

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

JUNE 13, 2016

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:03 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Marine Corps Corporal and United States Air Force Reserve Corporal Percy J. "PJ" Sherman.

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 May 23, 2016, were amended following a motion made by Legislator Burt, seconded by Legislator Graves, and carried to correct the number of "aye" votes listed for Resolution No. 130-16. The minutes were then approved as amended following a motion made by Legislator Root, seconded by Legislator Graves, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Percy "PJ" Sherman, former United States Marine Corps Corporal and United States Air Force Reserve Corporal, in grateful appreciation of his service to our country. Mr. Sherman's service dates were from September 1989 to September 1993, and April 2003 to May 2006. Following Basic Training at Paris Island, Mr. Sherman served at Camp Lejeune and Kuwait. Commendations he received included: National Service Medal, Southwest Asia Service Medal with 2 stars, Kuwait Liberation Medal, Good Conduct Medal, Navy Achievement Medal, Combat Action Ribbon, Sea Service Deployment Ribbon, Navy Unit Citation, Expert M-16 Rifle and Expert Pistol. Mr. Sherman led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans' Honorary Pledge of Allegiance Program.

STOP-DWI Program Coordinator Linda Edwards joined Chairman Crandall in recognizing Mr. Sherman for a recent award he received. Ms. Edwards addressed the group saying, "The NYS Mothers Against Drunk Driving (MADD) and the NYS STOP-DWI Foundation collaborate to provide an annual recognition awards banquet as a thank-you to law enforcement and all community members who work tirelessly to keep our New York State roads safe from impaired drivers and also to those who work to prevent underage drinking. Also participating are the NYS Division of Criminal Justice Services, Division of State Police

and the Governor's Traffic Safety Committee who host the luncheon in honor of impaired driving crash victims. Nominations can be made in several categories including Individual Law Enforcement Awards (based on size of department), Special Recognition Awards, Law Enforcement Agency Awards, and Non-Enforcement Awards. Wellsville Police Chief Tim O'Grady and I collaborated to nominate Sergeant Percy Sherman for an Office of the Year Award. We are pleased to announce that Sergeant Sherman was one of twelve awardees in the Individual category. The awards were presented at a banquet in Schenectady on May 18, 2016." Their nomination included statistics on the arrests Mr. Sherman has made as well as being awarded Top Cop in Allegany County for seven of the last nine years. It also mentioned the great deal of time he spends educating students on the issue of impaired driving. Chairman Crandall presented Mr. Sherman with a certificate from the Board thanking him for his efforts.

Norma Bartlett and James Arthur, members of the Genesee Valley Chorus, addressed those in attendance. Ms. Bartlett remarked that Chairman Crandall had recently read a proclamation for the group commemorating their 40 years as a chorus at a concert in Wellsville. Ms. Bartlett shared her musical background and indicated that she had been serving as director of the chorus for the past five years and as co-director for the five years prior to that. She explained that the chorus was initially formed to celebrate the United States Bicentennial and it was enjoyed so much that the group has continued since. Mr. Arthur added by saying that the group operates on a budget of around \$6,500 annually and relies on community support. He thanked the Legislature and the community for recognizing and supporting the Chorus.

William Heaney spoke to the group regarding an upcoming historical event. Allegany County History Awareness Week will take place September 19-25, 2016. The event aims to acquaint more people with just how much rich history the County has. Much of the event will take place at the David A. Howe Library in Wellsville where famous American artifacts, including replicas of the pistols from the Burr-Hamilton Duel and a piece of President Lincoln's burial shawl, will be on display. Historical presentations will take place at the library as well as the Palmer Opera House in Cuba. Coinciding with this will be a Civil War Reenactment at Island Park in Wellsville and the Fireball Run which will be making a couple of stops in Allegany County.

Allegany County Agricultural Society President Karen Tripp addressed the group about the 2016 Allegany County Fair. She thanked the Board of Legislators for their continued support of the Fair and expressed her appreciation to the Board for holding one of their July Board meetings at the fairgrounds. She extended an invitation asking them to stay after that meeting and enjoy the fair. She remarked that they have had people attend the County Fair from twenty-seven different states. She went on to name some of the events and activities taking place at this year's Fair.

ACCORD Community Operations Director Belinda Knight spoke to the group regarding Elder Abuse Prevention Month. She was accompanied by members of the Elder Abuse Prevention Committee. She shared a story of an elderly man who was taken advantage of by his daughter. She shared some of the services that are provided by the

County as well as other organizations throughout our communities and remarked on how they work together to serve adults. She noted that June 15 marks the 10th anniversary of Elder Abuse Awareness Day in Allegany County.

Chairman Crandall welcomed Timothy Boyde to his first meeting as County Administrator.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Report of Tax Bill Corrections Approved by the County Administrator in May 2016.

2. Report of IntraFund Transfers Approved by the County Administrator in May 2016.

3. The County Treasurer filed a copy of the Allegany County's Annual Financial Report for the Fiscal Year Ended December 31, 2015, in the Clerk of the Board's Office on May 23, 2016.

4. Correspondence from Interim County Administrator John Margeson resigning as County Administrator and as a member of the Board of Directors of the Allegany County Land Bank Corporation effective June 5, 2016.

5. Notice of next InterCounty Association meeting to be hosted by Chemung County at the Wings of Eagles Discovery Center in Horseheads on June 10.

6. Correspondence from NYS DOT Region 6 Regional Director Brian Kelley acknowledging receipt and support of the Board's Resolution in support of designating State Route 275 as the "Private First Class Duane C. Scott Memorial Highway."

7. Veterans' Service Agency Director Michael Hennessy filed his annual necrology report for the period May 21, 2015, through May 19, 2016, in the Clerk of the Board's Office on May 24, 2016.

8. Notice of the annual Allegany County Senior Picnic at the Fairgrounds on Wednesday, July 27.

9. Notice that the NYS Public Service Commission is sponsoring public statement hearings regarding proposed increases for National Fuel Gas Distribution Corporation's gas delivery rates. The public hearings are currently scheduled in Williamsville on June 28 and Jamestown on June 29.

APPOINTMENTS:

Chairman Curtis W. Crandall Appointed the following as members of the **ALLEGANY COUNTY LAND BANK CORPORATION BOARD OF DIRECTORS** for a two-year term

effective June 27, 2016, and expiring December 31, 2018, subject to confirmation by the Board of Legislators:

Curtis W. Crandall, Chairman of the Board
Timothy T. Boyde, County Administrator
Dwight R. Fanton, Vice Chairman of the Board
Dwight (Mike) Healy, Majority Leader
Kevin S. LaForge, Minority Leader
Terri L. Ross, County Treasurer
Joseph L. Budinger, Real Property Services Director
Dean Scholes, Deputy Public Works Superintendent

Chairman Curtis W. Crandall appointed Joseph Felsen, MD, of Wellsville, New York, as a member of the **CITIZENS ADVISORY COUNCIL TO THE OFFICE FOR THE AGING** for a three-year term commencing immediately, and expiring December 31, 2018, subject to confirmation by the Board of Legislators.

Timothy T. Boyde, Allegany County Budget Officer, appointed Terri L. Ross of Angelica, New York, as **DEPUTY BUDGET OFFICER**, to serve at his pleasure commencing June 13, 2016.

Timothy T. Boyde, Allegany County Auditor, appointed Edwin E. Dibert of Scio, New York, as **DEPUTY COUNTY AUDITOR**, to serve at his pleasure commencing June 13, 2016.

Kevin S. LaForge, Human Services Committee Chairman appointed the following to the **ALLEGANY COUNTY HEROIN AND OPIOID ABUSE AD HOC COMMITTEE**, effective immediately, to serve at his pleasure:

Human Services Representatives

Vicki Grant, Allegany County Social Services Commissioner
William Penman, Allegany County on Alcoholism & Substance Abuse, Inc. Executive Director
Melissa Biddle, Ardent Solutions Program Manager

Medical Field

Christa Zenoski, Nurse Practitioner, Olean Medical Group

Member at Large

Ashley Bucholz

PROCLAMATION:

Chairman Crandall proclaimed June 2016 as Genesee Valley Chorus Month in Allegany County. Chairman Crandall read the proclamation at a concert given by the chorus on June 5.

Chairman Crandall proclaimed June 2016 as Elder Abuse Awareness Month and June 15, 2016, as Elder Abuse Awareness Day in Allegany County.

RESOLUTIONS:

RESOLUTION NO. 139-16

DESIGNATION OF THE CROSSROADS WATERLINE PROJECT AND THE BIO-REFINERY DEVELOPMENT AND COMMERCIALIZATION CENTER AS THIS YEAR'S TOP TWO PROJECTS ON THE COUNTY'S U.S. ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) PRIORITY DESIGNATION LIST

Offered by: Planning & Economic Development Committee

WHEREAS, the County maintains an annual list of projects for which U.S. Economic Development Administration (EDA) funding is sought, and

WHEREAS, this list is prioritized according to which projects the County deems are most critical for addressing economic development needs within the County, and

WHEREAS, the Crossroads Waterline Project remains the number one priority project on that list, and

WHEREAS, the Bio-Refinery Development and Commercialization Center has been selected as the second priority, now therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators hereby endorses the designation of the Crossroads Waterline Project as the number one priority and the Bio-Refinery Development and Commercialization Center as the number two priority on the annual list of projects for which U.S. Economic Development Administration (EDA) funding is sought.

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

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

RESOLUTION NO. 140-16

APPOINTMENT TO THE ALLEGANY COUNTY PLANNING BOARD

Offered by: Planning & Economic Development Committee

RESOLVED:

1. That the appointment of John Roederer of Houghton, New York, by the Chairman of this Board, to a three-year term as a member of the Allegany County Planning Board commencing immediately and expiring December 31, 2018, is approved.

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

Adopted: Voice Vote

Comments made regarding Resolution No. 140-16 included: Legislator Burt stated that he didn't know Mr. Roederer and asked if any of his fellow legislators could give him some background on Mr. Roederer. Legislator Pullen stated that Mr. Roederer was a longtime professor at Houghton College and very active in the community. He is now retired and Legislator Pullen strongly recommended that he be appointed. Legislator Hopkins echoed Legislator Pullen's comments.

RESOLUTION NO. 141-16

ACCEPTANCE OF INSURANCE PAYMENT FROM GEICO AND APPROPRIATION OF FUNDS TO RISK RETENTION ACCOUNTS

Offered by: Ways & Means Committee

WHEREAS, a check in the amount of \$3,992.42, representing the cost to repair an Office for the Aging 2016 Dodge Caravan (#1824) that was damaged as a result of a motor vehicle accident on or around May 6, 2016, has been offered by GEICO in settlement for such damage, now, therefore, be it

RESOLVED:

1. That the sum of \$3,992.42 representing the settlement on a 2016 Dodge Caravan (#1824) that was damaged on or around May 6, 2016, is accepted.

2. That the sum of \$3,992.42 is placed in Appropriation Account No. CS1931.429 (Risk Retention - Uninsured Property Loss) with a like sum credited to Revenue Account No. CS1930.2680.00 (Insurance Recovery).

Moved by: Mr. Jessup
Seconded by: Mr. Fanton

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

RESOLUTION NO. 142-16

RESOLUTION APPROVING SNOW REMOVAL AND ICE CONTROL CONTRACTS BETWEEN COUNTY OF ALLEGANY AND VARIOUS TOWNS IN ALLEGANY COUNTY

Offered by: Public Works Committee

Pursuant to Highway Law § 135-a

WHEREAS, the Public Works Committee and the County Superintendent of Public Works have recommended to this Board that they approve the proposed contracts between the County of Allegany and various Towns in Allegany County for the removal of snow from County Roads and for sanding or otherwise treating them for the purpose of removing the danger of snow and ice, now, therefore, be it

RESOLVED:

1. That Snow Removal and Ice Control Contracts between the County of Allegany and various Towns in Allegany County for a term covering three (3) seasons beginning with the 2016-2017 snow season and ending with the 2018-2019 snow season, are approved.

2. That an executed duplicate original of each such Contract shall be filed in the office of the Clerk of this Board along with a certified copy of each such Town Board's resolution approving such Contract.

3. That the Clerk of this Board is directed to send a certified copy of this resolution to each of the Town Clerks of such Towns for filing in his or her office.

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

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

RESOLUTION NO. 143-16

**APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT FOR WEBSITE UPGRADE
WITH MASON DIGITAL, LLC**

Offered by: Planning & Economic Development Committee

RESOLVED:

1. That a professional services agreement with Mason Digital, LLC for services related to upgrading the County's website(s) in an amount not to exceed \$34,000, is hereby approved.

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

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

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

Comments made regarding Resolution No. 143-16 included: Legislator Pullen commented that in the current day and age, for many people who don't live here and even for those who do, the primary means of contact is going to be over the internet. We need to come into the 21st century in a big way. He highly recommends having a website that will give us an entry portal and face to the County. He commended Legislator Root and others who worked on putting this together. Legislator Ungermann asked for clarification on the agreement, in particular how long they would be updating the website. Legislator Root indicated that the \$34,000 will be for twelve months. The contract will include putting all County websites under one website. She feels it will probably save us money because once it's up and running, we will be able to maintain the website ourselves. Also, we will no longer be paying to maintain multiple websites.

AUDITS:

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

Legislator Ungermann asked about the \$16,000 expense under broadband. Legislator Curran indicated that that is money the County budgeted to transfer to the Local Development Corp. County Treasurer clarified that the Board approved transferring \$100,000 to the LDC, and this is one of those installments. Legislator Ungermann asked when they would be able to see an accounting of all of this. Legislator Curran stated that it would be available in two weeks when the LDC has another meeting.

A motion was made by Legislator Root, seconded by Legislator Jessup, and adopted on a roll call vote of 15 Ayes, 0 Noes, 0 Absent, that the audit of claims, totaling \$3,999,671.20 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 \$4,636,464.*)

COMMENTS:

Legislator Ungermann reminded everyone that it is Dairy Week in Cuba.

ADJOURNMENT: The meeting was adjourned at 3:09 p.m. on a motion made by Legislator Graves, seconded by Legislator Decker, and carried.