

WAYS & MEANS COMMITTEE

March 16, 2016
NOT APPROVED

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

Others Present: L. Ballengee, H. Budinger, J. Budinger, R. Christman, D. Decker, K. Dirlam, L. Gridley, R. Hollis, K. Hooker, J. Hopkins, C. Knapp, J. Margeson, T. Miner, K. Monroe, B. Riehle, T. Ross, R. Scott, R. Sobeck-Lynch, R. Whitney, J. Wood

Media Present: No media present.

Call to Order: The meeting was called to order at 3:05 p.m. by Ways & Means Committee Chairman Charles Jessup.

Repeal Resolutions 17-16 and 52-16

County Treasurer Terri Ross requested Resolution Number 17-16 and Resolution Number 52-16 be repealed. Ms. Ross stated these two resolutions were already in the budget. The request was approved on a motion by Legislator Healy, seconded by Legislator Graves, and carried. **Prepare Resolution**

Amendment to Maximus Contract

County Treasurer Terri Ross requested a resolution to approve amendment number one to the professional consulting services agreement with Maximus Consulting Services, Inc. Ms. Ross stated there were changes in the Department of Social Services Law regarding cost allocation. Since there were different stipulations, the contract has to be amended. She said the cost did not increase by very much. The request was approved on a motion by Legislator Graves, seconded by Legislator Pullen, and carried. **Prepare Resolution**

Tax Sale Update

County Treasurer Terri Ross distributed the booklets for the tax sale. She said they had a seminar on Monday night, and there were about 40 to 45 people in attendance. Ms. Ross announced that the Tax Sale Auction is at the Genesee Valley Central School on April 30, 2016, at 9:30 a.m. She said there are over 100 parcels, and they are listed on the website.

Landfill Closure – Fund Balance Allocation

County Treasurer Terri Ross stated in September 2015, former County Administrator Mitch Alger had a memorandum of explanation approved at the Budget Committee meeting for assigning \$1 million for the landfill closure. It did not go to the Ways and Means Committee. Ms. Ross requested a resolution to assign \$1 million to the landfill closure fund balance. This would bring the total money allocated for the landfill closure to \$3 million. Legislator Healy asked if the money would be just for the closure. Ms. Ross stated the money is allocated, and can be used for the landfill closure. A motion to direct the County Treasurer to make the necessary transaction was made by Legislator Pullen, seconded by Legislator Graves, and carried. **Refer to County Treasurer**

Second Board Meeting in July – Allegany County Fair Grounds

Clerk of the Board Brenda Rigby Riehle stated Board Rule 110.A and 110.F indicate that the Legislative Board meetings are held in the Board Chambers on the second and fourth Monday of each calendar month unless the Board designates a different day and/or location by resolution.

For the eighth year in a row, the Board would like to conduct a Board meeting at the County Fair. This not only creates a historical event, but it provides an opportunity for our youth and citizens to observe and participate in local government.

Mrs. Riehle requested a resolution changing the second Board meeting in July from Monday, July 25, 2016, to Thursday, July 21, 2016, and the location from the Board Chambers to the Allegany County Fairgrounds in Angelica so that our Legislative Board meeting can be held in conjunction with the Allegany County Fair. The request was approved on a motion by Legislator Curran, seconded by Legislator Healy, and carried. **Prepare Resolution**

Acceptance of Insurance Recovery

Clerk of the Board Brenda Rigby Riehle requested a resolution accepting a check in the amount of \$3,090.40 from the New York Municipal Insurance Reciprocal (NYMIR) representing the cost, less a \$500 deductible, to repair a Department of Public Works 2010 FPRD F150 (#0957) that was damaged in a motor vehicle/deer accident on March 1, 2016, at approximately 6:35 a.m. The funds should be appropriated to CS1931.429 (Risk Retention – Uninsured Property Loss) with a like sum placed in revenue account CS1930.2680.00 (Insurance Recovery). The request was approved on a motion by Legislator Graves, seconded by Legislator Curran, and carried. **Prepare Resolution**

Request to Fill Secretary to the Clerk of the Board

Clerk of the Board Brenda Rigby Riehle requested permission to fill the Secretary to the Clerk of the Board (Non-union, Grade 2, Step Base – Step7) position. This vacancy is the result of a resignation. This employee would attend all committee meetings, and take, transcribe, distribute, and file all committee minutes. Filling this position will allow the County to comply with the Board Rules, Open Meetings Law, and Public Officers Law regarding how the minutes are taken, distributed, and retained. Legislator Hopkins noted they have benefitted from Rebecca Scott's service, and thanked her for her efficiency. The request was approved on a motion by Legislator Graves, seconded by Legislator Pullen, and carried. **Notify Human Resources**

Acceptance of Restitution Funds and Approve Purchase of New Trailer

Sheriff Rick Whitney requested a resolution to accept approximately \$11,105 in restitution that will be collected by Alfred Court and the District Attorney's Office in the month of April. Three college students destroyed the Sheriff's Office Speed Trailer this winter while it was on the Alfred University Campus. This amount will be split between the three students, and may be collected at different times. The funds should be appropriated to the 2016 Budget as follows:

Appropriations		
A3110.208	Equip/Police	\$11,105

Revenue		
A3110.2610.00	Fines and Forfeited Bail	\$11,105

The Sheriff's Office has researched the replacement cost of the speed trailer, and it is \$11,105. The request was approved on a motion by Legislator Curran, seconded by Legislator LaForge, and carried. **Prepare Resolution**

County Vehicle Use Policy for Operations Lieutenant and Narcotics Investigators

Sheriff Rick Whitney requested a resolution that the Sheriff's Office Operations Lieutenant and Narcotics Investigators be specifically exempt from the restriction on the use of County vehicles for transportation to and from their residence as set forth in the Allegany County Vehicle Use Policy, Use of Vehicles (section 4).

Legislator Graves thanked Sheriff Whitney for bringing this issue to the Committee. He noted this has always been done, but was not a policy. Sheriff Whitney stated when he came into office they were already taking the vehicles home. He was notified by Legislator Graves that it was not policy, and that is why he has brought it to the Committee for approval. Legislator Graves asked if the two Narcotics Investigators live in Allegany County. Sheriff Whitney stated one of them lives outside of Allegany County. The request was approved on a motion by Legislator Curran, seconded by Legislator Healy, and carried (voting no: K. Graves). **Prepare Resolution**

Approval of Legislators' Expense Vouchers

The Committee reviewed the Legislative expense vouchers for the month of February along with three from the previous month of January. A motion was made by Legislator Pullen, seconded by Legislator Graves, and carried to approve the vouchers for payment.

Attorney/Client Session

The Committee entered attorney/client session at 3:23 p.m. on a motion by Legislator Graves, seconded by Legislator Curran, and carried. The Committee exited attorney/client session at 4:10 p.m. on a motion by Legislator Graves, seconded by Legislator Curran, and carried.

District Attorney Salary

State law links judicial salaries with county District Attorneys' salaries. On December 24, 2015, the New York State Commission on Legislative, Judicial, and Executive Compensation recommended increases in all State Judges' salaries in 2016 and again in 2018. Effective April 1, 2016, the salary of a New York State Supreme Court Justice shall be fixed at 95 percent of the salary of a Federal District Court Judge. So, the salary of the New York State Supreme Court Justice will be \$193,000. The District Attorney's salary is 95 percent of the New York State Supreme Court Justice. So the District Attorney's salary will be \$183,350 on April 1, 2016. Legislator Pullen understands what the State is doing, and believes the State is acting illegally. He added he intends to vote no. Legislator Graves said he can't condone an illegal act, so he will vote no. Legislator Healy asked for the County Attorney's opinion. County Attorney Tom Miner stated the highest court of the State has said it is legal, and they would have to be the ones to overrule it. As the County Attorney, he advises it would not be cost effective to try to overturn it. Legislator Healy stated they basically have no choice. A motion to change the District Attorney's Salary to \$183,350 as of April 1, 2016, was approved on a motion

by Legislator LaForge, seconded by Legislator Healy, and carried (voting no: K. Graves and D. Pullen) **Prepare Resolution**

Old Business

Chairman Curt Crandall stated there will be discussion at a Resource Management Committee meeting about the Rushford Lake Recreation District and the lease for the beach. Legislator Graves and Chairman Crandall attended meetings at Senator Cathy Young's Office last year about boat access on Rushford Lake. In November, former County Administrator Mitch Alger sent a letter to the Rushford Lake Recreation District stating the lease had expired, and they would like to renew the lease. The Rushford Lake Recreation District replied they would like to discuss the lease, and would get back to the County. Chairman Crandall sent a letter to follow up on the lease agreement. He received a letter that they are looking at making some changes. The interim County Administrator and County Attorney will look at the issues the Rushford Lake Recreation District would like in the lease, and then discuss it at a Resource Management Committee meeting.

Adjournment

There being no further business to come before the Committee, the meeting was adjourned at 4:15 p.m. following a motion by Legislator Graves, seconded by Legislator LaForge, and carried.

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