

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

AUGUST 8, 2016

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:11 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by retired United States Air Force Master Sergeant Leilani W. Mariotti.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 14 Legislators Present: Scott Burt, Curtis Crandall, 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. Absent: Philip Curran

APPROVAL OF MINUTES:

The Board meeting minutes of July 21, 2016, were approved on a motion made by Legislator Graves, seconded by Legislator Burt, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Leilani W. Mariotti, retired United States Air Force Master Sergeant, in grateful appreciation of her service to our country. Ms. Mariotti's service dates were from February 26, 1975, to September 30, 1995. Following Basic Training at Lackland Air Force Base, TX, and Advanced Training at Chanute Air Force Base, IL, assignments included: Beale Air Force Base, CA, K.I. Sawyer Air Force Base, MI, Kunsan Air Force Base, South Korea, Edwards Air Force Base, CA, and Scott Air Force Base, IL. Commendations she received included: Air Force Commendation Medal, Joint Meritorious Unit Award, Air Force Outstanding Unit Award with one Oak Leaf Cluster, Air Force Good Conduct Medal with one Silver Cluster, Air Force Overseas Short Tour Ribbon, National Defense Service Medal, Air Force Longevity Service Award Ribbon with four Oak Leaf Clusters, Non-Commissioned Officer Professional Military Graduate Ribbon with one Oak Leaf Cluster, and Air Force Training Ribbon. Ms. Mariotti 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. Report of IntraFund Transfers Approved by the County Administrator in July.
2. Report of Tax Bill Corrections Approved by the County Administrator in July.

3. Invitation to attend an event at the Wellsville Country Club to introduce Mark Zupan, the 14th President of Alfred University on August 11.

4. NYMIR 2015 Annual Report

APPOINTMENTS:

Kevin LaForge, Chairman of the Human Services Committee of the Allegany County Board of Legislators appointed the following to the Allegany County Heroin and Opioid Abuse Ad Hoc Committee:

Human Services Representative

Mona Carbone, RN, Admin. Director Emergency Dept. for Jones Memorial Hospital

Member at Large

Leslie Haggstrom

RESOLUTIONS:

RESOLUTION NO. 170-16

**APPROVAL OF BOARD CHAIRMAN'S REAPPOINTMENT OF ONE MEMBER TO THE
CHAUTAUQUA, CATTARAUGUS, ALLEGANY AND STEUBEN
SOUTHERN TIER EXTENSION RAILROAD AUTHORITY**

Offered by: Planning & Economic Development Committee

RESOLVED:

1. That Jerry Scott of Cuba, New York, is reappointed to the Chautauqua, Cattaraugus, Allegany, and Steuben Southern Tier Extension Railroad Authority, for a three-year term effective August 28, 2016, and expiring August 27, 2019.

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

Adopted: Voice Vote

RESOLUTION NO. 171-16

APPROVAL OF SALE OF 2016 TAX SALE PROPERTY

Offered by: Ways & Means Committee

Pursuant to New York Uniform Delinquent Tax Enforcement Act and Resolution No. 195-97,
as amended by Resolution No. 95-98.

RESOLVED:

1. That the sale of the tax delinquent properties shown below, to the owner and purchaser shown, for the consideration shown, subject to terms and conditions of sale for such properties, is approved.

2. That upon the securing by the County Attorney of a proper court order authorizing the conveyance to the County of the below mentioned properties which is subject to the 2014 and/or back to the year 1995 (TF95 up to and including TF2014)tax foreclosure proceedings and the subsequent execution of a deed of all of the properties to the County by the County Tax Enforcement Officer, the Chairman of this Board of Legislators is authorized and directed to execute on behalf of the County of Allegany and to cause to deliver to such owners and purchasers quit claim deeds of the County's interest in such properties and to affix to such deed the official seal; all upon satisfaction of the terms and conditions of sale and the full payment to the County Treasurer of the monetary consideration.

| New Owner Address Sale price | Parcel details | County title Recorded Date Liber, Page |
|---|---|---|
| Hoopes, John T. & Hoopes, Carrie E. 6840 County Road 31 Friendship, NY 14739 Tax sale amount: 5 | Parcel ID:025000;182.-1-25.2 Property loc: 6832-6 County Rd 31 Assessed Value: 9,600 Acres: 0.69 | County of Allegany Book: 1751 Page: 345 |
| Hoopes, John T. & Hoopes, Carrie E. 6840 County Road 31 Friendship, NY 14739 Tax sale amount: 5 | Parcel ID:025000;182.-1-25.3 Property loc: 6832-1 N County Rd 31 Assessed Value: 5,900 Acres: 0.5 | County of Allegany Book: 1712 Page: 261 |

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

Adopted: Roll Call
13 Ayes, 1 No, 1 Absent
Voting No: Burt

Comments made regarding Resolution No. 171-16 included: Legislator Burt remarked on the process of selling properties at the annual Tax Sale. He understands the benefits of getting the property sold to a new owner so it's back on the tax rolls, but he would like to see minimum bids on these types of sales.

RESOLUTION NO. 172-16

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

Offered by: Ways & Means Committee

WHEREAS, a check in the amount of \$3,502.08; representing the cost less a \$500 deductible, to repair an Office for the Aging 2012 Dodge Caravan (VIN: #2C4RDGBG9CR296872) that was damaged in an accident on June 21, 2016, has been offered by NYMIR (New York Municipal Insurance Reciprocal) in settlement for such damage, now, therefore, be it

RESOLVED:

1. That the sum of \$3,502.08 representing the settlement on an Office for the Aging 2012 Dodge Caravan (VIN: #2C4RDGBG9CR296872) that was damaged on June 21, 2016, is accepted.

2. That the sum of \$3,502.08 is placed in 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. Pullen

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

RESOLUTION NO. 173-16

**ACCEPTANCE AND APPROPRIATION OF NONCUSTODIAL PARENT GRANT FUNDS
FOR EMPLOYMENT AND TRAINING**

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

RESOLVED:

1. The sum of \$28,235 in Noncustodial Parent (NCP) grant funds is accepted.

2. The sum of \$28,235 shall be appropriated to the following accounts:

| | | |
|--------------|--|---------|
| CD1 6403.101 | ACDSS Employment Service – Regular Pay | \$5,380 |
| CD1 6403.477 | ACDSS Employment Service – NCP Contractual | 19,528 |
| CD1 6403.802 | ACDSS Employment Service – Retirement | 900 |
| CD1 6403.803 | ACDSS Employment Service – FICA | 400 |
| CD1 6403.804 | ACDSS Employment Service – Workers Comp. | 75 |

| | | | |
|--------------|-------------------------------------|-------|--------------|
| CD1 6403.806 | ACDSS Employment Service – Hosp/Med | | <u>1,952</u> |
| | | TOTAL | \$28,235 |

with the like sum of \$28,235 credited to Revenue Account No. CD1 6403.2801.NCP (ACDSS Employment Service – State Aid).

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

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

RESOLUTION NO. 174-16

BUDGET TRANSFER WITHIN CLERK OF THE BOARD ACCOUNTS

Offered by: Ways & Means Committee

RESOLVED:

1. That the sum of \$250 shall be transferred from Account No. A1040.419 (Clerk of the Board - Printing) to Account No. A1040.201 (Clerk of the Board - Equipment) to finance the cost of a cast iron seal for the Clerk of the Board's Office.

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

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

RESOLUTION NO. 175-16

BUDGET TRANSFERS WITHIN OFFICE OF PLANNING ACCOUNTS

Offered by: Planning & Economic Development Committee

RESOLVED:

1. That the sum of \$890 shall be transferred from Account No. A8020.492 (Planning – Home & Com Serve Contracts) to Account No. A8020.201 (Planning - Equipment).

2. That the sum of \$60 shall be transferred from Account No. A8020.401 (Planning – Postage) to Account No. A8020.201 (Planning – Equipment).

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

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

RESOLUTION NO. 176-16

APPROVING THE 2016 RESOURCE ALLOCATION PLAN AGREEMENT WITH OFFICE OF CHILDREN AND FAMILY SERVICES; PROVIDING FOR APPROPRIATION OF FUNDS WHEN SUBCONTRACTS ARE APPROVED

Offered by: Resource Management and Ways & Means Committees

RESOLVED:

1. That the 2016 Resource Allocation Plan Agreement with Office of Children and Family Services in relation to the State's allocation of funds to the County for providing youth services under its Comprehensive Youth Service Plan, is approved.
2. That the Chairman of this Board is authorized to execute such Plan Agreement.
3. That a portion of the funds to be received under such Plan Agreement shall be appropriated from time to time to cover the costs under sub-contractor service provider agreements as may be approved by this Board.

Moved by: Mr. Graves
Seconded by: Mr. Pullen

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

RESOLUTION NO. 177-16

APPROVAL OF A TWENTY-FIVE YEAR LEASE FOR LAND IN THE TOWN OF ALMA ON WHICH AN E-911 RADIO TOWER WILL BE CONSTRUCTED

Offered by: Public Safety Committee

WHEREAS, the Sheriff's Department is in the process of upgrading its E-911 system as part of a major grant received for such purpose, and

WHEREAS, in order to assure proper radio coverage throughout the County a number of new radio towers will need to be constructed, and

WHEREAS, a site in the Town of Alma has been located which is suitable for the construction of one of these radio towers, and

WHEREAS, the landowners have agreed to lease the property to the County, and

WHEREAS, the County intends to lease this property for an initial period of twenty-five years with the right to renew for an additional twenty-five years, now therefore, be it

RESOLVED:

1. A lease of land between C & S Communications Inc. and the County of Allegany for a 1.0 acre +/- parcel in the Town of Alma at 1784 Alma Hill Road for the sum of Eight Thousand Five Hundred Dollars (\$8,500) is hereby approved.

2. The Chairman of this Board is authorized to sign the lease agreement and any other documents necessary for recording the lease agreement in the County Clerk's Office.

3. That entry into this lease is in lieu of the purchase of a parcel of land from Lloyd M. Collins for the same amount, heretofore approved by resolution number 259-15.

Moved by: Mr. Healy
Seconded by: Mr. Pullen

Adopted: Roll Call
12 Ayes, 2 Noes, 1 Absent
Voting No: O'Grady, Ungermann

Comments made regarding Resolution No. 177-16 included: Legislator Burt called attention to a typo in the agreement. On page 19, there is an instance where the word lessor should be changed to lessee. County Attorney Tom Miner indicated that the change will be made and no further action is needed.

Resolution Intro. No. 181-16 (**APPROVAL OF AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND VILLAGE OF BELMONT TO MANAGE AND PROVIDE MAINTENANCE TO ALLEGANY COUNTY WATER DISTRICT NO. 1 LOCATED IN THE VILLAGE OF BELMONT AND TOWN OF AMITY**) was not pre-filed and was considered from the floor on a motion made by Legislator Jessup, seconded by Legislator Fanton, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 178-16

APPROVAL OF AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND VILLAGE OF BELMONT TO MANAGE AND PROVIDE MAINTENANCE TO ALLEGANY COUNTY WATER DISTRICT NO. 1 LOCATED IN THE VILLAGE OF BELMONT AND TOWN OF AMITY

Offered by: Ways & Means Committees

RESOLVED:

1. That the Agreement with the Village of Belmont, to provide maintenance to Allegany County Water District No. 1, located in the Village of Belmont and the Town of Amity, for the period August 1, 2016, to July 31, 2019, is approved.

2. That the Chairman of this Board is authorized to execute such agreement.

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

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

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 Jessup, and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims, totaling \$4,181,129.48 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 \$ 6,181,952.*)

COMMENTS:

Legislator LaForge announced a meeting of the Land Bank Corporation to be held at 9 a.m. on August 17 in the Legislative Chambers.

ADJOURNMENT: The meeting was adjourned at 2:36 p.m. on a motion made by Legislator Graves, seconded by Legislator Burt, and carried.