

**WAYS & MEANS COMMITTEE
JULY 15, 2015**

**** NOT APPROVED ****

Committee Members Present: C. Jessup, D. Fanton, P. Curran, K. Graves, D. Healy, T. Hopkins, LaForge, D. Pullen, D. Root, C. Crandall

Others Present: M. Alger, R. Anderson, L. Ballengee, H. Budinger, D. Decker, K. Dirlam, M. Gasdik, R. Hollis, T. Miner, K. Monroe, J. Nelson, B. Riehle, T. Ross, C. Santora, R. Whitney

Media Present: D. Donohue, *Olean Times Herald*

Call to Order: The meeting was called to order at 3:00 p.m. by Ways & Means Committee Chairman Charles Jessup.

Approval of Minutes

A motion was made by Legislator Graves, seconded by Legislator Hopkins, and carried to approve the Ways & Means Committee minutes of June 20, and June 26, 2015.

Approval of Audit

Committee members reviewed the July 16, 2015, audit of claims in the amount of \$4,942,295.41 (including prepaid bills). A motion was made by Legislator Hopkins, seconded by Legislator Root, and carried to forward the audit to the full Board for approval of payment.

2015 Sealed Bid Results

County Treasurer Terri Ross distributed the results of the Tax Sale sealed bids. Twenty-four properties were put up for sale; eight properties received bids. She requested a resolution to accept the following bids:

Sale	Tax Map	Bidder	Bid	Back Tax
13-268	228.-1122.22	Ryan Clark	\$ 1,649.28	\$ 989.63
13-354	121.-1-20.2	Matthew Jaslula	\$ 473.03	\$ 637.44
13-438	259.20-1-25	Roy LaFleur	\$ 6,200	\$3,895.33
13-448	259.20-1-9	Scott Wilkins	\$ 1,120	\$5,466.30
13-636	219.-1-29.15	Michael Haywood	\$ 50	\$ 10.02
13-665	206.-1-25.1	Mike & Marcia Dunn	\$ 2,300	\$4,588.88
13-1017	295.5-2-36	Scott Wilkins	\$ 1,120	\$1,118.93
13-1208	238.16-3-21	Thomas Lopez	\$10,000	\$2,831.62

The Committee approved the acceptance of the eight bids on a motion by Legislator Root, seconded by Legislator Fanton, and carried. **Prepare Resolution**

Ms. Ross went on to say that there had been another, single late bid received. She requested a resolution to accept the following bid:

Sale	Tax Map	Bidder	Bid	Back Tax
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13-1331 226.19-1-11 Justin Crowner \$50 \$1,869.67

The Committee approved the acceptance of this bid on a motion by Legislator Hopkins, seconded by Legislator Graves, and carried. **Prepare Resolution**

Amendment to Resolution No. 192-10 Establishing Procedure to Promote the Reduction in the Size of the Allegany County Workforce

The County Administrator requested an amendment to RESOLUTION NO. 192-10 as indicated below.

RESOLUTION ESTABLISHING PROCEDURE TO PROMOTE THE REDUCTION IN THE SIZE OF THE ALLEGANY COUNTY WORKFORCE

Offered by: Ways and Means Committee

WHEREAS, this Board recently adopted Part A of the New York State Retirement Incentive Program, and

WHEREAS, the primary goal of the retirement incentive is to reduce the cost of government by reducing the size of the payroll, and

WHEREAS, reduction in the size of the County payroll can be accomplished by not filling vacant positions, and

WHEREAS, it is anticipated that a number of Allegany County employees will opt to retire due to the retirement incentive, now therefore, be it

RESOLVED:

1. That in addition to complying with all existing procedures applicable to the filling of vacant positions, no position may be filled without a recommendation from the County Administrator that it meets at least one of the following criteria:

- a) The position is vital to the health and safety of Allegany County residents.
- b) The position is one that Allegany County is legally obligated to fill.
- c) Filling the position will be financially beneficial to Allegany County.
- d) Necessary for the continued operation of essential programming and/or services.

2. That all recommendations of the County Administrator that a vacant position should be filled shall be subsequently referred to the Ways & Means Committee for such committee's approval.

3. Exception to this procedure occurs when the Office for the Aging requests to fill a pre-existing part-time position that has been vacated unexpectedly, and therefore; necessitates the need for immediate filling for the continued operation of essential programming and/or services. These positions include:

- a. Luncheon Center Manager
- b. Home Delivered Meals Drivers

4. In such an instance, the County Administrator will temporarily approve authorization to fill a vacancy. At the next practical Standing Committee and Ways and Means Committee meeting, the Department Head will bring the request to fill for committee consideration.

5. This resolution shall take effect immediately.

Moved by: Mr. Fanton

Adopted: Roll Call

Seconded by: Mr. Pullen

13 Ayes, 0 Noes, 2 Absent

(Memo: Regarding Resolution No. 192-10, the anticipated process for filling vacant positions is as follows: (1) The Department Head will seek approval from his/her Standing Committee to fill a vacancy. If granted by the Committee, (2) The Department Head will present the request to the County Administrator and will set forth the rationale as to why the request to fill meets or exceeds the established criteria. (3) Lastly, the request to fill the vacancy will be brought before the Ways and Means Committee, along with the County Administrator's recommendation, for final action by the Committee.)

The proposed amendment was approved on a motion by Legislator Root, seconded by Legislator Healy, and carried. **Prepare Amended Resolution**

REFERRALS FROM OTHER COMMITTEES

PUBLIC SAFETY COMMITTEE/Sheriff's Office

Local Law for Project Lifesaver Program

The Sheriff's Office has joined Project Lifesaver and requested the adoption of a local law to collect the associated fees. The local law has been reviewed by the County Attorney and has his approval. Project Lifesaver International provides lifesaving equipment and training to 50 NYS law enforcement agencies, providing transmitters for adults with Alzheimer's and other forms of dementia as well as children with cognitive impairment to potentially be more easily located.

A LOCAL LAW PROVIDING FOR THE ESTABLISHMENT OF FEES COLLECTED BY THE ALLEGANY COUNTY SHERIFF'S OFFICE

Be it enacted by the Allegany County Legislature as follows:

Section 1. The Allegany County Sheriff's Office is hereby empowered to collect fees for various services under the Project Lifesaver Program.

Section 2. The fees to be charged are as follows:

Initial Startup/Entry into the program	\$ 350
Monthly Battery Maintenance Fee	\$ 10

Section 3. The procedures for the collection of such fees shall be as prescribed by the appropriate laws of the State of New York and any amendments thereto, or as determined by the Allegany County Sheriff where the state has not enacted procedures.

Section 4. Any prior resolution or local law pertaining to the collection of fees by the Allegany County Sheriff's Office is hereby amended to the extent necessary to comply with the intent of this law.

Section 5. This local law shall take effect immediately upon filing pursuant to the Municipal Home Rule Law.

Sheriff Whitney told the Public Safety Committee in July (2015) that via a grant, he had received 13 free kits/bracelets. If a citizen wished to participate after the original 13 kits have been distributed to people with a certified medical statement attesting to a condition which caused a loved one to wander, the Sheriff's Office would be able to charge those participants the cost of the kit and the monthly battery fee. He also noted that participants need to adhere to all conditions or the Sheriff's Office had the authority to take the kit/bracelet back.

After presenting this request, Public Safety Committee Chairman Phil Curran noted that Sheriff Whitney wished to withdraw it.

Request to Fill PT Confidential Secretary Position

Sheriff Whitney requested permission to fill the PT Confidential Secretary position that became vacant in his office. The Confidential Secretary position is authorized by the County Law and serves at the pleasure of the Sheriff. This person, along with a current part-time Confidential Secretary will allow full coverage for the position. The secretaries process Pistol Permit transactions, bail transactions, and respond to initial inquiries of customers or other personnel seeking information from the Sheriff's Office. The Office would be unable to maintain the current operations without this staff member. The request to fill the Confidential Secretary position was approved on a motion by Legislator Curran, seconded by Legislator Healy, and carried. **Notify Human Resources**

HUMAN SERVICES COMMITTEE/Community Services

Community Services Lease Renewal

At the July 1, 2015, Human Services meeting, County Administrator Mitch Alger presented the results of Dr. Anderson's negotiations with his landlord per last month's directive (see below for last month's meeting minutes regarding the lease renewal).

[Excerpted from June 3, 2015 Human Services Meeting minutes:

Lease Renewal

Dr. Anderson also requested permission to renew the contract with Timothy and Georgette Hainey of Wellsville, New York, on the current premises (41-45 N. Broad Street, Wellsville), where the offices of Community Services are housed. This is a three-year term, commencing January 1, 2015, and terminating on December 31, 2017, at a rent of \$2,700 per month. There is an option to renew for three additional years at a rent of \$2,750 per month. The discussion of the lease renewal was opened on a motion by Legislator Decker and seconded by Legislator Burt. Legislator LaForge requested permission to abstain from any vote regarding this issue. His request was granted on a motion by Legislator Burt, seconded by Legislator O'Grady, and carried. Following the discussion regarding the lease renewal, it was determined that a \$700 jump was too steep, and that Dr. Anderson should go back to try to renegotiate the terms.]

Following the Committee's direction, Dr. Anderson entered into negotiations with the landlords, said Mr. Alger, but they did not yield. Mr. Alger noted that in 1993, the rent was \$1,800 per month, and it remained there until 2008 when it increased to \$2,000 per month. It has remained steady until this year when the landlords sought a \$700 per month increase which the Committee viewed as too steep a jump. Committee members were concerned about setting a precedent with this increase. There was also discussion regarding the location and condition of the premises. County Attorney Tom Miner noted that those conditions suit Dr. Anderson and his clientele and should not be a factor in deciding whether or not to renew the lease. However, ultimately, it was decided to renew the lease. The discussion had been opened on a motion by Legislator LaForge. At that time, he requested permission to abstain from the vote as he has done business with the landlords in question. Permission for Legislator LaForge to abstain from the vote was granted on a motion by Legislator Graves, seconded by Legislator Healy and carried. Subsequently, permission to renew the lease was granted on the motion by Legislator LaForge which was seconded by Legislator Fanton, and carried. **Prepare Resolution**

HUMAN SERVICES COMMITTEE/Office for the Aging**Request to Accept and Budget BIP Grant**

OFA requested a resolution to accept a new Federal Grant Balancing Incentive Program (BIP) New York Connects Expansion and Enhancement Program Grant. This grant is to be used in coordination with the NY Connects State Grant. The total funding for this grant is \$223,711, and the program period runs from April 1, 2014, through December 31, 2016 (extended from the previous end date of March 31, 2016). OFA expects to spend \$110,711 of the funding in Fiscal Year 2015 and the remainder of the funding of \$113,000 in 2016. The appropriations and revenue accounts were set up in the 2015 County Budget. A transfer needs to be made to the equipment account for a new server for the OFA (per IT the old one is getting full) for two computer laptops, two desks, two chairs, two small printer/copier/scanners, and a new postage meter.

Transfer

FROM

A6790.101 (Regular Pay)

(Federal grant revenue # A6790.4772.6790)

TO

A6790.201 (Office Equipment)

\$13,525

Approval was granted on a motion by Legislator LaForge, seconded by Legislator Root, and carried. **Prepare Resolution**

Request to Apply for 2014-2015 Direct Care Worker Program

OFA sought authorization to apply for 2014-2015 Direct Care Worker Program. This provides up to two percent salary and related fringe benefit increases to Luncheon Center Managers and HDM Drivers. Salary increases that took effect on or after January 1, 2014, are eligible to use as a basis for claiming reimbursement. The Board must approve a resolution attesting that the funding received will be used solely to support salary and salary-related fringe benefit increases for direct care staff. There is no County share. A Revenue account number will be established when awarded \$4,432. Approval was granted on a motion by Legislator LaForge, seconded by Legislator Healy, and carried. **Prepare Resolution**

Request to Fill Whitesville Luncheon Center Manager

Ms. Gasdik requested permission to fill the Whitesville Luncheon Center Manager (PT, non-union) position which has become vacant as the result of a retirement. The position manages the Whitesville Luncheon Center three days per week from 10 a.m. to 2 p.m. The duties are specific to the Whitesville Senior Luncheon Center. Without this position, the Center would not be staffed and would need to be closed. Funding for this position is provided by federal dollars (39 percent), County dollars (36 percent) and other [Older American Act Federal Funds and participant contributions—(25 percent)]. Permission to fill this position was approved on a motion by Legislator LaForge, seconded by Legislator Fanton, and carried. **Notify Human Resources**

Accept & Appropriate \$10,000 from Allegany Senior Foundation for our Home Delivered Meals Program and \$2,216 for the Personal Emergency Response Systems

OFA requested a resolution accepting and appropriating \$12,216 in donations from the Allegany Senior Foundation: \$10,000 for the Meals-on-Wheels Program and \$2,216 for the Personal Emergency Response Systems (Mercy Line) to low-income elderly persons in need of PERS. The \$10,000 came as a result of a grant written by the Senior Foundation to the United

Way, and the \$2,216 came as a result of a grant written by the Senior Foundation to the Alfred-Alfred Station Community Chest.

Increase Expenditure Account

A6779.474 (OFA-SNAP-Contractor)	\$10,000
A6776.409 (PERS)	\$ 2,216

Increase Revenue Account

A6779.2801.00 (OFA-SNAP- Local Revenue)	\$10,000
A6776.1972.00 (Local Revenue)	\$ 2,216

Acceptance and appropriation of funds as indicated above was approved on a motion by Legislator LaForge, seconded by Legislator Graves, and carried. **Prepare Resolution**

FACILITIES & COMMUNICATIONS COMMITTEE

Approval of a Local Law to Establish a Local Development Corporation

At the July 2015 Facilities and Communications Committee meeting, Legislator Pullen noted that at the June meeting, a preliminary Business Plan had been distributed to the Committee. It served as an analysis to see if an LDC (Local Development Corporation) established by Allegany County could function and survive and be economically viable. The Plan concluded that with just a gradual signing of private (residential) customers, and not any of the other potential types of users such as medical, industrial, educational, the LDC should be a viable proposition. The County needs a vehicle so that every step of the project is not handled by the Facilities and Communications Committee and/or the Board because the Committee meets only one time per month, and that's been how it's been handled to date. Thus, the LDC would be the entity that will be taking over so that the Legislature and this Committee would not be doing the day-to-day business because such things as proposals with BOCES, school districts, WNYRIC, and possibly contracts with ION and last-mile providers will arise.

Although the wireless system itself is owned by Allegany County, the County needs to have a contract between the County and the LDC that turns it (the system) over to the LDC to manage and operate. The Local Law will be referred to Ways & Means on July 15, and then to the full Board to be considered at its July 16 meeting. A public hearing could be held on July 22, 2015; following the public hearing, the Board could consider action on that (which is our typical pattern). And if there need to be changes, they can be made as well.

Approval of the draft of the local law was granted on a motion by Legislator Pullen, seconded by Legislator Graves, and carried. **Prepare Resolution**

Request to Fill IT Director Position

The County Administrator is requesting a resolution to appoint and permission to fill the position of Director of Information Technology which is vacant due to a retirement. This is a department head level position which has the responsibility for supervising, coordinating, and supporting County information technology and telecommunications activities. The position is currently budgeted at a salary of \$71,615; the new Director's salary will be set at \$76,000, resulting in the need for an amendment to the Section IV Salary Schedule. This position is a full-time, non-union position, Section IV. The hiring of Keith Hooker (currently a Network Administrator with the County) at a salary of \$76,000, effective July 27, 2015, with the necessary change in the Section IV Salary Schedule was approved on a motion by Legislator Healy, seconded by Legislator Root, and carried. **Prepare Resolution & Notify Human Resources**

PLANNING & ECONOMIC DEVELOPMENT

Request to Fill Planning and Development Specialist

In April (2015), the Development Office requested that the Clerk position be abolished and the title of Planning and Development Specialist (AFSCME, Grade 13, Step Base-7) be created. The Clerk title is an entry-level clerical position. We hope to better utilize this person by creating a position that is capable of performing a wide range of planning and economic development duties. Work will range from basic clerical functions to more advanced and technical work. This person will give the office more flexibility and depth. The Planning and Development Specialist will report directly to the Director of Planning (once created) but will also assist the Director of Development as needed. The proposed salary range for this new position is between \$32,953-\$40,091. This position was created by the Board at its June 8, 2015, meeting. Thus, permission to fill the position was approved on a motion by Legislator Hopkins, seconded by Legislator Graves, and carried. **Notify Human Resources**

Request to Fill Secretary to Director of Planning Position

County Administrator Mitch Alger presented a request to fill the Secretary to the Director of Planning position, noting that this is primarily a change of title for the incumbent, although, officially, the title of Secretary to the Director of Development will be eliminated. This position will provide administrative and technical assistance to the Director of Planning. It is a non-union, Grade 2, Step 11 position. Permission to fill the position was approved on a motion by Legislator Hopkins, seconded by Legislator Graves, and carried. **Notify Human Resources**

Request to Fill Director of Planning Position

Mr. Alger also presented a request for a resolution to appoint and to fill the Director of Planning position. This is also a non-union, Section IV position responsible for the initiation, coordination, directing, and review of activities undertaken by the County Planning Department. This will require an amendment to the Section IV Salary Schedule. Permission to appoint H. Kier Dirlam as the Director of Planning with an annual salary of \$66,500, effective July 27, 2015, was approved on a motion by Legislator Hopkins, seconded by Legislator Healy, and carried. **Prepare Resolution and Notify Human Resources**

New Business

Legislator Curran wanted to note that the Sheriff had withdrawn his intent to pursue the Project Lifesaver program based on his interpretation of the Committee's feelings. Legislator Graves indicated that through informal conversations, he has learned that other law enforcement agencies, such as the State Police, have an interest in the program. Sheriff Whitney wanted to go on record that he felt forced to withdraw his request, and that he feels this is the wrong decision for Allegany County. Legislator Jessup noted that this is a discussion that is not appropriate for the Ways & Means Committee and suggested that it go back to the Public Safety Committee in August.

Adjournment

There being no further business to come before the Committee, the meeting was adjourned at 3:30 p.m. following a motion by Legislator Graves, seconded by Legislator LaForge, and carried.

Respectfully submitted,
Cynthia Santora, Secretary to the Clerk of the Board
Allegany County Board of Legislators