

**ALLEGANY COUNTY BOARD OF LEGISLATORS  
REGULAR SESSION**

**JANUARY 12, 2015  
\*\* APPROVED \*\***

**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 former United States Marine Corps Corporal Richard K. Lee.

**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 December 22, 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 K. Lee, former United States Marine Corps Corporal, in grateful appreciation of his service to our country. Mr. Lee's service dates were from October 3, 1963, to October 2, 1967. Following Basic Training at Parris Island, SC, assignments included: Camp Lejeune and Vietnam. Commendations he received included: National Defense Service Medal, Vietnam Service Medal, Good Conduct, M-16 Sharpshooter Badge. Mr. Lee 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. Legislators Compensation Table for 2014.
2. Report of Tax Bill Corrections Approved by the County Administrator in December.
3. Report of Intrafund Transfers Approved by the County Administrator in December.

4. County Treasurer Terri Ross filed a correction to the list of delinquent taxes (TF-14) that she filed in the Clerk of the Board's Office in November, 2014, for property in the town of Scio.

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

6. Correspondence from the Allegany County Planning Board inviting Legislators to attend their annual dinner on January 21.

#### **APPOINTMENTS:**

Chairman Crandall appointed the following to serve as **YOUTH REPRESENTATIVE ON THE ALLEGANY COUNTY YOUTH BOARD**; the term of such appointment is unfixed, but in no event shall such terms exceed the twenty-first birthday of the appointee:

Gage Lincoln, Belfast, New York (District I)

Chairman Crandall appointed the following members to the **RESOURCE CONSERVATION AND DEVELOPMENT BOARD**, effective immediately, to serve at his pleasure:

County Representative Member

Scott Torrey, Belmont, New York

County Alternate: Philip B. Curran, Alfred Station, New York

Legislative Member

Norman G. Ungermann, Jr., Cuba, New York

Member At Large

Thomas Parmenter, Fillmore, New York

#### **PROCLAMATION:**

Chairman Crandall recognized the New York State Association of Counties (NYSAC) in honor of their ninetieth (90<sup>th</sup>) anniversary. NYSAC was organized in 1925 dedicated to the improvement of all county governments of the Empire State.

**RESOLUTIONS:**

**RESOLUTION NO. 4-15**

**RESOLUTION IN OPPOSITION TO GOVERNOR CUOMO'S PLAN TO ESTABLISH A  
STATE-WIDE WEATHER FORECASTING SYSTEM**

Offered by: Ways & Means Committee

**WHEREAS**, Governor Andrew Cuomo is proposing to spend \$18,650,000 to create the most advanced weather detection system in the nation by using federal funds appropriated for disaster relief efforts caused by storms Sandy, Irene, and Lee; and

**WHEREAS**, as the proposed system will be built totally within New York, such system can do little to improve existing weather forecasts as such an intra-state system will do nothing to detect those weather systems outside the state which are the systems that actually dictate weather impacting New York State; and

**WHEREAS**, this money needs to be used to address actual storm damage as opposed to building a state weather forecasting system when the existing national weather forecasting system appears to be more than adequate; and

**WHEREAS**, diverting taxpayer dollars to develop a state weather detection system appears to be both unnecessary and wasteful, now therefore, be it

**RESOLVED:**

1. That the Allegany County Legislature hereby opposes the expenditure of FEMA or any other taxpayer monies to create a state weather detection system.

2. That certified copies of this resolution be sent to Governor Andrew Cuomo; Senator Catharine M. Young; New York State Assembly Speaker Sheldon Silver; Assemblyman Joseph M. Giglio; the New York State Association of Counties and the Inter-County Association of Western New York.

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

Adopted: Voice Vote

Comments made regarding Resolution No. 4-15 included: Legislator Decker expressed his concern about Governor Cuomo's plan to use storm relief money to establish a weather forecasting system. He doesn't feel it is right for this money, which was meant to be used to repair homes and businesses, to be used for this purpose.

**RESOLUTION NO. 5-15**

**APPOINTMENT AND RE-APPOINTMENT OF MEMBERS TO THE  
ALLEGANY COUNTY PLANNING BOARD**

Offered by: Planning & Economic Development Committee

**RESOLVED:**

1. The Chairman of the Board plans to appoint Jon Gorton of Grove, New York, to fill the remainder of a three-year term as a member of the Allegany County Planning Board commencing January 1, 2015, and expiring December 31, 2016.

2. That each of the following persons are reappointed to the Allegany County Planning Board, with term of office for each commencing January 1, 2015, and expiring as set forth below:

|              |                                 |                   |
|--------------|---------------------------------|-------------------|
| Robert Ellis | Belmont, New York (District II) | December 31, 2017 |
| James Ninos  | Alfred, New York (District V)   | December 31, 2017 |

3. That Charles Jessup, 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 terms of office to commence January 1, 2015, and expiring December 31, 2015.

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

Adopted: Voice Vote

**RESOLUTION NO. 6-15**

**APPOINTMENT OF MEMBERS TO ALLEGANY COUNTY  
FIRE ADVISORY BOARD**

Offered by: Public Safety Committee

Pursuant to County Law § 225-a.

**RESOLVED:**

1. That each of the following persons is appointed to the Allegany County Fire Advisory Board, with term of office for each to commence January 1, 2015, and expire December 31, 2015:

|                     |                |
|---------------------|----------------|
| G. Douglas Clarke   | Alfred         |
| Judson Stearns, Jr. | Alfred Station |
| Paul Edwards        | Allentown      |
| Emily Ormsby        | Almond         |
| Brian Ennis         | Andover        |

|                  |                  |
|------------------|------------------|
| Paul Gallmann    | Angelica         |
| David Jennings   | Belfast          |
| Brandon LaValley | Belmont          |
| Terry Richardson | Bolivar          |
| Scott Kenyon     | Canaseraga       |
| John Wilson      | Cuba             |
| Gerald Gayford   | Fillmore         |
| Carl Greene      | Friendship       |
| Loren Luzier     | New Hudson       |
| Sherman Gage     | Richburg         |
| Dan Metcalf      | Rushford         |
| Tim Voss         | Short Tract      |
| David Sweet      | Wellsville       |
| Dennis Graves    | Whitesville      |
| LeRoy Ives       | Willing          |
| Alan Mills       | Wischoy-Rossburg |

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

Adopted: Voice Vote

### RESOLUTION NO. 7-15

#### 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 \$2,344.98, representing the settlement, less a \$500 deductible, on an Office for the Aging 2012 Dodge Van (#6872) that was damaged as a result of a motor vehicle accident 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 sum of \$2,344.98 representing the settlement on a 2012 Dodge Van (#6872) that was damaged on or around October 24, 2014, is accepted.
2. That the sum of \$2,344.98 is placed in Appropriation 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. Jessup  
Seconded by: Mr. Fanton

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

**RESOLUTION NO. 8-15**

**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 & Economic Development Committee

**RESOLVED:**

1. That an 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, 2015, and ending on December 31, 2015, is approved.

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

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

**AUDITS:**

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

A motion was made by Legislator Jessup, seconded by Legislator Root, and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims, totaling \$3,706,246.31, 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 \$193,186.*)

**COMMENTS:**

Chairman Crandall announced that a Committee of the Whole meeting was scheduled to follow the Board meeting. The meeting would include a presentation regarding biorefinery research and development in Wellsville.

**ADJOURNMENT:** The meeting was adjourned at 2:21 p.m. on a motion made by Legislator Graves, seconded by Legislator Root, and carried.