

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

JULY 21, 2016

CALL TO ORDER: The regular meeting of the Board of Legislators, which was held at the Allegany County Fairgrounds, was called to order at 2:15 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Air Force Master Sergeant Jeffrey S. Griswold.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 11 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, Dwight Fanton, Judith Hopkins, Charles Jessup, Kevin LaForge, Timothy O'Grady, David Pullen, Debra Root, Norman Ungermann, Jr. Absent: David Decker, Karl Graves, Dwight "Mike" Healy, and Aaron McGraw

Chairman Crandall reminded the audience that today marks the 155th anniversary of the Battle of Bull Run, which was the first major battle of the American Civil War.

APPROVAL OF MINUTES:

The Board meeting minutes of July 11, 2016, were approved on a motion made by Legislator Fanton, seconded by Legislator Pullen, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Jeffrey S. Griswold, former United States Air Force Reserve Master Sergeant, in grateful appreciation of his service to our country. Mr. Griswold also served in the United States Army. Mr. Griswold's service dates were from July 12, 1990, to October 10, 2013. Following Basic Training at Fort Dix, NJ, and Advanced Individual Training at Fort Eustis, VA, assignments included: Fort Story, VA, Busan, Korea, Saudi Arabia, Kuwait, Bahrain, Iraq, Japan and Italy. Commendations he received included: Meritorious Service Medal, Iraq Freedom Campaign Medal, Army Commendation Medal, Army Achievement Medal with four oak leaf clusters, National Defense Service Medal with star, Joint Service Achievement Medal, Kuwaiti Liberation Medal, Southwest Asia Service Medal with two stars, Good Conduct Medal, Army Service Ribbon, Overseas Service Ribbon, Operator-Special Badge Training Operator, M-16 Sharpshooter Badge and Hand Grenade Badge. Mr. Griswold led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans' Honorary Pledge of Allegiance Program.

Certificates of appreciation were presented to Angelica Boy Scout Troop 736 Members Austin Ford, Noah Ford, and Jacob Bliss, who took part in the Flag presentation at today's meeting.

A certificate of recognition was awarded to 4-H Member Derek Smith in honor of his many accomplishments during his ten years in 4-H and his involvement with the Fair. Derek's favorite area of involvement is the horse division. Derek is also involved with the New Hudson Fire Department as a senior youth fire fighter. He was honored this year with a plaque for the Fireman of the Year award.

Chairman Crandall thanked Allegany County Fair Board President Karen Tripp for all of her dedication. There is a great deal of work that goes into keeping the grounds maintained and planning the Fair. It is a year-round effort and Karen does a great job leading the large group of volunteers. Ms. Tripp thanked everyone for coming and expressed her appreciation to the Legislative Board for holding their meeting at the Fair.

A certificate was presented to Jim Young, of Angelica, in recognition of his contributions to the Allegany County Fair. This year's Fair was dedicated to him. Jim has been involved in the Fair since he was a young boy showing cattle. As a teen, he participated in horse events and later competed in tractor pulling. Jim has prepared the track for different events and provided his skills maintaining and repairing just about anything around the fairgrounds. Jim is also a volunteer fireman and EMT, which proves valuable during fair week.

The following elected representatives addressed the Board:

Senator Catharine Young remarked that she was thrilled to be in attendance and thanked Chairman Crandall and the Legislators for their strong leadership and time in serving. She noted that it was her 18th year at the Allegany County Fair. She stated that she has so many wonderful memories and shared one year in particular that stands out in her memory. Governor Pataki visited the Allegany County Fair in 2002. He along with other visiting elected representatives, were standing on the track before the start of the annual demolition derby. Jim Young insisted that they start the demolition derby. The track was muddy and soon they were all covered in mud. She said that the Fair celebrates everything that is good in Allegany County. She acknowledged each person who was honored earlier in the meeting. She acknowledged Allegany County department heads for their good work. She pointed out the substantial increase the Department of Public Works had seen in CHIPS funding to repair and maintain County roads. She acknowledged funding received by the Office for the Aging for senior programs. She remarked that a lot of these things wouldn't happen without the County Legislators. She mentioned the crisis we have with heroin and opioid addiction and noted that the State Legislature has passed a significant amount of legislation to help combat the problem. She closed by saying it was a privilege to be here today and thanked Fair President Karen Tripp and everyone who works hard to make it a success.

Assemblyman Joseph Giglio stated that it was always a pleasure to be at the Fair. He mentioned a recent media piece "Hidden Gems of WNY" that named the Village of Angelica as one of those "gems." He touched on the first battle of Bull Run and mentioned that he had had the privilege of going to Gettysburg. He noted that New York lost the second most

people at Gettysburg. He said, "We're still fighting for those same beliefs. We're working hard to preserve this union and to remain free."

United States Congressman Tom Reed was represented by Lee James. She stated that it was a pleasure to be in attendance and that Congressman Reed sends his regrets for not being able to be here today. The Congressman sends his congratulations to the Fair Board for another successful fair. Ms. James acknowledged retired Master Sergeant Griswold for his service and for his work in mentoring soldiers who are coming back after service. She stated that the Congressman extends his appreciation to the Legislators for their work in serving the residents of Allegany County. His door is always open, and he is willing to listen and be there for you.

Chairman Crandall thanked our elected representatives for coming to the meeting. He remarked that it's extremely important to have a good relationship with our representatives. He appreciates their presence and noted that they are very accessible.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. August Calendar.
2. Reminder that the annual Legislators' Clambake is Friday, July 29, and tickets are available in the Clerk of the Board's Office. All tickets and money should be turned in to Board Clerk Riehle.
3. Reminder that the Allegany County Senior Picnic will be held on Wednesday, July 27, at the Fairgrounds in Angelica.

APPOINTMENTS:

Chairman Crandall, in a joint measure with Paula J. Stockman, Chairman of the Cattaraugus County Board of Legislators, appoints Timothy T. Boyde to serve on the **CATTARAUGUS-ALLEGANY WORKFORCE DEVELOPMENT BOARD** for an indefinite period of time coterminous with his appointment as County Administrator for Allegany County.

PROCLAMATION:

Chairman Crandall proclaims July 17-23, 2016, as **PRETRIAL, PROBATION, AND PAROLE SUPERVISION WEEK** in Allegany County and encourages all citizens to honor these community corrections professionals and to recognize their achievements.

RESOLUTIONS:

RESOLUTION NO. 164-16

APPROVAL FOR GRANT APPLICATION TO NEW YORK STATE DIVISION OF CRIMINAL JUSTICE (DCJS) "RURAL COMMUNITY OF PRACTICE" FOR THE PROBATION DEPARTMENT

Offered by: Public Safety and Ways & Means Committees

WHEREAS, the Allegany County Probation Department is requesting approval to apply for grant money through the New York State Division of Criminal Justice (DCJS) grant "Rural Community of Practice," and

WHEREAS, if approved, the grant is intended for rural counties to be used towards juvenile justice, now, therefore, be it

RESOLVED:

1. That the Probation Department is authorized to act on behalf of the County of Allegany to apply for grant funds through the New York State DCJS "Rural Community of Practice."

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

Adopted: Roll Call
11 Ayes, 0 Noes, 4 Absent

RESOLUTION NO. 165-16

ACCEPTANCE AND APPROPRIATION OF THE BALANCING INCENTIVE PROGRAM (BIP) CAREGIVERS GRANT FUNDS FOR THE OFFICE FOR THE AGING

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. The sum of \$20,000 in Balancing Incentive Program (BIP) grant funds is accepted.

2. The sum of \$20,000 shall be appropriated to the following accounts:

A6790.101	OFA BIP – Regular Pay	\$6,666
A6790.210	OFA BIP – Equipment	2,000
A6790.401	OFA BIP – Postage	300
A6790.402	OFA BIP – Mileage	810
A6790.405	OFA BIP – Conference	2,640

A6790.408	OFA BIP – General Supplies	1,000
A6790.409	OFA BIP – Fees	2,650
A6790.416	OFA BIP – Telephone	324
A6790.419	OFA BIP – Printing	300
A6790.474	OFA BIP – Home Care	2,000
A6790.802	OFA BIP – Retirement	667
A6790.803	OFA BIP – F.I.C.A.	510
A6790.804	OFA BIP – Worker’s Compensation	133
TOTAL		\$20,000

with the like sum of \$20,000 credited to Revenue Account No. A6790.4772.00 (Federal Aid – OFA BIP).

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

Adopted: Roll Call
11 Ayes, 0 Noes, 4 Absent

RESOLUTION NO. 166-16

**ACCEPTANCE AND APPROPRIATION OF FEDERAL AND STATE COLA FUNDS TO
VARIOUS DEPARTMENT OF HEALTH PROGRAMS**

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. The sum of \$1,072 in COLA funds to the County Health Department Rabies Program is accepted and appropriated to Account No. A4043.408 (General Supplies) with a like sum credited to Revenue Account No. A4043.3450.00 (State Aid – Public Health).

2. The sum of \$2,540 in COLA funds to the County Health Department Tobacco Enforcement Program is accepted and appropriated to Account No. A4051.462 (Health Contracts) with a like sum credited to Revenue Account No. A4051.3450.00 (State Aid – Public Health Other).

3. The sum of \$2,472 in COLA funds to the County Health Department Immunization Program is accepted and appropriated as follows:

<u>Appropriation Accounts</u>	<u>Amount</u>
A4010.101 (Regular Pay)	\$ 1,859
A4010.201 (Office Equipment)	513
A4056.409 (Fees)	100
<u>Revenue Account</u>	
A4056.3473.00 (State Aid – Immunization)	\$ 2,472

4. The sum of \$3,122 in COLA funds to the County Health Department Lead Poisoning Prevention Program is accepted and appropriated as follows:

<u>Appropriation Accounts</u>	<u>Amount</u>
A4010.101 (Regular Pay)	\$ 1,721
A4037.404 (Office Supplies)	401
A4037.408 (General Supplies)	<u>1,000</u>
	\$ 3,122

<u>Revenue Account</u>	
A4037.3437.00 (State Aid)	\$ 3,122

Moved by: Mr. LaForge
Seconded by: Mr. Fanton

Adopted: Roll Call
11 Ayes, 0 Noes, 4 Absent

RESOLUTION NO. 167-16

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 \$4,550 from ACCORD Corporation for the continuation of the ACT II Batters' Program is accepted.

2. That the sum of \$4,550 is placed in Account No. A3117.449 (ACT II Batters' Program – Contractual Expenses) with a like sum credited to Revenue Account A3117.2260.00 (ACT II Batters' Program – Public Safety Service for Other Govts.).

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

Adopted: Roll Call
11 Ayes, 0 Noes, 4 Absent

RESOLUTION NO. 168-16

BUDGET TRANSFER WITHIN PUBLIC WORKS ACCOUNTS

Offered by: Public Works and Ways & Means Committees

RESOLVED:

1. That the sum of \$20,000 shall be transferred from Account No. DM5130.210 (Road Machinery - Equipment) to Account No. H1641.200 (Fuel Tank Upgrade).

Moved by: Mr. Fanton
Seconded by: Mr. Curran

Adopted: Roll Call
11 Ayes, 0 Noes, 4 Absent

RESOLUTION NO. 169-16

**APPROVAL OF AMENDMENT TO AGREEMENT BETWEEN WILLCARE
AND THE OFFICE FOR THE AGING**

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. That the agreement to amend the prior contract between the Office for the Aging and WillCare, dated January 1, 2016, to increase the cost of home care services as follows:

	2016 Rate	2017 Rate
PCA I (Housekeeping/Chore Personnel)	\$19.50/hour	\$20.00/hour
PCA II (Home Care Personnel)	\$19.50/hour	\$21.00/hour

2. That a RN Supervisory Visit of Aides at a rate of \$98/visit for the year 2017 shall be added.

3. That the Director of the Allegany County Office for the Aging is authorized to execute the agreement amending the agreement between the Office for the Aging and Home and Health Services.

Moved by: Mr. LaForge
Seconded by: Mr. Curran

Adopted: Roll Call
11 Ayes, 0 Noes, 4 Absent

AUDITS:

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

Legislator Pullen pointed out the over \$380,000 listed on the Board Audit Summary as Medicaid contributions for the past two weeks. This is the amount Allegany County has to contribute to Medicaid. New York State is the only state in the country that requires counties to contribute to Medicaid. It's something we have to support, but we don't have to like it.

A motion was made by Legislator Jessup, seconded by Legislator Root, and adopted on a roll call vote of 11 Ayes, 0 Noes, 4 Absent, that the audit of claims, totaling \$3,103,613.51 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 \$5,795,580.*)

COMMENTS:

Chairman Crandall reminded everyone of the Town Hall meeting following the Board meeting. The meeting will include a panel discussion regarding the heroin and opioid problems, as well as underage drinking in Allegany County. An ad hoc committee chaired by Legislator Judith Hopkins has been formed with a number of individuals from around the County working together to address the problem.

Legislator Ungermann remarked that his grandson Brian Gowiski, an Allegany County native and former Marine, had recently finished 9th place out of 248 competitors in a Spartan Race.

ADJOURNMENT: The meeting was adjourned at 3:17 p.m. on a motion made by Legislator Burt, seconded by Legislator Ungermann, and carried.