

**WAYS & MEANS COMMITTEE**

**January 11, 2016**

**NOT APPROVED**

**Committee Members Present:** C. Jessup, D. Fanton, P. Curran, K. Graves, D. Healy, K. LaForge, T. O'Grady, D. Root, C. Crandall (Absent: D. Pullen)

**Others Present:** L. Ballengee, H. Budinger, J. Budinger, D. Decker, B. Gamache, V. Grant, L. Gridley, S. Grusendorf, K. Hooker, J. Hopkins, G. James, J. Luckey, J. Margeson, T. Miner, K. Monroe, B. Riehle, T. Ross, D. Scholes, R. Scott, R. Sobeck-Lynch, N. Ungermann, R. Whitney

**Media Present:** B. Quinn, *Wellsville Daily Reporter*

**Call to Order:** The meeting was called to order at 1:00 p.m. by Ways & Means Committee Chairman Charles Jessup.

**Approval of Minutes**

A motion was made by Legislator Graves, seconded by Legislator Root, and carried to approve the Ways & Means Committee minutes of December 28, 2015.

**Approval of Audit**

Committee members reviewed the January 11, 2016, audit of claims in the amount of \$2,735,742.45 (including prepaid bills). A motion was made by Legislator Curran, seconded by Legislator Fanton, and carried to forward the audit to the full Board for approval of payment.

**Accept and Appropriate New York State Community Development Block Grant (CDBG)**

Interim County Administrator John Margeson requested a resolution to authorize the Chairman of the Board to enter into a Contract with the State Office of Community Renewal in order to receive a New York State Community Development Block Grant (CDBG) Housing Award in the amount of \$850,000 in partnership with Cattaraugus Community Action Agency. Allegany County will serve as the grantee and Cattaraugus Community Action Agency will administer the grant. The resolution authorizes the acceptance and appropriation of funding.

Appropriations

CB8668.409	Fees – Admin	\$ 42,500*	Catt \$32,500/All \$10,000
CB8668.492	Contractual – Loans/Grants	\$727,650**	Loans/Grants Qualified Indiv.
CB8668.493	Contractual – Pgm Delivery Costs	<u>\$ 79,850***</u>	Catt Pgm. Delivery Costs
	Total:	\$850,000	

Revenue

CB8668.3989.CDMH	St. Aid – CDBG NYS Housing Project #20MH301-15	\$850,000
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The request was approved on a motion by Legislator Graves, seconded by Legislator Healy, and carried. **Prepare Resolution**

## **REFERRALS FROM OTHER COMMITTEES**

### **Request Permission to Fill Director of Temporary Assistance Position**

Ms. Grant requested permission to fill a Director of Temporary Assistance (PEF, Grade 9, Step 7) position, and any vacancy that may result from filling this position. This vacancy is a result of a retirement. This position is responsible for administration of Temporary Assistance Programs including Public Assistance, Medicaid, Food Stamps, HEAP, and Fraud. This position is funded by 27 percent Local funds, 21 percent State funds, and 52 percent Federal funds. Clerk of the Board Brenda Rigby Riehle asked for confirmation that any create and request to fill positions should be on one page of the Request to Fill Position Form. Legislator Root replied yes, to make the process as easy as possible. Legislator LaForge added it will reduce paperwork. Mrs. Rigby Riehle stated she will send a memo out reminding Departments to use one form. The request was approved on a motion by Legislator LaForge, seconded by Legislator Root, and carried. **Notify Human Resources**

### **Request Permission to Fill Senior Support Investigator Position**

Ms. Grant requested permission to fill a Senior Support Investigator (AFSCME, Grade 16, Step 6) position, and any vacancy that may result from filling this position. This vacancy is a result of a promotion. This position is responsible for supervising eight Support Investigators as well as genetic marker testing, overseeing the Non-custodial Parent Employment Program, desk reviews for IV-D pass through, and doing reports and updating manuals. This position is funded by 50 percent Federal funds and 50 percent Local funds which are offset by TANF collections. The request was approved on a motion by Legislator LaForge, seconded by Legislator Fanton, and carried. **Notify Human Resources**

### **Request Permission to Fill Grade B Supervisor Position**

Ms. Grant requested permission to fill a Grade B Supervisor (PEF, Grade 7, Step 4) position, and any vacancy that may result from filling this position. This vacancy is a result of a retirement. This position is in the Services Unit, and is responsible for supervision of eight Caseworkers, who are responsible for ensuring the health, welfare, and safety of children and families. This position is funded by 58 percent Federal funds and eight percent State funds. The request was approved on a motion by Legislator LaForge, seconded by Legislator Curran, and carried. **Notify Human Resources**

### **Request Permission to Fill Supervisor of Child Support Enforcement Position**

Ms. Grant requested permission to fill a Supervisor of Child Support Enforcement (PEF, Grade 7, Step 4) position, and any vacancy that may result from filling this position. This vacancy is a result of a retirement. This position is responsible for supervising one Senior Support Investigator, eight Support Investigators, and four Clerical Staff, while overseeing all aspects of child support investigation, paternity establishment, and the collection and accounting of all child support monies received. This position is funded by 50 percent Federal funds and 50 percent Local funds which are offset by TANF collections. Legislator Healy asked about State revenue for this position. Ms. Grant said it is offset with TANF funds which are Federal funds. The local share is less because of the offset. The request was approved on a motion by Legislator LaForge, seconded by Legislator Curran, and carried. **Notify Human Resources**

**Request Permission to Fill Senior Typist Position**

Ms. Grant requested permission to fill a contingent-permanent Senior Typist Position (AFSCME, Grade 7, Step min) position, and any vacancy that may result from filling this position. This vacancy is a result of a promotion. This position is responsible for performing clerical duties for all programs. This position is funded by 52 percent Federal funds and 10 percent State funds. Legislator Healy asked if there was an offset for this position. Ms. Grant replied no. The request was approved on a motion by Legislator LaForge, seconded by Legislator Root, and carried. **Notify Human Resources**

**Request Permission to Fill Three Support Investigator Positions**

Ms. Grant requested permission to fill three Support Investigator (AFSCME, Grade 15, Step min.) positions, and any vacancy that may result from filling these positions. These vacancies are a result of two retirements and a resignation. These positions assist with paternity establishment, child support order establishment, enforcement, and collection. These positions are funded by 50 percent Federal funds and 50 percent Local funds which are offset by TANF collections. The request was approved on a motion by Legislator LaForge, seconded by Legislator Graves, and carried. **Notify Human Resources**

**Request Permission to Fill Social Welfare Examiner Position**

Ms. Grant requested permission to fill a Social Welfare Examiner Position (AFSCME, Grade 11, Step min.) position, and any vacancy that may result from filling this position. This vacancy is a result of a promotion. This position is in the Temporary Assistance Unit, and is responsible for interviewing clients, determining eligibility, and authorizing the appropriate benefits. This position is funded by 50 percent Federal funds and 6 percent State funds. The request was approved on a motion by Legislator LaForge, seconded by Legislator Fanton, and carried. **Notify Human Resources**

**Request Permission to Create and Fill Four Part-Time Temporary Positions**

The Department of Social Services has recently had some key employees retire with others leaving. These individuals are some of their most experienced employees who hold very important jobs. Their departures will leave the department in a very difficult situation until such time that replacements can be found and trained. The Department is requesting that temporary part-time positions be created and filled for the following titles to help bridge the gap and for training purposes:

Grade B Supervisor (PEF Union, 34 percent local share)

Child Support Coordinator (PEF Union, 50 percent local share with offset)

Director of Temporary Assistance (PEF Union, 27 percent local share)

Senior Typist (AFSCME union, this is a backfill from a recent retirement, 38 percent local share)

These positions will exist for no more than six months from the time of their creation with a total not to exceed the limit of \$30,000 per position. The maximum local share is \$48,924. The fiscal impact will likely be less. They do not anticipate each person reaching the \$30,000 limit. Also, the addition of these positions will avoid some overtime.

The request to create and fill a part-time temporary Grade B Supervisor (PEF, Grade 7, Step 9) position was approved on a motion by Legislator LaForge, seconded by Legislator Graves, and carried. **Notify Human Resources**

The request to create and fill a part-time temporary Supervisor of Child Support Enforcement (PEF, Grade 7, Step 9) position was approved on a motion by Legislator LaForge, seconded by Legislator Root, and carried. **Notify Human Resources**

The request to create and fill a part-time temporary Director of Temporary Assistance (PEF, Grade 9) position was approved on a motion by Legislator LaForge, seconded by Legislator Fanton, and carried. **Notify Human Resources**

The request to create and fill a part-time temporary Senior Typist (AFSCME, Grade 7) position was approved on a motion by Legislator LaForge seconded by Legislator Graves, and carried. **Notify Human Resources**

## Public Safety

### Accept and Re-Appropriate Homeland Security Funds Contract # C969149

Mr. Luckey requested a resolution to accept and re-appropriate Technical Rescue Grant Program money that was not spent in 2015 for project number TR14-1013-D00 SHSP, contract number C969149.

#### Appropriations

A3653.207	Homeland Security – Type 3 Personal Protective Equipment	\$26,699
A3653.207	Homeland Security – Thermal Imaging Camera	\$ 4,500
A3653.207	Homeland Security – Generators, Portable	\$ 4,200
A3653.207	Homeland Security – Hand and Gas Powered Tools	\$ 1,273
A3653.207	Homeland Security – Rescue Litter and Accessories	\$ 1,089
A3653.207	Homeland Security – SCBA Air Cylinders	\$ 5,000
A3653.207	Homeland Security – Line Thrower	\$ 2,000
A3653.207	Homeland Security – Personal Flotation Device Throw Able Type	\$ 716
A3653.207	Homeland Security – Binoculars	\$ 880
A3653.207	Homeland Security – River Rescue Boards	\$ 990
A3653.207	Homeland Security – Water Rescue Throw Bags & Related Equip	\$ 400
A3653.207	Homeland Security – Response/Equipment Trailer	\$27,000
A3653.207	Homeland Security – Non-motorized Inflatable Rapid Deployment Craft	\$ 6,026
A3653.207	Homeland Security – Inflatable Motorized Watercraft	\$12,968
A3653.207	Homeland Security – Rope Rescue Rigging Equipment to Include Plates	<u>\$ 5,205</u>
	Total:	\$98,946

#### Revenue

A3653.3306.EMW14	Homeland Security Fed Aid (Emerg Serv)	\$98,946
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The request was approved on a motion by Legislator Curran, seconded by Legislator Fanton, and carried. **Prepare Resolution**

### Accept and Re-Appropriate Homeland Security Funds Contract # C969150

Mr. Luckey requested a resolution to accept and re-appropriate grant money that was not spent in 2015 for project number SH15-1001-D00-SHSP, contract number C969150.

#### Appropriations

A3656.207	2015 Homeland Security – PPE and Related Equipment	\$10,000
A3656.207	2015 Homeland Security – GIS Software	\$14,000
A3656.207	2015 Homeland Security – Generators, Portable	\$26,000
A3656.207	2015 Homeland Security – Tactical Medical Gear Bags	\$ 1,500
A3656.416	2015 Homeland Security – Connectivity for Director's Cell Phone	<u>\$ 1,000</u>
	Total:	\$52,500

#### Revenue

A3653.3306.EM15	2015 Homeland Security Fed Aid (Emerg Serv)	\$52,500
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The request was approved on a motion by Legislator Curran, seconded by Legislator Root, and carried. **Prepare Resolution**

### **Accept and Appropriate Funds for ACT II Batterers Program**

Sheriff Whitney requested a resolution to accept and appropriate \$9,100 from Accord Corporation for the continuation of the ACT II Batterers Program. The funds should be appropriated as follows:

Appropriation #	A3117.449	\$9,100
Revenue #	A3117.2260.00	\$9,100

The request was approved on a motion by Legislator Curran, seconded by Legislator Healy, and carried. **Prepare Resolution**

### **Accept and Appropriate New York State Division of Criminal Justice Service Narcotics Grant**

Sheriff Whitney requested a resolution to accept and appropriate the New York State Division of Criminal Justice Service Narcotics Grant. This grant is filed jointly with the Cattaraugus County Sheriff's Narcotics Unit. The total award for the grant is \$75,000 that will be split equally between Cattaraugus and Allegany Counties. The Allegany County Narcotics Unit will receive grant funds in the amount of \$37,500.

Appropriation #	A3111.103	Sheriff – Drug Program Overtime	\$ 3,995
	A3111.201	Sheriff – Drug Program Equip-Office	\$10,450
	A3111.208	Sheriff – Drug Program Equip-Police	\$21,800
	A3111.408	Sheriff – Drug Program Gen Supplies	<u>\$ 1,255</u>
		Total:	\$37,500
Revenue #	A3111.3324.DCJS	Sheriff – Drug Program	\$37,500

Legislator Decker noted this is a grant filed jointly with Cattaraugus County, and wondered what would happen if Cattaraugus County turned the grant down. Lieutenant Shawn Grusendorf stated he didn't know. He said Cattaraugus County has already accepted the grant, and they are waiting for Allegany County. Legislator Fanton asked if the grant funds will be shared equally. Mr. Grusendorf replied yes. Legislator Graves asked if this was for new overtime or reimbursement for overtime they are already spending. Mr. Grusendorf said it is reimbursement of overtime for this year that is not yet incurred. The request was approved on a motion by Legislator Curran, seconded by Legislator Healy, and carried. **Prepare Resolution**

### **Permission to Promote a Corrections Officer to Deputy Sheriff**

Sheriff Whitney requested approval to fill a Deputy Sheriff Position (Council 82 Local 3989, Step 0) by promoting a Corrections Officer to Deputy Sheriff, and fill all subsequent positions that will become vacant as listed, such as a part-time Corrections Officer to a full-time Corrections Officer Position (Council 82 Local 3989, Step 0). The Deputy position became vacant due to a retirement of Deputy Sheriff Charlie Butler. Legislator Healy commented if anyone knew Mr. Butler, you would know that he was irreplaceable. Legislator Graves stated it was a privilege to work with him for thirty years. Approval was granted on a motion by Legislator Curran, seconded by Legislator Graves, and carried. **Notify Human Resources**

**Public Works****Budget Transfer from H5120.200 into Three Individual Capital Projects H5945.200, H5946.200, and H5947.200**

Superintendent Guy James requested a budget transfer for three capital projects. The three projects are:

**Town of Angelica, Peavy Road**

Mr. James requested a Capital Project be established for the Town of Angelica, Peavy Road, BR #07-01. Funds of \$487,500 should be transferred from H5120.200 (Maintenance of Bridges) and appropriated to account H5945.200 (Angelica, BR #07-01, Peavy Road). Mr. James also requested a resolution to construct the bridge.

Mr. James requested that the Town Share of \$73,125 from the above project be recorded as below:

From:		
H5120.2300.00	Revenues - Intergovernmental Changes	\$ 73,125

To:		
H5945.2300.00	Local Town Share	\$ 73,125

Mr. James requested the County Share of \$414,375 from the above project be recorded as below:

From:		
H5120.5031.00	Revenues – Interfund from General A	\$414,375

To:		
H5945.5031.00	County Share	\$414,375

The requests were approved on a motion by Legislator Fanton, seconded by Legislator Graves, and carried. **Prepare Resolution**

**Town of Birdsall, Hiltonville Road**

Mr. James requested a Capital Project be established for the Town of Birdsall, Hiltonville Road, BR #09-05. Funds of \$219,000 should be transferred from H5120.200 (Maintenance of Bridges) and appropriated to account H5946.200 (Birdsall, BR #09-05, Hiltonville Road). Mr. James also requested a resolution to re-habilitate the bridge.

Mr. James requested the Town Share of \$32,850 from the above project be recorded as below:

From:		
H5120.2300.00	Revenues - Intergovernmental Changes	\$ 32,850

To:		
H5946.2300.00	Local Town Share	\$ 32,850

Mr. James requested the County Share of \$186,150 from the above project be recorded as below:

From:		
H5120.5031.00	Revenues – Interfund from General A	\$186,150

To:			
H5946.5031.00	County Share		\$186,150

The requests were approved on a motion by Legislator Fanton, seconded by Legislator Root, and carried. **Prepare Resolution**

### **Town of Cuba, Keller Hill Road**

Mr. James requested a Capital Project be established for the Town of Cuba, Keller Hill Road, BR #15-06. Funds of \$392,000 should be transferred from H5120.200 (Maintenance of Bridges) and appropriated to account H5947.200 (Cuba, BR #15-06, Keller Hill Road). Mr. James also requested a resolution to construct the bridge.

Mr. James requested that the Town Share of \$58,800 from the above project be recorded as below:

From:			
H5120.2300.00	Intergovernmental Changes		\$ 58,800

To:			
H5947.2300.00	Local Town Share		\$ 58,800

Mr. James requested the County Share of \$333,200 from the above project be recorded as below:

From:			
H5120.5031.00.00	Revenues – Interfund from General A		\$333,200

To:			
H5947.5031.00	County Share		\$333,200

The requests were approved on a motion by Legislator Fanton, seconded by Legislator Healy, and carried. **Prepare Resolution**

### **Accept and Approve Amendment to Fill Temporary Groundworker Position (approved 11/9/15)**

Public Works Deputy Superintendent Dean Scholes stated when they requested to fill the Temporary Groundskeeper position in November of 2015, the request did not include the wording, “and all subsequent positions including from the outside.” Mr. Scholes requested an amendment to the request to fill Temporary Groundworker position that was approved at the November 9, 2015, Ways & Means Committee meeting to include the wording, “and all subsequent positions including from the outside.” The request was approved on a motion by Legislator Fanton, seconded by Legislator Healy, and carried. **Notify Human Resources**

### **Constitutional Convention**

Legislator LaForge and Legislator Decker requested acceptance of a resolution they generated regarding the Constitutional Convention. Legislator LaForge noted it will be a ballot proposition in November 2017. He noted it is a proposition on the ballot every twenty years, and there is a good chance of having one this time because the State is pushing for early voting. He said this particular resolution asks New York State Association of Counties (NYSAC) and like-minded organizations to conduct voter education about the Constitutional Convention. Legislator Graves asked who is going to conduct the convention, and how voting is going to take place.

He stated New York State has basically been controlled by the leadership in the State Senate and Assembly from New York City since 1964. He is concerned these folks will be the ones to write the rules. Legislator LaForge doesn't believe the Convention is run by "three men in a room." Legislator Graves noted without knowing more about how it will be conducted, he can't support the resolution.

Legislator Root stated she doesn't know the pros and cons of this, and wondered if it needed to be voted on before NYSAC. She also asked if NYSAC is supporting this. Legislator Decker and Legislator LaForge stated they don't know, but they would like to take it to the joint Inter-County which is at the end of the NYSAC conference. Legislator Graves is concerned about the wording in the first paragraph under resolved. He is particularly concerned about "promoting a positive vote to convene a Constitutional Convention." Legislator Jessup stated the resolution is to encourage other counties to engage in conversation and investigation into the details of the Convention. Chairman Crandall stated he believes this resolution is about education. Legislator Graves is willing to support the resolution if it is about getting more education about the Convention. Legislator Healy asked County Attorney Tom Miner about the wording of the resolution. Mr. Miner said the vote is about whether or not to have a Constitutional Convention. It is not about what will be a part of the Convention. He noted the language can be changed. Legislator Ungermann stressed that this is on the ballot once every twenty years. He reiterated it is about whether or not to have a Constitutional Convention. Legislator O'Grady made a motion to modify the resolution to strike-out "the importance of" and "positive" from the first paragraph under resolved. It should say, "regarding a vote to convene a Constitutional Convention.", seconded by Legislator Healy, and carried. The request was approved on motion by Legislator Healy, seconded by Legislator Curran, and carried. **Prepare**

### **Resolution**

### **Land Bank**

Legislator LaForge stated he received a call last Tuesday from the Attorney General's Office in Buffalo. The Assistant Attorney General wanted to make them aware of a new funding opportunity, and the need to act quickly. The funding opportunity has been expanded to land banks in the process of being created as long as they are being considered by Empire State Development. They have expanded the criteria from residential housing to mixed-use commercial property, commercial property, and brownfield. Legislator LaForge is requesting permission to submit an application for a land bank. They will submit a template for bylaws and a template on how it would be governed. He noted nothing is set in stone, and it has to go in with the application. Legislator LaForge said other than in-kind services; they don't really have anything invested in it. He believes there are some unique things with the County's application. Legislator LaForge stated at this point the County is competing with three other counties. He noted there is about \$4.3 million in the initial grant, and there may be more funds. Legislator LaForge urges everyone to support it.

Legislator Decker stated he had mixed feelings about it. He noted years ago in the 1950s and 1960s the Land Banks took farm land out of production. He stated it started as a nice program because they had a surplus of crops, but it became full of waste fraud and abuse. He noted at some point it was dissolved. Legislator Decker said he is very skeptical and scared that this would turn out to be something similar, and they would regret it. Legislator Fanton believes they would be receiving the funds, and if there was any corruption involved it would be at the County level. Legislator LaForge added they are not looking to create any County employees. They would contract with another agency such as Accord to administer it. Legislator Healy asked if this would put the County in a position to accept the funding. Legislator LaForge said without it, they can't apply and won't get the money. Legislator Healy stated if the money

becomes available and they decide it is not a positive thing at that time, they are not committed to moving forward. Legislator LaForge stated that is correct. Legislator Graves commended Mr. LaForge on his work on the Land Banks.

Chairman Crandall pointed out this new round of funding has really expanded the use of the funds. He stated this round is more inclusive and is a better match for Allegany County than the initial round of funding because of the increase in options. Legislator Decker asked about the wording in the second whereas in the resolution. He said the words "entitled and authorized to take control" bother him, and he can't understand why they have to create another layer of government. Legislator Ungermann noted it is getting to the point where everything is not-for-profit. He noted the Government keeps getting bigger and bigger, and wonders where the private sector will be. Legislator Fanton said they would be doing work on some of these houses. Legislator Ungermann talked about his experience with the Cuba Community Development Center. He believes they bought a house on Bishop Street for \$35,000 to \$40,000. He said they put over \$100,000 into the home, and it is still a "junk house." He questions how much faith they should have in these things. The request was approved on a motion by Legislator LaForge, seconded by Legislator Root, and carried. **Prepare Resolution**

### **Orleans County Resolutions**

Legislator Jessup noted because of the interest in time, they will hold this item over until the next Ways & Means meeting. He encourages everyone to review it before the next meeting.

### **Approval of Legislators' Expense Vouchers**

The Committee reviewed the Legislative expense vouchers for the month of December along with one from the previous months of September, October, and November. A motion was made by Legislator Curran, seconded by Legislator O'Grady, and carried to approve the vouchers for payment.

### **Good of the Order**

Legislator Jessup announced there will be a caucus immediately following this meeting.

### **Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:44 p.m. following a motion by Legislator Graves, seconded by Legislator Curran, and carried.

Respectfully submitted,  
Rebecca Scott, Secretary to the Clerk of the Board  
Allegany County Board of Legislators