside Water District	500.00
	East State Water District	0.00
	W. Wellsville Water District	17,000.00
	Airway Sanitary Sewer Dist.	0.00
	Phillips Creek Water District	0.00
West Almond	Fire District	9,935.00
Willing	Fire Department	67,430.00
Wirt	Fire Protection Townwide	92,785.99

4. That such taxes and assessments, when collected, shall be paid to the Supervisors' of the several Towns in the amounts as shown in this resolution, for distribution by them in the manner provided by law.

Moved by: Mr. Hopkins
Seconded by: Mrs. Root

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

AUDITS:

A motion was made by Legislator Hopkins, seconded by Legislator Fanton, and carried, that the audits be acted upon collectively and by totals.

A motion was made by Legislator Hopkins, seconded by Legislator Root, and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims, totaling \$2,241,580.08, including prepaid expenses, be approved for payment as recommended by the County Administrator. (*Allegany County's Local Dollar Share of the NYS Medicaid Program paid year-to-date is \$9,659,300.*)

ADJOURNMENT: The meeting was adjourned at 2:42 p.m. on a motion made by Legislator Root, seconded by Legislator Fanton, and carried.

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

DECEMBER 22, 2014

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:03 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by United States Air Force Staff Sergeant Justin A. Sweet.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 13 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, David Decker, Dwight Fanton, Dwight "Mike" Healy, Theodore Hopkins, Charles Jessup, Kevin LaForge, Aaron McGraw, David Pullen, Debra Root, Norman Ungermann, Jr.
Absent: Karl Graves, Timothy O'Grady

APPROVAL OF MINUTES:

The Board meeting minutes of December 8, 2014, were approved on a motion made by Legislator Root, seconded by Legislator Curran, and carried.

The Committee of the Whole minutes of December 8, 2014, were approved on a motion made by Legislator Curran, seconded by Legislator Fanton, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Justin A. Sweet, United States Air Force Staff Sergeant, in grateful appreciation of his service to our country. Mr. Sweet has been serving since July 2007. Mr. Sweet is assigned to Ellsworth Air Force Base in South Dakota. Commendations he has received include: Air Force Commendation Medal, Air Force Achievement Medal with One Oak Leaf Cluster, Meritorious Unit Award with Four Oak Leaf Clusters, Air Force Outstanding Unit Award, Air Force Good Conduct Medal with One Oak Leaf Cluster, National Defense Service Medal, Global War on Terrorism Expeditionary Medal, Global War on Terrorism Service Medal, Noncommissioned Officers Instructor of the Quarter (Detachment) Q3 2013, Military Volunteer of the Quarter (Wing) – Q1 2014, Military Volunteer of the Quarter (Squadron) – Q4 2014, Military Volunteer of the Year (Detachment) – 2014. Additionally, Mr. Sweet volunteers as a firefighter for Rapid Valley Fire Department in South Dakota where he was recently named Rapid Valley Fire Department Firefighter of the Year and Pennington County Firefighter of the Year. Mr. Sweet led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans' Honorary Pledge of Allegiance Program.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. January 2015 Calendar
2. Organization Meeting Notice
3. Alfred State College Executive Director and Dean of the School of Applied Technology Dr. Craig Clark forwarded an amended copy and 30-day notice regarding the Alfred State StartUp NY Plan.
4. Reminder that Ardent Solutions has invited all Legislators to attend their Ignite the Nite, 1st Annual Resolution Lantern Launch, to be held at the Wellsville Country Club on December 31 from 9 p.m. to 1 a.m.

RESOLUTIONS:

RESOLUTION NO. 241-14

RESOLUTION FIXING DATE OF 2015 ORGANIZATION MEETING

Offered by: Ways & Means Committee

RESOLVED:

1. That the Board of Legislators shall meet on Monday, January 5, 2015, at 2:00 p.m. in the Legislators' Chambers in the County Office Building, Belmont, New York, for the purpose of organizing the Board, selecting a Chairman and such other officers or appointees as may be desired, and for the transaction of any other business which could properly come before any regular meeting of the Board.

Moved by: Mr. Hopkins
Seconded by: Mr. Curran

Adopted: Voice Vote

RESOLUTION NO. 242-14

**SUSPENDING CERTAIN COUNTY BOARD RULES AFFECTING PROPOSED
RESOLUTIONS REQUESTED TO BE SUBMITTED AT ORGANIZATION MEETING ON
JANUARY 5, 2015**

Offered by: Ways & Means Committee

RESOLVED:

1. That section D. of Rule 170 and sections C., D. and E. of Rule 180 of County Board Rules, are suspended for proposed resolutions which are requested to be submitted at the organization meeting of the County Board of Legislators to be held on January 5, 2015.

Moved by: Mr. Hopkins
Seconded by: Mr. Fanton

Adopted: Voice Vote

Comments made regarding Resolution No. 242-14 included: Legislator Ungermann stated that he assumed the meeting would be an open meeting. Chairman Crandall replied that yes, it would be.

RESOLUTION INTRO. NO. 244-14 (APPROVAL OF DONATION OF THE LAND AND BUILDING LOCATED AT 4459 BOLIVAR ROAD IN THE TOWN OF WELLSVILLE FROM THE ESTATE OF ARTHUR DEVENPORT) was TABLED following a motion made by Legislator Hopkins, seconded by Legislator Curran, and carried to allow for more time to gather information regarding the property.

RESOLUTION NO. 243-14

REAPPOINTMENT OF FIVE INCUMBENT MEMBERS TO COUNTY TRAFFIC SAFETY BOARD

Offered by: Public Safety Committee

Pursuant to Local Law No. 2 of 1972

RESOLVED:

1. That Gary Fries, Jimmy Joyce, David Roeske, Charles Stout and Shawn Whitney are reappointed to the County Traffic Safety Board, with term of office for each to commence January 1, 2015, and expire December 31, 2017.

Moved by: Mr. Healy
Seconded by: Mr. Decker

Adopted: Voice Vote

RESOLUTION NO. 244-14

REAPPOINTMENT OF FIVE MEMBERS TO THE CITIZENS ADVISORY COUNCIL TO THE OFFICE FOR THE AGING

Offered by: Human Services Committee

Pursuant to Resolution No. 221-74

RESOLVED:

1. That the reappointments of Kenneth David Porter of Wellsville, New York, Robert Riber of Alfred Station, New York, William Emrick of Scio, New York, Rita Sibble of Andover, New York, and Dawn Young of Belfast, New York, to the Citizens Advisory Council to the Office for the Aging, with term of office for each commencing January 1, 2015, and expiring December 31, 2017, are confirmed.

Moved by: Mr. LaForge
Seconded by: Mr. Pullen

Adopted: Voice Vote

RESOLUTION NO. 245-14

**DELEGATING AUTHORITY FOR CERTAIN REAL PROPERTY TAX REFUNDS AND
CORRECTION OF TAX BILLS AND TAX ROLLS**

Offered by: Ways & Means Committee

Pursuant to Sections 554 (9) (a) and 556 (8) (a) of the
Real Property Tax Law

WHEREAS, Sections 554 and 556 of the Real Property Tax Law authorize the County Board of Legislators to delegate the authority to make real property tax refunds and correct tax bills and tax rolls where the recommended refund or correction is \$2,500 or less, and

WHEREAS, utilization of this option will save numerous resolutions per year, and

WHEREAS, it is proposed that the County Administrator, who is also the County Auditor, as the individual who audits bills for payments, would be the official to perform the delegated refund and correction duties, and

WHEREAS, should the County Administrator as County Auditor deny the refund, the application would then be presented to the County Board of Legislators for its consideration, and

WHEREAS, the delegation must be given each calendar year, now, therefore, be it

RESOLVED:

1. This Board does delegate the authority to make real property tax refunds and to correct tax bills and tax rolls to the County Administrator as County Auditor pursuant to the above sections of the Real Property Tax Law subject to the limitations in paragraphs 2. and 3. of this resolution for calendar year 2015.

2. That for calendar year 2015, the County Administrator as County Auditor is authorized to perform the duties of the County Board of Legislators in providing real property tax refunds, where the recommended refund is \$2,500 or less, in accordance with Section 556 of the Real Property Tax Law.

3. That for calendar year 2015, the County Administrator as County Auditor is authorized to correct tax bills and tax rolls, where the recommended correction is \$2,500 or less, in accordance with Section 554 of the Real Property Tax Law.

Moved by: Mr. Hopkins
Seconded by: Mr. Fanton

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 246-14

ACCEPTANCE OF PERFORMANCE IMPROVEMENT PROJECT FUNDS FOR THE 2014 BUDGET YEAR, 2014-2015 GRANT YEAR, FOR THE WIC PROGRAM; APPROPRIATION OF FUNDS

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. The sum of \$1,015 in Performance Improvement Project funds for the County Health Department WIC Program is accepted. The sum of \$1,015 shall be placed in Revenue Account No. A4190.4452.00 (WIC – Federal Aid) with a like sum placed in Appropriations Account No. A4190.201 (WIC – Equipment).

Moved by: Mr. LaForge
Seconded by: Mr. Root

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 247-14

BUDGET TRANSFER WITHIN PUBLIC WORKS DEPARTMENT ACCOUNTS

Offered by: Public Works and Ways & Means Committees

RESOLVED:

1. That the sum of \$33,000 shall be transferred from Account No. A8160.497 (Solid Waste – Ground Water Monitoring) to Account No. D5110.408 (County Road – General Supplies) to cover funds needed for the purchase of 1A Limestone to be used for the 2015 Surface Treatment Projects.

Comments made regarding Resolution No. 247-14 included: Legislator Ungermann stated that he would not be supporting the resolution. He said that he thinks the County would be better served to put this money into bridges. He remarked that there are bridges that have been red flagged for repairs and they need maintenance. Legislator Fanton said that \$1 Million had been put into the Budget for bridge repair, so he doesn't feel that the bridges are being shorted.

Moved by: Mr. Fanton
Seconded by: Mr. Curran

Adopted: Roll Call
12 Ayes, 1 No, 2 Absent
Voting No: Ungermann

RESOLUTION NO. 248-14

ACCEPTANCE OF FEDERAL GRANT FUNDING TO PROBATION DEPARTMENT ACCOUNTS FROM THE U. S. DEPARTMENT OF JUSTICE'S OFFICE OF VIOLENCE AGAINST WOMEN (OVW); AUTHORIZING BOARD CHAIRMAN TO SIGN AND EXECUTE SAID CONTRACT

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That the sum of \$21,300 of federal grant funding for period October 1, 2014, to September 30, 2017, to be used with the Probation Department Sex Offender Treatment Program and supervision of sex offenders, is accepted.
2. That the Chairman of this Board is authorized to execute said contract when completed.

Moved by: Mr. Healy
Seconded by: Mr. Decker

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

Comments made regarding Resolution No. 248-14 included: Legislator Burt commended Bob Starks, Director of Probation, for providing well written MOEs for the Legislators.

RESOLUTION NO. 249-14

APPROVAL OF AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES, OFFICE OF PROBATION AND CORRECTIONAL ALTERNATIVES, PROVIDING FOR THE PAYMENT OF A FEE TO ALLEGANY COUNTY FOR EACH INDIVIDUAL RECEIVING A SENTENCE REQUIRING AN IGNITION INTERLOCK DEVICE ON THEIR VEHICLE

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That the agreement between the New York State Division of Criminal Justice Services, Office of Probation and Correctional Alternatives, (GTSC Ignition Interlock Device Monitoring Program), providing for the payment of a fee to Allegany County of \$135 for each Probation Department client with a discharge sentence that includes an Ignition Interlock condition, up to a maximum amount of \$6,885, is approved.
2. That the Chairman of this Board is authorized to execute such agreement.

Moved by: Mr. Healy
Seconded by: Mr. Fanton

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 250-14

**APPROVAL OF AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND
THE COUNTY OF WYOMING FOR HOUSING WYOMING COUNTY
MALE AND FEMALE PRISONERS IN THE ALLEGANY COUNTY JAIL**

Offered by: Public Safety Committee

Pursuant to Corrections Law § 504

RESOLVED:

1. That the Agreement between the County of Allegany and the County of Wyoming in relation to the housing in of Wyoming County male and female prisoners in the Allegany County Jail for period January 1, 2015, to December 31, 2015, is approved.

Moved by: Mr. Healy
Seconded by: Mr. Decker

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

Comments made regarding Resolution No. 250-14 included: Legislator Burt asked the County Administrator if the fee was \$5 more than the County had been charging? Mr. Alger indicated that he believed it was \$5 more than it had been. Legislator Decker remarked that this is an example of the Sheriff working on consolidating and doing things more efficiently. He feels we should look for more ways to consolidate services with other counties. Chairman Crandall asked the Sheriff to verify that \$5 was the correct amount of the increase. Sheriff Whitney indicated that it was. Chairman Crandall went on to remark about the planning that went into the Jail facility and potential revenue that could be generated. He stated that the facility is run very well.

RESOLUTION NO. 251-14

**APPROVAL OF ENTRY INTO AN INTERMUNICIPAL MUTUAL AID AGREEMENT
BETWEEN THE COUNTY OF ALLEGANY AND THE ALLEGANY COUNTY
TOWN HIGHWAY SUPERINTENDENTS ASSOCIATION**

Offered by: Public Works Committee

RESOLVED:

1. That entry into an Intermunicipal Mutual Aid Agreement between the County of Allegany and the Allegany County Town Highway Superintendents Association for period January 1, 2015, to December 31, 2015, is approved.

Moved by: Mr. Fanton
Seconded by: Mr. Pullen

Adopted: Roll Call
12 Ayes, 1 No, 2 Absent
Voting No: Ungermann

Comments made regarding Resolution No. 251-14 included: Legislator Ungermann referred to a Cornell University study that was presented in June. He stated the study showed that some of the worst bookkeepers are in our highway departments. He feels that a rate schedule needs to be developed so the towns can do a better job of tracking the value of the assistance they are providing to other municipalities in the County. Legislator Fanton stated that Allegany County is rated number one for bridge quality in New York State.

RESOLUTION NO. 252-14

TRANSFERS BETWEEN APPROPRIATION ACCOUNTS

Offered by: Ways & Means Committee

WHEREAS, the Committees of this Board have authorized expenditures and such expenditures may be in excess of appropriations, and

WHEREAS, unexpended, unencumbered balances may exist in accounts, now, therefore, be it

RESOLVED:

1. That the County Treasurer is authorized to make transfers between appropriation accounts upon her books and to expend the same therefrom as she deems necessary for the purpose of balancing the accounts for the end of the 2014 fiscal year.

2. That upon the completion of such transfers the County Treasurer shall file a certification listing such transfers with the Clerk of this Board. Such certification shall be incorporated in the 2014 proceedings of this Board following this resolution.

Moved by: Mr. Hopkins
Seconded by: Mr. Curran

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

Resolution Intro. No. 255-14 (DESIGNATION OF THE WELLSVILLE DAILY REPORTER AS THE SOLE OFFICIAL NEWSPAPER FOR THE WEEK OF DECEMBER 28, 2014, TO JANUARY 3, 2015) was not pre-filed and was considered from the floor on a motion made by Legislator Hopkins, seconded by Legislator Root, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 253-14

DESIGNATION OF THE WELLSVILLE DAILY REPORTER AS THE SOLE OFFICIAL NEWSPAPER FOR THE WEEK OF DECEMBER 28, 2014, TO JANUARY 3, 2015

Offered by: Ways & Means Committee

WHEREAS, the Clerk of this Board was informed that the Cuba Patriot & Free Press and the Alfred Sun will not be publishing a paper the week of December 28, 2014, through January 3, 2015, now, therefore, be it

RESOLVED:

1. Notwithstanding the provisions of Section 1. of Resolution No. 17-2014, the newspaper the Wellsville Daily Reporter is designated as the sole official newspaper to publish local laws, notices and other matters required by law to be published during the period of December 28, 2014, to January 3, 2015.

Moved by: Mr. Hopkins
Seconded by: Mr. Curran

Adopted: Voice Vote

AUDITS:

A motion was made by Legislator Hopkins, seconded by Legislator Fanton, and carried, that the audits be acted upon collectively and by totals.

A motion was made by Legislator Hopkins, seconded by Legislator Root, and adopted on a roll call vote of 13 Ayes, 0 Noes, 2 Absent, that the audit of claims, totaling \$2,988,967.42, including prepaid expenses, be approved for payment as recommended by the County Administrator. (*Allegany County's Local Dollar Share of the NYS Medicaid Program paid year-to-date is \$10,045,672.*)

COMMENTS:

Legislator Hopkins noted that the County's contribution for Medicaid was now over \$10 million for 2014.

Legislator Fanton addressed Legislator Ungermann's comment about Highway Superintendent's being bad bookkeepers. Legislator Fanton feels our Department of Public Works' bookkeeper does a great job and he appreciates the whole Department of Public Works' staff. Legislator Ungermann replied that he didn't say anything about the County. He stated at the town level they don't keep good records of the value of services provided to other towns and the County. He feels using a rate schedule would help keep track of the value of services provided and would make it simpler for towns to keep track of traded services.

Legislator Pullen referred to something he had mentioned in the invocation. He stated that it's a troubling time with violence in our nation and world. Policemen are put in difficult situations. The same is true of our military personnel. They and their families are facing difficult situations. He added, "As we spend time with our families, offer a prayer and thought for those who are in harms-way protecting us. It just might be a good thing to remember them. Merry Christmas to all."

ADJOURNMENT: The meeting was adjourned at 2:40 p.m. on a motion made by Legislator Burt, seconded by Legislator Hopkins, and carried.