

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

JANUARY 25, 2016

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

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Army Specialist Fourth Class Patrick J. O'Connor.

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, Judith Hopkins, Charles Jessup, Kevin LaForge, Aaron McGraw, Timothy O'Grady, David Pullen, Debra Root, Norman Ungermann, Jr.

APPROVAL OF MINUTES:

The Board meeting minutes of December 28, 2015, were approved on a motion made by Legislator Graves, seconded by Legislator Root, and carried.

The Organization meeting minutes of January 4, 2016, were approved on a motion made by Legislator Fanton, seconded by Legislator Curran, and carried.

The Board meeting minutes of January 11, 2016, were approved on a motion made by Legislator Decker, seconded by Legislator Curran, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Patrick J. O'Connor, former United States Army Specialist Fourth Class, in grateful appreciation of his service to our country. Mr. O'Connor's service dates were from November 6, 1967, to July 24, 1969. Following Basic Training at Fort Dix, NJ, assignments included: Fort Sill, OK, and Vietnam. Commendations he received included: National Defense Service Medal, Vietnam Campaign Medal, Vietnam Service Medal, Army Commendation Medal, Good Conduct Medal, Expert M-14 and M-16 Rifle. Mr. O'Connor 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 2016 Calendar

2. Legislators 2015 Compensation Table
3. Comprehensive Plan Implementation Group End-of-Year Report for 2015.

APPOINTMENTS:

Chairman Crandall appointed Rodney K. Bennett of Dalton, New York, to serve on the Allegany County Agricultural and Farmland Protection Board coterminous with his designation as Chairman of the Soil and Water Conservation District's Board of Directors, for a one-year term expiring December 31, 2016.

RESOLUTIONS:

RESOLUTION NO. 10-16

**RESOLUTION CALLING ON THE STATE OF NEW YORK TO RESTORE FUNDING
PARITY BETWEEN THE CAPITAL PLANS OF THE METROPOLITAN TRANSPORTATION
AUTHORITY (MTA) AND THE NEW YORK STATE DEPARTMENT OF
TRANSPORTATION**

Offered by: Public Works Committee

WHEREAS, Governor Andrew Cuomo and Mayor de Blasio recently announced an agreement to jointly subsidize the Metropolitan Transportation Authority's (MTA) nearly \$11 billion funding gap for its 2015-19 five-year capital program; and

WHEREAS, as part of this agreement, the Governor is committing \$8.3 billion in state resources to cover the MTA plan's multi-year deficit; and

WHEREAS, while we may agree that this vital investment in downstate transit is needed, the state has yet to develop a new Department of Transportation Five-Year Capital Plan designed to assess current conditions and determine investments needed to provide for the future needs of a modern, safe, reliable, and efficient multimodal transportation system; and

WHEREAS, the enactment of the FAST Act, a fully funded five-year authorization of federal surface transportation programs that provides long-term federal funding predictability, should now facilitate the state to develop and fund a Transportation Five-Year Capital Plan; and

WHEREAS, locally-owned roads and bridges account for 87 percent of the State's 110,000 miles of roadways and 50 percent of the State's 18,000 bridges and are responsible for a vast system of aging culverts. These locally-owned transportation facilities are deteriorating at a rapid rate as counties continue to struggle to find adequate funding for their maintenance and replacement; and

WHEREAS, three of the last four DOT/MTA five-year capital programs were virtually identical in size; and

WHEREAS, for nearly two decades, through 2009, the parity agreement was honored and both five-year capital programs were similar in size as well as adopted within a month of each other. It is necessary to once again restore parity between the programs; and

WHEREAS, according to a 2014 Comptroller's report, thirty-four percent (34%) of bridges are deficient and forty-eight percent (48%) of road pavements in the state are rated fair or poor and getting worse: and

WHEREAS, restoring parity between the Department of Transportation's (DOT) highway and bridge five-year capital program and the MTA's capital program will assure each program is funded at a \$26.1 billion level, providing enough resources to help fund the local needs as described above, now, therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators calls upon Governor Cuomo and our State Legislative Delegation to work with our County and other local governments in order to develop and fully-fund a Five-Year Capital Plan that will provide the necessary and proper funding to New York's counties by substantially increasing CHIPS and Marchiselli funding and establishing a five-year State Aid to Local Bridge and Culvert Program to give them the ability to adequately maintain their infrastructure.

2. That the Clerk of this Board shall forward certified copies of this resolution to Governor Andrew Cuomo; Senator Catharine M. Young; Assemblyman Joseph M. Giglio; the New York State Association of Counties and the Inter-County Association of Western New York.

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

Adopted: Voice Vote

RESOLUTION NO. 11-16

**A RESOLUTION IN RELATION TO THE CONSTRUCTION OF TOWN BRIDGE
NO. 07-01 (B.I.N. 2214140) IN TOWN OF ANGELICA**

Offered by: Public Works and Ways & Means Committees

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

WHEREAS, the County Public Works Department has submitted a report to this Board stating its reasons why Town Bridge No. 07-01 (B.I.N. 2214140) on Peavy Road in the Town of Angelica should be constructed, and

WHEREAS, the County Public Works Department has submitted plans, maps and specifications for the construction of such Bridge and estimated the project costs at \$487,500, and

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

RESOLVED:

1. That this Board of Legislators does determine that it considers Town Bridge No. 07-01 (B.I.N. 2214140) on Peavy Road in the Town of Angelica to be of sufficient importance to be constructed.

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

3. That the authorized cost for the construction of such Bridge shall not exceed \$487,500.

4. That in accordance with Resolution No. 65-95, the County's share of such cost is estimated to be \$414,375 and shall be transferred to a Capital Project Account to be designated by the County Treasurer.

5. That the Town's share of such cost, estimated to be \$73,125, shall be paid to the County pursuant to the provisions of section 1 g. of Resolution No. 65-95.

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

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

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

RESOLUTION NO. 12-16

**ESTABLISHING CAPITAL PROJECT ACCOUNT FOR BRIDGE #07-01
(B.I.N. 2214140) ON PEAVY ROAD IN THE TOWN OF ANGELICA;
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 #07-01 (B.I.N. 2214140) on Peavy Road in the Town of Angelica.
2. That the following transfers are required for such Capital Project: \$487,500 is transferred from Account No. H5120.200 (Maintenance of Bridges) to Account No. H5945.200 (Angelica, BR#07-01, Peavy Road).
3. That the sum of \$73,125, representing the Town's share of the project, is transferred from Account No. H5120.2300.00 (Revenues - Intergovernmental Charges) to Account No. H5945.2300.00 (Local Town Share).
4. That the sum of \$414,375, representing the County's share of the project, is transferred from Account No. H5120.5031.00 (Revenues – Interfund from General A) to Account No. H5945.5031.00 (County Share).

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

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

RESOLUTION NO. 13-16

**A RESOLUTION IN RELATION TO THE CONSTRUCTION OF TOWN BRIDGE
NO. 09-05 (B.I.N. 2214300) IN TOWN OF BIRDSALL**

Offered by: Public Works and Ways & Means Committees

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

WHEREAS, the County Public Works Department has submitted a report to this Board stating its reasons why Town Bridge No. 09-05 (B.I.N. 2214300) on Hiltonville Road in the Town of Birdsall should be constructed, and

WHEREAS, the County Public Works Department has submitted plans, maps and specifications for the construction of such Bridge and estimated the project costs at \$219,000, and

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

RESOLVED:

1. That this Board of Legislators does determine that it considers Town Bridge No. 09-05 (B.I.N. 2214300) on Hiltonville Road in the Town of Birdsall to be of sufficient importance to be constructed.
2. That the plans, maps and specifications prepared by the County Public Works Department are approved and the County Public Works Department is directed to construct such Bridge in accordance with such plans, maps, and specifications.
3. That the authorized cost for the construction of such Bridge shall not exceed \$219,000.
4. That in accordance with Resolution No. 65-95, the County's share of such cost is estimated to be \$186,150 and shall be transferred to a Capital Project Account to be designated by the County Treasurer.
5. That the Town's share of such cost, estimated to be \$32,850, shall be paid to the County pursuant to the provisions of section 1 g. of Resolution No. 65-95.
6. That such Bridge shall not be constructed until the Town of Birdsall files the appropriate Town Board resolution in accordance with Resolution No. 65-95.

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

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

Comments made regarding Resolution No. 13-16 included: Legislator Healy made a motion which was seconded by Legislator Graves, and carried to allow Legislator Ungermann to abstain from the vote.

RESOLUTION NO. 14-16

ESTABLISHING CAPITAL PROJECT ACCOUNT FOR BRIDGE #09-05 (B.I.N. 2214300) ON HILTONVILLE ROAD IN THE TOWN OF BIRDSALL; 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 #09-05 (B.I.N. 2214300) on Hiltonville Road in the Town of Birdsall.
2. That the following transfers are required for such Capital Project: \$219,000 is transferred from Account No. H5120.200 (Maintenance of Bridges) to Account No. H5946.200 (Birdsall, BR#09-05, Hiltonville Road).

3. That the sum of \$32,850, representing the Town's share of the project, is transferred from Account No. H5120.2300.00 (Revenues - Intergovernmental Charges) to Account No. H5946.2300.00 (Local Town Share).

4. That the sum of \$186,150, representing the County's share of the project, is transferred from Account No. H5120.5031.00 (Revenues - Interfund from General A) to Account No. H5946.5031.00 (County Share).

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

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

Comments made regarding Resolution No. 14-16 included: Legislator Healy made a motion which was seconded by Legislator Burt, and carried to allow Legislator Ungermann to abstain from the vote.

RESOLUTION NO. 15-16

A RESOLUTION IN RELATION TO THE CONSTRUCTION OF TOWN BRIDGE NO. 15-06 (B.I.N. 2214580) IN TOWN OF CUBA

Offered by: Public Works and Ways & Means Committees

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

WHEREAS, the County Public Works Department has submitted a report to this Board stating its reasons why Town Bridge No. 15-06 (B.I.N. 2214580) on Keller Hill Road in the Town of Cuba should be constructed, and

WHEREAS, the County Public Works Department has submitted plans, maps and specifications for the construction of such Bridge and estimated the project costs at \$392,000, and

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

RESOLVED:

1. That this Board of Legislators does determine that it considers Town Bridge No. 15-06 (B.I.N. 2214580) on Keller Hill Road in the Town of Cuba to be of sufficient importance to be constructed.

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

3. That the authorized cost for the construction of such Bridge shall not exceed \$392,000.

4. That in accordance with Resolution No. 65-95, the County's share of such cost is estimated to be \$333,200 and shall be transferred to a Capital Project Account to be designated by the County Treasurer.

5. That the Town's share of such cost, estimated to be \$58,800, shall be paid to the County pursuant to the provisions of section 1 g. of Resolution No. 65-95.

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

Moved by: Mr. Fanton
Seconded by: Mr. Decker

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

RESOLUTION NO. 16-16

ESTABLISHING CAPITAL PROJECT ACCOUNT FOR BRIDGE #15-06 (B.I.N. 2214580) ON KELLER HILL ROAD 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 #15-06 (B.I.N. 2214580) on Keller Hill Road in the Town of Cuba.

2. That the following transfers are required for such Capital Project: \$219,000 is transferred from Account No. H5120.200 (Maintenance of Bridges) to Account No. H5947.200 (Cuba, BR#15-06, Keller Hill Road).

3. That the sum of \$58,800, representing the Town's share of the project, is transferred from Account No. H5120.2300.00 (Revenues - Intergovernmental Charges) to Account No. H5947.2300.00 (Local Town Share).

4. That the sum of \$333,200, representing the County's share of the project, is transferred from Account No. H5120.5031.00 (Revenues - Interfund from General A) to Account No. H5947.5031.00 (County Share).

Moved by: Mr. Fanton
Seconded by: Mr. Ungermann

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

RESOLUTION NO. 17-16

**RE-APPROPRIATION OF UNSPENT FUNDS FROM THE FY 2014
TECHNICAL RESCUE AND URBAN SEARCH AND RESCUE GRANT FUNDS**

Offered by: Public Safety and Ways & Means Committees

WHEREAS, by Resolution No. 62-15, the FY 2014 Technical Rescue and Urban Search and Rescue Grant funds in the amount of \$98,946 were accepted and appropriated for the 2015 budget year, and

WHEREAS, it is necessary to re-appropriate the unexpended FY 2014 Technical Rescue and Urban Search and Rescue Grant funds in the amount of \$98,946, now, therefore, be it

RESOLVED:

1. That the sum of \$98,946 in unexpended FY 2014 Technical Rescue and Urban Search and Rescue Grant funds shall be re-appropriated to Account No. A3653.207 (Emergency Services - Equipment) with a like sum credited to Revenue Account No. A3653.3306.EMW14 (State Aid – 2014 SHSP #969149 Swift Water Team).

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

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

Comments made regarding Resolution No. 17-16 included: Legislator Ungermann said that as he looked through the list of things they want to spend money on, he questions whether the items are needed or if they're just buying these things to use up the money.

RESOLUTION NO. 18-16

**RE-APPROPRIATION OF UNSPENT FUNDS FROM THE
HOMELAND SECURITY CONTRACT #C969150**

Offered by: Public Safety and Ways & Means Committees

WHEREAS, by Resolution No. 270-15, the Office of Homeland Security Contract #C969150 (Project #SH15-1001-D00 SHSP) Grant funds in the amount of \$52,500 were accepted and appropriated for the 2015 budget year, and

WHEREAS, it is necessary to re-appropriate the unexpended Office of Homeland Security Contract #C969150 (Project #SH15-1001-D00 SHSP) Grant funds in the amount of \$52,500, now, therefore, be it

RESOLVED:

1. That the sum of \$52,500 in unexpended Office of Homeland Security Contract #C969150 Grant funds shall be re-appropriated as follows:

A3656.207	Homeland Security – Emerg Serv Equipment (Generators, Portable))	\$26,000
A3656.207	Homeland Security – Emerg Serv Equipment (PPE and Related Equipment)	10,000
A3656.207	Homeland Security – Emerg Serv Equipment (GIS Software)	14,000
A3656.207	Homeland Security – Emerg Serv Equipment (Tactical Medical Gear Bags)	1,500
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. Decker

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

Comments made regarding Resolution No. 18-16 included: Legislator Ungermann stated that he had the same question as he did on the last resolution. He doesn’t see anyone volunteering to answer.

RESOLUTION NO. 19-16

**ACCEPTANCE AND APPROPRIATION OF THE NEW YORK STATE
DIVISION OF CRIMINAL JUSTICE SERVICE NARCOTICS GRANT**

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That funds in the amount of \$37,500 from the New York State Division of Criminal Justice Service Narcotics Grant, are accepted and appropriated as follows:

A3111.103	Sheriff Drug Program - Overtime	\$3,995
A3111.201	Sheriff Drug Program – Office Equipment	10,450

A3111.208	Sheriff Drug Program – Police Equipment	21,800
A3111.408	Sheriff Drug Program – General Supplies	<u>1,255</u>
	Total	\$37,500

with a like sum credited to Revenue Account No. A3111.3324.DCJS (Sheriff Drug Program).

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

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

RESOLUTION NO. 20-16

ACCEPTANCE AND APPROPRIATION OF FUNDS FROM ACCORD CORPORATION FOR THE ACT II BATTERERS' PROGRAM

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That the sum of \$9,100 from ACCORD Corporation for the continuation of the ACT II Batters' Program is accepted.
2. That the sum of \$9,100 is placed in Account No. A3117.449 (ACT II Batters' Program – Contractual Expenses) with a like sum credited to Revenue Account A3117.2260.00 (ACT II Batters' Program – Public Safety Service for Other Govts.).

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

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

RESOLUTION NO. 21-16

APPROVAL OF AGREEMENT BETWEEN ALLEGANY COUNTY PROBATION DEPARTMENT AND ARA – THE COUNSELING CENTER FOR THE PROVISION OF A FORENSIC EVALUATOR

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That the Agreement between Allegany County Probation Department and ARA – The Counseling Center for the provision of a Forensic Evaluator to conduct sex offender evaluations for the period of January 1, 2016, to December 31, 2016, is approved.

2. That the Director of Probation's signature to said Agreement is hereby ratified and approved.

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

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

Comments made regarding Resolution No. 21-16 included: Legislator Decker asked for an explanation of what a Forensic Evaluator does. Probation Director Robert Starks stated that the Forensic Evaluator conducts sex offender assessments. They determine if the sex offender needs treatment.

RESOLUTION NO. 22-16

APPROVAL OF A THREE YEAR MAINTENANCE AGREEMENT WITH F & F ELECTRIC, INC. COVERING GENERATORS LOCATED AT ALLEGANY COUNTY'S 911 RADIO TOWERS

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That a three-year maintenance agreement with F & F Electric, Inc. covering generators located at the seven current County 911 radio towers is hereby approved.

2. That Lieutenant Shawn Grusendorf's prior signature to said agreement accepting the terms thereof is hereby ratified and approved.

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

Adopted: Roll Call
14 Ayes, 1 No, 0 Absent
Voting No: Ungermann

Comments made regarding Resolution No. 22-16 included: Legislator Ungermann remarked that this is just the beginning of a long list of things taxpayers are going to have to pay for. There are six more towers to go up, for a total of thirteen towers. This is going to be an endless thing.

RESOLUTION NO. 23-16

ESTABLISHING THE ALLEGANY COUNTY LAND BANK CORPORATION, A NEW YORK LAND BANK

Pursuant to Article 16 of the Not-For-Profit Corporation Law.

Offered by: Legislator Kevin S. LaForge and Ways & Means Committee

WHEREAS, addressing the need to strengthen and revitalize local communities, New York State recently enacted the "Land Bank Act" (Not-for-Profit Corporation Law, Article 16) which authorizes municipalities to establish individual or cooperative land banks, and

WHEREAS, land banks are charitable corporations entitled and authorized to take control and redevelop vacant, abandoned, and/or tax-delinquent properties to rebuild communities and foster local economic development, and

WHEREAS, vacant and abandoned properties present a danger to the health and safety of local residents, result in costs and loss of revenues to local governments, and discourage further investment in the community, and

WHEREAS, land banks allow municipalities to acquire, redevelop, and improve tax delinquent, vacant or abandoned property, thereby providing a mechanism for municipalities to acquire blighted properties and convert them to productive uses, and

WHEREAS, said land bank would acquire properties through a variety of means, including the conveyance of property directly by the foreclosing governmental unit as part of a tax foreclosure, purchase of the property or purchase the tax lien on a property, and

WHEREAS, the land bank shall not have eminent domain powers, and

WHEREAS, said land bank could secure grant funding, issue bonds, enter into contracts, implement programs, projects and activities designed to create or stimulate economic and community development, among other delineated duties and responsibilities, which would allow the foreclosing governmental unit to take a more long-term approach to the disposition of its tax delinquent properties, and

WHEREAS, pursuant to the Land Bank Act, it is necessary to adopt a resolution establishing the Land Bank on behalf of the County, and

WHEREAS, the bylaws shall provide that any amendments to the bylaws regarding the number, term, or qualifications of members of the Board, shall require the approval of the Allegany County Legislature, now, therefore, be it

RESOLVED:

1. There is hereby created a land bank on behalf of the County of Allegany, to be known as the "**ALLEGANY COUNTY LAND BANK CORPORATION (ACLBC)**" a New York Land Bank.

2. That the Board of Directors shall consist of seven (7) members and shall serve ex officio as follows:

Curtis W. Crandall as Chairman of the County Legislature
Dwight R. Fanton as Vice-Chairman of the County Legislature

Dwight (Mike) Healy as Majority Leader of the County Legislature
Kevin S. LaForge as Minority Leader of the County Legislature
Terri L. Ross as County Treasurer
Joseph L. Budinger as County Director of Real Property Services
John E. Margeson as County Administrator

3. That the terms of office of members of the Board of Directors shall coincide with their respective terms of office in the offices listed in the preceding paragraph.

4. That the Certificate of Incorporation for the **ACLBC** shall include the name and address of the initial Board of Directors as stated above and shall be in substantially the same form as attached to this resolution and hereby approved.

5. That the bylaws of the **ACLBC** shall be written by and adopted by the **ACLBC** Board of Directors following the **ACLBC's** organizational meeting.

6. That the Allegany County Legislature is granted the authority to approve or deny, on a case by case basis, the turnover or transfer of any parcel or property in the portfolio of Allegany County to the **ACLBC**.

7. That the terms and conditions of such turnover or transfer shall be attached to the resolution of the Allegany County Legislature authorizing such turnover or transfer.

8. That the Chair of the Legislature be, and hereby is, authorized to execute any and all documentation necessary for filing and incorporation with the State of New York to establish said corporation.

9. That the Clerk of the Legislature is further directed to conform the applicable documents, including the Certificate of Incorporation, and file this resolution with the Urban Development Corporation pursuant to the provisions of the Land Bank Act, Chapter 257 of the Laws of 2011.

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

Adopted: Roll Call
14 Ayes, 1 No, 0 Absent
Voting No: Ungermann

Comments made regarding Resolution No. 23-16 included: Legislator Burt remarked that communication is the key in everything. He said that the pre-meeting caucus was beneficial. He believes the Alfred State students stand to greatly benefit from this. As a former teacher he appreciates opportunities for students. Even more importantly, he likes that a portion of the grant will be allowed for demolition of many unsightly buildings which will make the area more inviting. Legislator Ungermann expressed his concerns saying that it's just letting the government do everything for us. We've created another whole bureaucracy. He's concerned the private sector won't have anything left. Legislator Pullen stated that he was sympathetic and in agreement with Legislator Ungermann's statements, but that there are so many costs that make it difficult. He feels the public has had the opportunity, but there are

many derelict buildings that need attention. He applauded Legislator LaForge for his work on this. Legislator Pullen remarked that he feels it will be much easier to sell cleared lots and put them back on the tax rolls, than a lot that needs demolition. Legislator Decker stated that he had had an extensive discussion with Legislator LaForge. Legislator Decker remembered an agricultural program of similar nature in the past that turned fraudulent. Legislator LaForge has presented a lot of facts and Legislator Decker will offer his support. He feels Allegany County will be more attractive with the removal of the blighted buildings.

Resolution Intro. No. 25-16 (**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 O'Grady, seconded by Legislator Graves, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 24-16

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, 2016, to February 1, 2017, is approved.
2. That the premium of \$248,719.20 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 2016 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: Mrs. Root
Seconded by: Mr. O'Grady

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

Comments made regarding Resolution No. 24-16 included: Legislator Decker expressed his approval of the work Richardson & Stout has done for the County. He feels they've really done their homework and have tried to hold the line on the cost.

AUDITS:

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

A motion was made by Legislator Jessup, seconded by Legislator Root, and adopted on a roll call vote of 15 Ayes, 0 Noes, 0 Absent, that the audit of claims, totaling \$2,924,087.37, including prepaid expenses, be approved for payment as recommended by the County Administrator. (*Allegany County's Local Dollar Share of the NYS Medicaid Program paid year-to-date is \$772,744.*)

COMMENTS:

Legislator Ungermann remarked on a newspaper article he had distributed to the Board. The newspaper article "Broadband Extending to Several Areas of County by Year's End" recently appeared in the Olean Times Herald. Legislator Ungermann expressed his concern for Allegany County getting involved in owning and operating its own towers through the formation of the Allegany County Telecommunications Corporation. He stated there's a tower in Cuba that is assessed for \$140,000 that has paid almost \$30,000 in property taxes. That company owns around eleven towers in Allegany County. If they are all assessed at the same rate, they've paid \$300,000 in the last year. He's concerned the County is going to have thirteen towers to maintain and repair and maintain roads to, and by doing so we're cutting the people who pay property taxes out of the equation. Lieutenant Shawn Grusendorf began to explain the excessive costs in using the towers Legislator Ungermann talked about. He stated that the County can't afford to lease them.

ADJOURNMENT: The meeting was adjourned at 2:48 p.m. on a motion made by Legislator Graves, seconded by Legislator Burt, and carried.