

**ALLEGANY COUNTY BOARD OF LEGISLATORS  
REGULAR SESSION**

**JULY 11, 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 Jaime L. White.

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

**ROLL CALL:** 14 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, David Decker, Dwight Fanton, Karl Graves, Dwight "Mike" Healy, Judith Hopkins, Charles Jessup, Kevin LaForge, Timothy O'Grady, David Pullen, Debra Root, Norman Ungermann, Jr. Absent: Aaron McGraw

**APPROVAL OF MINUTES:**

The Board meeting minutes of June 27, 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 Jaime L. White, former United States Army Specialist Fourth Class in grateful appreciation of her service to our country. Ms. White's service dates were from November 12, 1996, to August 4, 1998. She was stationed at Fort Jackson, SC, which is where she also did her Basic and Advanced Individual Training. Commendations she received included: Army Commendation Medal, Army Service Ribbon, and Marksmanship Qualification Badge with Rifle Bar. Ms. White led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans' Honorary Pledge of Allegiance Program.

Social Services Commissioner Vicki Grant addressed those in attendance regarding a recent efficiencies study completed by The Bonadio Group. The study looked at specific programs in the Department of Social Services. The findings will give them guidance in best practices and efficiencies that will save money and improve service. *(Ms. Grant then read an official press release from her office.)*

"The Bonadio Group/Allegany County DSS Collaboration Proves Fruitful

'After several years of contracting with Bonadio, a Pittsford, NY- based consulting firm, for assistance with Medicaid self-employment cases, Allegany County DSS ventured into an agreement to have the company use their expertise in three areas in the department. Commencing in January 2016, Chronic Care Medicaid, Fraud Investigation, and Title IV-E

Foster Care were areas that Bonadio visited on-site in order to assist the Department with identification of efficiencies, research, and technical assistance.

‘The positive relationship between Bonadio and the Department proved fruitful in identifying best case practices, both already in place and for future endeavors, to move the Department along a continuum of superior service to the community. Both Timothy Ball, CFE/Manager, and Kelley Smeal, consultant, of The Bonadio Group, praised the professionalism, knowledge, timeliness of case processing, and open communication of the Department and its employees. The Department and its employees found working with Bonadio to be an experience of professionalism with detailed knowledge of the complex issues that Social Service agencies are faced with.

‘Through this joint collaboration, the Department was able to institute some suggested practices and to realize a savings to the Department of \$275,000 in retroactive funding claims. Other suggestions included succession planning and additional staff to assist in optimum investigations. The Department thanks the Allegany County Legislature and the Bonadio Group for this opportunity to expound upon services to clientele and the community.’

Ms. Grant then introduced Tim Ball, CFE/Manager of The Bonadio Group. Mr. Ball remarked on the success of the study saying that, “...Allegany County paid \$24,000 to find \$275,000.”

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

1. Report of Intrafund Transfers Approved by the County Administrator in June.
2. Report of Tax Bill Corrections Approved by the County Administrator in June.
3. County Treasurer Terri Ross filed a Certificate of Withdrawal of Delinquent Tax Lien for property in the Town of Clarksville in the Clerk of the Board’s Office on June 30.
4. Reminder that the annual Legislators’ Clambake is Friday, July 29, and tickets are available in the Clerk of the Board’s Office.
5. Reminder that the Allegany County Senior Picnic will be held on Wednesday, July 27, at the Fairgrounds in Angelica.
6. Invitation to attend the annual Andover Kids Fishing Contest to be held on Saturday, July 30. It is their 25<sup>th</sup> anniversary. *(It was announced during the meeting that this event has been postponed.)*

#### **APPOINTMENTS:**

Chairman Crandall appointed Jerry Scott of Cuba, New York, to the **CHAUTAUQUA, CATTARAUGUS, ALLEGANY, AND STEUBEN SOUTHERN TIER EXTENSION**

**RAILROAD AUTHORITY** to fill a three-year term commencing August 28, 2016, and expiring August 27, 2019, subject to confirmation by the Board of Legislators.

Chairman Crandall reappointed Kier Dirlam of Almond, New York, Jerry Scott of Cuba, New York, and Craig Clark of Alfred, New York, as members of the **SOUTHERN TIER WEST REGIONAL PLANNING & DEVELOPMENT BOARD** for a three-year term commencing June 1, 2016, and expiring May 31, 2019, subject to confirmation by the Board of Legislators. In addition, he appointed ex-officio members as follows: Public Works Superintendent Guy R. James, Chairman of the Board Curtis W. Crandall, and Chair of the Planning Board Lee Gridley.

**RESOLUTIONS:**

**RESOLUTION NO. 158-16**

**ESTABLISHING STANDARD WORK DAYS FOR ELECTED AND APPOINTED OFFICIALS AND DIRECTING A REPORT OF DAYS WORKED TO THE NEW YORK STATE AND LOCAL EMPLOYEES' RETIREMENT SYSTEM**

Offered by: Personnel Committee

**RESOLVED:**

1. Effective immediately, the Allegany County Board of Legislators hereby establishes the following as standard work days for elected and appointed officials and will report the days worked of such officials to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of the Board.

<u>Title</u>	<u>Name</u>	<u>Standard Day (Hrs./Day)</u>	<u>Term</u>	<u>Employer Record of Time (Y/N)</u>	<u>Days Worked Per Month</u>
<b>ELECTED OFFICIALS:</b>					
County Clerk	Christman, Robert L.	7	01/01/16-12/31/19	N	23.62
District Attorney	Slep, Keith	7	01/01/16-12/31/19	N	26.00
Coroner	Baker, Maynard	6	01/01/16-12/31/19	N	1.89
Coroner	Rinker, Mark	6	01/01/16-12/31/19	N	.17
<b>APPOINTED OFFICIALS:</b>					
1 <sup>st</sup> & 6 <sup>th</sup> Assist. District Atty.	Finn, Michael B.	6	01/01/16-12/31/19	N	30.67
2 <sup>nd</sup> & 5 <sup>th</sup> Assist. District Atty.	Finn, Amanda B.	6	01/01/16-12/31/19	N	27.00
3 <sup>rd</sup> & 4 <sup>th</sup> Assist. District Atty.	Fuoco, J. Thomas	6	01/01/16-12/31/19	N	29.44

Moved by: Mr. O'Grady  
Seconded by: Ms. Root

Adopted: Roll Call  
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 158-16 included: Legislator Burt thanked County Treasurer Terri Ross for explaining the report. He initially didn't understand how anyone could work the numbers that were reported, but as she explained the formula used, it became clearer. He indicated he would support the resolution.

### RESOLUTION NO. 159-16

#### GRANTING SALARY INCREMENTS EFFECTIVE JULY 1, 2016, TO UNIT AND NON-UNIT EMPLOYEES

Offered by: Personnel Committee

Pursuant to Resolution No. 1-69, as amended and Resolution No. 297-75, as amended

**WHEREAS**, thirteen County unit and non-unit employees are eligible to receive an annual salary increment effective July 1, 2016, and

**WHEREAS**, the proper County department heads have recommended that such employees receive their respective annual salary increment effective July 1, 2016, having been satisfied, after review, with each of such employees' service, with attention having been given to the efficiency with which each of such employees has performed his or her respective duties, as well as the attendance record of each and all other factors having an effect on the work record of each, and

**WHEREAS**, this Board concurs in such recommendation, now, therefore, be it

#### RESOLVED:

1. That the following listed employees are granted their respective annual increment effective July 1, 2016, to wit:

Department	Name	Title	Avg. Increment
County Clerk	Keib, Ryan M.	Deputy One Trainee	.4835
County Clerk	Lavey, Laura	Sr. Recording Clerk	.4504
Sheriff's Office	Johnson, Laurie	Cook	.3835
Dept. of Public Works	Cicirello, Anthony	MEO 1	.4504
Dept. of Public Works	Harding, Roy	HMEO 1	.4954
OFA	Dieteman, Irene	Comm. Svce. Worker	.5517
OFA	DuBois, Tracy	Aging Svces. Tech.	.5405
Community Services	Hoopes, Carrie	Intensive Case Mngr.	.6222
Social Services	Hull, Elizabeth	Account Clerk Typist	.3603
Social Services	Galvin, Ann	Senior Typist	.3603

Social Services	Davis, Kirsten	Caseworker	.6755
Planning	Gamache, Bryan	P & D Specialist	.5292
Employment & Train.	Pancio, Kristen	Sr. E & T Counselor	.7882

Moved by: Mr. O'Grady  
Seconded by: Mr. Fanton

Adopted: Roll Call  
14 Ayes, 0 Noes, 1 Absent

### **RESOLUTION NO. 160-16**

#### **ACCEPTANCE AND APPROPRIATION OF NEW YORK STATE DEPARTMENT OF TRANSPORTATION FEDERAL TRANSIT ADMINISTRATION GRANT FUNDS FOR THE PURCHASE OF SIX BUSES**

Offered by: Ways & Means Committee

#### **RESOLVED:**

1. That the sum of \$375,000 from the New York State Department of Transportation Federal Transit Administration Grant funds for the purchase of six public transit buses is accepted.

2. That the sum of \$375,000 is placed in Account No. A5630.210 (Bus Transportation – Equipment) with the sum of \$75,000 credited to Revenue Account No. A5630.3589.BUS (State Aid – Bus Transportation) and the sum of \$300,000 credited to Revenue Account No. A5630.4589.BUS (Federal Aid – Bus Transportation).

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

Adopted: Roll Call  
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 160-16 included: Legislator Ungermann asked if these were for First Transit. Chairman Crandall replied that they were.

### **RESOLUTION NO. 161-16**

#### **A RESOLUTION DETERMINING THAT AN ERROR EXISTS ON THE 2016 VILLAGE TAX ROLL FOR PROPERTY OF THE ALFRED HOUSING ASSOCIATION; DIRECTING MAILING OF A NOTICE OF APPROVAL OF APPLICATION FOR CORRECTED TAX ROLL AND ORDERING THE VILLAGE TAX COLLECTOR TO CORRECT THE TAX ROLLS; PROVIDING FOR A CHARGE BACK**

Offered by: Ways & Means Committee

Pursuant to Real Property Tax Law § 554

**WHEREAS**, an application for the Alfred Housing Association has been made to the County's Director of Real Property Tax Service Agency for the correction of an error affecting its real property on the Village tax roll, and

**WHEREAS**, the Director has transmitted to this Board the application, in duplicate, together with a written report of his investigation of the claimed error and his written recommendation for action thereon by this Board as to such application, and

**WHEREAS**, this Board has examined the application and report to determine whether the claimed error exists, now, therefore, be it

**RESOLVED:**

1. That with regard to the application for the Alfred Housing Association pertaining to the claimed error regarding their real property on the tax rolls of the Village of Alfred, this Board of Legislators does determine that the claimed error as alleged in the application exists and does approve the application.

2. That the Chairman of this Board is authorized and directed to make a notation on the application and the duplicates thereof that it is approved, to enter thereon the respective correct extension of taxes as set forth by the Director in his report, to enter thereon the respective date of mailing of a notice of approval, to enter thereon the date of mailing of a certified copy of this resolution to the proper Village Tax Collector, and to sign thereon as Chairman.

3. That the Clerk of this Board is directed to mail to the taxpayer a notice of approval stating, in substance, that their application made has been approved, to inform the Chairman of this Board of the date of the mailing thereof, and to inform such taxpayer of the applicable provisions of subdivision seven of Section 554 of the Real Property Tax Law.

4. That the Tax Collector of the Village of Alfred is ordered and directed to correct in the 2016 Village Tax Roll the assessment or taxes, or both, of the property assessed to the taxpayer and described as follows:

- a. Alfred Housing Association: Parcel 151.19-1-53.2  
Assessment: Land/Total \$1,052,200

this parcel is under a PILOT agreement and should not have received a tax bill based upon the full assessed value but instead should have received a tax bill based upon a corrected taxable value of \$17,500 resulting in a corrected tax of \$286.48 and the County Treasurer is directed to make the following charge backs on her books:

Village	\$16,938.16
Total	\$16,938.16

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

Adopted: Roll Call  
14 Ayes, 0 Noes, 1 Absent

Resolution Intro. No. 165-16 (**ACCEPTANCE AND APPROPRIATION OF \$150,000 GRANT FROM THE LOCAL INITIATIVES SUPPORT CORPORATION; AUTHORIZING CHAIRMAN TO SIGN COMMITMENT LETTER AND RELATED DOCUMENTS**) was not pre-filed and was considered from the floor on a motion made by Legislator Jessup, seconded by Legislator Curran, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

### **RESOLUTION NO. 162-16**

#### **ACCEPTANCE AND APPROPRIATION OF \$150,000 GRANT FROM THE LOCAL INITIATIVES SUPPORT CORPORATION; AUTHORIZING CHAIRMAN TO SIGN COMMITMENT LETTER AND RELATED DOCUMENTS**

Offered by: Ways & Means Committee

**WHEREAS**, Allegany County recently established a Not-For-Profit Corporation known as the Allegany County Land Bank Corporation; and

**WHEREAS**, grant funding was applied for to assist with start-up costs for the Land Bank; and

**WHEREAS**, Allegany County has received notice that it was awarded a \$150,000 grant to use towards Land Bank start-up costs; and

**WHEREAS**, Allegany must now accept these grant funds and agree to the terms surrounding the disbursement of these funds, now therefore, be it

#### **RESOLVED:**

1. The Allegany County Board of Legislators does hereby accept the award of grant funds in the amount of \$150,000 from the Local Initiatives Support Corporation.
2. The Chairman of the Board of Legislators is authorized to sign the commitment letter and any other documents related to the receipt and disbursement of these grant funds.
3. The sum of \$150,000 shall be placed in Account No. A8666.492 (Landbank) with a like sum credited to Revenue Account No. A8666.3989.00 (State Aid – Landbank).

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

Adopted: Roll Call  
14 Ayes, 0 Noes, 1 Absent

Resolution Intro. No. 166-16 (**ESTABLISHING A 2016 CAPITAL PROJECT ACCOUNT FOR A NEW CENTRALIZED TELEPHONE/UNIFIED COMMUNICATIONS SYSTEM FOR COUNTY OFFICES; PROVIDING FUNDING FOR SUCH CAPITAL ACCOUNT AND APPROVING AGREEMENT FOR NEW SYSTEM**) was not pre-filed and was considered from the floor on a motion made by Legislator Pullen, seconded by Legislator Root, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

**RESOLUTION NO. 163-16**

**ESTABLISHING A 2016 CAPITAL PROJECT ACCOUNT FOR A NEW CENTRALIZED TELEPHONE/UNIFIED COMMUNICATIONS SYSTEM FOR COUNTY OFFICES; PROVIDING FUNDING FOR SUCH CAPITAL ACCOUNT AND APPROVING AGREEMENT FOR NEW SYSTEM**

Offered by: Facilities & Communications and Ways & Means Committees

**RESOLVED:**

1. A Capital Project Account, designated as Account H1650, Central Telephone system Upgrade, is hereby established.
2. That the sum of \$220,000 is transferred from Account No. A1990.429 (Contingency) to Account No. H1650.200 (Capital Project – Central Telephone System Upgrade), to purchase a new centralized telephone/unified communications system.
3. That the Agreement between the County of Allegany and Newcastle Communications for the purchase of a new centralized telephone/unified communications system, is approved.
4. That the Chairman of this Board is authorized to execute such Agreement.

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

Adopted: Roll Call  
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 163-16 included: Legislator Burt thanked his fellow legislators for explaining the need for the new telephone system. He said he was “stumbling” on the huge layout of money while there are other projects, like the 3<sup>rd</sup> floor, still going. He’d like to see those completed first. He supports replacing the telephone system, just not at this time. Legislator Pullen noted the age of the current telephone system and reminded everyone that it will no longer be maintained. If it breaks down, the County will be in a real jam. The new system also gives an opportunity to save on maintenance costs and energy costs. While he agrees it’s better not to have to spend money, we don’t want to be caught with a broken system. He feels the best and most flexible way to deal with this is to use some of the Fund Balance. He believes it’s appropriate and will serve the County well in the long term. The new system is software based and easier to upgrade. We shouldn’t need such a radical replacement in the future. Mr. Pullen recommended that the resolution be

approved. Legislator Decker stated that he was initially overwhelmed by the cost of the project, but after participating in discussion, learned that the current system is 25 years old and is no longer going to be maintained. He added, "We don't want to be caught without communication." Legislator Healy thanked Legislator Pullen for pointing out the advantages of the new system. Mr. Healy also noted that the \$20,000 savings was an annual savings in maintenance costs, not a one-time savings.

**AUDITS:**

A motion was made by Legislator Jessup, seconded by Legislator Curran, 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 14 Ayes, 0 Noes, 1 Absent, that the audit of claims, totaling \$2,892,510.15 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 \$5,409,208.*)

**COMMENTS:**

Legislator Decker reminded everyone that the Allegany County Fair begins next week. Legislator Graves gave a reminder of the Wellsville Balloon Rally taking place this weekend, July 15-17. Legislator Burt remarked on the number of fireworks that are now being sold locally after passage of a local law permitting the sale/use of certain fireworks.

**ADJOURNMENT:** The meeting was adjourned at 2:40 p.m. on a motion made by Legislator Graves, seconded by Legislator Decker, and carried.