

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

**JANUARY 26, 2015
** APPROVED ****

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 Army Sergeant John A. "Jack" Reed.

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 Organization meeting minutes of January 5, 2015, were amended following a motion made by Legislator Decker, seconded by Legislator Ungermann, and carried to clarify Mr. Decker's comments, on Resolution Intro. No. 1-15. This was regarding the appointment of the Chairman of the Board of Legislators. Those comments appear on page 2 of the minutes. Legislator Decker wanted to clarify that he didn't ask for Legislator LaForge to be "removed from voting", he asked that Legislator LaForge "excuse himself" from voting. The minutes were then approved as amended following a motion made by Legislator Graves, seconded by Legislator Curran, and carried.

The Board meeting minutes of January 12, 2015, were approved on a motion made by Legislator Root, seconded by Legislator Curran, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to John A. "Jack" Reed, former United States Army Sergeant, in grateful appreciation of his service to our country. Mr. Reed's service dates were from August 25, 1972, to August 22, 1975. Following Basic Training at Fort Dix, NJ, assignments included: Fort Campbell, KY, West Point, NY, and as part of the 1/321st Field Artillery, 101st Airborne Division. Commendations he received included: National Defense Service Medal, Good Conduct Medal and Sharpshooter Badge M-16. Mr. Reed 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. February 2015 Calendar
2. American Legion Post 814 thanking the Board for its donation in memory of former Legislator Lee Frair.

APPOINTMENTS:

Chairman Crandall appointed Rodney K. Bennett 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, 2015.

Chairman Crandall appointed the following members to the **HAZARD MITIGATION TEAM**, effective immediately, to serve at his pleasure:

Jeffrey Luckey, Allegany County Office of Emergency Services

Karl Graves, Allegany County District IV Legislator, Member of Resource Management Committee

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)

Tom Hull, Allegany County Deputy Public Health Director (Environmental Health)

Scott Torrey, Allegany County Soil and Water Conservation District Executive Director

Chairman Crandall appointed and reappointed the following members to the **ALLEGANY COUNTY PLANNING BOARD**, effective immediately, to serve at his pleasure:

Appointment to fill remainder of a three-year term

Jon Gorton, Grove

(Commencing January 1, 2015, and expiring December 31, 2016.)

Reappointments to a new three-year term

James Ninos, Alfred

Robert Ellis, Belmont

(Commencing January 1, 2015, and expiring December 31, 2017.)

Annual ex-officio appointments

Guy R. James, Public Works Superintendent, Scio
Terri L. Ross, County Treasurer, Angelica
Charles O. Jessup, Ways & Means Committee Chairman, Alfred Station

RESOLUTIONS:

RESOLUTION NO. 9-15

**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, 2015, and ending December 31, 2015, is approved.

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

Adopted: Voice Vote

RESOLUTION NO. 10-15

**ESTABLISHING CAPITAL PROJECT ACCOUNT FOR BRIDGE #11-10 ON
NARROWS ROAD IN THE TOWN OF BURNS; TRANSFER OF FUNDS
FOR SUCH CAPITAL ACCOUNT**

Offered by: Public Works and Ways & Means Committees

RESOLVED:

1. A Capital Project Account is established within the Capital Fund for Bridge #11-10 on Narrows Road in the Town of Burns.

2. That the following transfers are required for such Capital Project: \$457,100 is transferred from Account No. H5120.200 (Maintenance of Bridges) to Account No. H5939.200 (Burns, BR#11-10, Narrows Road).

3. That the sum of \$68,565, representing the town's share of the project, is transferred from Account No. H5120.2300.00 (Revenues-Intergovernmental Charges) to Account No. H5939.2300.00 (Town Share).

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

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

Comments made regarding Resolution No. 10-15 included: Legislator Ungermann stated that he would support these bridge resolutions, but remarked that they've been talking about possibly doing something different in regards to bridge maintenance. He asked how many of these bridge projects would be bid out to the private sector. Chairman Crandall responded that he believed all of these bridges are County projects. Legislator Ungermann remarked about a bid listed in the Olean Times Herald for repair of a Cattaraugus County bridge. After talking to someone from Cattaraugus County DPW, he found that their bridge crew is down to four guys. These guys do maintenance work on the bridges. Town bridges are most often bid out. Occasionally towns might need help with their bridges, but they get help in return from the towns. He added that the idea of bidding out these projects is an interesting thing. He feels that Allegany County ought to try this and see where it comes out. He stated that Cattaraugus County has been able to get rid of a lot of their big equipment.

RESOLUTION NO. 11-15

ESTABLISHING CAPITAL PROJECT ACCOUNT FOR BRIDGE #23-08 ON BARBER ROAD IN THE TOWN OF RUSHFORD; TRANSFER OF FUNDS FOR SUCH CAPITAL ACCOUNT

Offered by: Public Works and Ways & Means Committees

RESOLVED:

1. A Capital Project Account is established within the Capital Fund for Bridge #23-08 on Barber Road in the Town of Rushford.

2. That the following transfers are required for such Capital Project: \$302,000 is transferred from Account No. H5120.200 (Maintenance of Bridges) to Account No. H5940.200 (Rushford, BR#23-08, Barber Road).

3. That the sum of \$45,300, representing the town's share of the project, is transferred from Account No. H5120.2300.00 (Revenues-Intergovernmental Charges) to Account No. H5940.2300.00 (Town Share).

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

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

RESOLUTION NO. 12-15

**ESTABLISHING CAPITAL PROJECT ACCOUNT FOR BRIDGE #27-05
ON TUCKER ROAD IN THE TOWN OF WEST ALMOND; TRANSFER
OF FUNDS FOR SUCH CAPITAL ACCOUNT**

Offered by: Public Works and Ways & Means Committees

RESOLVED:

1. A Capital Project Account is established within the Capital Fund for Bridge #27-05 on Tucker Road in the Town of West Almond.
2. That the following transfers are required for such Capital Project: \$224,000 is transferred from Account No. H5120.200 (Maintenance of Bridges) to Account No. H5941.200 (West Almond, BR#27-05, Tucker Road).
3. That the sum of \$33,600, representing the town's share of the project, is transferred from Account No. H5120.2300.00 (Revenues-Intergovernmental Charges) to Account No. H5941.2300.00 (Town Share).

Moved by: Mr. Fanton
Seconded by: Mr. McGraw

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

RESOLUTION NO. 13-15

**ESTABLISHING CAPITAL PROJECT ACCOUNT FOR CULVERT #01
ON HASSARD ROAD IN THE TOWN OF WIRT; TRANSFER
OF FUNDS FOR SUCH CAPITAL ACCOUNT**

Offered by: Public Works and Ways & Means Committees

RESOLVED:

1. A Capital Project Account is established within the Capital Fund for Culvert #01 on Hassard Road in the Town of Wirt.
2. That the following transfers are required for such Capital Project: \$167,000 is transferred from Account No. H5120.200 (Maintenance of Bridges) to Account No. H5942.200 (Wirt, Culvert #01, Hassard Road).

3. That the sum of \$25,050, representing the town's share of the project, is transferred from Account No. H5120.2300.00 (Revenues-Intergovernmental Charges) to Account No. H5942.2300.00 (Local Share).

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

Adopted: Roll Call
11 Ayes, 4 Noes, 0 Absent
Voting No: Burt, Decker,
O'Grady, Ungermann

Comments made regarding Resolution No. 13-15 included: Legislator Ungermann stated that the County's policy does not include culverts or bridges less than 25 feet in length. Legislator Fanton remarked that the County has done other projects approved by resolution. Legislator O'Grady brought up a project that had been done in Friendship as an example, stating that, "Just because we've done a project like this in the past, doesn't make it right." He indicated that he would not support the resolution.

RESOLUTION NO. 14-15

ESTABLISHING CAPITAL PROJECT ACCOUNT FOR BRIDGE #15-01 ON COUNTY ROAD 6 IN THE TOWN OF CUBA; TRANSFER OF FUNDS FOR SUCH CAPITAL ACCOUNT

Offered by: Public Works and Ways & Means Committees

RESOLVED:

1. A Capital Project Account is established within the Capital Fund for Bridge #15-01 on County Road 6 in the Town of Cuba.

2. That the following transfers are required for such Capital Project: \$291,500 is transferred from Account No. H5120.200 (Maintenance of Bridges) to Account No. H5943.200 (Cuba, CR6, BR#15-01).

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

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

Comments made regarding Resolution No. 14-15 included: Legislator Decker stated that he would like to echo Legislator Ungermann's comments regarding the bridges. Legislator Decker stated that he was in favor of putting these bridges out for bid. He will support this, but in the future feels that the Board should look at bidding these out.

RESOLUTION NO. 15-15

**ESTABLISHING CAPITAL PROJECT ACCOUNT FOR BRIDGE #18-06
ON COUNTY ROAD 27B IN THE TOWN OF GRANGER; TRANSFER
OF FUNDS FOR SUCH CAPITAL ACCOUNT**

Offered by: Public Works and Ways & Means Committees

RESOLVED:

1. A Capital Project Account is established within the Capital Fund for Bridge #18-06 on County Road 27B in the Town of Granger.
2. That the following transfers are required for such Capital Project: \$335,000 is transferred from Account No. H5120.200 (Maintenance of Bridges) to Account No. H5944.200 (Granger, CR27B, BR#18-06).

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

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

Comments made regarding Resolution No. 15-15 included: Legislator Pullen stated that in view of other comments made, the purpose of the Bridge Program is to provide safe and appropriate travel for the citizens of our County. He added that he will support a program that provides that in an economical manner. The safety of our citizens is paramount. I don't want any failures of our bridges. He stated that he will support this although he encourages looking into other options.

RESOLUTION NO. 16-15

**RESOLUTION DETERMINING THAT AN ERROR EXISTS ON THE 2014-2015
WELLSVILLE CENTRAL SCHOOL TAX BILL FOR PROPERTY
OWNED BY LUFKIN INDUSTRIES, INC., DIRECTING MAILING OF NOTICE
OF APPROVAL OF APPLICATION FOR CORRECTED TAX ROLLS
AND ORDERING THE TOWN TAX COLLECTOR TO CORRECT THE
TAX ROLLS; PROVIDING FOR CHARGE BACKS OR CREDITS**

Offered by: Ways & Means Committee

Pursuant to Real Property Tax Law § 554

WHEREAS, an application for the taxpayer hereafter described, has been made to the County's Director of Real Property Tax Service Agency, for the correction of a certain error affecting their real property on the various tax rolls, and

WHEREAS, the Director has transmitted to this Board the application, in duplicate, together with a written report of his investigation of the claimed error and his written recommendation for action thereon by this Board as to the application, and

WHEREAS, this Board has examined the application and report to determine whether the claimed error exists, now, therefore, be it

RESOLVED:

1. That with regard to the application for the named taxpayer pertaining to claimed errors regarding their real property on the tax roll of the Wellsville Central School, this Board of Legislators does determine that the claimed error as alleged in the application exists and does approve the application.

2. That the Chairman of this Board is authorized and directed to make a notation on the application and the duplicates thereof that it is approved, to enter thereon the respective correct extension of taxes as set forth by the Director in his report, to enter thereon the respective date of mailing of a notice of approval, to enter thereon the date of mailing of a certified copy of this resolution to the proper Tax Collector, and to sign thereon as Chairman.

3. That the Clerk of this Board is directed to mail to the below listed taxpayer a notice of approval stating, in substance, that their application made has been approved, to inform the Chairman of this Board of the date of the mailing thereof, and to inform the taxpayer of the applicable provisions of subdivision seven of Section 554 of the Real Property Tax.

4. That the Tax Assessor for the Town of Wellsville is ordered and directed to correct in the 2014 County and Town Tax Roll the assessment or taxes, or both, of the property assessed to the following taxpayer and described as follows:

Lufkin Industries, Inc.: Parcel 238.-1-47.323
Assessment: Land \$102,000 Total \$1,950,000

In that the assessment on this parcel was incorrect due to the inclusion of the value of the building. The parcel was under a PILOT program which provided that only the land should be assessed, thereby reducing the Total Taxable Value to \$102,000, and correcting the taxes as follows;

School	\$2,317.25
Library	\$2,161.32
Total	\$4,478.57

and the County Treasurer is directed to make the following refund:

School	\$25,773.72
Library	-(790.82)

Total \$24,982.90

5. That the Clerk of this Board is directed to forthwith mail a certified copy of this resolution to the Tax Collector for the Wellsville Central School District together with the original copy of the application completed in accordance with section two of this resolution.

6. That the Clerk of this Board shall mail a copy of this resolution to the above named school and the amount to be charged to the school shall not be charged until 10 days after such mailing. Such amount shall be deducted by the County Treasurer from the money payable to the school as a result of school taxes returned after the date such amount is charged and which shall be paid to the school after May 1, 2015. The County Treasurer shall send a written notice to the school of the amount of such deduction prior to May 1, 2015.

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

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

RESOLUTION NO. 17-15

RE-APPROPRIATION OF THE REMAINING UNSPENT FUNDS FOR THE 2013 LETPP HOMELAND SECURITY GRANT

Offered by: Public Safety and Ways & Means Committees

WHEREAS, by Resolution No. 87-14, the 2013 LETPP Homeland Security Grant funds in the amount of \$15,000 were accepted and appropriated for the 2014 budget year, and

WHEREAS, the sum of \$6,280 of the 2104 budget appropriation of the 2013 LETPP Homeland Security Grant funds remain unspent, and

WHEREAS, it is necessary to re-appropriate the unexpended 2013 LETPP Homeland Security Grant funds in the amount of \$6,280, now, therefore, be it

RESOLVED:

1. That the sum of \$6,280 in unexpended 2013 LETPP Homeland Security Grant funds shall be re-appropriated to Account No. A3652.447 (FY2013 LETPP) with a like sum credited to Revenue Account No. A3652.3306.SH13 (2013 LETPP #T969132-Homeland Security-Sheriff).

Moved by: Mr. Curran
Seconded by: Mr. Decker

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

RESOLUTION NO. 18-15

**RE-APPROPRIATION OF UNSPENT FUNDS FOR THE
2014 LETPP HOMELAND SECURITY GRANT**

Offered by: Public Safety and Ways & Means Committees

WHEREAS, by Resolution No. 167-14, the 2014 LETPP Homeland Security Grant funds in the amount of \$17,500 were accepted and appropriated for the 2014 budget year, and

WHEREAS, it is necessary to re-appropriate the unexpended 2014 LETPP Homeland Security Grant funds in the amount of \$17,500, now, therefore, be it

RESOLVED:

1. That the sum of \$17,500 in unexpended 2014 LETPP Homeland Security Grant funds shall be re-appropriated to Account No. A3646.210 (FY2014 LETPP) with a like sum credited to Revenue Account No. A3646.3306.SH14 (2014 LETPP #T969142-Homeland Security-Sheriff).

Moved by: Mr. Curran
Seconded by: Mr. Decker

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

RESOLUTION NO. 19-15

**RE-APPROPRIATION OF UNSPENT FUNDS FOR THE
ACT II BATTERERS PROGRAM**

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That the sum of \$12,991 in unexpended funds for the ACT II Batterers Program should be appropriated from A15.599.00 (Fund Balance) to Account No. A3117.449 (ACT II Batterers Program) to allow for the spending of the balance of the grant.

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

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

RESOLUTION NO. 20-15

**RE-APPROPRIATION OF UNSPENT FUNDS FOR THE
LITERACY WEST GRANT**

Offered by: Public Safety and Ways & Means Committees

WHEREAS, by Resolution No. 86-14 (\$24,907) and Resolution No. 230-14 (\$11,993) Literacy West Grant funds were accepted and appropriated for the 2014 budget year, and

WHEREAS, the Literacy West Grant funds were advanced in 2014 and not expended in 2014, the balance fell to the Fund Balance on December 31, 2014, and

WHEREAS, it is necessary to re-appropriate the unexpended Literacy West Grant funds in the amount of \$36,900, now, therefore, be it

RESOLVED:

1. That the sum of \$36,900 in unexpended Literacy West Grant funds shall be appropriated from A15.599.00 (Fund Balance) to Account No. A3151.2705.LW (Jail-Educational Services-Gifts-Donations-Jail/Literacy West).

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

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

RESOLUTION NO. 21-15

RE-APPROPRIATION OF THE REMAINING 2014 CHIPS (CONSOLIDATED HIGHWAY IMPROVEMENT PROGRAM) FUNDING

Offered by: Public Works and Ways & Means Committees

RESOLVED:

1. That the sum of \$12,128, the remaining funds from SFY 2014-15 CHIPS funds, shall be re-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. Graves

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

RESOLUTION NO. 22-15

ACCEPTANCE AND APPROPRIATION OF GRANT FUNDS RECEIVED FROM NYS STOP-DWI FOUNDATION FOR CRACKDOWN ENFORCEMENT FOR THE FEDERAL FISCAL YEAR OCTOBER 1, 2014, TO SEPTEMBER 30, 2015

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That grant funds from NYS STOP-DWI Foundation in the amount of \$52,802 for Crackdown Enforcement for the federal fiscal year of October 1, 2014, to September 30, 2015, are accepted.

2. The sum of \$52,802 shall be placed in Account No. A3141.449 (STOP-DWI Program-Crackdown Enforcement), with a like sum credited to Revenue Account No. A3141.1589.CE (STOP-DWI Program-Other Public Safety Dept. Revenue).

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

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

RESOLUTION NO. 23-15

**ACCEPTANCE AND APPROPRIATION OF FUNDS RECEIVED FROM THE GOVERNOR'S
TRAFFIC SAFETY PROGRAM, STEPS IN SAFETY
GRANT (SAFETY ON WHEELS), FROM OCTOBER 1, 2014,
THROUGH SEPTEMBER 30, 2015**

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That funds from the STEPS in Safety Grant (Safety On Wheels) from the Governor's Traffic Safety Program, in the amount of \$3,000, are accepted.

2. The STEPS in Safety Grant (Safety on Wheels) was budgeted in the 2015 budget for \$2,800, the additional \$200 received shall be placed in Account No. A3114.452 (Traffic Program-Public Info) with a like sum credited to Revenue Account No. A3114.3389.00 (STOP-DWI-STEPS in Safety).

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

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

RESOLUTION NO. 24-15

**ACCEPTANCE AND APPROPRIATION OF NEW YORK STATE FY 14 PUBLIC SAFETY
ANSWERING POINTS SUSTAINMENT GRANT PS14-1033-D00**

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That the sum of \$165,914 from New York State for FY 14 Public Safety Answering Points Sustainment Grant PS14-1033-D00, is accepted.

2. That the sum of \$165,914 shall be placed in Account No. H3023.200 (911 Public Safety Answering Points Sustainment Grant) with a like sum credited to Revenue Account No. H3023.3097.00 (State Aid-911 Public Safety Answering Points Sustainment Grant).

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

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

RESOLUTION NO. 25-15

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

Offered by: Public Safety and Ways & Means Committees

Pursuant to Corrections Law § 504

RESOLVED:

1. That the Agreement between the County of Allegany and the County of Chautauqua in relation to the housing of Chautauqua County male and female prisoners in the Allegany County Jail for the period January 1, 2015, to December 31, 2015, is approved.

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

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

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

Comments made regarding Resolution No. 25-15 included: Legislator Decker remarked that this is wonderful to have this type of agreement with other counties. He feels this is a good example of shared services and he supports efforts like this.

RESOLUTION NO. 26-15

APPROVAL OF AGREEMENTS WITH THE VILLAGES OF BELMONT, BOLIVAR AND WELLSVILLE; AND THE TOWNS OF CANEADEA AND FRIENDSHIP, IN RELATION TO THE DISPOSAL OF COUNTY LANDFILL LEACHATE AT THE VILLAGE AND TOWN WASTE WATER TREATMENT PLANTS; AUTHORIZING

BOARD CHAIRMAN TO EXECUTE AGREEMENTS

Offered by: Public Works Committee

RESOLVED:

1. That Agreements between the County of Allegany and the Villages of Belmont, Bolivar, Wellsville; Towns of Friendship and Caneadea; in relation to the County's disposal of leachate at the respective Village, Town, and City waste water treatment plants at the rate of \$.025 per gallon for period January 1, 2015, to December 31, 2016, are approved.

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

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

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

Comments made regarding Resolution No. 26-15 included: Legislator Fanton stated that he wanted to recognize the importance of the agreement. He stated that it's important to continue agreements like this with municipalities.

RESOLUTION NO. 27-15

APPROVAL OF AGREEMENT WITH THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK (DASNY) IN RELATION TO THE MUNICIPAL FACILITIES PROGRAM "SAM" GRANT; APPROPRIATION OF FUNDS; AUTHORIZING BOARD CHAIRMAN TO EXECUTE AGREEMENT

Offered by: Facilities & Communications and Ways & Means Committees

RESOLVED:

1. That the sum of \$250,000, for a State and Municipal Facilities Program "SAM" grant, to renovate the former jail to create office space, is accepted.

2. That the accepted sum of \$250,000 shall be placed in Account No. H5633.200 (Capital Projects) with a like sum credited to Revenue Account No. H5633.3097 (SAM St Aid Capital-SAM Grant).

3. That the Chairman of this Board is authorized to execute the contract with the Dormitory Authority of the State of New York to receive the grant funds.

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

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

RESOLUTION NO. 28-15

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 and Ways & Means Committees

Pursuant to County Law § 675

RESOLVED:

1. That the Intermunicipal Agreement between Monroe County and Allegany County for forensic pathology services for the period of January 1, 2015, to 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. Curran

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

Comments made regarding Resolution No. 28-15 included: Legislator Fanton remarked that he wanted to acknowledge that Lori Ballengee for her part in getting the local service at Olean General Hospital arranged. He added that Ms. Ballengee has been very aggressive in saving the County money on this type of service.

Resolution Intro. No. 31-15 (**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 Curran, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 29-15

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, 2015, to February 1, 2016, is approved.

2. That the premium of \$245,976.09 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 2015 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. Root
Seconded by: Mr. Decker

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

Comments made regarding Resolution No. 29-15 included: Legislator Ungermann remarked that it's interesting to know some of the things that made this insurance go up. The increase in the County Budget impacted this. He noted that property values and increases in law enforcement personnel have caused an increase. He feels that if some of these things were let out to the private sector to take care of, the insurance costs for the County would go down. Additionally, the private sector pays sales tax for things, so that would help too. Legislator Fanton stated that the increase was only 1.7 percent. If you compare that to the private sector, which is paying 8-10 percent more (with NYMIR), we got a pretty good deal.

Resolution Intro. No. 32-15 (**RESOLUTION SETTING DATE FOR PUBLIC HEARING ON A GRANT APPLICATION SEEKING A \$750,000 GRANT UNDER THE NEW YORK STATE HOMES AND COMMUNITY RENEWAL COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**) was not pre-filed and was considered from the floor on a motion made by Legislator Curran, seconded by Legislator Fanton, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 30-15

RESOLUTION SETTING DATE FOR PUBLIC HEARING ON A GRANT APPLICATION SEEKING A \$750,000 GRANT UNDER THE NEW YORK STATE HOMES AND COMMUNITY RENEWAL COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Offered by: Ways & Means Committee

WHEREAS, Cattaraugus Community Action Agency has approached Allegany County to act as the lead agency on a grant application under the New York State Homes and Community Renewal Community Development Block Grant Program, and

WHEREAS, the application will seek a grant in the amount of \$750,000 to replace, within Allegany County, seven to eight dilapidated owner occupied manufactured homes and address septic and well issues serving those properties, and

WHEREAS, the houses to be replaced will target the most vulnerable populations within Allegany County comprising the elderly, disabled and veterans, and

WHEREAS, there is no requirement that any County dollars be committed as a condition of receiving the grant, and

WHEREAS, Cattaraugus Community Action Agency intends to prepare the grant application and oversee administration of the grant, and

WHEREAS, the program requires that a municipal corporation act as the lead agency and recipient of the grant funds, and

WHEREAS, Allegany County is willing to serve as the lead agency, and

WHEREAS, the grant application process requires that Allegany County hold a public hearing concerning the grant prior to submission of the grant application, now, therefore, be it

RESOLVED:

1. That a public hearing on the proposed grant application shall be held by this Board at the County Legislators' Chambers, Room 221, 7 Court Street, County Office Building, Belmont, New York 14813, on February 9, 2015, at 2:00 P. M.

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 seven days before the public hearing.

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

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

Comments made regarding Resolution No. 30-15 included: Legislator O'Grady remarked that the resolution stated that they are replacing manufactured homes. He wondered if they were replacing them with manufactured homes. County Treasurer Terri Ross indicated that yes, they would be replaced with manufactured homes. Legislator Hopkins stated that Allegany County is the lead agency on this. He said, "There is no cost to the County. If they get it, great; it would certainly help update housing." Legislator Healy asked if the properties had already been identified. County Administrator Mitch Alger stated that they had not. Legislator Pullen stated that if they receive the grant, he thinks there would be an application process for people who want to participate.

Resolution Intro. No. 33-15 (**CREATION OF ONE TEMPORARY PART-TIME POSITION OF TYPIST WITHIN THE OFFICE FOR THE AGING**) was not pre-filed and was considered from the floor on a motion made by Legislator LaForge, seconded by Legislator Pullen, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 31-15

CREATION OF ONE TEMPORARY PART-TIME POSITION OF TYPIST WITHIN THE OFFICE FOR THE AGING

Offered by: Human Services Committee

RESOLVED:

1. That one part-time temporary position of Typist (AFSCME, Grade 4, Step Base) is created.
2. That this position is created to provide coverage while a permanent employee is on leave.
3. That upon the return of the permanent employee from leave, the additional temporary part-time position of Typist shall be abolished
4. This resolution shall take effect immediately.

Moved by: Mr. LaForge
Seconded by: Mr. Curran

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

Comments made regarding Resolution No. 31-15 included: Legislator Burt asked for clarification on the resolution. County Administrator Mitch Alger indicated that the position already exists, this resolution creates another. It was further explained that two part-time people are going to cover for one full-time person while that person is on leave.

COMMENTS:

Chairman Crandall remarked on Resolution Intro. No. 29-15 (*Approval of Agreement with the Dormitory Authority of the State of New York (DASNY) in Relation to the Municipal Facilities Program "SAM" Grant; Appropriation of Funds; Authorizing Board Chairman to Execute Agreement*). He didn't think it was appropriate to quickly accept the money without acknowledging the very hard work done by Senator Young in helping us to receive that.

AUDITS:

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

A motion was made by Legislator Root, seconded by Legislator Curran, and adopted on a roll call vote of 15 Ayes, 0 Noes, 0 Absent, that the audit of claims, totaling \$3,036,811.82, 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 \$579,558.*)

COMMENTS:

Chairman Crandall indicated that there would be a Human Services Committee meeting following the Board meeting. However, before that he would like to hold a brief Committee of the Whole meeting.

Legislator Burt commented on Resolution Intro. No. 15-15. He stated that he can understand how they've always voted on this, but that when the policy is in black and white, he can't vote that way. He would like to see the Department of Public Works change the policy so he can support this type of resolution in the future.

Legislator O'Grady stated that the only problem with changing the policy to include culverts is that you're doubling the County's responsibility. He said, "It's easy to change a policy, but you must have the means to follow through."

Legislator Hopkins stated that Chairman Crandall made a good point about recognizing Senator Young for the work she had done in securing the \$250,000 grant for the County. It's a big thing for us to get that \$250,000.

Legislator LaForge stated that there would not be a Consolidation & Efficiencies Committee meeting this week. He said that the next meeting would take place in February.

Legislator Pullen remarked that he appreciates the work done by Lori Ballengee in putting together an agreement with Olean General Hospital for the County's autopsies.

ADJOURNMENT: The meeting was adjourned at 3:02 p.m. on a motion made by Legislator Graves, seconded by Legislator Root and carried.