

**ALLEGANY COUNTY BOARD OF LEGISLATORS  
REGULAR SESSION**

**FEBRUARY 22, 2016**

**CALL TO ORDER:** The regular meeting of the Board of Legislators was called to order at 2:08 p.m. by Chairman Curtis W. Crandall.

**PLEDGE OF ALLEGIANCE TO THE FLAG:** The Pledge of Allegiance was led by retired United States Navy Petty Officer Second Class Todd Brown.

**INVOCATION:** The Invocation was given by Legislator Pullen.

**ROLL CALL:** 13 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, David Decker, Dwight "Mike" Healy, Judith Hopkins, Charles Jessup, Kevin LaForge, Aaron McGraw, Timothy O'Grady, David Pullen, Debra Root Absent: Dwight Fanton, Norman Ungermann, Jr.

**APPROVAL OF MINUTES:**

The Board meeting minutes of January 25, 2016, were approved on a motion made by Legislator Graves, seconded by Legislator Decker, and carried.

The Board meeting minutes of February 8, 2016, were approved on a motion made by Legislator Root, seconded by Legislator Burt, and carried.

The Committee of the Whole minutes of February 8, 2016, were approved on a motion made by Legislator Curran, seconded by Legislator Pullen, and carried.

**PRIVILEGE OF THE FLOOR:**

Chairman Crandall presented a certificate to Todd Brown, retired United States Navy Petty Officer Second Class, in grateful appreciation of his service to our country. Mr. Brown's service dates were from April 1985 to April 2005. Mr. Brown spent 14 years at sea; his assignments include: Guantanamo Bay, Holy Loch in Scotland, Norfolk, Virginia, USS Vreeland FF-1064, USS Clark FFG-11, USS Austin LPD-4, USS Shenandoah AD-44, USS Simon Lake SS-33, USS America CV-66, USS New Jersey BB-62, USS Briscoe DD-977, USS Gonzales DDG-66 and USS Laboon DDG-58. Mr. Brown received numerous accommodations during his time of service including three Naval Commendation Medals and a Navy Good Conduct Medal. Mr. Brown led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans' Honorary Pledge of Allegiance Program.

Mr. Peter R. Kehoe, Executive Director of the New York State Sheriff's Association recognized the Allegany County Sheriff's Office for the reaccreditation of the Allegany County Jail. Mr. Kehoe recognized Jail Administrator Christopher Ivers, Assistant Jail Administrator Kevin Morsman, Corrections Officer Hal Hurlburt, and Corrections Officer Jeff Kinney for their

efforts in making sure the Jail was up to, or exceeding, the standards that are set for the accreditation. Mr. Kehoe remarked that accomplishing the reaccreditation isn't just about having a plaque to hang on the wall. It improves performance and morale, and reduces incidents of lawsuits and liability. It improves service to the public and increases confidence in the Sheriff's Office. Mr. Kehoe congratulated the Board and the citizens of Allegany County for their support of the Sheriff's Office. Mr. Keohe presented Sheriff Whitney with a plaque commemorating the reaccreditation. Sheriff Whitney acknowledged what a great honor it was, and noted that the award is not about him, it's the staff at the Jail who earned it. He's very proud to be part of the organization. He recognized Mr. Ivers, Mr. Morsman, Mr. Kinney, and Mr. Hurlburt for their dedication.

### **ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:**

1. March 2016 Calendar.
2. Pursuant to Article 11 of the Real Property Tax Law, County Treasurer Terri Ross filed a Certificate of Withdrawal of Delinquent Tax Liens for property in the Town of Bolivar in the Clerk of the Board's Office on February 10.
3. Correspondence from Assemblyman Joseph Giglio thanking those that visited his office after the NYSAC Conference on February 3.

### **INTRODUCTION OF LEGISLATION:**

Legislator Charles Jessup introduced Local Law Intro. No. 2-2016, Print No. 1, entitled **"AMENDMENT OF LOCAL LAW NO. 3 OF 1992, (AS AMENDED BY LOCAL LAW NO. 3 OF 1995 AND LOCAL LAW NO. 2 OF 2010), TO PRESCRIBE THE QUALIFICATIONS, TERM OF OFFICE, POWERS AND DUTIES, AND PROCESS FOR REMOVAL OF THE COUNTY ADMINISTRATOR,"** a copy of said proposed Local Law having been placed on each legislator's desk.

### **RESOLUTIONS:**

#### **RESOLUTION NO. 37-16**

#### **ACCEPTANCE AND APPROVAL OF OPTION #4 PROVIDED BY LABELLA ASSOCIATES, D.P.C., FOR THE THIRD FLOOR OF THE COUNTY OFFICE BUILDING**

Offered by: Facilities & Communications and Ways & Means Committees

**WHEREAS**, Allegany County contracted with LaBella Associates, D.P.C. to provide a space needs study for Allegany County and to provide options to the County with regard to the third floor of the County Office Building, and

**WHEREAS**, five different options from this study were reviewed by the Facilities and Communications Committee, and

**WHEREAS**, the Facilities and Communications Committee approved Option # 4, with the added requirement that demolition work include the entire third floor and that all windows be replaced, now, therefore, be it

**RESOLVED:**

1. That this Board hereby authorizes LaBella Associates, D.P.C to prepare the necessary plans and specifications to go out to bid for construction work based upon Option #4 of their space needs study with the added requirement that all windows be replaced and demolition work includes the entire third floor.

2. That the cost for implementing Option #4, which shall include replacement of all windows and total demolition, shall not exceed \$1,600,000.

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

Adopted: Roll Call  
10 Ayes, 3 Noes, 2 Absent  
Voting No: Burt, Decker, O'Grady

**RESOLUTION NO. 38-16**

**AMENDING RESOLUTION 30-2016 TO SHOW A CORRECTED AMOUNT FOR THE AUTHORIZATION OF PAYMENT TO THE INDUSTRIAL DEVELOPMENT AGENCY FOR REIMBURSEMENT OF FUNDS EXPENDED ON DEVELOPMENT EFFORTS FOR THE CROSSROADS PROJECT**

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

**RESOLVED:**

1. That Resolution 30-2016 is hereby amended to show a corrected sum payment in the amount of \$12,694.29 from Account No. H6997.200 (Crossroads Project) to the Industrial Development Agency for reimbursement of funds expended on development efforts at the Crossroads site is hereby approved.

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

Adopted: Roll Call  
13 Ayes, 0 Noes, 2 Absent

**RESOLUTION NO. 39-16**

**CREATION OF ONE FULL-TIME POSITION OF A SPECIALIST, SERVICES FOR THE AGING, AT OFFICE FOR THE AGING**

Offered by: Human Services Committee

**RESOLVED:**

1. That one full-time position of Specialist, Services for the Aging (AFSCME, Grade 16) is created.
2. This resolution shall take effect immediately.

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

Adopted: Roll Call  
13 Ayes, 0 Noes, 2 Absent

**RESOLUTION NO. 40-16**

**APPOINTMENTS TO THE SOUTHERN TIER WEST REGIONAL  
PLANNING AND DEVELOPMENT BOARD**

Offered by: Planning & Economic Development Committee

Pursuant to Resolution No. 35-68, as amended by Resolution No. 93-75

**RESOLVED:**

1. That Craig Clark of Alfred, New York, is appointed as a member of the Southern Tier West Regional Planning and Development Board to fill the remainder of Mitchell Alger's three-year term expiring May 31, 2016
2. That Debra A. Root of Scio, New York, is appointed as a member of the Southern Tier West Regional Planning and Development Board to fill the remainder of the late Theodore L. Hopkins' three-year term expiring May 31, 2017.

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

Adopted: Voice Vote

**RESOLUTION NO. 41-16**

**APPROVAL OF GRANT APPLICATION FOR THE  
OFFICE FOR THE AGING FOR A BALANCING INCENTIVE PROGRAM (BIP)  
CAREGIVER SUPPORT PROGRAM GRANT**

Offered by: Human Services Committee

**WHEREAS**, the Office for the Aging is requesting approval to apply for grant money through the Balancing Incentive Program (BIP) Caregiver Support Program Grant, and

**WHEREAS**, the funds would be used to increase offerings and access to non-institutional long-term services and supports such as counseling, support groups, training, and case management to caregivers and their Medicaid eligible loved ones, and

**WHEREAS**, if approved the grant would provide \$20,000, now, therefore, be it

**RESOLVED:**

1. That the Office for the Aging is authorized to act on behalf of the County of Allegany to apply for grant funds through the BIP Caregiver Support Program.

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

Adopted: Roll Call  
13 Ayes, 0 Noes, 2 Absent

**RESOLUTION NO. 42-16**

**AMENDING RESOLUTION NO. 209-2009, AS SUBSEQUENTLY  
AMENDED BY RESOLUTION NO. 65-2014, TO DEFINE WHAT  
CONSTITUTES A FIELD TRAINING OFFICER**

Offered by: Public Safety and Ways & Means Committees

**RESOLVED:**

1. That Resolution No. 209-2009, as amended by Resolution No. 65-2014, is further amended to add a second paragraph defining what constitutes a Field Training Officer, to wit:

2. A Field Training Officer constitutes any employee within the Sheriff's Office who provides on-the-job training to another employee within the Sheriff's Office as mandated by law or regulation.

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

Adopted: Roll Call  
13 Ayes, 0 Noes, 2 Absent

Comments made regarding Resolution No. 42-16 included: Legislator Graves remarked that the resolution doesn't specify how many positions there are. He asked the County Sheriff to tell the group how many Field Training Officers there were. Sheriff Whitney stated he believed there were twenty-one. Initially there were fifteen, but it's now capped at twenty-one. He noted that there was a resolution passed last year that dealt with the cap.

**RESOLUTION NO. 43-16**

**REINSTATEMENT OF TAX PARCEL TO TAXABLE PORTION OF  
ASSESSMENT ROLL**

Offered by: Ways & Means Committee

Pursuant to Real Property Tax Law Section 1138

**WHEREAS**, Certificates of Withdrawal were filed in the Allegany County Clerk's Office on February 10, 2015, for a parcel of real property located in the Town of Belfast, and

**WHEREAS**, such parcel of real property was withdrawn from the taxable portion of the assessment roll and determined to be exempt from taxation based upon the determination that there was no practical method to enforce the collection of delinquent taxes on such parcel, now, therefore, be it

**RESOLVED:**

1. That the Allegany County Board of Legislators does hereby determine and direct that the following parcel be restored to the taxable portion of the assessment roll:

<u>Town</u>	<u>Owner</u>	<u>Tax Map #</u>	<u>Serial #s</u>
Town of Belfast	Southern Tier Wireless (Wayne Hawley)	142.-1-36.3/1	13-406; 14-350

2. That the County Treasurer, as enforcing officer, shall issue a certificate of reinstatement(s) and any and all other documents necessary to restore the above described parcel to the taxable portion of the assessment roll.

Moved by: Mr. Jessup  
Seconded by: Mr. Graves

Adopted: Roll Call  
13 Ayes, 0 Noes, 2 Absent

**RESOLUTION NO. 44-16**

**BUDGET TRANSFER WITHIN PUBLIC WORKS ACCOUNTS**

Offered by: Public Works Committee

**RESOLVED:**

1. That the sum of \$2,000 shall be transferred from Account No. A8160.411 (Solid Waste – Repairs Personal Property) to Account No. A8160.202 (Solid Waste – Tools) to cover purchases of tools for the Solid Waste department.

Moved by: Mr. McGraw  
Seconded by: Mr. Graves

Adopted: Roll Call  
13 Ayes, 0 Noes, 2 Absent

**RESOLUTION NO. 45-16**

**ACCEPTANCE AND APPROPRIATION OF THE ALZHEIMER'S DISEASE CAREGIVER SUPPORT INITIATIVE FUNDS TO THE OFFICE FOR THE AGING**

Offered by: Human Services and Ways & Means Committees

**RESOLVED:**

1. The sum of \$109,399 in Alzheimer's Disease Caregiver Support Initiative grant funds is accepted.

2. The sum of \$109,399 shall be appropriated to the following accounts:

A6791.101	Alzheimer's Disease Caregiver Supp Initiative – Regular Pay	\$51,090
A6791.402	Alzheimer's Disease Caregiver Supp Initiative – Mileage/Trans	8,143
A6791.405	Alzheimer's Disease Caregiver Supp Initiative – Conf. Expense	1,256
A6791.474	Alzheimer's Disease Caregiver Supp Initiative – Respite	30,000
A6791.802	Alzheimer's Disease Caregiver Supp Initiative – Retirement	8,020
A6791.803	Alzheimer's Disease Caregiver Supp Initiative – FICA	3,450
A6791.804	Alzheimer's Disease Caregiver Supp Initiative – Workers Comp	699
A6791.805	Alzheimer's Disease Caregiver Supp Initiative – Disability	212
A6791.806	Alzheimer's Disease Caregiver Supp Initiative – Hosp/Med Ins	<u>6,529</u>
	TOTAL	\$109,399

with the like sum of \$109,399 credited to Revenue Account No. A6791.3772.00 (State Aid – Alzheimer's Disease Caregiver Support Initiative).

Moved by: Mr. LaForge  
Seconded by: Mr. Jessup

Adopted: Roll Call  
13 Ayes, 0 Noes, 2 Absent

**RESOLUTION NO. 46-16**

**ACCEPTANCE AND APPROPRIATION OF COLA FUNDS FOR THE CANCER SERVICES PROGRAM**

Offered by: Human Services and Ways & Means Committees

**RESOLVED:**

1. The sum of \$2,346 in COLA funds for the County Health Department Cancer Services Program is accepted.

2. The sum of \$2,346 shall be appropriated to the following accounts:

A4071.201	Cancer Screening – Office Equipment	\$1,145
A4071.405	Cancer Screening – Conference Expense	306
A4071.408	Cancer Screening – General Supplies	53
A4071.424	Cancer Screening – Legal Advertising	432
A4071.419	Cancer Screening – Printing/Microfilming	320
A4071.422	Cancer Screening – Gasoline/Oil	<u>90</u>
	TOTAL	\$2,346

with a like sum credited to Revenue Account No. A4071.3401.00 (State Aid – Cancer Screening).

Moved by: Mr. LaForge  
Seconded by: Mr. Graves

Adopted: Roll Call  
13 Ayes, 0 Noes, 2 Absent

**RESOLUTION NO. 47-16**

**ACCEPTANCE AND APPROPRIATION OF PERFORMANCE  
INCENTIVE INITIATIVE MONIES FOR THE GENERAL FUND**

Offered by: Human Services and Ways & Means Committees

**RESOLVED:**

1. The sum of \$13,000 in Performance Incentive Initiative monies for the General Fund for the 2016 budget year is accepted.

2. The sum of \$13,000 shall be appropriated to the following accounts:

A4010.408	County Health Department – General Supplies	\$6,100
A4035.405	Family Planning – Conference Expense	900
A4035.424	Family Planning – Legal Advertising	<u>6,000</u>
	TOTAL	\$13,000

with the like sum of \$13,000 credited to Revenue Account No. A4010.3450.00 (State Aid Other – Public Health).

Moved by: Mr. LaForge

Adopted: Roll Call

Seconded by: Mr. Curran

13 Ayes, 0 Noes, 2 Absent

**RESOLUTION NO. 48-16**

**ACCEPTANCE AND APPROPRIATION OF NEW YORK STATE FY 2015-2016 PUBLIC SAFETY ANSWERING POINTS SUSTAINMENT GRANT**

Offered by: Public Safety and Ways & Means Committees

**RESOLVED:**

1. That the sum of \$161,547 from New York State for FY 2015-2016 Public Safety Answering Points Sustainment Grant, is accepted.
2. That the sum of \$161,547 shall be placed in Account No. H3024.200 (911 Public Safety Answering Points Sustainment Grant) with a like sum credited to Revenue Account No. H3024.3097.00 (State Aid - 911 Public Safety Answering Points Sustainment Grant).

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

Adopted: Roll Call  
13 Ayes, 0 Noes, 2 Absent

**RESOLUTION NO. 49-16**

**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 \$2,275 from ACCORD Corporation for the continuation of the ACT II Batterers' Program is accepted.
2. That the sum of \$2,275 is placed in Account No. A3117.449 (ACT II Batterers' Program – Contractual Expenses) with a like sum credited to Revenue Account No. A3117.2260.00 (ACT II Batterers' Program – Public Safety Service for Other Govts.).

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

Adopted: Roll Call  
13 Ayes, 0 Noes, 2 Absent

**RESOLUTION NO. 50-16**

**ACCEPTANCE AND APPROPRIATION OF GRANT FUNDS RECEIVED  
FROM NYS STOP-DWI FOUNDATION FOR CRACKDOWN ENFORCEMENT FOR THE  
FEDERAL FISCAL YEAR OCTOBER 1, 2015, TO SEPTEMBER 30, 2016**

Offered by: Public Safety and Ways & Means Committees

**RESOLVED:**

1. That the sum of \$30,779 in grant funds from NYS STOP-DWI Foundation for Crackdown Enforcement for the federal fiscal year of October 1, 2015, to September 30, 2016, is accepted.

2. The sum of \$30,779 shall be placed in Account No. A3141.449 (STOP-DWI Program - Crackdown Enforcement), with a like sum credited to Revenue Account No. A3141.1589.CE (STOP-DWI Program - Other Public Safety Dept. Revenue).

Moved by: Mr. Curran  
Seconded by: Mr. Burt

Adopted: Roll Call  
13 Ayes, 0 Noes, 2 Absent

Comments made regarding Resolution No. 50-16 included: Legislator Decker remarked that there is an epidemic of too much drinking and driving and heroin use. Anything we can do to help curtail this epidemic is helpful. Traffic deaths are up for the first time in fifteen years. He feels a portion of that is from alcohol and/or drugs.

**RESOLUTION NO. 51-16**

**ACCEPTANCE OF FUNDS RECEIVED FROM THE GOVERNOR'S TRAFFIC SAFETY  
PROGRAM, STEPS IN SAFETY GRANT (SAFETY ON WHEELS),  
FROM OCTOBER 1, 2015, THROUGH SEPTEMBER 30, 2016**

Offered by: Public Safety and Ways & Means Committees

**RESOLVED:**

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

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

Adopted: Roll Call  
13 Ayes, 0 Noes, 2 Absent

**RESOLUTION NO. 52-16**

**RE-APPROPRIATION OF UNSPENT FUNDS FROM THE  
HOMELAND SECURITY CONTRACT #C969140**

Offered by: Public Safety and Ways & Means Committees

**WHEREAS**, by Resolution No. 187-14, the Office of Homeland Security Contract #C969140 (Project #SH14-1002-D00 SHSP) Grant funds in the amount of \$52,500 were accepted and appropriated for the 2014 budget year, and

**WHEREAS**, by Resolution No. 52-15, the unspent funds for the Office of Homeland Security Contract #C969140 were re-appropriated for the budget year 2015, and

**WHEREAS**, it is necessary to re-appropriate the unexpended Office of Homeland Security Contract #C969140 (Project #SH15-1001-D00 SHSP) Grant funds in the amount of \$43,290, now, therefore, be it

**RESOLVED:**

1. That the sum of \$43,290 in unexpended Office of Homeland Security Contract #C969140 Grant funds shall be re-appropriated as follows:

A3647.207	Homeland Security – GIS Aerial Photography	\$41,500
A3647.207	Homeland Security – Personal Protective Equipment	988
A3647.416	Homeland Security – Connectivity for Directors Cell Phone	<u>802</u>
	<b>Total</b>	<b>\$43,290</b>

with a like sum credited to Revenue Account No. A3647.3306.EM14 (State Aid – HS FY2014 SHSP Grant #C969140).

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

Adopted: Roll Call  
13 Ayes, 0 Noes, 2 Absent

**RESOLUTION NO. 53-16**

**RE-APPROPRIATION OF UNSPENT FUNDS FROM THE HOMELAND SECURITY  
PRE-DISASTER MITIGATION COMPETITIVE GRANT TO UPDATE THE COUNTY'S  
MULTI-JURISDICTIONAL MULTI-HAZARD MITIGATION PLAN**

Offered by: Public Safety and Ways & Means Committees

**WHEREAS**, by Resolution No. 212-15, the Homeland Security Pre-Disaster Mitigation Competitive Grant in the amount of \$90,000 were accepted and appropriated for the 2015 budget year, and

**WHEREAS**, it is necessary to re-appropriate the unexpended Homeland Security Pre-Disaster Mitigation Competitive Grant funds in the amount of \$90,000, now, therefore, be it

**RESOLVED:**

1. That the sum of \$90,000 in unexpended Homeland Security Pre-Disaster Mitigation Competitive Grant funds shall be re-appropriated to Account No. A3655.447 (Homeland Security – Public Safety Contracts) with a like sum credited to Revenue Account No. A3655.3306.HZMT (Hazard Mitigation – PDMC C#000755).

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

Adopted: Roll Call  
13 Ayes, 0 Noes, 2 Absent

**RESOLUTION NO. 54-16**

**RE-APPROPRIATION OF UNSPENT FUNDS FOR THE  
2015 LETPP HOMELAND SECURITY GRANT**

Offered by: Public Safety and Ways & Means Committees

**WHEREAS**, by Resolution No. 213-15, the 2015 LETPP Homeland Security Grant in the amount of \$17,500 was accepted and appropriated for the 2015 budget year, and

**WHEREAS**, it is necessary to re-appropriate the unexpended 2015 LETPP Homeland Security Grant funds in the amount of \$17,500, now, therefore, be it

**RESOLVED:**

1. That the sum of \$17,500 in unexpended 2015 LETPP Homeland Security Grant funds shall be re-appropriated to Account No. A3654.210 (Homeland Security – Equipment) with a like sum credited to Revenue Account No. A3654.3306.SH15 (State Aid – Homeland Security 2015 LETPP T969152).

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

Adopted: Roll Call  
11 Ayes, 2 Noes, 2 Absent  
Voting No: Decker, Graves

Comments made regarding Resolution No. 54-16 included: Legislator Graves concurred with the remarks Mr. Kehoe, Executive Director of the New York State Sheriff's Association, had made earlier in the meeting about the Allegany County Sheriff's Office doing a wonderful job. Legislator Graves went on to say that this resolution deals with the ALERT team. He noted that he voted against this last year because he felt it was a duplication of services. He feels the State Police have this covered and our money could be better spent elsewhere. Sheriff Whitney stated that these funds are for their ALERT team, and they feel that anything they

can do to assist is good. He noted that the State Police does have a team, but that they are spread out and it could take two hours for them to respond to an incident. Sheriff Whitney feels this is good added protection. Legislator Graves stated that he's all for added protection, but feels there is some discrepancy in what the true reaction time for the State Police is. He would like to invite the State Police in for a meeting. Legislator Burt asked Legislator Graves if the State Police had given him a number for response time. Legislator Graves responded that he was told it was half an hour. He also noted that the State Police just added 16 new Troopers locally. Legislator Healy reminded the group that the resolution simply deals with the re-appropriation of unspent funds. He feels that much of the equipment is dual purpose and could be used at the jail. He's in favor of keeping any money they can get right here. Legislator Burt asked the Sheriff if the equipment was dual purpose. Sheriff Whitney responded that yes, it was. Legislator Graves made further remarks about the State Police and Allegany County Sheriff's department working together.

**RESOLUTION NO. 55-16**

**APPROVAL OF BI INCORPORATED MONITORING SERVICE AGREEMENT;  
AUTHORIZING BOARD CHAIRMAN TO EXECUTE SAID AGREEMENT**

Offered by: Public Safety and Ways & Means Committees

**RESOLVED:**

1. That Monitoring Service Agreement between the County of Allegany and BI Incorporated for period March 1, 2016, to February 28, 2017, is approved.
2. That the Director of Probation is authorized to execute and deliver any and all documents necessary to complete the Monitoring Service Agreement.
3. That the Chairman of this Board is authorized to execute said agreement.

Moved by: Mr. Curran  
Seconded by: Mr. Burt

Adopted: Roll Call  
13 Ayes, 0 Noes, 2 Absent

**RESOLUTION NO. 56-16**

**APPROVAL OF AGREEMENT WITH VOLUNTEER FIREMEN'S ASSOCIATION OF  
ALLEGANY COUNTY, INC., FOR PAYMENT OF 2016 BUDGETARY APPROPRIATION**

Offered by: Public Safety Committee

Pursuant to County Law § 224

**RESOLVED:**

1. That the Chairman of this Board is hereby authorized to execute an agreement between the County of Allegany and the Volunteer Firemen's Association of Allegany County, Inc. that shall provide, in substance: (a) that the County of Allegany will disburse in advance to said Association the sum of \$2,000 to be used by said Association for the payment of expenses which it might incur during 2016 in providing fire training schools for training firefighters; (b) that said Association will render a verified account of such expenses on or before December 31, 2016, with verified or certified vouchers therefor attached; and (c) that any unused amount will be refunded to the County of Allegany.

2. That the County Treasurer shall not pay the aforesaid sum until a memorandum receipt signed by the President and Treasurer of said Association agreeing to comply with the terms of this resolution is delivered to her office.

3. That the Treasurer of said Association shall not be required to furnish a bond.

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

Adopted: Roll Call  
13 Ayes, 0 Noes, 2 Absent

#### **RESOLUTION NO. 57-16**

#### **APPROVAL OF LEASE AGREEMENT BETWEEN THE ALLEGANY COUNTY INDUSTRIAL DEVELOPMENT AGENCY AND THE COUNTY OF ALLEGANY FOR A PORTION OF THE LAND LOCATED AT 6087 STATE ROUTE 19, BELMONT, NEW YORK, FOR THE CONSTRUCTION OF A PARKING LOT**

Offered by: Planning & Economic Development Committee

#### **RESOLVED:**

1. That Lease Agreement between the Allegany County Industrial Development Agency, as Landlord, and the County of Allegany, as Tenant, for leasing a certain portion of the land located at 6087 State Route 19, Belmont, New York, for the construction of a parking lot is approved.

2. That the term of this Lease Agreement will be for twenty-five years, commencing on January 1, 2016, and ending December 31, 2040.

3. That the Chairman of this Board is authorized to execute the Lease Agreement.

4. That the Clerk of this Board is directed to send a certified copy of this resolution to the Allegany County Industrial Development Agency.

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

Adopted: Roll Call  
10 Ayes, 3 Noes, 2 Absent

Voting No: Burt, Decker, O'Grady

**RESOLUTION NO. 58-16**

**APPROVAL OF LEASE AGREEMENT BETWEEN THE ALLEGANY COUNTY INDUSTRIAL DEVELOPMENT AGENCY AND THE COUNTY OF ALLEGANY FOR APPROXIMATELY 12,500 SQUARE FEET OF SPACE IN THE CROSSROADS COMMERCE CENTER LOCATED AT 6087 STATE ROUTE 19, BELMONT, NEW YORK**

Offered by: Planning & Economic Development Committee

**RESOLVED:**

1. That Lease Agreement between the Allegany County Industrial Development Agency, as Landlord, and the County of Allegany, as Tenant, for leasing premises at the Crossroads Commerce Center located at 6087 State Route 19, Belmont, New York, for approximately 12,500 square foot, single floor structure to house the Allegany County Tourism Visitor's Center and Conference Center is approved.

2. That the term of this Lease Agreement will be for five years, commencing on January 1, 2016, and ending December 31, 2020, with the right of Tenant to renew upon the same terms for an additional period of five years upon sixty day's advance notice of Tenant's intent to renew given to Landlord.

3. That the Chairman of this Board is authorized to execute the Lease Agreement.

4. That the Clerk of this Board is directed to send a certified copy of this resolution to the Allegany County Industrial Development Agency.

Moved by: Mrs. Root

Seconded by: Mrs. Hopkins

Adopted: Roll Call

13 Ayes, 0 Noes, 2 Absent

Comments made regarding Resolution No. 58-16 included: Legislator Decker inquired as to why the lease was for five years. He would prefer an annual lease. Chairman Crandall stated that he believed it had to do with IDA financing.

**RESOLUTION NO. 59-16**

**APPROVAL OF LEASE AGREEMENT BETWEEN THE ALLEGANY COUNTY INDUSTRIAL DEVELOPMENT AGENCY AND THE COUNTY OF ALLEGANY FOR APPROXIMATELY 8,000 SQUARE FEET OF SPACE IN THE CROSSROADS COMMERCE CENTER LOCATED AT 6087 STATE ROUTE 19, BELMONT, NEW YORK**

Offered by: Planning & Economic Development Committee

**RESOLVED:**

1. That Lease Agreement between the Allegany County Industrial Development Agency, as Landlord, and the County of Allegany, as Tenant, for leasing premises at the Crossroads Commerce Center located at 6087 State Route 19, Belmont, New York, for approximately 8,000 square foot, single floor structure to house the Allegany County Office of the Aging, Veterans' Services, and NY Connects is approved.
2. That the term of this Lease Agreement will be for five years, commencing on January 1, 2016, and ending December 31, 2020, with the right of Tenant to renew upon the same terms for an additional period of five years upon sixty day's advance notice of Tenant's intent to renew given to Landlord.
3. That the Chairman of this Board is authorized to execute the Lease Agreement.
4. That the Clerk of this Board is directed to send a certified copy of this resolution to the Allegany County Industrial Development Agency.

Moved by: Mrs. Root  
Seconded by: Mrs. Hopkins

Adopted: Roll Call  
13 Ayes, 0 Noes, 2 Absent

**RESOLUTION NO. 60-16**

**APPROVAL OF MEMORANDUM OF AGREEMENT WITH CORNELL COOPERATIVE  
EXTENSION ASSOCIATION OF ALLEGANY COUNTY AND AUTHORIZING CHAIRMAN  
TO EXECUTE MEMORANDUM OF AGREEMENT; AUTHORIZING COUNTY TREASURER  
TO MAKE APPROPRIATION PAYMENTS IN RELATION TO THE 2016 BUDGETARY  
APPROPRIATION FOR THE WORK OF SUCH ASSOCIATION**

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

Pursuant to County Law § 224 (8)

**RESOLVED:**

1. That Memorandum of Agreement between the County of Allegany and the Cornell Cooperative Extension Association of Allegany County, dated January 20, 2016, in relation to the payment of appropriations to such Association by the County and the providing of services for such appropriations is approved and the Chairman of this Board is authorized to execute such Memorandum of Agreement.
2. That the County Treasurer is authorized and directed to pay one-half of the sum provided in the 2016 County Final Budget for such Association in advance no earlier than the first day of each half of the year beginning January 2016, to be used by such Association

pursuant to the terms and conditions of such Agreement; such payments to be made to the duly bonded Treasurer of such Association.

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

Adopted: Roll Call  
12 Ayes, 1 No, 2 Absent  
Voting No: Burt

Comments made regarding Resolution No. 60-16 included: Legislator Jessup made a motion to amend the resolution to include the Ways & Means Committee as a sponsor. The motion was seconded by Legislator Healy and carried to allow the amendment. Legislator O'Grady stated that he will support the resolution, but that he's been critical of the agreement. Several years ago the cost of the agreement was questioned. It was said that the cost was to cover benefits for some of our employees who work with Cooperative Extension. Cornell Cooperative Extension is no longer paying for the benefits for those employees. Legislator O'Grady said that he thought the Board might consider decreasing funding as a result. He added, "Here we are again at the same amount with the caution that they might need more funding down the road. I will not support any additional funding from here on out." Legislator Burt said he appreciated being forewarned that this appropriation wasn't going to be enough and that they were probably going to need another \$48,000, but he feels it would have been nicer to know in the beginning what the total was that they were going to need. He suggested that Cooperative Extension have an efficiency study done. Legislator Graves reminded the group that the additional \$48,000 was not for sure. He reminded everyone that they are in their first year operating solely for Allegany County. Legislator Graves isn't wanting them to ask for more, but appreciates them telling the Board they might need more. He feels the programs are important and intends to support the resolution. Legislator Decker remarked on the reduction in the number of people involved in agriculture and the number of schools who have let their Future Farms of America programs go. He feels it's important to encourage kids to participate in 4-H and agriculture. One of the largest industries in Allegany County is agriculture. He intends to support the resolution.

Resolution Intro. No. 62-16 (**RESOLUTION SETTING DATE OF PUBLIC HEARING ON A LOCAL LAW TO AMEND LOCAL LAW NO. 3 OF 1992, [AS AMENDED BY LOCAL LAW NO. 3 OF 1995 AND LOCAL LAW NO. 2 OF 2010], TO PRESCRIBE THE QUALIFICATIONS, TERM OF OFFICE, POWERS AND DUTIES, AND PROCESS FOR REMOVAL OF THE COUNTY ADMINISTRATOR**) was not pre-filed and was considered from the floor on a motion made by Legislator Jessup, seconded by Legislator LaForge, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

#### **RESOLUTION NO. 61-16**

**RESOLUTION SETTING DATE OF A PUBLIC HEARING ON A LOCAL LAW TO AMEND LOCAL LAW NO. 3 OF 1992, (AS AMENDED BY LOCAL LAW NO. 3 OF 1995 AND LOCAL LAW NO. 2 OF 2010), TO PRESCRIBE THE QUALIFICATIONS, TERM OF OFFICE, POWERS AND DUTIES, AND PROCESS FOR REMOVAL OF THE COUNTY ADMINISTRATOR**

Offered by: Ways & Means Committee

**WHEREAS**, on this 22<sup>nd</sup> day of February, 2016, a local law (Intro. No. 2-2016, Print No. 1) was introduced to amend Local Law No. 3 of 1992, (as amended by Local Law No. 3 of 1995, and Local Law No. 2 of 2010), to prescribe the qualifications, term of office, powers and duties, and process for removal of the County Administrator, and

**WHEREAS**, it will be necessary to set a date for a public hearing on said proposed law, now, therefore, be it

**RESOLVED:**

1. That a public hearing shall be held on March 14, 2016, at 2:00 p.m. in the County Legislators' Chambers, Room 221, County Office Building, Belmont, New York, before the Allegany County Board of Legislators, in relation to proposed Local Law Intro. No. 2-2016, Print No.1.

2. That the Clerk of the Board of Legislators is directed to prepare, with the assistance of the County Attorney, a notice of said public hearing, to cause the publication of said notice in each of the two newspapers which have been officially designated by this Board to publish "notices," and to affix a copy of said notice on the County bulletin board in the County Courthouse at Belmont, New York; both publication and posting to be made at least five days before the public hearing.

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

Adopted: Voice Vote

**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 Root, seconded by Legislator Graves, and adopted on a roll call vote of 13 Ayes, 0 Noes, 2 Absent, that the audit of claims, totaling \$3,170,020.30, 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 \$1,545,488.*)

**COMMENTS:**

Lieutenant Shawn Grusendorf remarked that the Allegany County Sheriff's Office would be holding a training session at Genesee Valley Central School in August.

**ADJOURNMENT:** The meeting was adjourned at 3:16 p.m. on a motion made by Legislator Graves, seconded by Legislator Decker and carried.