

**ALLEGANY COUNTY BOARD OF LEGISLATORS  
REGULAR SESSION**

**MAY 9, 2016**

**CALL TO ORDER:** The regular meeting of the Board of Legislators was called to order at 2:04 p.m. by Chairman Curtis W. Crandall.

**PLEDGE OF ALLEGIANCE TO THE FLAG:** The Pledge of Allegiance was led by family, friends, and fellow Veterans in honor of United States Army PFC Duane C. Scott.

**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 Committee of the Whole (*held after Ways & Means*) minutes of April 25, 2016, were approved on a motion made by Legislator Graves, seconded by Legislator Root, and carried.

The Board meeting minutes of April 25, 2016, were approved on a motion made by Legislator Burt, seconded by Legislator Fanton, and carried.

The Committee of the Whole (*held after Board meeting*) minutes of April 25, 2016, were approved on a motion made by Legislator Curran, seconded by Legislator Decker, and carried.

**PUBLIC HEARING:**

Chairman Crandall closed the regular meeting to hold a public hearing on Local Law Intro. No. 3-2016, entitled "A Local Law to Amend Local Law Number One of Two Thousand Eleven, as Subsequently Amended by Local Law Number Two of Two Thousand Twelve, to Increase the Administrative Fee from Twenty-Five Dollars to Forty Dollars for Those Individuals Required to Attend Meetings of the Allegany County STOP-DWI Victim Impact Panel by an Out-of-County Court Referral." Comments from the public included the following:

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 acknowledged the annual American Legion Auxiliary Poppy Program and reminded those in attendance of the significance and importance of supporting our veterans through this fundraiser.

Chairman Crandall announced a joint proclamation with seven other counties in Western New York. May 1 through May 7, 2016, has been declared Western New York Armed Forces Week, and 2016 marks the 56<sup>th</sup> anniversary. The eight counties who have signed the proclamation are Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans, and Wyoming.

Chairman Crandall paid tribute to Private First Class Duane C. Scott who selflessly made the ultimate sacrifice for his country. Mr. Scott served in Vietnam and was killed in action on September 29, 1969, while sacrificing himself to save the life of another soldier. Duane C. Scott's service began on March 5, 1969. Mr. Scott was awarded the Combat Infantry Badge, the Bronze Star, the Purple Heart, the National Defense Service Medal, the Vietnam Service Medal, the Vietnam Campaign Medal and the Vietnam Cross of Gallantry with the Palm Unit Citation, which all reflect his honorable and heroic service. Chairman Crandall remarked that although this is not the first veteran to be recognized posthumously, it was likely the greatest number of family and friends that have ever been in attendance to honor a veteran. Chairman Crandall presented a certificate, honoring PFC Duane Scott, to his mother Patricia who was accompanied by Duane's brother's Thomas and Leon as well as many other family members, friends, and classmates of Mr. Scott.

Emergency Management & Fire Director Jeffrey Luckey addressed the audience regarding EMS Week. Mr. Luckey remarked that he usually reports on statistics related to the work of EMS volunteers, but after some recent EMS related events, decided sharing those stories would better relay his message. He began by telling the audience that he along with the Sheriff, STOP-DWI Coordinator Linda Edwards and New York State Troopers addressed Canaseraga and Arkport school students as part of the SADD Program. In addition, as often is the case, a large number of volunteer firepersons and EMTs assisted. He indicated this is something that occurs regularly in many school districts and organizations. He went on to tell the story of an automobile crash involving young people that had occurred in Centerville over the weekend which resulted in the death of a 15-year old. He spoke of the difficulty for EMS workers in dealing with a situation such as that. He indicated that 369 people have taken EMS courses over the last five years. Those people respond to all types of calls including crashes, accidents, illnesses, etc. They receive countless hours of education and training. Serving as a fireperson or EMT is a way to help your community. He encouraged everyone to show appreciation to their local volunteers for the many hours they dedicate to helping others.

Allegany County Senior Foundation President Reita Lynch and Officer for the Aging Director Madeleine Gasdik reminded the audience of the Swingin' to the Oldies event being held on Saturday, May 21. There will be a basket auction and food from L'Italia in addition to dancing. This is a major fundraiser for the Foundation and all of the money is donated to the

Allegany County Meals-on-Wheels Program. Ms. Gasdik stated that her office serves almost 500 meals a day. It provides many people with a very important meal, but also with an opportunity for someone to visit their home each day to check in on them.

Representatives were present to answer questions regarding 2015 Annual Reports for the following: County Administrator, Development, IDA, Planner, Planning Board, Social Services, and Tourism.

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

1. Report of Tax Bill Corrections Approved by the County Administrator in April.
2. Report of Intrafund Transfers Approved by the County Administrator in April.
3. The Belmont American Legion Auxiliary Post 808 has poppies for sale to benefit disabled Veterans.
4. Notice of next Fire Advisory Board meeting on Thursday, May 26, at 8 p.m. in Room 122 of the Public Safety Building.
5. The 6<sup>th</sup> Annual Swingin' to the Oldies will be held at the Alfred State College Student Activities Center in Wellsville on May 21.

**PROCLAMATION:**

Chairman Crandall proclaimed May 1-7, 2016 as Western New York Armed Forces Week.

Chairman Crandall Proclaimed May 15-21, 2016, Emergency Medical Services Week in Allegany County.

**RESOLUTIONS:**

**RESOLUTION NO. 121-16**

**RESOLUTION IN SUPPORT OF AN ACT TO AMEND THE HIGHWAY LAW TO  
DESIGNATE A PORTION OF THE STATE HIGHWAY SYSTEM AS THE  
"PRIVATE FIRST CLASS DUANE C. SCOTT MEMORIAL HIGHWAY"**

Offered by: Ways & Means Committee

**WHEREAS**, a request has been made that this Board sponsor a resolution directed to the New York State Senate and New York State Assembly that legislation be enacted to amend the Highway Law to designate the entire length of State Route 275, which is located within Allegany County, beginning in the Village of Bolivar, at the intersection of Wellsville

and Main Streets, and currently terminating in the Village of Friendship, at the intersection of Exit 29 of Interstate 86, the "Private First Class Duane C. Scott Memorial Highway," and

**WHEREAS**, Duane C. Scott was a native of Allegany County, New York, and was a member of the Richburg Central School Class of 1967, and

**WHEREAS**, Duane C. Scott served in the U.S. Army during the time of the Vietnam War, having obtained the rank of Private First Class, and

**WHEREAS**, on September 29, 1969, Duane C. Scott, was on duty with his Unit, Bravo Company, 2<sup>nd</sup> Battalion, 35<sup>th</sup> Infantry Regiment, in the Plei Djereng Providence, South Vietnam, and

**WHEREAS**, Duane C. Scott was killed in action on September 29, 1969, when he gave his life in service, sacrificing himself to save the life of another soldier, and

**WHEREAS**, Duane C Scott is a shining example of a brave Allegany County resident who selflessly made the ultimate sacrifice for his country, and

**WHEREAS**, Duane C. Scott was awarded the Combat Infantry Badge, the Bronze Star, the Purple Heart, the National Defense Service Medal, the Vietnam Service Medal, the Vietnam Campaign Medal and the Vietnam Cross of Gallantry with the Palm Unit Citation, which all reflect his honorable and heroic service, and

**WHEREAS**, New York State Route 275, passes through Richburg, New York, Duane C. Scott's hometown during his lifetime as well as his final resting place, and

**WHEREAS**, this Board wishes to recognize this local hero, now therefore, be it

**RESOLVED:**

1. That the Allegany County Board of Legislators does hereby urge the State Senate and State Assembly to enact legislation to amend the Highway Law to designate the entire length of State Route 275, which is located within Allegany County, beginning in the Village of Bolivar, at the intersection of Wellsville and Main Streets, and currently terminating in the Village of Friendship, at the intersection of Exit 29 of Interstate 86, as the "Private First Class Duane C. Scott Memorial Highway."

2. That the Clerk of this Board is hereby authorized and directed to forward a certified copy of this resolution to Governor Andrew M. Cuomo; New York State Senator Catharine M. Young; Senate Majority Leader John Flanagan; Assembly Speaker Carl E. Heastie; Assemblyman Joseph M. Giglio; and Commissioner of Transportation Matthew J. Driscoll.

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

Adopted: Voice Vote

**RESOLUTION NO. 122-16**

**ADOPTION OF LOCAL LAW INTRO. NO. 3-2016, PRINT NO.1, A LOCAL LAW TO AMEND LOCAL LAW NUMBER ONE OF TWO THOUSAND ELEVEN, AS SUBSEQUENTLY AMENDED BY LOCAL LAW NUMBER TWO OF TWO THOUSAND TWELVE, TO INCREASE THE ADMINISTRATIVE FEE FROM TWENTY-FIVE DOLLARS TO FORTY DOLLARS FOR THOSE INDIVIDUALS REQUIRED TO ATTEND MEETINGS OF THE ALLEGANY COUNTY STOP-DWI VICTIM IMPACT PANEL BY AN OUT-OF-COUNTY COURT REFERRAL**

Offered by: Ways & Means Committee

**RESOLVED:**

1. That proposed Local Law, Intro. No. 3-2016, Print No. 1, is adopted without any change in language, to wit:

**COUNTY OF ALLEGANY**

Intro. No. 3-2016

Print No. 1

**A LOCAL LAW TO AMEND LOCAL LAW NUMBER ONE OF TWO THOUSAND ELEVEN, AS SUBSEQUENTLY AMENDED BY LOCAL LAW NUMBER TWO OF TWO THOUSAND TWELVE, TO INCREASE THE ADMINISTRATIVE FEE FROM TWENTY-FIVE DOLLARS TO FORTY DOLLARS FOR THOSE INDIVIDUALS REQUIRED TO ATTEND MEETINGS OF THE ALLEGANY COUNTY STOP-DWI VICTIM IMPACT PANEL BY AN OUT-OF-COUNTY COURT REFERRAL**

**BE IT ENACTED** by the Board of Legislators of the County of Allegany, State of New York, as follows:

Section 1. Section 2 of Local Law Number One of Two Thousand Eleven, as subsequently amended by Local Law Number Two of Two Thousand Twelve, is amended to read as follows:

2. Administrative Fee.

Each individual who is required to attend meetings of the Allegany County STOP-DWI Victim Impact Panel shall pay to the Allegany County STOP-DWI Program an administrative fee of twenty-five dollars, unless such requirement is pursuant to an out-of-county court referral, in which case they shall pay an administrative fee of forty dollars.

Section 2. Effective Date.

This local law shall take effect immediately.

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

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

**RESOLUTION INTRO. NO. 125-16 (APPROVAL OF MUNICIPAL BID FOR SALE OF TAX LAND IN THE VILLAGE OF BELMONT, TAX MAP NO. 172.13-2-75) was TABLED** following a motion made by Legislator Jessup, seconded by Legislator Curran, and carried. Legislator Jessup stated that all of the pieces for this transaction are not yet in place.

**AUDITS:**

A motion was made by Legislator Jessup, seconded by Legislator Fanton, 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 \$2,673,046.98, 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 \$3,670,534.*)

**COMMENTS:**

Legislator Burt acknowledged Legislator Pullen for giving the invocation at the beginning of each Board meeting, saying that he's very articulate and the invocation is always well thought out.

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