

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

DECEMBER 14, 2015

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:05 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 Clark W. Perry, Jr.

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, 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 November 9, 2015 (p.m. meeting), were approved on a motion made by Legislator Graves, seconded by Legislator Curran, and carried.

The minutes of the Public Hearing on the Tentative 2016 Allegany County Budget held on November 12, 2015, were amended following a motion made by Legislator Burt, seconded by Legislator Curran, and carried to include Legislator Burt as having been in attendance at that Public Hearing. (*Mr. Burt had inadvertently been excluded from the list of those in attendance.*) The minutes were then approved following a motion made by Legislator Root, seconded by Legislator Fanton, and carried.

The Board meeting minutes of November 23, 2015, were amended following a motion made by Legislator Ungermann, seconded by Legislator O'Grady, and carried to include a comment made by Legislator Ungermann. Legislator Ungermann had made a comment about the cost of vacation and sick time sell-backs. On page 5 of those minutes he would like added that he stated "over the course of his ten years as County Legislator, those sell-backs have cost the County approximately \$3.5 million." The minutes were then approved on a motion made by Legislator Curran, seconded by Legislator Decker, and carried.

The Committee of the Whole minutes of November 23, 2015, were approved on a motion made by Legislator Graves, seconded by Legislator Decker, and carried.

The Committee of the Whole minutes of December 2, 2015, were approved on a motion made by Legislator Fanton, seconded by Legislator Pullen, and carried.

PUBLIC HEARING:

Chairman Crandall closed the regular meeting to hold a public hearing regarding the **MODIFICATION AND CONTINUATION OF AGRICULTURAL DISTRICT NUMBER ONE CREATED WITHIN THE TOWNS OF ALLEN, BIRDSALL, CANEADEA, CENTERVILLE, GRANGER, HUME, NEW HUDSON AND RUSHFORD IN THE COUNTY OF ALLEGANY ON AUGUST 13, 2001, AND SUBSEQUENTLY MODIFIED AND CONTINUED ON NOVEMBER 24, 2008, BY RESOLUTION NO. 204-2008.** 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 Clark W. Perry, former United States Army Specialist Fourth Class, in grateful appreciation of his service to our country. Mr. Perry's service dates were from August 10, 1972, to August 9, 1974. Following Basic Training at Fort Dix, NJ, assignments included: Fort Polk, LA. Commendations he received included: National Defense Service Medal, Expert M-16 and grenade qualifications. Mr. Perry 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 Administrator Mitchell Alger with a plaque in recognition and appreciation of his years of service to Allegany County. Mr. Alger became Deputy County Administrator in December of 2009. He was subsequently appointed County Administrator in 2013. Chairman Crandall noted that Mr. Alger also serves as Budget Officer and Deputy Auditor, and praised Mr. Alger for his financial capabilities. Mr. Alger has accepted the position of Deputy County Manager for Steuben County. Mr. Alger briefly spoke saying, he's a not a man of many words, but he appreciates working for this Board and with these Department Heads. He added, "You've got a lot of good leadership here."

Allegany County Farm Bureau President Darleen Krishner-Meehan addressed the Board. The December issue of Farm Bureau of New York's "Grassroots" newspaper featured an article written by Ms. Krishner-Meehan regarding the impact a \$15 per hour minimum wage would have on the businesses she operates with her husband. She and her husband operate a small agricultural retail store along with an approximate 800-acre cash crop farm. These businesses are located along the Pennsylvania border. A minimum wage of \$15 is over twice the minimum wage in Pennsylvania. She and her husband have four full-time employees and would find it difficult to compete with nearby businesses in Pennsylvania. She invited the Board to Farm Bureau's holiday celebration to be held on January 6.

STOP-DWI Program Coordinator Linda Edwards read the following regarding Drunk and Drugged Driving Prevention Month.

"The National Drunk and Drugged Driving Prevention Month 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 drunken 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.

'What can you do to support National Drunk and Drugged Driving Prevention Month? Familiarize yourself with the definition of a standard drink. Understand how alcohol changes the brain and why staying within low-risk drinking limits are so important. Understand how brain changes are caused by binge drinking or heavy social drinking, in addition to alcoholism. Learn how it is impossible for a person to drink and "choose" to drive. Finally, advocate for standard drink labels on alcoholic beverage containers and on restaurant and bar menus.

'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."

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Report of Tax Bill Correction Approved by the County Administrator in November 2015. *(It was noted that there were no real property tax corrections reported during this period.)*
2. Report of IntraFund Transfers Approved by the County Administrator in November 2015.
3. Final 2016 Allegany County Budget Adopted by Resolution No. 243-15 on November 23, 2015.
4. Pursuant to Article 11 of the Real Property Tax Law, County Treasurer Terri Ross filed Certificates of Withdrawal of Delinquent Tax Liens (TF 14) for properties in the Town of Wellsville and Town of Rushford in the Clerk of the Board's Office on November 24, 2015.
5. County Treasurer Terri Ross filed the November 6, 2015, list of Delinquent Taxes (TF 15) in the Clerk of the Board's Office on December 3, 2015.
6. The Third Party Lease Agreement for the Kiosk at the Cuba Cultural Center was filed in the Clerk of the Board's Office on November 30, 2015.

7. Invitation to a Farewell Celebration for County Administrator Mitch Alger on December 21 from 2:00 to 4:00 p.m.

APPOINTMENTS:

Chairman Crandall appointed Mona Pettit of Cuba, and Reita Sobeck-Lynch of Wellsville, as members of the **CITIZENS ADVISORY COUNCIL TO THE OFFICE FOR THE AGING** for a term of three years commencing January 1, 2016, and expiring December 31, 2018. These appointments are subject to confirmation by the Board of Legislators.

Chairman Crandall appointed William Emrick of Scio, Bryan D. Fanton of Wellsville, and Lee Gridley of Wellsville, to new three-year terms as members of the **ALLEGANY COUNTY PLANNING BOARD** commencing January 1, 2016, and expiring December 31, 2018. These appointments are subject to confirmation by the Board of Legislators. Chairman Crandall also plans to make annual appointments of Guy James, Terri Ross and Charles Jessup as ex-officio members of the Planning Board.

PROCLAMATION:

Chairman Crandall proclaimed December 2015, as Drunk and Drugged Driving Prevention Month in Allegany County, urging the citizens of Allegany County to avoid driving under the influence of alcohol and drugs.

RESOLUTIONS:

RESOLUTION NO. 255-15

ESTABLISHING STANDARD WORK DAYS FOR NEWLY 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 newly 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>
APPOINTED OFFICIALS:					
Public Defender, Asst. 3 rd	DiCola, Paul S.	7	08/08/14-12/31/17	Y	NA
Planning Director	Dirlam, Kier	7	07/27/15-12/31/17	Y	NA
Information Technology Dir.	Hooker, Keith	7	07/27/15-12/31/17	Y	NA

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

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

RESOLUTION NO. 256-15

APPOINTMENT OF VICKI GRANT AS COMMISSIONER OF SOCIAL SERVICES

Offered by: Human Services Committee

Pursuant to Social Services Law § § 65 and 116

RESOLVED:

1. That Vicki L. Grant of Houghton, New York is appointed Commissioner of Social Services for a term of five years commencing January 3, 2016 and expiring January 2, 2021.

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

Adopted: Voice Vote

RESOLUTION NO. 257-15

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, 2016, and expire December 31, 2016:

Kevin Gagne	Alfred
Judson Stearns, Jr.	Alfred Station
Paul Edwards	Allentown
Emily Ormsby	Almond
Brian Ennis	Andover
Rick Abbott	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	Wiscoy-Rosburg

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

Adopted: Voice Vote

RESOLUTION NO. 258-15

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 Kevin Demick, Guy James, Brian Perkins, and Tim Walsh are reappointed to the County Traffic Safety Board, with term of office for each to commence January 1, 2016, and expire December 31, 2018.
2. That Jay Ballard is appointed to the County Traffic Safety Board, with term of office for each to commence January 1, 2016, and expire December 31, 2018.

Moved by: Mr. Curran
Seconded by: Mr. Fanton

Adopted: Voice Vote

RESOLUTION NO. 259-15

**APPROVAL OF THE PURCHASE OF A PORTION OF REAL PROPERTY LOCATED AT
TURNPIKE ROAD, ALMOND, NEW YORK, FROM LLOYD M. COLLINS FOR THE SUM OF
EIGHT THOUSAND FIVE HUNDRED DOLLARS**

Offered by: Facilities & Communications and Ways & Means Committees

WHEREAS, Lloyd M. Collins owns property located off the Turnpike Road in the Town of Almond, and

WHEREAS, upon review of the situation, it was determined that acquiring a portion of the property at this location would be advantageous to the Sheriff's Office due to its proximity to the road and that it is partially cleared for the purpose of constructing one of four new E911 towers, and

WHEREAS, the offering price of \$8,500 appears reasonable given the property's location and usefulness for the Sheriff's Office, now therefore, be it

RESOLVED:

1. That the County of Allegany is authorized to enter into an agreement with Lloyd M. Collins to purchase a 1.00 Acre +/- parcel of land in the Town of Almond for the sum of Eight thousand five hundred Dollars (\$8,500).
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. Pullen

Adopted: Roll Call
11 Ayes, 3 Noes, 0 Absent
Voting No: Graves, O'Grady, Ungermann

RESOLUTION NO. 260-15

APPROVAL OF SALE OF 2015 TAX SALE PROPERTY

Offered by: Ways & 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 the tax delinquent property shown below, to the owner and purchaser shown, for the consideration shown, subject to terms and conditions of sale for such property, is approved.

2. That upon the securing by the County Attorney of a proper court order authorizing the conveyance to the County of the below mentioned property which is subject to the 2013 and or/ back to the year 1995 (TF95 up to and including TF2013)tax foreclosure proceedings and the subsequent execution of a deed of all of the property 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 owner and purchaser a quit claim deed of the County's interest in such property and to affix to 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 consideration.

New Owner Address Sale price	Parcel details	County title Recorded Date Liber, Page
Pioneer Oil Museum of New York, Inc. 88 Boss St., PO Box 332 Bolivar, NY 14715	Parcel ID:023801;259.20-1-51 Property loc: Boss Street Assessed Value: 2,100 Acres: 0.22	County of Allegany Book: 698 Page: 84
Tax sale amount: 25		

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

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

Comments made regarding Resolution No. 260-15 included: Legislator Burt remarked that he was originally against the sale, but once he read the letters of support, he is going to support it.

RESOLUTION NO. 261-15

**APPROVAL OF THE SALE OF A PORTION OF THE FORMER
BUFFALO AND SUSQUEHANNA RAILROAD RIGHT-OF-WAY
TO MICHAEL A. DUNN**

Offered by: Ways & Means Committee

WHEREAS, a request has been made by Michael A. Dunn, to purchase a portion of the former Buffalo and Susquehanna Railroad right-of-way located on a parcel of property

owned and being purchased from the Lenora Dress estate in the Town of Centerville that was previously acquired by Allegany County by tax deed in 1946, and

WHEREAS, this property has not been used nor will it be used by the County and has no economic value to the County, and

WHEREAS, there is no benefit for the County in retaining the right-of-way, now therefore, be it

RESOLVED:

1. This Board does hereby approve selling to Michael A. Dunn, for the sum of Two Hundred Fifty Dollars, (\$250), the County's interest, if any, in the former Buffalo and Susquehanna Railroad right-of-way that runs across the Lenora Dress Estate property located in the Town of Centerville on Fairview Road.
2. That conveyance of the County's interest shall be by quit claim deed with no warranty as to title.
3. That upon payment of the sales price, the Chairman of this Board is authorized to execute such deed.

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

Adopted: Roll Call
13 Ayes, 0 Noes, 0 Absent
Abstained: Pullen

Comments made regarding Resolution No. 261-15 included: Legislator Jessup made a motion to amend item number one under "resolved." The words "Blades Holding Company, Inc." should be replaced with "Michael A. Dunn." This amendment was seconded by Legislator Curran, and carried. Legislator Burt stated that County Planner Kier Dirlam had cautioned the Legislators about selling these right-of-ways, but that Legislator Jessup had indicated to him that this property goes right through the Dunn's front lawn. Legislator Pullen asked for permission to abstain from the vote. A motion was made by Legislator Graves, seconded by Legislator Decker, and carried to allow Legislator Pullen to abstain from the vote.

RESOLUTION NO. 262-15

**APPROVAL OF APPORTIONMENT OF MORTGAGE TAX TO TAX
DISTRICTS AND AUTHORIZING WARRANT THEREFOR**

Offered by: Ways & Means Committee

Pursuant to Tax Law § 261 (3)

RESOLVED:

1. That the Semi-Annual Report for the period April 1, 2015, through September 30, 2015, 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. Jessup
Seconded by: Mr. Healy

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

RESOLUTION NO. 263-15

**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 \$25,710.66 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	AMOUNT RETAINED BY COUNTY CLERK'S OFFICE FOR MORTGAGE TAX FEE	REBATE AMT TO TOWN	REBATE AMT TO VILLAGE	VILLAGES
Alfred	1,294.49	1,040.38	254.11	Alfred
Allen	194.20	194.20		
Alma	355.95	355.95		
Almond	871.07	804.59	66.48	Almond
Amity	1,235.68	1,040.18	195.50	Belmont
Andover	907.24	453.62	453.62	Andover
Angelica	1,128.79	937.37	191.42	Angelica
Belfast	1,134.49	1,134.49		
Birdsall	108.27	108.27		
Bolivar	759.24	602.23	146.09	Bolivar
			10.92	Richburg
Burns	533.43	468.52	64.91	Canaseraga
Caneadea	798.83	798.83		
Centerville	499.40	499.40		
Clarksville	591.71	591.71		
Cuba	2,617.55	2,254.89	362.66	Cuba
Friendship	531.46	531.46		
Genesee	714.33	714.33		
Granger	321.23	321.23		
Grove	746.09	746.09		
Hume	1,738.96	1,738.96		
Independence	663.98	663.98		
New Hudson	323.89	323.89		
Rushford	983.60	983.60		
Scio	924.83	924.83		
Ward	450.26	450.26		
Wellsville	4,213.32	3,076.83	1,136.49	Wellsville
West Almond	236.65	236.65		
Willing	294.26	294.26		
Wirt	537.46	499.60	37.86	Richburg
TOTALS	25,710.66	22,790.60	2,920.06	

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. Jessup
Seconded by: Mr. Graves

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

RESOLUTION NO. 264-15

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. Jessup
Seconded by: Mr. Fanton

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

RESOLUTION NO. 265-15

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, 2016, 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	34,948.00	111,609.00
Almond	12,886.00	114,200.00
Amity	250.00	297,924.00
Andover	20,464.00	155,841.00
Angelica	2,056.00	50,637.00
Bolivar	19,230.00	216,939.00
Burns	7,862.00	68,205.00
Cuba	0.00	306,098.00
Wellsville	113,405.41	336,685.43
Wirt	3,101.95	120,068.68

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	174,611.00	193,580.00
Allen	115,229.00	155,485.00
Alma	162,475.00	431,624.00
Almond	194,600.00	255,805.00
Amity	205,874.00	Combined w/Village Outside
Andover	178,253.00	155,411.00
Angelica	145,603.00	79,786.00

Belfast	243,414.00	459,696.00
Birdsall	130,800.00	53,555.00
Bolivar	154,582.00	212,139.00
Burns	144,948.00	188,380.00
Caneadea	204,869.00	351,259.00
Centerville	121,264.00	269,291.00
Clarksville	164,546.00	332,600.00
Cuba	720,403.00	314,923.00
Friendship	349,465.00	357,308.00
Genesee	176,155.00	409,264.00
Granger	127,625.00	189,300.00
Grove	138,659.00	314,930.00
Hume	242,731.00	467,114.00
Independence	252,457.00	423,360.00
New Hudson	138,010.00	324,443.00
Rushford	226,185.00	445,897.00
Scio	222,692.00	488,568.00
Ward	118,093.00	169,297.00
Wellsville	667,580.46	339,841.23
West Almond	108,150.00	44,754.00
Willing	241,720.00	298,520.00
Wirt	184,235.27	220,459.68

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	37,100.00
	Hydrant	352.00
Allen	Fire District	14,260.00
Alma	Fire Protection	60,960.00
	Light District	2,000.00
Almond	Fire Protection	25,000.00
Amity	Fire District	48,000.00
Andover	Fire Protection	34,000.00
Angelica	Fire Protection District	33,600.00
Belfast	Light District #1	8,500.00
	Fire Protection	65,740.00
	Water District	95,976.00
Birdsall	Fire	25,270.00
Bolivar	Richburg-Wirt Fire District	4,688.00

	Bolivar Joint Fire District	120,239.00
Burns	Canaseraga Fire Protection	17,850.00
Caneadea	Caneadea Water District	220,518.00
	Houghton Sewer District	116,006.00
	Caneadea Light	3,000.00
	Houghton Light	18,000.00
	Oramel Light	1,100.00
	Caneadea Fire	110,700.00
	Rushford Lake District	60,684.00
Centerville	Fire Districts	25,450.00
Clarksville	Fire District	78,693.00
Cuba	Lake District	40,458.00
	Water District	2,000.00
	Fire Protection District	261,428.00
	Sewer District	100,040.00
Friendship	Lighting District #1	25,916.00
	Fire District	102,000.00
	Sidewalks Fund	28,666.00
	Refuse & Garbage District	55,432.00
Genesee	Fire Protection 1 (Bolivar)	43,300.00
	Fire Protection 2 (Portville)	33,661.00
Granger	Fire Protection	20,500.00
Grove	Lighting District	2,500.00
	Canaseraga Fire District	17,850.00
	Nunda Fire District	2,000.00
Hume	Fire Protection	88,694.00
	Light District 1 (Hume)	3,700.00
	Light District 2 (R & W)	4,150.00
	Light District 3 (Hume)	10,500.00
	Sidewalk	8,000.00
	Sewer District	0.00
	Consolidated Water Dist.	0.00
Independence	Fire	56,532.00
	Street Light (Whitesville)	8,000.00
	Water District (Whitesville)	0.00
New Hudson	Light District 1	2,500.00
	Fire District 1	39,500.00
Rushford	Fire District	87,650.00
	Lighting District	8,500.00
	Rushford Lake District	228,941.00
Scio	Consolidated Water Dist.	33,383.00
	Light District 1	18,000.00

	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	1,000.00
	Airport Sewer District	0.00
	Airway Sanitary Sewer Dist.	0.00
	Sinclair Water District	1,000.00
	Riverside Water District	500.00
	East State Water District	0.00
	W. Wellsville Water District	16,500.00
	Phillips Creek Water District	0.00
	Dyke Water District Project	10,500.00
West Almond	Fire District	10,135.00
Willing	Fire Department	67,430.00
Wirt	Fire Protection Townwide	92,983.74

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. Jessup
Seconded by: Mr. Curran

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

RESOLUTION NO. 266-15

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 \$1,973, representing the settlement, less a \$500 deductible, on a Sheriff's Office 2013 Chevy Tahoe (VIN#1GNSK2E0XDR300919) that was damaged as a result of a motor vehicle/deer accident on or around October 15, 2015, 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 \$1,973 representing the settlement on a 2013 Chevy Tahoe (VIN#1GNSK2E0XDR300919) that was damaged on or around October 15, 2015, is accepted.

2. That the sum of \$1,973 is placed in 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. Pullen

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

RESOLUTION NO. 267-15

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 \$1,673.15, representing the settlement, less a \$500 deductible, on an Office for the Aging 2010 Dodge Caravan (VIN#2D4RN4DE0AR412502) that was damaged as a result of a motor vehicle accident on or around October 28, 2015, 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 \$1,673.15 representing the settlement on a 2010 Dodge Caravan (VIN#2D4RN4DE0AR412502) that was damaged on or around October 28, 2015, is accepted.

2. That the sum of \$1,673.15 is placed in 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: Mrs. Root

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

RESOLUTION NO. 268-15

ACCEPTANCE OF COLA FUNDS FOR THE COUNTY HEALTH DEPARTMENT 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.

2. The sum of \$13,143 shall be appropriated to the following accounts:

A4035.201	Family Planning – Office Equipment	\$2,900
A4035.414	Family Planning – Rentals: Real Property	2,743
A4035.460	Family Planning – Health Contracts	<u>7,500</u>
	TOTAL	\$13,143

with a like sum credited to Revenue Account No. A4035.3450.00 (State Aid – Public Health Other).

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

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

RESOLUTION NO. 269-15

ACCEPTANCE AND APPROPRIATION OF DISABILITY EMPLOYMENT INITIATIVE FUNDS FOR EMPLOYMENT AND TRAINING

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

RESOLVED:

1. The sum of \$5,480 in Disability Employment Initiative (DEI) funds for Employment and Training is accepted.

2. The sum of \$5,480 shall be appropriated to the following accounts:

CD16400.101	WIA – Admin Reg Pay	\$3,650
CD16400.802	WIA – Admin Retirement	675
CD16400.803	WIA – Admin FICA	275
CD16400.804	WIA – Admin W/C	50
CD16400.806	WIA – Admin Hosp/Med Ins	<u>830</u>
	TOTAL	\$5,480

with a like sum credited to Revenue Account No. CD16400.4701.00 (Admin Federal Aid).

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

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

RESOLUTION NO. 270-15

**ACCEPTANCE AND APPROPRIATION OF THE HOMELAND SECURITY CONTRACT
#C969150 FROM THE OFFICE OF HOMELAND SECURITY**

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That funds in the amount of \$52,500 from the Office of Homeland Security Contract #C969150, (Project # SH15-1001-D00 SHSP), for initial Contract period September 4, 2015, to August 31, 2018, are accepted and appropriated as follows:

A3656.207	Homeland Security – Emerg Serv Equipment (Trailer mounted generator to assist with power outages in local gov. agencies)	\$25,500
A3656.207	Homeland Security – Emerg Serv Equipment (Personal Protect Gear for DCs, FIs, HMs)	10,000
A3656.207	Homeland Security – Emerg Serv Equipment (Assist with medical gear bags for the Sheriff’s Department)	1,500
A3656.207	Homeland Security – Emerg Serv Equipment (Aerial Photography Images)	14,500
A3656.416	Homeland Security – Cent Serv Telephone (Sustain Director’s cell phone)	<u>1,000</u>
	Total	\$52,500

with a like sum credited to Revenue Account No. A3656.3306.EM15 (State Aid – HS FY2015 SHSP Grant #C969150).

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

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

RESOLUTION NO. 271-15

**BUDGET TRANSFER FROM CONTINGENCY FUND FOR THE
PURCHASE OF NEW CHAIRS FOR THE LEGISLATIVE BOARD CHAMBERS**

Offered by: Ways & Means Committee

RESOLVED:

1. That the sum of \$17,000 shall be transferred from Account No. A1990.429 (Contingency) to Account No. A1010.205 (Legislative Board – Furniture/Furnishings) for the purchase of 21 new chairs for the Legislative Board Chambers.

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

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

Comments made regarding Resolution No. 271-15 included: Legislator Burt stated that there is no question that these chairs need to be replaced. They don't meet OSHA standards with four legs on the bottom. If any other department came to us, we would replace them right away. Mr. Burt suggested that the chairs they are currently using, which were the Board of Supervisors chairs, should be put up for sale to the general public for \$200 each. He also remarked on the purchase of new chairs saying, If we go out and buy cheap chairs, we're going to get exactly that – cheap chairs and they'll be tossed away in a few years. Legislator Pullen remarked that the current chairs have lasted a long time, but they're not safe. We've had the chairs fall apart. There have been instances where people have fallen or almost fallen and the liability that we'd face if we continue to use them would greatly outweigh any alleged savings we might have if we don't do something. It's something we need to do, not just because we're worth it or we deserve it. We need to do it because it's the fiscally responsible thing to do.

RESOLUTION NO. 272-15

BUDGET TRANSFER FROM CONTINGENCY FUND FOR THE PURCHASE OF IPADS FOR LEGISLATORS

Offered by: Ways & Means Committee

RESOLVED:

1. That the sum of \$9,172 shall be transferred from Account No. A1990.429 (Contingency) to Account No. A1010.201 (Legislative Board - Equipment) for the purchase of iPads for the Legislators.

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

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

Comments made regarding Resolution No. 272-15 included: Legislator Ungermann remarked on Steuben County's use of iPads saying that they are on their third set according to their Board Clerk. He feels that for those who are fairly computer illiterate, it will be difficult to adjust. He's not going to support. Legislator Burt used today's Board packet as an example saying, here's approximately 100 pages of copying, here's the envelope and postage. Mr. Burt stated that he believes it will save money in the long run. There will be training sessions. He noted that he was contacted by someone who suggested the Board look into refurbished iPads. Mr. Burt remarked that he would like to consider that if there is a considerable savings. Chairman Crandall stated that the Board isn't locked into anything (*new versus refurbished.*) Legislator Pullen remarked on something he had recently read regarding technology. It's been found that you may purchase technology with a certain idea of what you're going to use it for; ultimately you find even more ideas for using it than you expected. He believes there will be a savings, communication will be improved, and they will

be more available to constituents. Legislator Burt added that he is for the Legislators having County email, rather than having their personal email mixed with Legislative related matters.

RESOLUTION NO. 273-15

BUDGET TRANSFER WITHIN REAL PROPERTY TAX ACCOUNTS

Offered by: Ways & Means Committee

RESOLVED:

1. That the sum of \$1,000 shall be transferred from Account No. A1355.403 (Assessments – Maintenance Contracts) to Account No. A1355.201 (Assessments - Office Equipment) to replace a printer for tax bill printing.

Moved by: Mr. Jessup
Seconded by: Mr. Healy

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

RESOLUTION NO. 274-15

TRANSFER OF FUNDS WITHIN EMPLOYMENT AND TRAINING ACCOUNTS

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

RESOLVED:

1. That the transfer of \$8,006 within the Employment and Training accounts is approved as follows:

<u>From Account No.</u>	<u>To Account No.</u>	<u>Amount</u>
CD16400.802 WIOA Admin Retirement	CD16400.803 WIOA Hosp/Med Ins	3,000
CD16403.408 DSS General Supplies	CD16403.201 DSS Equipment	1,200
CD16400.101 WIOA Admin Regular Pay	CD16410.474 WIOA Youth Contract-STTT	1,500
CD16400.101 WIOA Admin Regular Pay	CD16410.476 WIOA Youth Contract-Lit West	1,500
CD16413.101 WIOA Youth Part. Regular Pay	CD16794.101 TANF Regular Pay	50
CD16795.101 TANF Part. Regular Pay	CD16794.101 TANF Regular Pay	129
CD16795.802 TANF Part. Retirement	CD16794.101 TANF Regular Pay	422
CD16795.803 TANF Part. FICA	CD16794.101 TANF Regular Pay	177
CD16795.804 TANF Part. Workers Comp	CD16794.101 TANF Regular Pay	28

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

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

RESOLUTION NO. 275-15

BUDGET TRANSFER WITHIN EMPLOYMENT AND TRAINING ACCOUNTS

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

RESOLVED:

1. That the sum of \$5,000 shall be transferred from Account No. CD16400.101(WIOA – Admin Reg. Pay) to Account No. CD16401.402(WIOA – Adult Supportive Services) to cover additional Adult Supportive Services based on client’s needs.

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

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

RESOLUTION NO. 276-15

**BUDGET TRANSFER FROM CONTINGENCY FUND TO COVER
REPAIRS AT THE FRIENDSHIP SHOP**

Offered by: Public Works and Ways & Means Committees

RESOLVED:

1. That the sum of \$75,000 shall be transferred from Account No. A1990.429 (Contingency) to Account No. H5132.200 (DPW Main Shop Friendship) to repair the Friendship Shop roof.

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

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

RESOLUTION NO. 277-15

BUDGET TRANSFER WITHIN DEPARTMENT OF PUBLIC WORKS ACCOUNTS

Offered by: Public Works and Ways & Means Committees

RESOLVED:

1. That the sum of \$27,000 shall be transferred from Account No. D5110.408 (Maintenance Roads – General Supplies) to Account No. H5197.200 (Highway Equipment & Capital Outlay – Heavy Duty Truck Lift) for the replacement of a heavy duty truck lift at the Friendship Shop.

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

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

RESOLUTION NO. 278-15

BUDGET TRANSFER WITHIN DEPARTMENT OF PUBLIC WORKS ACCOUNTS

Offered by: Public Works and Ways & Means Committees

RESOLVED:

1. That the sum of \$20,000 shall be transferred from Account No. DM5130.210(Road Machinery – Equipment – Fuel Tank Upgrade) to Account No. H1641.200(Capital – Fuel Tank Upgrade) for a fuel tank upgrade.

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

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

RESOLUTION NO. 279-15

**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, 2016, and ending on December 31, 2016, is approved.

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

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

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

RESOLUTION NO. 280-15

**APPROVAL OF RENEWAL AGREEMENT WITH COUNTY OF MONROE TO PROVIDE
SERVICES FOR ALLEGANY COUNTY PRISONERS HELD AT THE ROCHESTER
PSYCHIATRIC CENTER FORENSIC UNIT**

Offered by: Public Safety Committee

RESOLVED:

1. That an Agreement between the County of Allegany and the County of Monroe for the period January 1, 2016 through December 31, 2020, to provide jail security services for Allegany County prisoners held at the Rochester 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. Curran
Seconded by: Mr. Decker

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

Comments made regarding Resolution No. 280-15 included: Legislator Ungermann stated that he noted the cost per day is \$140. He asked if it costs more to house these individuals. Sheriff Whitney responded that it is specialized treatment for them.

RESOLUTION NO. 281-15

**APPROVAL OF ENTRY INTO AN INTER-MUNICIPAL 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 Inter-Municipal Mutual Aid Agreement between the County of Allegany and the Allegany County Town Highway Superintendents Association for period January 1, 2016, to December 31, 2016, is approved.

2. That the Superintendent of the Department of Public Works is authorized to execute the agreement.

Moved by: Mr. Fanton
Seconded by: Mr. Curran

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

Comments made regarding Resolution No. 281-15 included: Legislator Ungermann remarked that when you're doing something like this he feels the rental rates should be listed in the agreement.

RESOLUTION NO. 282-15

**APPROVAL OF ENTRY INTO A SHARED SERVICES AGREEMENT
BETWEEN THE COUNTY OF ALLEGANY AND THE
NEW YORK STATE DEPARTMENT OF TRANSPORTATION**

Offered by: Public Works Committee

RESOLVED:

1. That entry into a Shared Services Agreement between the County of Allegany and the New York State Department of Transportation for period January 1, 2016, to December 31, 2016, is approved.
2. That the Superintendent of the Department of Public Works is authorized to execute the agreement.

Moved by: Mr. Fanton
Seconded by: Mr. Curran

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

RESOLUTION NO. 283-15

**APPROVAL OF ONE YEAR EXTENSION OF AGREEMENT WITH LABELLA
ASSOCIATES, D.P.C. TO CONDUCT THE ENVIRONMENTAL MONITORING PROGRAM
AT THE COUNTY LANDFILL**

Offered by: Public Works and Ways & Means Committees

RESOLVED:

1. That extension of an agreement with LaBella Associates, D.P.C., to conduct the environmental monitoring program at the County Landfill for an annual fee of \$66,100, commencing January 1, 2016, through December 31, 2016, is approved.
2. That the Chairman of this Board is authorized to execute the agreement.

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

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

RESOLUTION NO. 284-15

**APPROVAL OF AGREEMENT WITH KINLEY CORPORATION FOR THE GENERAL
CONTRACTING FOR THE ALLEGANY COUNTY 911 EQUIPMENT ROOM**

Offered by: Facilities & Communications and Ways & Means Committees

WHEREAS, Kinley Corporation was the lowest bidder for general contracting services on a project to renovate the Allegany County 911 Equipment Room; and

WHEREAS, the bid price for the renovations from Kinley Corporation was \$167,850, now, therefore, be it

RESOLVED:

1. That the agreement in the amount of \$167,850 with Kinley Corporation for general contracting services for the renovation of the Allegany County 911 Equipment Room, is approved.

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

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

Adopted: Roll Call
12 Ayes, 0 Noes, 0 Absent
Abstained: LaForge, Ungermann

Comments made regarding Resolution No. 284-15 included: Legislator Ungermann asked for permission to abstain from voting on this resolution. A motion was made by Legislator Healy, seconded by Legislator Fanton, and carried to allow Legislator Ungermann to abstain. Legislator LaForge asked for permission to abstain from voting on this resolution. A motion was made by Legislator Graves, seconded by Legislator Curran, and carried to allow Legislator LaForge to abstain from voting on this resolution.

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 Jessup, and adopted on a roll call vote of 14 Ayes, 0 Noes, 0 Absent, that the audit of claims, totaling \$3,487,066.04, 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 \$9,466,114.*)

COMMENTS:

Legislator Pullen announced that there would be a special Facilities and Communications Committee meeting on Wednesday, December 16, after the Resource Management Committee meeting.

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