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PROCEEDINGS

OF THE

BOARD OF LEGISLATORS

OF

ALLEGANY COUNTY

NEW YORK

2003

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OFFICERS OF THE BOARD

EDGAR SHERMAN, Chairman
Little Genesee, New York

JOHN E. MARGESON, County Administrator
Scio, New York

BRENDA A. RIGBY, Clerk
Belmont, New York

ADELE FINNEMORE, Journal Clerk & Deputy Clerk
Scio, New York

ALLEGANY COUNTY BOARD OF LEGISLATORS FOR 2003

DISTRICT I

Rodney K. Bennett ..... Dalton, NY

Curtis Crandall ..... Caneadea, NY

Kenneth Nielsen ..... Houghton, NY

DISTRICT II

Edmund C. Burdick ..... Black Creek, NY

Susan F. Myers ..... Friendship, NY

Ronald B. Truax ..... Cuba, NY

DISTRICT III

William G. Dibble ..... Little Genesee, NY

Patrick Regan ..... Wellsville, NY

Edgar Sherman ..... Little Genesee, NY

DISTRICT IV

James A. Graffrath ..... Wellsville, NY

Daniel Russo ..... Wellsville, NY

Robert Sobeck ..... Wellsville, NY

DISTRICT V

Robert Heineman ..... Alfred, NY

James G. Palmer ..... Alfred Station, NY

Brent L. Reynolds ..... Alfred Station, NY

COUNTY OFFICIALS OF ALLEGANY COUNTY FOR 2003

Aging, Office for the, Director ..... Kimberley Toot, Belmont, NY

Board of Legislators, Chairman .... Edgar Sherman, Little Genesee, NY

Board of Legislators, Clerk ..... Brenda A. Rigby, Belmont, NY

Community Services Agency Dir. ... Robert W. Anderson, Wellsville, NY

Coroners ..... L. Herbert Williams, Fillmore, NY
..... Theodore E. Crowell, Wellsville, NY
..... Rex A. McIntosh, Cuba, NY
..... David P. Schwert, Houghton, NY

County Administrator ..... John E. Margeson, Belmont, NY

County Attorney ..... Daniel J. Guiney, Belmont, NY
1st Assistant County Attorney ..... Thomas A. Miner, Belmont, NY
2nd Assistant County Attorney .... Leslie J. Haggstrom, Belmont, NY

County Clerk ..... Joseph E. Presutti, Belmont, NY
Deputy County Clerk ..... Linda K. Healy, Belmont, NY
Deputy County Clerk II ..... Kristina K. Stoll, Belmont, NY
Deputy County Clerk III-DMV ..... Dean McKnight, Belmont, NY

County Court: Judges, Surrogate & Family Court
..... James E. Euken, Belmont, NY
..... Thomas P. Brown, Belmont, NY
Chief Clerk, County & Supreme Courts
..... Kathleen C. Johnson, Belmont, NY
Chief Clerk, Surrogate & Family Courts
..... Carolyn Miller, Belmont, NY

County Historian ..... Craig R. Braack, Belmont, NY

County Treasurer ..... Terri L. Ross, Belmont, NY
Deputy County Treasurer ..... Joseph Budinger, Belmont, NY

Development, Office of, and Industrial
Development Agency (IDA) Director ..... John E. Foels, Belmont, NY

District Attorney ..... Terrence M. Parker, Belmont, NY
1st Assistant District Attorney ..... Keith A. Slep, Belmont, NY
2nd Assistant District Attorney ..... Michael J. Regan, Belmont, NY
3rd Assistant District Attorney ... John A. Cappellini, Belmont, NY
(Employment Terminated 06/25/03)
4th Assistant District Attorney ..... David E. Gilbert, Belmont, NY
(Moved to 3rd Assistant 06/25/03)

Elections Commissioners ..... James Gallman, Belmont, NY
..... Diane Martin, Belmont, NY

Emergency Services Director ..... John C. Tucker, Belmont, NY

Employment & Training Director ..... Jerry Garmong, Belmont, NY

Fire Coordinator ..... Paul Gallmann, Belmont, NY

Health Department Director ..... Gary W. Ogden, MD, Belmont, NY

Human Resources & Civil Service,
Personnel Officer ..... Bernard J. Morris, Belmont, NY

Information Technology Director ..... Deborah M. Button, Belmont, NY

Jurors, Commissioner of ..... Joseph E. Presutti, Belmont, NY

Maintenance Supervisor ..... Dennis L. Dunham, Belmont, NY

Probation Director ..... David Sirianni, Belmont, NY

Public Defender ..... Beth Farwell, Wellsville, NY
1st Assistant Public Defender ..... J. Thomas Fuoco, Angelica, NY
Assistant Public Defender ..... Barbara Kelley, Bolivar, NY
Assistant Public Defender ..... Patricia Fogarty, Belmont, NY

Public Works Superintendent ..... David Roeske, Belmont, NY
Deputy Superintendent I ..... John J. Mancuso, Belmont, NY
Deputy Superintendent II ..... Guy R. James, Belmont, NY

Real Property Tax Service Agency,
Director ..... Steven Presutti, Belmont, NY

Sheriff ..... Randal J. Belmont, Belmont, NY
Undersheriff ..... Denis Reynolds, Belmont, NY

Social Services Commissioner ..... Margaret A. Cherre, Belmont, NY

STOP DWI Program Coordinator ..... Deborah Aumick, Belmont, NY

Traffic Safety Program Coordinator ..... Kath Buffington, Belmont, NY

Veterans' Service Agency Director .... H. Scott Spillane, Belmont, NY

Weights & Measures Director ..... Crystal Wiech (Resigned 04/28)
..... Gilbert Green (Appointed 04/29/03), Belmont, NY

Workers' Compensation,
Executive Secretary ..... Douglas Dillon, Belmont, NY

Youth Bureau Program Director ..... Deborah Aumick, Belmont, NY

STANDING COMMITTEES

1. **HUMAN SERVICES:**
   Truax, Crandall, Dibble, Palmer, Sobeck

2. **PERSONNEL:**
   Russo, Burdick, Crandall, Dibble, Heineman, Nielsen

3. **PLANNING & DEVELOPMENT:**
   Reynolds, Myers, Graffrath, Heineman, Sobeck

4. **PUBLIC SAFETY:**
   Bennett, Graffrath, Dibble, Russo, Truax

5. **PUBLIC WORKS:**
   Graffrath, Truax, Bennett, Regan, Reynolds

6. **RESOURCE MANAGEMENT:**
   Myers, Burdick, Bennett, Regan, Russo

7. **TECHNOLOGY:**
   Crandall, Palmer, Burdick, Regan, Sobeck

8. **TRANSPORTATION:**
   Burdick, Palmer, Russo

9. **WAYS & MEANS:**
   Nielsen, Crandall, Bennett, Burdick, Graffrath, Myers, Reynolds, Russo, Truax

MEMBERS OF BOARDS AND AGENCIES SERVING IN 2003

ACCORD CORPORATION, BOARD OF DIRECTORS

Carl Peterson, Belmont, NY
Ronald Stuck, Friendship, NY
Edmund Burdick, Black Creek, NY
Susan Myers, Friendship, NY
Mary McCumiskey, Belfast, NY
Kimberley Toot, Wellsville, NY
David Smith, Black Creek, NY

AGING, CITIZENS ADVISORY COUNCIL

Curt Crandall, Caneadea, NY
Jean Switalski, Cuba, NY
Jean MacMurray, Wellsville, NY
Wallace Higgins, Alfred Sta., NY
Nancy Rouse, Scio, NY
Beverly Grantier, Wellsville, NY
Karen Stroud, Hume, NY
Keith Folts, Fillmore, NY
David Pullen, Houghton, NY
Mona Pettit, Cuba, NY
Reita Sobeck-Lynch, Wellsville, NY
Beverly Armstrong, Wellsville, NY
Maurice Rucker, Alfred, NY

AGRICULTURAL AND FARMLAND PROTECTION BOARD

Hubert Wightman, Almond, NY
Kevin Redman, Fillmore, NY
Ted Hopkins, Fillmore, NY
Florence Fuller, Houghton, NY
Andrew Zalar, Fillmore, NY
Thomas Parmenter, Fillmore, NY
Jack Potter, Scio, NY
Gary Link, Wellsville, NY
Rodney K. Bennett, Dalton, NY
Steven Presutti, Belmont, NY

COMMUNITY SERVICES BOARD

Edna Howard, PhD, Belfast, NY
Laurel McCluskie, Alfred Sta, NY (resigned 09/03)
Linda Edwards, Houghton, NY
Gary Ogden, MD, Scio, NY
Sandra P. Blake, Fillmore, NY
Luci LaVenture, Friendship, NY
Shirley Lyon-Bentley, Wlsv.,NY
Robert Wood, Killbuck, NY (resigned 02/03)
Eugene Krumm, Wellsville, NY
Ronald Truax, Cuba, NY
Karl E. Graves, Andover, NY
John W. Walchli, Jr, Wellsville,NY
Judith E. Samber, Alfred, NY
Dawn M. Doane, Friendship, NY

CORNELL COOPERATIVE EXTENSION, BOARD OF DIRECTORS

Gary Ogden, MD, Scio, NY
Jan Woitas, Friendship, NY
Lucy Benson, Allegany, NY
Dan Pawlowski, Great Valley, NY
Rodney K. Bennett, Dalton, NY

DEVELOPMENT ADVISORY BOARD

Deborah Clark, Alfred, NY
Ted Hopkins, Fillmore, NY
John Corneby, Whitesville, NY
Jesse Case, Wellsville, NY
Julie Hart, Wellsville, NY
Frederic Marks, Hornell, NY
Voni Walker, Wellsville, NY
David Fleming, Angelica, NY
William Shuler, Cuba, NY
Zena Andrus, Friendship, NY
Raymond DeTine, Belmont, NY
Barbara Deming, Cuba, NY
William Hart, Wellsville, NY
Linda Clayson, Belmont, NY

FIRE ADVISORY BOARD

Jeff Luckey, Short Tract, NY
Joe Szeliga, Alfred, NY
Judson Stearns, Jr., Alf.Sta.,NY
Robert Prior, Allentown, NY
George Givens, Andover, NY
Richard Sortore, Angelica, NY
David Jennings, Belfast, NY
Brandon LaValley, Belmont, NY
Richard Smith, Sr., Bolivar, NY
Neil Depew, Wellsville, NY
David Vogel, Sr., New Hudson, NY
Dan Metcalf, Rushford, NY
Clair Guinnip, Scio, NY
Billy Braun, Wellsville, NY
Larry Erdmann, Whitesville, NY
Jody Kenyon, Canaseraga, NY
Robert Lester, Cuba, NY
LeRoy Ives, Willing, NY
Alan Mills, Wiscoy-Rossburg, NY
Bryan Snyder, Almond, NY
Tom Thompson, Fillmore, NY

FISH & WILDLIFE MANAGEMENT BOARD

Patrick Regan, Wellsville, NY, Legislative Representative
Edmund C. Burdick, Black Creek, NY, Alt. Legislative Representative
Derwood Say, Cuba, NY, Sportsmen's Representative
John Lewis, Wellsville, NY, Alt. Sportsmen's Representative
Robert Polanowski, Belfast, NY, Landowner Representative
Kevin Redman, Fillmore, NY, Alternate Landowner Representative

FOREST PRACTICE BOARD

Douglas Serra, Belmont, NY
Thomas Parmenter, Fillmore, NY
Rodney K. Bennett, Dalton, NY

FRIENDSHIP EMPIRE ZONE ADMINISTRATIVE BOARD

Susan F. Myers, Friendship, NY
Ronald B. Truax, Cuba, NY
Ronald A. Stuck, Friendship, NY
H. Kier Dirlam, Angelica, NY
George Schenk, Friendship, NY
Jody Collins, Cuba, NY
Margaret Cherre, Friendship, NY
Edward Coll, Alfred, NY
Douglas Barber, Alfred, NY
Kevin LaForge, Wellsville, NY
Darwin Fanton, Wellsville, NY
Jerry Scott, Cuba, NY
Thomas Eastham, Cuba, NY
Charles Criss, Sr., Belmont, NY
Marcia Habberfield, Scio, NY
Robert C. Ellis, Belmont, NY

HEALTH, BOARD OF

Ronald B. Truax, Cuba, NY
James H. Edmonston, DO, Wellsville, NY
(resigned 03/03)
Willard L. Simons, DDS, Cuba, NY
Siraj Siddiqui, MD, Wellsville, NY
Leo Cusumano, MD, Cuba, NY
Timothy LaFever, West Clarksville, NY
Catherine W. Richmond, Wellsville, NY
Timothy O. Leonard, PhD, MD, Houghton, NY

INDUSTRIAL DEVELOPMENT AGENCY

Charles Jessup, Alfred Sta., NY
Jeffrey Spear, Houghton, NY
David Crowley, Cuba, NY
Wayne Allen, Bolivar, NY
Kevin LaForge, Wellsville, NY

PLANNING BOARD

Ronald Stuck, Friendship, NY
Richard Hollis, Dalton, NY
Kathleen Hollis, Dalton, NY
Richard Yanda, Fillmore, NY
Kenneth Skinner, Rushford, NY
Alan Nobles, Canaseraga, NY
Matthew Perkins, Clarksville, NY
Aaron Foster, Andover, NY
Lee Gridley, Wellsville, NY
Clifford Ackley, Wellsville, NY
Craig Clark, Alfred, NY
Charles Jessup, Alfred Sta., NY
Gertrude Butera, Almond, NY
Thomas Hayden, Wellsville, NY
Brent Reynolds, (ex-officio), Alfred Station, NY
David Roeske, (ex-officio), Wellsville, NY
Terri L. Ross (ex-officio), Angelica, NY

RESOURCE, CONSERVATION AND DEVELOPMENT BOARD

Daniel Russo, Wellsville, NY
Fred Sinclair, Scio, NY
H. Kier Dirlam, Angelica, NY
Thomas Parmenter, Fillmore, NY

SOIL & WATER CONSERVATION DISTRICT, BOARD OF DIRECTORS

Rodney K. Bennett, Dalton, NY
William Dibble, L. Genesee, NY
Mark Bainbridge, Angelica, NY
Hubert Wightman, Almond, NY
Curtis Rung, Friendship, NY

SOUTHERN TIER WEST REGIONAL PLANNING & DEVELOPMENT BOARD

Susan F. Myers, Friendship, NY
Brent Reynolds, Alfred Sta., NY
Patrick Regan, Wellsville, NY
(resigned)
Edgar Sherman, Little Genesee, NY
John E. Margeson, Scio, NY
Jerry Scott, Cuba, NY

TOURISM, CITIZENS ADVISORY COMMITTEE

Donald Cameron, Alfred Sta., NY
Craig Braack, Almond, NY
Scott Northrup, Wellsville, NY
H. Kier Dirlam, Angelica, NY
H. M. Bateman, Wellsville, NY
Douglas Roorbach, Houghton, NY
Jon Gorton, Swain, NY

TRAFFIC SAFETY BOARD

Ray M. Parlett, Houghton, NY
Guy R. James, Scio, NY
David S. Roeske, Wellsville, NY
William G. Barrett, Rushford, NY
Thomas McDonnell, Fillmore, NY
Dawn Santangelo, Cuba, NY
Charles Stout, Whitesville, NY
Charles A. Chick, Almond, NY
James W. Ames, Scio, NY
Kevin Kailbourne, Scio, NY
Frances S. Barnes, Belmont, NY
Lt. William Nash, Wellsville, NY
Kevin E. Demick, Angelica, NY
Randal J. Belmont, Andover, NY
John Zlomek, Belmont, NY

WORKFORCE INVESTMENT BOARD, CATTARAUGUS-ALLEGANY

Tina Zerbian
Thomas White
Hobart Rhinehart
Anthony Foti
John Stevens
Robert K. Bitting
John Margeson
Michael Hendrix
Ronald Stuck
Gregory Knapp
Charles Kalthoff
Susan Piper
Donald Giardini
Jesse Gugino
Paul Denning
Jack Searles
Pete MacDonald
Stephen Foster
Rich Saxton
Christine Joyce
David Koeblin
Marcella Kane
Ann Gilpin
Theresa Schueckler

YOUTH BOARD

Deborah Knapp, Angelica, NY
Kathy Morris, Cuba, NY
Jack Emrick, Scio, NY
Robert Donius, Alfred Sta., NY
Judith Hopkins, Fillmore, NY
Patrick Barry, Wellsville, NY
Charles Neal, Wellsville, NY
Edna Kayes, Alfred, NY
Roland Duttweiler, Angelica, NY
Ralph Eastlack, Wellsville, NY
Gary Ostrower, Alfred, NY
James Cross, Cuba, NY
Sherry Weirich, Scio, NY
Luci Laventure, Friendship, NY

LEGISLATORS' PROCEEDINGS

January 6, 2003

Pursuant to call, the organization meeting of the Allegany County Board of Legislators was called to order at 2:05 p.m. by the Clerk of the Board, Brenda A. Rigby.

Pledge of allegiance to the flag.

The invocation was given by Legislator Truax.

Roll Call: All present except Legislator Nielsen (Legislator Regan arrived late).

RESOLUTIONS:

RESOLUTION NO. 1-03

REAPPOINTMENT OF LEGISLATOR EDGAR SHERMAN TO CHAIRMANSHIP OF BOARD OF LEGISLATORS; AUTHORITY TO DETERMINE NUMBER OF BOARD MEMBERS ON COMMITTEES

Offered by: Legislator Ronald B. Truax

Pursuant to County Law § 450

RESOLVED:

1. That Legislator Edgar Sherman is reappointed Chairman of this Board of Legislators, with term of office commencing immediately and expiring December 31, 2003.

2. That said Chairman is authorized to determine the number of Board members to serve on each of the standing and special committees of this Board which have been or may be established by this Board.

Moved by: Mr. Truax — Adopted: Roll Call
Seconded by: Mr. Graffrath — 13 Ayes, 0 Noes, 2 Absent

County Judge James Euken administered the Oath of Office to Mr. Sherman, the duly appointed Chairman of the Board of Legislators for 2003. Mr. Sherman acknowledged his grandson, who had assisted with the installation ceremony, and spoke briefly on the challenges ahead for the new year.

RESOLUTION NO. 2-03

APPOINTMENT OF VICE CHAIRMAN

Offered by: Legislator William G. Dibble

Pursuant to Rule 70 of County Board Rules
as enacted by Resolution No. 77-89

RESOLVED:

1. That Legislator James A. Graffrath is appointed Vice Chairman of this Board of Legislators to act pursuant to, and during the designated time periods specified in, County Board Rules.

Moved by: Mr. Dibble — Adopted: Roll Call
Seconded by: Mr. Russo — 13 Ayes, 0 Noes, 2 Absent

County Judge James Euken administered the Oath of Office to Mr. Graffrath, the duly appointed Vice Chairman of the Board of Legislators for 2003.

County Judge James Euken administered the Oath of Office to Undersheriff Denis Reynolds.

County Judge James Euken administered the Oath of Office to Sheriff Randal Belmont.

RESOLUTION NO. 3-03

ABOLISHING TWO POSITIONS OF DEPUTY SHERIFF LIEUTENANT, TWO POSITIONS OF SENIOR ACCOUNT CLERK TYPIST AND ONE TEMPORARY POSITION OF DATA ANALYST; CREATING ONE POSITION OF ACCOUNTANT AND ONE POSITION OF SECRETARY TO THE UNDERSHERIFF

Offered by: Public Safety and Ways and Means Committees

WHEREAS, the New Position Duties Statements have been submitted to the Personnel Officer, who has approved the titles in accordance with Section 22 of the Civil Service Law, now therefore, be it

RESOLVED:

1. That two positions of Deputy Sheriff Lieutenant and two positions of Senior Account Clerk Typist are abolished in the Allegany County Sheriff's Department. Additionally, one position of temporary Data Analyst shall be abolished upon completion of current project assigned the incumbent.

2. That one position of Accountant and one position of Secretary to the Undersheriff are created.

3. That Section 3. of Resolution No. 297-75, as last amended by Resolution No. 323-2002 is amended to add the title of Secretary to the Undersheriff under Grade 2.

4. This resolution shall take effect January 6, 2003.

Moved by: Mr. Heineman
Seconded by: Mr. Graffrath

Adopted: Roll Call
11 Ayes, 3 Noes, 1 Absent
Voting No: Myers, Russo, Sobeck

APPOINTMENTS:

The Clerk announced that Chairman Sherman has made the following appointments, all of whom are to serve at the pleasure of the Chairman of the Board:

EMERGENCY INTERIM SUCCESSOR:
Kenneth Nielsen, Houghton, NY

COUNTY DIRECTOR OF THE OFFICE OF EMERGENCY SERVICES:
John C. Tucker, Belmont, NY

COORDINATOR OF THE ALLEGANY COUNTY SPECIAL TRAFFIC OPTIONS PROGRAM FOR DRIVING WHILE INTOXICATED (STOP DWI):
Deborah Aumick, Scio, NY

INTER-COUNTY ASSOCIATION OF COUNTY LEGISLATIVE BODIES OF WESTERN NEW YORK, INC.:

Voting Members:
Edmund Burdick, Black Creek, NY
Patrick Regan, Wellsville, NY
Edgar Sherman, Little Genesee, NY

Alternate Voting Members:
Rodney Bennett, Dalton, NY
Susan F. Myers, Friendship, NY

ALLEGANY COUNTY CITIZENS ADVISORY COMMITTEE ON TOURISM:

Charles Orlando, Belmont, NY
Donald Cameron, Alfred Station, NY
Craig Braack, Almond, NY
Scott Northrop, Wellsville, NY
H. Kier Dirlam, Angelica, NY
Douglas Roorbach, Houghton, NY
Jon Gorton, Swain, NY

FRIENDSHIP EMPIRE ZONE OF ALLEGANY COUNTY ADMINISTRATIVE BOARD:

Susan F. Myers, Friendship, NY (Chair)
George Schenk, Friendship, NY
Jody Collins, Cuba, NY
Ronald Truax, Cuba, NY
Margaret Cherre, Friendship, NY
Kevin LaForge, Wellsville, NY
Darwin Fanton, Wellsville, NY
Ronald A. Stuck, Friendship, NY
Edward Coll, Alfred, NY
Douglas Barber, Alfred, NY
Jerry Scott, Cuba, NY
H. Kier Dirlam, Angelica, NY
Thomas Eastham, Cuba, NY

RESOURCE, CONSERVATION AND DEVELOPMENT BOARD:

County Representative Member:
Fred Sinclair, Scio, NY
Thomas Parmenter, Fillmore, NY (Alternate)

Legislative Member:
Daniel Russo, Wellsville, NY

Member At Large:
H. Kier Dirlam, Angelica, NY

Chairman Sherman has recommended to the Board of Directors of Cornell Cooperative Extension of Allegany County, Rodney K. Bennett, Dalton, NY, as the Legislative Representative Member to that Board for a term of one year.

The Clerk announced that Chairman Sherman has made the following appointments which are subject to Board approval:

DIRECTOR OF THE COUNTY VETERANS' SERVICE AGENCY:

Harvey Scott Spillane

CITIZENS ADVISORY COUNCIL TO THE OFFICE FOR THE AGING:

Karen Stroud, Hume, NY
Nancy Rouse, Scio, NY
Maurice Rucker, Alfred, NY
Beverly Grantier, Wellsville, NY

ALLEGANY COUNTY DEVELOPMENT ADVISORY BOARD:

Education:	Deborah Clark, Alfred, NY
Agriculture:	Ted Hopkins, Fillmore, NY
Forests:	John Corneby, Whitesville, NY
Recreation/Tourism:	Jesse Case, Belmont, NY
Industry:	Raymond DeTine, Belmont, NY
	Reita Sobeck-Lynch, Wellsville, NY
	Barbara Deming, Cuba, NY
Utilities:	Frederic Marks, Hornell, NY
Small Business:	Voni Walker, Wellsville, NY
	William Hart, Wellsville, NY
Banking:	Linda Clayson, Belmont, NY
Real Estate:	William Shuler, Cuba, NY
At-Large:	David Fleming, Angelica, NY
	Zena Andrus, Friendship, NY

ALLEGANY COUNTY PLANNING BOARD:

District I Members:	Richard Hollis, Dalton, NY
	Kathleen Hollis, Dalton, NY
	Richard Yanda, Fillmore, NY
	Kenneth Skinner, Rushford, NY
District II Members:	Ronald Stuck, Friendship, NY
	Matthew Perkins, Clarksville, NY
District IV Members:	Aaron Foster, Andover, NY
	Clifford Ackley, Wellsville, NY
	Lee Dibble, Wellsville, NY
District V Members:	Charles Jessup, Alfred Station, NY
	Gertrude Butera, Almond, NY
	Craig Clark, Alfred, NY
	Alan Nobles, Canaseraga, NY
Ex-Officio Members:	David Roeske, Superintendent of Public Works, Wellsville, NY
	Terri L. Ross, County Treasurer, Angelica, NY
	Brent Reynolds, Chairman, Planning and Development Committee, Alfred Station, NY

FISH AND WILDLIFE MANAGEMENT BOARD (Region 9):

Landowner Representative:
Robert Polanowski, Belfast, NY
Kevin Redman, Fillmore, NY (Alternate)

FOREST PRACTICE BOARD (Region 9):

Legislative Member:
Rodney K. Bennett, Dalton, NY

Chairman Sherman made assignments to the Standing Committees of the Board of Legislators for the year 2003.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Communication was read from the Republican Party members of the Board of Legislators recommending that the Chairman designate Rodney K. Bennett as Majority Leader of the Republican Party members of the Board for the year 2003.

2. Received was a notice of the 2003 NYSAC Conference in Albany to be held from February 2 through 4, 2003.

The meeting was adjourned on a motion made by Legislator Truax, seconded by Legislator Graffrath and carried.

LEGISLATORS' PROCEEDINGS

January 13, 2003

The regular meeting of the Board of Legislators was called to order at 2:05 p.m. by Chairman Sherman.

Pledge of allegiance to the flag.

The invocation was given by Legislator Bennett.

Roll Call: All present except Legislators Nielsen and Reynolds.

PUBLIC HEARING:

Chairman Sherman closed the regular meeting to hold a public hearing in relation to the proposed Local Law Intro. No. 8-2002, Establishing Allegany County Motor Vehicle Use Tax. As no one desired to offer comment, the public hearing was closed and the Board reconvened in regular session.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Placed on each legislator's desk was a copy of the Report of Tax Bill Corrections approved by the County Administrator during the month of December 2002.

2. Placed on each legislator's desk was a copy of the Report of Intrafund Transfers approved by the County Administrator during the month of December 2002.

3. Also placed on each legislator's desk were copies of Board minutes of December 9 and 23, 2002 for review.

4. Also placed on each legislator's desk was a copy of the Report of Estimated Fringe Benefit Costs for 2001 and 2002 received from the County Treasurer's office.

5. Received was a resolution adopted by the Personnel Committee appointing Douglas A. Dillon as Executive Secretary of the Allegany County Mutual Self-Insurance Plan for 2003.

6. Correspondence was received from the Scio Free Library thanking the Board for the appropriation of funds.

7. Correspondence was received from The Box of Books Reading Center in Alfred thanking the Board for the $700 allocation.

8. A news release was received from Southern Tier West Regional Planning & Development Board summarizing highlights of their December 19, 2002 Board meeting.

9. Certificates of Withdrawal of Delinquent Tax Liens were filed by the County Treasurer in the Clerk of the Board's Office for property in the Towns of Scio, Genesee and Centerville pursuant to Article 11 of the Real Property Tax Law of the State of New York on December 27, 2002 and January 10, 2003.

10. Notice was received from the New York State Association of Counties that Chairman Sherman was requested to serve on the Native American Affairs standing committee, and Legislator Burdick was requested to serve on the NYSAC Intergovernmental Relations & General Government standing committee.

RESOLUTIONS:

RESOLUTION NO. 4-03

ADOPTION OF LOCAL LAW INTRO. NO. 8-2002, PRINT NO. 1, ESTABLISHING ALLEGANY COUNTY MOTOR VEHICLE USE TAX

Offered by: Ways and Means Committee

RESOLVED:

1. That proposed Local Law, Intro. No. 8-2002, Print No. 1, is adopted without any change in language, to wit:

A LOCAL LAW ESTABLISHING ALLEGANY COUNTY MOTOR VEHICLE USE TAX

Pursuant to Section 10 of the Municipal Home Rule Law

BE IT ENACTED by the Board of Legislators of the County of Allegany, State of New York, as follows:

SECTION 1. Legislative Intent. It is the intent of this Local Law to establish an Allegany County Motor Vehicle Use Tax.

SECTION 2. Definitions. As used in this Local Law, the following terms shall have the meanings indicated:

2.1 Buses: The same meaning as defined in §104 of the Vehicle and Traffic Law, as amended.

2.2 Passenger motor vehicle: Any motor vehicle subject to the registration fee as provided for in §401(6) of the Vehicle and Traffic Law.

2.3 Truck: The same meaning as defined in §401 of the Vehicle and Traffic Law, as amended.

SECTION 3. Imposition of Tax.

3.1 Pursuant to the Vehicle and Traffic Law and §§1202(a) and 1202(c) of the Tax Law, a special motor vehicle use fee on vehicle registrations is hereby imposed on motor vehicles registered within Allegany County. Such fee shall be charged in accordance with the following schedule:

(a) A tax of $5.00 per annum for the use of passenger motor vehicles of a type commonly used for noncommercial purposes owned by residents of the County for each such vehicle weighing 3,500 pounds or less and a tax of $10.00 per annum for such vehicles in excess of 3,500 pounds; and

(b) A tax of $10.00 per annum for the use of trucks, buses and other such commercial vehicles used principally in connection with a business carried on within the County, except when owned and used in connection with the operation of a farm by the owner or tenant thereof.

3.2 The fee shall be paid for all registrations and renewals of registrations for which the registration fee is established in §9401(6)(a) or (7) of the Vehicle and Traffic Law.

(a) The fee shall be applicable to an original or renewal registration transaction only, and not to a re-registration transaction. If no fee for a registration transaction is due,

no County motor vehicle use fee shall be due on that transaction.

(b) The applicability of such fee shall be determined based upon the information on the application for registration, as well as any additional documentation required by the Commissioner of Motor vehicles.

(c) The receipt for payment of such fee may be the registration certificate, whether or not it indicates the amount of the fee paid.

SECTION 4. Exemptions.

4.1 The tax imposed by this Local Law shall not be imposed upon any vehicle exempt from the registration fee pursuant to the Vehicle and Traffic Law.

4.2 The fee imposed by this Local Law shall not be imposed upon nonprofit religious, charitable or educational organizations qualified for exemption with the New York State Department of Taxation and Finance.

SECTION 5. Administration and Collection of Fee by Commissioner of New York State Department of Motor Vehicles.

5.1 As authorized under Tax Law §1202(c), the motor vehicle use fee shall be administered and collected on behalf of Allegany County by the Commissioner of the New York State Department of Motor Vehicles, or his or her agents.

5.2 Pursuant to Tax Law §1202(c), the New York State Commissioner of Motor Vehicles is authorized, on behalf of Allegany County, to make the payment of such fee a condition precedent to the registration or registration renewal of any vehicle subject to the fee imposed by this Local Law.

5.3 The Chairman of the Allegany County Board of Legislators is hereby authorized and directed to negotiate and enter into an agreement with the Commissioner of the New York State Department of Motor Vehicles for the implementation of this Local Law, and such agreement shall provide for the exclusive method of collection, custody and remittal of the proceeds of any such fee and for the payment by the County of the reasonable expenses incurred by the New York State Department of Motor Vehicles in connection with the collection and administration of such fee.

5.4 Such agreement shall also provide that the Allegany County Treasurer, upon request, not more frequently than once in each calendar year at a time agreed upon by the State Comptroller, shall audit the accuracy of the payments, distributions and remittances to Allegany County pursuant to this Local Law.

5.5 Such agreement shall set forth, in detail, policies and procedures for collection for underpayment and for refunds. Such agreement shall also set forth procedures for deposit and retention of funds and indemnification.

SECTION 6. Judicial Review. Any determination made hereunder by the County of Allegany shall be reviewable pursuant to Article 78 of the Civil Practice Law and Rules.

SECTION 7. Recovery of Fee. Whenever any person fails to pay the fee due hereunder, proceedings to recover such fees, as well as any applicable penalties and/or interest, shall be the responsibility of

Allegany County, as set forth in the agreement. A final penalty schedule shall be subject to the approval of the Allegany County Board of Legislators.

SECTION 8. Dedication of Funds. All fees collected hereunder and remitted to Allegany County shall be used for the maintenance of bridges.

SECTION 9. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the particular provision directly involved in the controversy in which such judgment shall have been rendered.

SECTION 10. Effective Date. This Local Law shall take effect immediately.

Moved by: Mr. Crandall
Seconded by: Mr. Bennett

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 5-03

A RESOLUTION DELEGATING TO COUNTY TREASURER OF THE COUNTY OF ALLEGANY, NEW YORK, THE POWER TO AUTHORIZE, FROM TIME TO TIME AND YEAR TO YEAR, THE ISSUANCE AND SALE OF REVENUE ANTICIPATION NOTES OF SAID COUNTY IN ANTICIPATION OF THE RECEIPT OF STATE AND FEDERAL AID

Offered by: Ways and Means Committee

Pursuant to Section 30.00 of the Local Finance Law

RESOLVED:

1. The power to authorize, from time to time and year to year, the issuance and sale of revenue anticipation notes of the County of Allegany, New York, including renewals thereof, in anticipation of the receipt of State and Federal aid during the fiscal year of said County in which such issuance and sale shall be authorized or for the fiscal year during which such notes shall be issued or sold, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents as may be determined by said County Treasurer, pursuant to the provisions of the Local Finance Law. That the County Treasurer shall not issue any note in a principal amount or notes in an aggregate principal amount exceeding two million dollars nor bearing a rate of interest in excess of eight and one-half per cent per annum.

2. It is the intent of this Board of Legislators that this resolution shall be of ten years duration which will self-repeal ten years from the date hereof, until otherwise modified, amended, revoked, rescinded or repealed.

3. That Resolution No. 53-76, as amended by Resolution Nos. 172-76 and 9-92, is repealed.

4. That this resolution shall take effect immediately.

Moved by: Mr. Crandall
Seconded by: Mr. Bennett

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 6-03

A RESOLUTION DELEGATING TO COUNTY TREASURER OF THE COUNTY OF ALLEGANY, NEW YORK, THE POWER TO AUTHORIZE, FROM TIME TO TIME AND YEAR TO YEAR, THE ISSUANCE AND SALE OF TAX ANTICIPATION NOTES OF SAID COUNTY IN ANTICIPATION OF THE COLLECTION OF REAL ESTATE TAXES LEVIED OR TO BE LEVIED

Offered by: Ways and Means Committee

Pursuant to Section 30.00 of the Local Finance Law

RESOLVED:

1. The power to authorize, from time to time and year to year, the issuance and sale of tax anticipation notes of the County of Allegany, New York, including renewals thereof, in anticipation of the collection of real estate taxes levied or to be levied for the fiscal year of said County during which such issuance and sale shall be authorized or for the fiscal year during which such notes shall be issued or sold, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents as may be determined by said County Treasurer, pursuant to the provisions of the Local Finance Law. That the County Treasurer shall not issue any note in a principal amount or notes in an aggregate principal amount exceeding two million dollars nor bearing a rate of interest in excess of eight and one-half per cent per annum.

2. It is the intent of this Board of Legislators that this resolution shall be of ten years duration which will self-repeal ten years from the date hereof, until otherwise modified, amended, revoked, rescinded or repealed.

3. That Resolution No. 53-76, as amended by Resolution Nos. 172-76 and 9-92, is repealed.

4. That this resolution shall take effect immediately.

Moved by: Mr. Crandall
Seconded by: Mr. Bennett

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 7-03

AMENDMENT OF 2003 COUNTY BUDGET

Offered by: Public Works and Ways and Means Committees

RESOLVED:

1. That the 2003 County Budget dated November 25, 2002, is amended as follows:

APPROPRIATIONS

Account No.	Account	Amendment
A8160.2	Solid Waste	- Change from $127,500 to $ 75,000
A8160.4	Solid Waste	- Change from $465,200 to $517,700
DM5130.2	Road Machinery	- Change from $142,725 to $ 20,000
DM5130.4	Road Machinery	- Change from $230,235 to $352,960

Moved by: Mr. Graffrath
Seconded by: Mr. Truax

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 8-03

A RESOLUTION DETERMINING THAT ERRORS EXIST ON THE 2003 COUNTY AND TOWN TAX ROLLS FOR THE TOWNS NAMED WITH REGARD TO REAL PROPERTY OF VARIOUS TAXPAYERS THEREIN; DIRECTING MAILING OF NOTICES OF APPROVAL OF APPLICATIONS FOR CORRECTED TAX ROLLS AND ORDERING THE VARIOUS TOWN TAX COLLECTORS TO CORRECT THE TAX ROLLS; PROVIDING FOR CHARGE BACKS OR CREDITS

Offered by: Ways and Means Committee

Pursuant to Real Property Tax Law § 554

WHEREAS, applications, for the taxpayers hereafter described, have been made to the County's Director of Real Property Tax Service Agency, for the correction of certain errors affecting their real property on various tax rolls, and

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

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

RESOLVED:

1. That with regard to the applications for the named taxpayers pertaining to claimed errors regarding their real property on the respective tax rolls of the named Towns, this Board of Legislators does determine that the claimed errors as alleged in those applications exist and does approve those applications.

2. That the Chairman of this Board is authorized and directed to make a notation on those applications and the duplicates thereof that they are 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 Tax Collector, and to sign thereon as Chairman.

3. That the Clerk of this Board is directed to mail to the above listed taxpayers 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 respective taxpayers of the applicable provisions of subdivision seven of section 554 of the Real Property Tax Law.

4. That the Tax Collector of the Town of Centerville is ordered and directed to correct in the 2003 County and Town Tax Roll the assessment or taxes, or both, of the property assessed to the following taxpayer and described as follows:

a. Frank and Connie Sardinia; Parcel 25.-1-4.14
Assessment: Land $400 Total $400

by deleting such Parcel from the Tax Roll, and the County Treasurer is directed to make the following charges on her books:

Allegany County	$4.46
Town of Centerville	$4.16
Total	$8.62

b. Frank and Connie Sardinia; Parcel 25.-1-4.42
Assessment: Land $100 Total $100

by deleting such Parcel from the Tax Roll, and the County Treasurer is directed to make the following charges on her books:

Allegany County	$1.11
Town of Centerville	$1.04
Total	$2.15

5. That the Tax Collector of the Town of Wellsville is ordered and directed to correct in the 2003 County and Town Tax Roll the assessment or taxes, or both, of the property assessed to the following taxpayer and described as follows:

a. State of New York; Parcel 227.-1-3.1
Assessment: Land $75,600 Total $75,600

by deleting the line item School Relevy, and by correcting the taxes, as follows:

Allegany County Tax	$ 853.61
Town of Wellsville	$ 518.16
Wellsville Fire	$ 64.91
Total	$1,436.68

and the County Treasurer is directed to make the following charges on her books:

School Relevy	$2,245.65

6. That the Clerk of this Board is directed to forthwith mail a certified copy of this resolution to the various Tax Collectors for the Towns stated above together with the original copies of those applications completed in accordance with section two of this resolution.

7. The Clerk of this Board shall mail a copy of this resolution to the above named School and the amount to be charged to each School shall not be charged until 10 days after such mailing. Such amount shall be deducted by the County Treasurer from the money payable to each School as a result of school taxes returned after the date such amount is charged and which shall be paid to each School after May 1, 2003. The County Treasurer shall send a written notice to each School of the amount of such deduction prior to May 1, 2003.

Moved by: Mr. Crandall
Seconded by: Mr. Truax

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

Prior to consideration of Resolution Intro. No. 9-03, Legislator Graffrath invited Maxine Schembri and Miriam Morton forward for recognition of their outstanding efforts over the past decade in pushing for the restoration of the East Hill Road Bridge in Caneadea. Governor Pataki and Assemblyman Burling were also thanked for the part they played in securing funding. Historic preservation grants are also being pursued.

RESOLUTION NO. 9-03

AUTHORIZING THE IMPLEMENTATION, AND FUNDING OF THE FEDERAL AID-ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL AID PROJECT, AND FULLY FUND THE LOCAL SHARE OF FEDERAL AID-ELIGIBLE AND INELIGIBLE PROJECT COSTS, AND APPROPRIATING FUNDS THEREFOR

Offered by: Public Works and Ways and Means Committees

WHEREAS, a Project for the East Hill Road Bridge Project (Town of Caneadea), PIN 6753.39.321 (the "Project") is eligible for funding under Title 23 U. S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80 percent Federal funds and 20 percent non-federal funds; and

WHEREAS, the County of Allegany desires to advance the Project by making a commitment of 100 percent of the non-federal share of the costs of the East Hill Road Bridge Project, (Town of Caneadea), PIN 6753.39.321, now therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators approves the above-subject project.

2. That the Allegany County Board of Legislators authorizes the County of Allegany to pay in the first instance 100 percent of the federal and non-federal share of the cost of design and construction work for the Project or portions thereof.

3. That the sum of $661,600 is appropriated to Capital Project Account H5408.2 and made available to cover the cost of participation in the above phase of the Project.

4. That in the event the full federal and non-federal share costs of the Project exceeds the amount appropriated above, the Allegany County Board of Legislators shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof.

5. That the Chairman of the Allegany County Board of Legislators be and is authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Allegany with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal aid-eligible Project costs within appropriations therefor that are not so eligible.

6. That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project.

7. This resolution shall take effect immediately.

Moved by: Mr. Bennett
Seconded by: Mr. Crandall

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 10-03

APPROPRIATION OF NON-BUDGETED FEDERAL GRANT-IN-AID TO OFFICE FOR THE AGING PROGRAMS: NUTRITION ACCOUNT FOR CALENDAR YEAR 2002

Offered by: Human Services and Ways and Means Committees

RESOLVED:

1. That the sum of $5,800 in non-budgeted Federal grant-in-aid is appropriated to Account No. A6772.4, with a like sum credited to Revenue Account No. A 02 1972.03 for calendar year 2002.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

(Memo: The request for account increases in preceding Resolution No. 10-03 was due to unbudgeted increases in the number of clients receiving Long-Term Home Health Care funds on the mobile meals program.)

RESOLUTION NO. 11-03

APPROVAL OF AGREEMENT WITH ALLEGANY COUNTY ASSOCIATION FOR THE BLIND AND VISUALLY HANDICAPPED, INC., IN RELATION TO THE RENDERING OF SERVICE, TRAINING OR AID TO INDIGENT BLIND IN ALLEGANY COUNTY

Offered by: Human Services Committee

Pursuant to County Law § 224 (6)

RESOLVED:

1. That Agreement between the County of Allegany and Allegany County Association for the Blind and Visually Handicapped, Inc., in relation to the rendering of service, training or aid to indigent blind in Allegany County during 2003, is approved.

2. That the Chairman of this Board is authorized to execute said Agreement in triplicate.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 12-03

APPROVAL OF AIR MEDICAL SERVICES CONTRACT WITH MERCY FLIGHT, INC. FOR 2003

Offered by: Human Services Committee

RESOLVED:

1. That Air Medical Services Contract between Mercy Flight, Inc. and the County of Allegany, in relation to providing air medical services in Allegany County in 2003, is approved.

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

Moved by: Mr. Truax
Seconded by: Mr. Russo

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 13-03

APPROVAL OF AGREEMENT BETWEEN COUNTY OF ALLEGANY AND ERIE COUNTY PUBLIC HEALTH LABORATORY FOR LABORATORY SERVICES

Offered by: Human Services Committee

RESOLVED:

1. That Agreement between County of Allegany and Erie County Public Health Laboratory for the period January 1, 2003 to December 31, 2003, is approved.

2. That the Public Health Director is authorized to execute said Agreement.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 14-03

APPROVAL OF AGREEMENTS FOR EDUCATION OF PRESCHOOL CHILDREN WITH DISABILITIES

Offered by: Human Services Committee

RESOLVED:

1. That each Agreement titled "County of Allegany Contract For Approved Providers of Programs and/or Evaluations For Preschoolers With Disabilities" with Livingston-Wyoming ARC, Cattaraugus-Allegany Board of Cooperative Educational Services, and Pathways, Inc., for the period September 1, 2002 to August 31, 2003, is approved.

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

Moved by: Mr. Truax
Seconded by: Mr. Russo

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 15-03

APPROVING AGREEMENT BETWEEN COUNTY OF ALLEGANY, ACTING BY AND THROUGH ITS OFFICE FOR THE AGING AND PRESTIGE SERVICES, INC. FOR HOME-DELIVERED MEAL PROGRAM AND RATIFYING EXECUTION OF AGREEMENT

Offered by: Human Services and Ways and Means Committees

RESOLVED:

1. That Agreement dated December 3, 2002, by and between County of Allegany, acting by and through its Office For The Aging, and Prestige Services, Inc., is approved and the execution of the agreement by the Director of the Office for the Aging is ratified.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 16-03

VOLUNTEER FIREMEN'S ASSOCIATION OF ALLEGANY COUNTY, INC., AGREEMENT FOR PAYMENT OF 2003 BUDGETARY APPROPRIATION

Offered by: Public Safety Committee

Pursuant to County Law § 224

RESOLVED:

1. That the Chairman of this Board is hereby authorized to execute an agreement between the County of Allegany and the Volunteer Firemen's Association of Allegany County, Inc. that shall provide, in substance, (a) that the County of Allegany will disburse in advance to said Association the sum of $2,000 to be used by said Association for the payment of expenses which it might incur during 2003 in providing fire training schools for training firefighters (b) that said Association will render a verified account of such expenses on or before December 31, 2003, with verified or certified vouchers therefor attached and (c) that any unused amount will be refunded to the County of Allegany.

2. That the County Treasurer shall not pay the aforesaid sum until a memorandum receipt signed by the President and Treasurer of said Association agreeing to comply with the terms of this resolution is delivered to his office.

3. That the Treasurer of said Association shall not be required to furnish a bond.

Moved by: Mr. Bennett
Seconded by: Mr. Truax

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 17-03

APPROVAL OF AGREEMENT WITH ROBERT G. HUTTER, ESQ. TO PROVIDE ADMINISTRATOR SERVICES UNDER ASSIGNED COUNSEL PLAN

Offered by: Public Safety Committee

WHEREAS, an "Assigned Counsel Plan For Indigent Persons" was approved by Resolution No. 68-65, and amended by Resolution No. 93-65, and

WHEREAS, Robert G. Hutter, Esq., has agreed to act as Administrator pursuant to such Plan for the calendar year 2003, now, therefore be it

RESOLVED:

1. That Agreement between the County of Allegany and Robert G. Hutter, Esq. in relation to the Assigned Counsel Plan For Indigent Persons, is approved.

2. That the amount of $13,500 to be paid pursuant to said Agreement shall be charged to Account No. A1171.431, Assigned Counsel.

Moved by: Mr. Bennett
Seconded by: Mr. Dibble

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 18-03

APPROVAL OF FIVE YEAR LEASE OF LAND OF DUANE AND TERRY GELSER FOR DEPARTMENT OF PUBLIC WORKS PURPOSES

Offered by: Public Works and Ways and Means Committees

WHEREAS, the Department of Public Works desires to lease land for its purposes, including, but not limited to, stockpiling of materials, now, therefore, be it

RESOLVED:

1. That Lease dated January 15, 2003, between the County and Duane Gelser and Terry Gelser is approved.

2. That the Chairman of this Board is authorized to execute said Lease and to cause the recording of same in the Allegany County Clerk's Office.

Moved by: Mr. Graffrath
Seconded by: Mr. Truax

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 19-03

APPROVAL OF AGREEMENT WITH THE TOWN OF CANEADEA IN RELATION TO THE DISPOSAL OF COUNTY LANDFILL LEACHATE AT TOWN OF CANEADEA HOUGHTON WASTE WATER TREATMENT PLANT; AUTHORIZING BOARD CHAIRMAN TO EXECUTE AGREEMENT

Offered by: Public Works Committee

RESOLVED:

1. That Agreement between the County of Allegany and the Town of Caneadea, in relation to the County's disposal of leachate at the Town of Caneadea Houghton waste water treatment plant, is approved.

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

Moved by: Mr. Graffrath
Seconded by: Mr. Truax

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 20-03

APPROVAL OF AGREEMENT WITH THE VILLAGE OF WELLSVILLE IN RELATION TO THE DISPOSAL OF COUNTY LANDFILL LEACHATE AT VILLAGE OF WELLSVILLE WASTE WATER TREATMENT PLANT; AUTHORIZING BOARD CHAIRMAN TO EXECUTE AGREEMENT

Offered by: Public Works Committee

RESOLVED:

1. That Agreement between the County of Allegany and the Village of Wellsville, in relation to the County's disposal of leachate at the Village of Wellsville waste water treatment plant, is approved.

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

Moved by: Mr. Russo
Seconded by: Mr. Sobeck

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 21-03

APPROVAL OF AGREEMENT WITH ALLEGANY COUNTY AGRICULTURAL SOCIETY FOR PAYMENT OF 2003 BUDGETARY APPROPRIATION

Offered by: Resource Management Committee

RESOLVED:

1. That Agreement between the County of Allegany and the Allegany County Agricultural Society, is approved.

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

3. That the County Treasurer, upon receipt of a true copy of said Agreement, is authorized and directed to remit to said Society the sum of $6,500 and charge Account No. A8752.4 therefor.

Moved by: Mrs. Myers
Seconded by: Mr. Dibble

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

Prior to consideration of Resolution Intro. No. 22-03 (Approval of Special Delinquency Prevention Program Subcontract Agreements and Youth Initiative and Service Program and Program Agreements for Calendar Year 2003; Providing Program Funds) Legislator Myers noted corrections in the appropriation amounts for the Houghton Project Allegany Student Outreach and Wellsville Central School Mentoring Programs.

RESOLUTION NO. 22-03

APPROVAL OF SPECIAL DELINQUENCY PREVENTION PROGRAM SUBCONTRACT AGREEMENTS AND YOUTH INITIATIVE AND SERVICE PROGRAM AND PROGRAM AGREEMENTS FOR CALENDAR YEAR 2003; PROVIDING PROGRAM FUNDS

Offered by: Resource Management and Ways and Means Committees

RESOLVED:

1. That the following Special Delinquency Prevention Program, Youth Initiative Service Program, and Program Agreements for calendar year 2003, are approved and appropriated as follows:

Agreement	Amount	Approp. Account	Revenue Account
Allegany Area Council on Alcohol and Substance Abuse, Inc. (Prevention Education Referral)	$4,500	7313.486	3821.04
Whitesville Central School (Bridge Program)	$2,500	7313.487	3821.06
Allegany County Mental Health Association, Inc. (Youth Compeer Program)	$3,000	7313.488	3821.07
Allegany County Employment & Training (SYEP)	$14,049	7318.486	3822.02
Better Business Bureau (Juvenile/Family Anti-Theft)	$500	7313.491	3821.10

Literacy Volunteers of Allegany County, Inc.(Peers Helping Peers)	$3,500	7318.483	3820.47
Southern Tier Youth For Christ, Inc. (Teen Center)	$4,835	7317.488	3820.07
Cattaraugus/Allegany BOCES (Government For Youth)	$4,150	7312.489	3820.10
Southern Tier Traveling Teacher (GED Program)	$4,000	7318.487	3822.03
Allegany Arts Association, Inc. (Summer Arts Festival)	$2,334	7312.483	3820.05
Allegany Area Council on Alcohol and Substance Abuse, Inc. (Week of Alternatives)	$4,700	7312.488	3820.85
Seven Lakes Girl Scouts Council, Inc. (Especially For You)	$519	7312.484	3820.13
Houghton College (First STEP)	$4,000	7317.489	3820.89
Houghton College (Project Allegany Student Outreach)	$5,674	7312.486	3820.15
New York State Special Olympics (Special Olympics)	$500	7311.483	3820.02
Allegany Area Council on Alcohol and Substance Abuse, Inc. (Natural Helpers)	$3,700	7312.487	3820.42
Houghton College (Special STEP)	$2,600	7313.493	3821.93
Houghton College (Special First STEP)	$2,500	7313.494	3821.94
Wellsville Central School (Mentoring)	$1,500	7313.494	3821.94
Allegany County Community Opportunities and Rural Development (Youth Court)	$500	7321.483	3825.73
Allegany County Chapter of the Red Cross (Youth Learn To Swim)	$750	7317.491	3820.08

Moved by: Mrs. Myers
Seconded by: Mr. Bennett

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

The BOCES Government Interns were welcomed. Their instructor, John Padlo, introduced the eleven students participating in this year's program.

AUDITS:

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

A motion was made by Legislator Truax, seconded by Legislator Dibble and adopted on a roll call vote of 13 Ayes, 0 Noes, 2 Absent, that the audit of claims be approved for payment as recommended by the County Administrator.

The meeting was adjourned on a motion by Legislator Truax, seconded by Legislator Dibble and carried.

January 27, 2003

The regular meeting of the Board of Legislators was called to order at 2:10 p.m. by Chairman Sherman.

Pledge of allegiance to the flag.

The invocation was given by Legislator Truax.

Roll Call: All present except Legislator Nielsen.

APPROVAL OF MINUTES:

The Board meeting minutes of December 9 and 23, 2002 were approved on a motion made by Legislator Bennett, seconded by Legislator Truax and carried.

PRIVILEGE OF THE FLOOR:

Chairman Sherman granted privilege of the floor to Skip Wilday, of Cuba, NY, who spoke in support of legislation to change the penalties for DWI/DUI offenses, especially repeat offenders. Mr. Wilday lost his daughter Kaleigh to a drunk driving accident during the fall of 2002 and the family is pushing for harsher penalties. They had been appalled to learn that someone with three or four DWI's could get their license back and the maximum sentence this particular driver will receive for second-degree manslaughter is two to seven years in prison. There is a bill being considered in both the New York State Senate and Assembly (Kurt's Law) that would amend four sections of the law to change the classification of certain alcohol related charges to more severe felonies.

Privilege of the floor was also granted to John Padlo, Instructor for the BOCES Government Intern Program. There are 11 students representing three schools (Fillmore, Wellsville and Genesee Valley) participating in this year's 14-week program. Financial concerns at the local school level prevented more schools from participating, but hopefully they will be back on board next year.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Placed on each legislator's desk was a copy of the Legislators' Compensation Table for 2002.

2. Certificates of Withdrawal of Delinquent Tax Liens were filed by the County Treasurer in the Clerk of the Board's Office for property in the Town of Cuba pursuant to Article 11 of the Real Property Tax Law of the State of New York on January 23, 2003.

3. Correspondence was received from the Belfast Public Library thanking the Board for their support and funding of $700.

4. Correspondence was received from the Genesee Library thanking the Board for their support and including them in the 2002 County Budget.

5. Correspondence was received from Nathan Rudgers, Commissioner of the NYS Department of Agriculture and Markets, regarding efforts to ensure that dairy farmers receive a fair price for their product and help them remain competitive.

APPOINTMENTS:

The Clerk announced that Chairman Sherman has appointed Julie Hart, Wellsville, NY, to fill the vacancy created by the resignation of Reita Sobeck-Lynch, as a member of the Allegany County Development Advisory Board, subject to confirmation by the Board of Legislators.

Chairman Sherman appointed H. M. Bateman, Wellsville, NY, to replace Charles Orlando, as a member of the Allegany County Citizens Advisory Committee on Tourism, to serve at his pleasure.

Chairman Sherman appointed the following as members on the Public Safety Building Planning Committee, to serve at his pleasure:

Edgar Sherman, Chairman, Board of Legislators
Kenneth Nielsen, Chairman, Ways and Means Committee
James Graffrath, Chairman, Public Works Committee
Rodney Bennett, Chairman, Public Safety Committee
Robert Heineman, Chairman, Personnel Committee
Edmund Burdick, Legislator, District II
Patrick Regan, Legislator, District III
John Margeson, County Administrator
Randal Belmont, Sheriff
Denis Reynolds, Undersheriff
Karl Graves, Jail Lieutenant
Clark Brown, President, Allegany County Deputy Sheriff's Assn.
John C. Tucker, Director, County Office of Emergency Services
Paul Gallmann, County Fire Coordinator
David Roeske, County Superintendent of Public Works
Dr. William Hall, Private Citizen
Dwight Fanton, Private Citizen/Town Supervisor
Dale Bentley, Private Citizen/Town Justice

RESOLUTIONS:

RESOLUTION NO. 23-03

APPROVAL OF BOARD CHAIRMAN'S APPOINTMENTS OF REPRESENTATIVES TO ALLEGANY COUNTY DEVELOPMENT ADVISORY BOARD

Offered by: Planning and Development Committee

Pursuant to Local Law No. 2 of 1985

RESOLVED:

1. That the appointments by the Chairman of this Board of: Deborah Clark, Education representative; Ted Hopkins, Agriculture representative; John Corneby, Forests representative; Jesse Case, Recreation/Tourism representative; Reita Sobeck-Lynch, Industry representative; Raymond DeTine, Industry representative; Barbara Deming, Industry representative, Frederic Marks, Utilities representative; William Hart, Small Business representative; Voni Walker, Small Business representative; Linda Clayson, Banking representative; William Shuler, Real Estate representative; Zena

Andrus, At Large representative; David Fleming, At Large representative; to serve as members of the Allegany County Development Advisory Board at the pleasure of the Chairman of this Board, are approved.

Moved by: Mr. Reynolds
Seconded by: Mr. Graffrath

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

RESOLUTION NO. 24-03

APPOINTMENT OF MEMBERS TO THE ALLEGANY COUNTY PLANNING BOARD

Offered by: Planning and Development Committee

RESOLVED:

1. That each of the following persons is appointed to the Allegany County Planning Board, with term of office for each to commence January 6, 2003, and expire December 31, 2003:

Richard Hollis	Dalton, New York
Kathleen Hollis	Dalton, New York
Richard Yanda	Fillmore, New York
Kenneth Skinner	Rushford, New York
Ronald Stuck	Friendship, New York
Matthew Perkins	Clarksville, New York
Aaron Foster	Andover, New York
Clifford Ackley	Wellsville, New York
Lee Dibble	Wellsville, New York
Charles Jessup	Alfred Station, New York
Gertrude Butera	Almond, New York
Craig Clark	Alfred, New York
Alan Nobles	Canaseraga, New York

2. That Brent Reynolds of Alfred Station, New York, Chairman of the Planning and Development Committee of this Board, David Roeske, Superintendent of Public Works and Terri L. Ross, Allegany County Treasurer are appointed ex-officio members of the Allegany County Planning Board with term of office to commence January 6, 2003, and expire December 31, 2003.

Moved by: Mr. Reynolds
Seconded by: Mr. Dibble

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

RESOLUTION NO. 25-03

APPOINTMENT OF TWO NEW MEMBERS AND REAPPOINTMENT OF FOUR INCUMBENT MEMBERS TO COUNTY TRAFFIC SAFETY BOARD

Offered by: Public Safety Committee

Pursuant to Local Law No. 2 of 1972

RESOLVED:

1. That Dawn Santangelo of Cuba, New York, is appointed to the County Traffic Safety Board to fill a vacancy, with term of office to commence January 1, 2003, and expire December 31, 2004.

2. That Thomas McDonnell of Fillmore, New York, is appointed to the County Traffic Safety Board, with term of office to commence January 1, 2003, and expire December 31, 2005.

3. That Charles D. Stout, James W. Ames, David S. Roeske and Charles A. Chick are reappointed to the County Traffic Safety Board,

with term of office for each to commence January 1, 2003, and expire December 31, 2005.

Moved by: Mr. Bennett
Seconded by: Mr. Dibble

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

RESOLUTION NO. 26-03

APPOINTMENT OF MEMBERS TO ALLEGANY COUNTY FIRE ADVISORY BOARD

Offered by: Public Safety Committee

Pursuant to County Law § 225-a.

RESOLVED:

1. That each of the following persons is appointed to the Allegany County Fire Advisory Board, with term of office for each to commence January 1, 2003, and expire December 31, 2003:

Joe Szeliga	Alfred Station
Judson Stearns, Jr.	Alfred Station
Robert Prior	Allentown
Bryan Snyder	Almond
George Givens	Andover
Richard Sortore	Angelica
David Jennings	Belfast
Brandon LaValley	Belmont
Richard Smith, Sr.	Bolivar
Jody Kenyon	Canaseraga
Bob Lester	Cuba
Tom Thompson	Fillmore
Neil Depew	Wellsville
David Vogel, Sr.	Black Creek
Dan Metcalf	Houghton
Clair Guinnip	Scio
Jeff Luckey	Fillmore
Billy Braun	Wellsville
Larry Erdmann	Whitesville
LeRoy Ives	Wellsville
Alan Mills	Portageville

Moved by: Mr. Bennett
Seconded by: Mr. Truax

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

RESOLUTION NO. 27-03

APPROVAL OF AGREEMENT WITH THE VILLAGE OF BOLIVAR IN RELATION TO THE DISPOSAL OF COUNTY LANDFILL LEACHATE AT VILLAGE OF BOLIVAR WASTE WATER TREATMENT PLANT; AUTHORIZING BOARD CHAIRMAN TO EXECUTE AGREEMENT

Offered by: Public Works Committee

RESOLVED:

1. That Agreement between the County of Allegany and the Village of Bolivar, in relation to the County's disposal of leachate at the Village of Bolivar waste water treatment plant, is approved.

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

Moved by: Mr. Graffrath
Seconded by: Mr. Dibble

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

Resolution Intro. No. 28-03 (A Resolution in Support of Reform of the New York State Medicaid Program), was not pre-filed and was considered from the floor on a motion by Legislator Truax, seconded by Legislator Dibble and carried.

RESOLUTION NO. 28-03

A RESOLUTION IN SUPPORT OF REFORM OF THE NEW YORK STATE MEDICAID PROGRAM

Offered by: Human Services Committee

WHEREAS, Medicaid is a vital component to New York's health care delivery system, providing health care to New York State's most vulnerable citizens, and

WHEREAS, since the enactment of the Medicaid program, counties in New York State have been required to share in the costs of services, and Allegany County is mandated by the State of New York to contribute a 25 percent matching share with the exception of long-term care services, and

WHEREAS, Allegany County has minimal authority by state law to manage, control or reduce local Medicaid costs, and therefore serves primarily as a means to transfer a portion of the state's share of Medicaid costs from the statewide tax base to the Allegany County property tax base, and

WHEREAS, in most states, the state government assumes all of the responsibility for the non-federal share of the Medicaid program, so that the burden of paying for the medically needy is distributed over the widest possible tax base, and

WHEREAS, Allegany County taxpayers currently pay almost $9.1 million in Medicaid costs through the Allegany County budget, which represents 61 percent of the property taxes paid by local taxpayers to the County, and

WHEREAS, Allegany County taxpayers are currently funding a Medicaid local share that has grown 35 percent in the last two years, making Medicaid not only the largest but also the most volatile single expense in the Allegany County budget, and

WHEREAS, the growth of local Medicaid costs are siphoning away the limited resources available to fund the entire Allegany County budget thereby imposing additional financial pressure on the property taxpayers of Allegany County, now, therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators supports the adoption and implementation of any one or more of the following initiatives relative to the reform of Medicaid and its manner of funding:

a. Legislation to increase the New York State sales and/or income tax rate by 1 percent with the proceeds utilized to partially or completely fund County local share Medicaid costs.

b. Legislation requiring each County to surrender 25 percent of its sales tax collections to the State in return for complete State assumption of County local share Medicaid costs.

c. Legislation to prohibit and eliminate unfunded State mandates.

d. Legislation which would phase out County local share Medicaid costs over a 3 or 5 year period.

e. Legislation which would capitate County local share Medicaid costs at FY 2000 levels.

2. That the Clerk of this Board is directed to transmit a certified copy of this Resolution to Governor George Pataki, Joseph Bruno, Speaker Pro Tem and Majority Leader of the New York State Senate, Sheldon Silver, Speaker of the New York State Assembly, Senator Patricia McGee, Assembly members Catharine Young, and Daniel Burling, the New York State Association of Counties, and all others deemed necessary and proper.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

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

Resolution Intro. No. 29-03 (Urging State Legislature to Adopt Legislation Amending Penal Law With Respect to Certain Alcohol Related Crimes), was not pre-filed and was considered from the floor on a motion by Legislator Myers, seconded by Legislator Truax and carried.

RESOLUTION NO. 29-03

URGING STATE LEGISLATURE TO ADOPT LEGISLATION AMENDING PENAL LAW WITH RESPECT TO CERTAIN ALCOHOL RELATED CRIMES

Offered by: Resource Management and Public Safety Committees

WHEREAS, in the last session of the State Legislature a bill known as "Kurt's Law" was introduced in both the Senate and Assembly, and

WHEREAS, the purpose of the bill was to amend the Penal Law to make vehicular manslaughter in the second degree a Class C felony and vehicular manslaughter in the first degree a Class B felony and designate both of these crimes as violent felony offenses, and

WHEREAS, by changing the designation of the crimes the penalties for them would be increased, and

WHEREAS, the "Kurt's Law" will be reintroduced in the current session of the Legislature bearing Senate Bill No. S-502 and Assembly Bill No. A-648, and

WHEREAS, the adoption of the bill will make certain that those persons who drive an automobile while under the influence of alcohol or drugs and cause the death of another person will be sentenced as violent felony offenders, now, therefore, be it

RESOLVED:

1. That this Board of Legislators urges the New York State Legislature to adopt Senate Bill No. S-502 and Assembly Bill No. A-648 in order to help protect society from those who would take the lives of innocent people while under the influence of alcohol or drugs.

Moved by: Mrs. Myers
Seconded by: Mr. Truax

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

AUDITS:

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

A motion was made by Legislator Graffrath, seconded by Legislator Truax and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims be approved for payment as recommended by the County Administrator.

The meeting was adjourned on a motion by Legislator Truax, seconded by Legislator Dibble and carried.

February 10, 2003

The regular meeting of the Board of Legislators was called to order at 2:00 p.m. by Chairman Sherman.

Pledge of allegiance to the flag.

The invocation was given by Legislator Nielsen.

Roll Call: All present.

PRIVILEGE OF THE FLOOR:

Chairman Sherman granted privilege of the floor to Margaret Cherre, Commissioner of Social Services, to present information in support of hiring an additional Child Protective Service (CPS) employee.

Chairman Sherman showed a NYSAC video presentation explaining the Medicaid situation and the proposal to cap expenses. The video will be made available to show to groups and will be broadcast on local cable channels to garner support and encourage letter writing to our state legislative representatives.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Placed on each legislator's desk was a copy of the 2002 Annual Report of the County Treasurer of the monies received and disbursed by her in connection with the licensing of dogs and protection of domestic animals there-from in accordance with Article 7 of the Agriculture and Markets Law. A motion was made by Legislator Bennett, seconded by Legislator Dibble and carried, that the Report be accepted and the County Treasurer be directed to refund the apportioned 75 percent of the surplus to the various towns.

2. Also placed on each legislator's desk were copies of the 2002 Annual Reports from the County Attorney, County Clerk, Probation, Public Works, Cooperative Extension, Personnel, and Sheriff for review.

3. Placed on each legislator's desk was a copy of the Report of Intrafund Transfers approved by the County Administrator during the month of January 2003.

4. Placed on each legislator's desk was a copy of the Report of Tax Bill Corrections approved by the County Administrator during the month of January 2003.

5. Placed on each legislator's desk were copies of the Board meeting minutes of January 6, 13, and 27, 2003 for review.

6. Certificates of Withdrawal of Delinquent Tax Liens were filed by the County Treasurer in the Clerk of the Board's Office for property in the Towns of Friendship and Burns pursuant to Article 11 of the Real Property Tax Law of the State of New York on January 30, 2003.

7. Correspondence was received from Assemblyman Daniel Burling acknowledging receipt and support of our Resolution 28-03 regarding reform of the New York State Medicaid Program. Assemblyman Burling summarized the Assembly Republican Medicaid Relief Plan and a proposal requiring a 2/3 vote in each House of the Legislature to enact any new tax or impose any unfunded mandates on local governments.

8. Notice was received from Kimberley Toot, Office for the Aging Director, announcing the Legislative luncheon on February 27 at 11:00 a.m. at the Belmont Legion.

APPOINTMENTS:

The Clerk of the Board announced Chairman Sherman's appointment of Curt Crandall of Caneadea, New York, to replace Ronald Truax as the legislative member of the Citizens Advisory Council to the Office for the Aging, effective immediately to serve for as long as he is a member of the Human Services Committee of the Board of Legislators, subject to confirmation by said Board of Legislators.

Also announced was Chairman Sherman's appointment of Hubert Wightman of Almond, New York, to serve on the Allegany County Agricultural and Farmland Protection Board coterminous with his designation as Chairman of the Soil and Water Conservation District's Board of Directors, for a one-year term expiring December 31, 2003.

Chairman Sherman, in a joint measure with Gerard Fitzpatrick, Chairman of the Cattaraugus County Board of Legislators, has appointed Theresa Schueckler, Team Leader, Employment Preparation Program for Cattaraugus-Allegany BOCES, to serve on the Cattaraugus-Allegany Workforce Investment Board. Ms. Schuekler will be replacing Linda Edstrom as the NYS Education Department's Title II Representative and will serve the remainder of the term until December 31, 2004.

RESOLUTIONS:

RESOLUTION NO. 30-03

BOND RESOLUTION DATED FEBRUARY 10, 2003

A RESOLUTION OF THE COUNTY OF ALLEGANY, NEW YORK, AUTHORIZING THE UNDERTAKING OF THE COUNTY'S SHARE OF THE RECONSTRUCTION AND/OR REPLACEMENT OF BRIDGE STRUCTURES (OF STONE, CONCRETE OR STEEL OR A COMBINATION OF TWO OR MORE OF SUCH MATERIALS) IN SAID COUNTY, AT A MAXIMUM ESTIMATED COST TO SAID COUNTY OF $966,000, AND AUTHORIZING THE ISSUANCE OF NOT EXCEEDING $966,000 BONDS OF SAID COUNTY TO PAY SUCH SHARE

Offered by: Ways and Means Committee

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Legislators of the County of Allegany, New York, as follows:

Section 1. To pay the County's share of the undertaking of the reconstruction and/or replacement of bridge structures (of stone, concrete or steel or a combination of two or more of such materials) in the County of Allegany, New York, including engineering costs and the costs of land or rights in land which may be incidental thereto, and also including, where required, improvements for retaining walls and/or approaches thereto, there are hereby authorized to be issued not exceeding $966,000 bonds of said County pursuant to the provisions of the Local Finance Law.

Section 2. SEQR DETERMINATION: It is hereby determined that the aforesaid purposes constitute Type II Actions as defined under the SEQR Regulations of the State of New York which, by definition, will not have any significant impacts upon the environment.

Section 3. The plan for the financing of such maximum estimated cost shall be by the issuance of the $966,000 bonds of said County herein authorized.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is twenty (20) years, pursuant to subdivision 10 of paragraph a of Section 11.00 of the Local Finance Law.

Section 5. The faith and credit of said County of Allegany, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

2) The provisions of law, which should be complied with at the date of publication of this resolution, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This resolution, which takes effect immediately, shall be published in full in the Wellsville Daily Reporter and The Alfred Sun, the official newspapers of such County, together with a notice of the Clerk of the Board of Legislators in substantially the form provided in Section 81.00 of the Local Finance Law.

Moved by: Mr. Nielsen
Seconded by: Mr. Bennett

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 31-03

BOND RESOLUTION DATED FEBRUARY 10, 2003

A RESOLUTION AUTHORIZING THE PURCHASE OF EQUIPMENT AND APPARATUS FOR CONSTRUCTION AND MAINTENANCE IN AND FOR THE COUNTY OF ALLEGANY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF $654,000 (INCLUDING INCIDENTAL EXPENSES), AND AUTHORIZING THE ISSUANCE OF NOT EXCEEDING $654,000 BONDS OF SAID COUNTY TO PAY THE COST THEREOF

Offered by: Ways and Means Committee

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Legislators of the County of Allegany, New York, as follows:

Section 1. The purchase of equipment and apparatus for construction and maintenance in and for the County of Allegany, New York, is hereby authorized at a maximum estimated cost of $654,000 (including incidental expenses). It is hereby determined that of such maximum estimated cost, $185,000 shall be allocated to machinery and apparatus having a period of probable usefulness of ten years pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law, and $469,000 shall be allocated to machinery and apparatus having a period of probable usefulness of fifteen years pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law.

Section 2. The plan for the financing of the aforesaid class of objects or purposes shall be by the issuance of not exceeding, in the aggregate, $654,000 bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law, which shall be allocated as set forth in Section 1 hereof.

Section 3. The faith and credit of said County of Allegany, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 6. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

2) The provisions of law, which should be complied with at the date of publication of this resolution, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. This resolution, which takes effect immediately, shall be published in full in the Wellsville Daily Reporter and The Alfred Sun, the official newspapers of such County, together with a notice of the Clerk of the Board of Legislators in substantially the form provided in Section 81.00 of the Local Finance Law.

Moved by: Mr. Nielsen
Seconded by: Mr. Bennett

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 32-03

APPOINTMENT OF ONE NEW MEMBER AND REAPPOINTMENT OF TWO MEMBERS TO ALLEGANY COUNTY COMMUNITY SERVICES BOARD

Offered by: Human Services Committee

RESOLVED:

1. That Shirley A. Lyon-Bentley of Wellsville, New York, is appointed to the Allegany County Community Services Board, with term of office commencing February 10, 2003, and expiring December 31, 2006.

2. That Laurel McCluskie and Linda Edwards are reappointed to the Allegany County Community Services Board, with term of office for each to commence January 1, 2003, and expire December 31, 2006.

Moved by: Mr. Truax
Seconded by: Mr. Bennett

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Resolution Intro. No. 33-03 (Approval of Board Chairman's Appointments to Citizens Advisory Council to the Office for the Aging) was amended on a motion by Legislator Truax, seconded by Legislator Graffrath and carried, to indicate that the appointments of Karen Stroud, Nancy Rouse, and Maurice Rucker will expire December 31, 2005. Beverly Grantier is filling the remainder of a three-year term and her appointment will expire December 31, 2004.

RESOLUTION NO. 33-03

APPROVAL OF BOARD CHAIRMAN'S APPOINTMENTS TO CITIZENS ADVISORY COUNCIL TO THE OFFICE FOR THE AGING

Offered by: Human Services Committee

Pursuant to Resolution No. 221-74

RESOLVED:

1. That the appointments of Maurice Rucker of Alfred, New York, Nancy Rouse of Scio, New York and Karen Stroud of Hume, New York to the Citizens Advisory Council To The Office For The Aging, with term of office for each commencing January 6, 2003 and expiring December 31, 2005, are confirmed.

2. That the appointment of Beverly Grantier of Wellsville, New York to the Citizens Advisory Council To The Office For The Aging, with term of office commencing January 6, 2003 and expiring December 31, 2004, is confirmed.

Moved by: Mr. Truax
Seconded by: Mr. Crandall

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 34-03

APPROVAL OF BOARD CHAIRMAN'S REAPPOINTMENT OF MEMBERS TO REGION NINE FISH AND WILDLIFE MANAGEMENT BOARD

Offered by: Resource Management Committee

Pursuant to Environmental Conservation Law § 11-0501

RESOLVED:

1. That the reappointment, by the Chairman of this Board, of Robert Polanowski, to the Region Nine Fish and Wildlife Management Board, as a Landowner Representative, with term of office commencing January 1, 2003, and expiring December 31, 2004, is approved.

2. That the reappointment, by the Chairman of this Board, of Kevin Redman, to the Region Nine Fish and Wildlife Management Board, as an Alternate Landowner Representative, with term of office commencing January 1, 2003, and expiring December 31, 2004, is approved.

Moved by: Mrs. Myers
Seconded by: Mr. Regan

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 35-03

APPROVAL OF BOARD CHAIRMAN'S REAPPOINTMENT OF ONE LEGISLATIVE MEMBER TO REGION NINE FOREST PRACTICE BOARD

Offered by: Resource Management Committee

Pursuant to Environmental Conservation Law § 9-0705

RESOLVED:

1. That the reappointment by the Chairman of this Board of Rodney K. Bennett, as Legislative member of the Region Nine Forest Practice Board, with term of office commencing January 1, 2003 and expiring December 31, 2004, is approved.

Moved by: Mrs. Myers
Seconded by: Mr. Burdick

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 36-03

REAPPOINTMENT OF COUNTY BOARD OF LEGISLATORS MEMBERS AND APPOINTMENT OF ONE NEW PRACTICAL FARMER MEMBER TO THE ALLEGANY COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD

Offered by: Resource Management Committee

Pursuant to Soil and Water Conservation District Law §§ 6 and 7

RESOLVED:

1. That Rodney K. Bennett and William G. Dibble are reappointed to the Allegany County Soil and Water Conservation District Board, as County Board of Legislators members, with term of office for each to commence January 1, 2003, and expire December 31, 2003.

2. That Curtis Rung is appointed to the Allegany County Soil and Water Conservation District Board, as an Practical Farmer

member, with term of office to commence January 1, 2003, and expire December 31,2005.

Moved by: Mrs. Myers
Seconded by: Mr. Burdick

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 37-03

AMENDMENT TO ALLEGANY COUNTY DEVELOPMENT ADVISORY BOARD

Offered by: Planning and Development Committee

Pursuant to Local Law No. 2 of 1985

RESOLVED:

1. That Julie Hart is appointed to the Allegany County Development Advisory Board to serve as an Industry Representative, to fill a vacancy due to resignation of Reita Sobeck-Lynch.

Moved by: Mr. Reynolds
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 38-03

CREATING POSITION OF SENIOR CASEWORKER IN COUNTY SOCIAL SERVICES DEPARTMENT

Offered by: Human Services and Ways and Means Committees

RESOLVED:

1. That one position of Senior Caseworker is created in the County Social Services Department.

2. This resolution shall take effect on February 11, 2003.

Moved by: Mr. Truax
Seconded by: Mr. Crandall

Adopted: Roll Call
12 Ayes, 3 Noes, 0 Absent
Voting No: Bennett, Graffrath, Regan

RESOLUTION NO. 39-03

A RESOLUTION IN RELATION TO THE RECONSTRUCTION OF TOWN BRIDGE NO. 06-20 (B.I.N. 2215330) IN TOWN OF ANDOVER

Offered by: Public Works and Ways and Means Committees

Pursuant to Highway Law § 238 and Resolution No. 65-95

WHEREAS, the County Public Works Department has submitted a report to this Board stating its reasons why Town Bridge No. 06-20 (B.I.N. 2215330) on Water Street in the Town of Andover should be reconstructed, and

WHEREAS, the County Public Works Department has submitted plans, maps and specifications for the construction of such Bridge and estimated the project costs at $182,000, and

WHEREAS, such Bridge qualifies under the Cost Sharing Plan set forth in Resolution No. 65-95, now, therefore, be it

RESOLVED:

1. That this Board of Legislators does determine that it considers Town Bridge No. 06-20 (B.I.N. 2215330) on Water Street in the Town of Andover to be of sufficient importance to be reconstructed.

2. That the plans, maps and specifications prepared by the County Public Works Department are approved and the County Public Works Department is directed to construct such Bridge in accordance with such plans, maps and specifications.

3. That the authorized cost for the construction of such Bridge shall not exceed $182,000.

4. That in accordance with Resolution No. 65-95, the County's share of such cost is estimated to be $154,700 and shall be transferred to a Capital Project Account to be designated by the County Treasurer.

5. That the Town's share of such cost, estimated to be $27,300, shall be paid to the County pursuant to the provisions of section 1 g. of Resolution No. 65-95.

6. That such Bridge shall not be reconstructed until the Town of Andover files the appropriate Town Board resolution in accordance with Resolution No. 65-95.

Moved by: Mr. Graffrath
Seconded by: Mr. Russo

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 40-03

A RESOLUTION IN RELATION TO THE RECONSTRUCTION OF TOWN BRIDGE NO. INDEP-01 IN TOWN OF INDEPENDENCE

Offered by: Public Works and Ways and Means Committees

Pursuant to Highway Law § 238 and Resolution No. 65-95

WHEREAS, the County Public Works Department has submitted a report to this Board stating its reasons why Town Bridge No. INDEP-01 on Hallsport Independence Road in the Town of Independence should be reconstructed, and

WHEREAS, the County Public Works Department has submitted plans, maps and specifications for the construction of such Bridge and estimated the project costs at $125,000, and

WHEREAS, such Bridge qualifies under the Cost Sharing Plan set forth in Resolution No. 65-95, now, therefore, be it

RESOLVED:

1. That this Board of Legislators does determine that it considers Town Bridge No. INDEP-01 on Hallsport Independence Road in the Town of Independence to be of sufficient importance to be reconstructed.

2. That the plans, maps and specifications prepared by the County Public Works Department are approved and the County Public Works Department is directed to construct such Bridge in accordance with such plans, maps and specifications.

3. That the authorized cost for the construction of such Bridge shall not exceed $125,000.

4. That in accordance with Resolution No. 65-95, the County's share of such cost is estimated to be $106,250 and shall be transferred to a Capital Project Account to be designated by the County Treasurer.

5. That the Town's share of such cost, estimated to be $18,750, shall be paid to the County pursuant to the provisions of section 1 g. of Resolution No. 65-95.

6. That such Bridge shall not be reconstructed until the Town of Independence files the appropriate Town Board resolution in accordance with Resolution No. 65-95.

Moved by: Mr. Graffrath
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 41-03

A RESOLUTION DETERMINING THAT ERRORS EXIST ON THE 1998, 1999, 2000, 2001, 2002 AND 2003 COUNTY AND TOWN TAX ROLLS FOR THE TOWNS NAMED WITH REGARD TO REAL PROPERTY OF VARIOUS TAXPAYERS THEREIN; DIRECTING MAILING OF NOTICES OF APPROVAL OF APPLICATIONS FOR CORRECTED TAX ROLLS AND ORDERING THE VARIOUS TOWN TAX COLLECTORS TO CORRECT THE TAX ROLLS; PROVIDING FOR CHARGE BACKS OR CREDITS

Offered by: Ways and Means Committee

Pursuant to Real Property Tax Law § 554

WHEREAS, applications, for the taxpayers hereafter described, have been made to the County's Director of Real Property Tax Service Agency, for the correction of certain errors affecting their real property on various tax rolls, and

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

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

RESOLVED:

1. That with regard to the applications for the named taxpayers pertaining to claimed errors regarding their real property on the respective tax rolls of the named Towns, this Board of Legislators does determine that the claimed errors as alleged in those applications exist and does approve those applications.

2. That the Chairman of this Board is authorized and directed to make a notation on those applications and the duplicates thereof that they are 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 Tax Collector, and to sign thereon as Chairman.

3. That the Clerk of this Board is directed to mail to the various taxpayers 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 respective taxpayers of the applicable provisions of subdivision seven of section 554 of the Real Property Tax Law.

4. That the Tax Collector of the Town of Amity is ordered and directed to correct in the 2003 County and Town Tax Roll the assessment or taxes, or both, of the property assessed to the following taxpayer and described as follows:

a. Donald & Nita Shelly; Parcel 197.-1-915
Assessment: Land $0 Total $28,600

by deleting such Parcel from the Tax Roll, and the County Treasurer is directed to make the following charges on her books:

Allegany County	$372.18
Amity Town Tax	262.43
Fire	39.07
Total	$673.68

5. That the Tax Collector of the Town of Belfast is ordered and directed to correct in the 2003 County and Town Tax Roll the assessment or taxes, or both, of the property assessed to the following taxpayer and described as follows:

a. Town of Belfast; Parcel 105.10-1-22.1
Assessment: Land $0 Total $31,700

by deleting such Parcel from Section 1 and inserting it in Section 8 of the Tax Roll as Wholly Exempt, and the County Treasurer is directed to make the following charges on her books:

Allegany County	$355.52
Belfast Town Tax	358.09
Fire	33.85
School Relevy-Belfast	569.66
Light	17.26
Water	70.14
Total	$1,404.52

6. That the Tax Collector of the Town of Burns is ordered and directed to correct in the 1998 to 2002 County and Town Tax Roll the assessment or taxes, or both, of the property assessed to the following taxpayer and described as follows:

a. Rural TV Cable; Parcel 500.-1-966
Assessment: Land/Total $10,513; $10,265; $10,191; $5,992; $5,992

by deleting such Parcel from the Tax Roll, and the County Treasurer is directed to make the following charges on her books:

	1998	1999	2000	2001	2002
Allegany County	$113.94	$112.77	$109.94	$63.46	$58.00
Burns Town Tax	64.36	66.78	65.38	38.79	35.83
Village Relevy	165.34	141.78	140.06	140.79	85.60
School Relevy	203.45	195.40	199.88	119.36	110.87
Total	$547.09	$516.73	$515.26	$362.40	$290.30

b. Rural TV Cable; Parcel 500.-1-997
Assessment: Land/Total $4,413; $4,406; $4,527; $2,502; $2,166

by deleting such Parcel from the Tax Roll, and the County Treasurer is directed to make the following charges on her books:

	1998	1999	2000	2001	2002
Allegany County	$47.83	$48.40	$48.84	$26.50	$23.48
Burns Town Tax	33.78	35.46	36.32	20.45	17.99
Fire	2.16	2.14	2.18	1.21	.94
School Relevy	85.40	83.87	88.79	49.84	44.90
Total	$169.17	$169.87	$176.13	$98.00	$87.31

7. That the Tax Collector of the Town of Clarksville is ordered and directed to correct in the 2003 County and Town Tax Roll the assessment or taxes, or both, of the property assessed to the following taxpayer and described as follows:

a. Kenneth G. Reiss; Parcel 244.-1-21.45
Assessment: Land $0 Total $6,100

by deleting such Parcel from the Tax Roll, and the County Treasurer is directed to make the following charges on her books:

Allegany County	$76.27
Clarksville Town Tax	77.07
Fire	10.43
Total	$163.77

8. That the Tax Collector of the Town of Grove is ordered and directed to correct in the 2003 County and Town Tax Roll the assessment or taxes, or both, of the property assessed to the following taxpayer and described as follows:

a. Joan R. Carpenter; Parcel 33.-1-37.2
Assessment: Land $12,000 Total $35,000

by reducing the Taxable Assessed Light Value from $35,000 to $500, and by correcting the taxes, as follows:

Allegany County	$389.30
Grove Town Tax	337.16
Fire	24.53
Light	17.61
Total	768.60

and the County Treasurer is directed to make the following charges on her books:

Light	$1,214.78

9. That the Tax Collector of the Town of Wellsville is ordered and directed to correct in the 2003 County and Town Tax Roll the assessment or taxes, or both, of the property assessed to the following taxpayer and described as follows:

a. State of NY NY DOT; Parcel 227.-1-3.1
Assessment: Land $0 Total $75,600

by exempting such Parcel from the Tax Roll, and the County Treasurer is directed to make the following charges on her books:

Allegany County	$853.61
Wellsville Town Tax	518.16
Fire	64.91
Total	$1,436.68

10. That the Clerk of this Board is directed to forthwith mail a certified copy of this resolution to the various Tax Collectors for the Towns stated above together with the original copies of

those applications completed in accordance with section two of this resolution.

11. The Clerk of this Board shall mail a copy of this resolution to the above named School and the amount to be charged to each School shall not be charged until 10 days after such mailing. Such amount shall be deducted by the County Treasurer from the money payable to each School as a result of school taxes returned after the date such amount is charged and which shall be paid to each School after May 1, 2003. The County Treasurer shall send a written notice to each School of the amount of such deduction prior to May 1, 2003.

Moved by: Mr. Nielsen — Adopted: Roll Call
Seconded by: Mr. Crandall — 15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 42-03

DETERMINATION OF NO PRACTICAL METHOD TO ENFORCE DELINQUENT TAX LIENS ARISING ON AND AFTER JANUARY 29, 2003, IN RELATION TO A CERTAIN TAX PARCEL

Offered by: Ways and Means Committee

Pursuant to Real Property Tax Law § 1138

WHEREAS, the County Treasurer has withdrawn a certain parcel of real property from a foreclosure proceeding under Article 11 of the Real Property Tax Law for the reason that if the County were to acquire such parcel, there is a significant risk that it might be exposed to a liability substantially in excess of the amount that could be recovered by enforcing the respective tax liens on such parcel, and

WHEREAS, the Ways and Means Committee recommends that the Board determine that there is no practical method to enforce the collection of delinquent tax liens arising on and after January 29, 2003, against such parcel, now, therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators does determine that there is no practical method to enforce the collection of delinquent tax liens arising on and after January 29, 2003, against the following parcel:

Town	Owner	Tax Map Number	Serial Number
Burns	Rural TV Cable	500.-1-996	532-98; 445-99; 404-00; 449-01; 444-02
Burns	Rural TV Cable	500.-1-997	531-98; 443-99; 428-00; 469-01; 437-02

2. That the County Treasurer, as enforcing officer, is directed to issue a certificate of prospective cancellation and file a copy of such certificate with the assessor of the assessing unit in which each parcel is located and with the County Director of Real Property Tax Services.

3. That upon such filing the parcels shall thereby become exempt from taxation and shall remain exempt until the Allegany County Board of Legislators determines that one or more such parcels should be restored to the taxable portion of the assessment roll.

Moved by: Mr. Nielsen — Adopted: Roll Call
Seconded by: Mr. Crandall — 15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 43-03

REFUND OF REAL PROPERTY TAXES FOR KENNETH G. REISS

Offered by: Ways and Means Committee

Pursuant to Real Property Tax Law §556

WHEREAS, application, in duplicate, dated January 22, 2003, has been made by or for Kenneth G. Reiss of Cuba, New York, to this County's Director of Real Property Tax Service Agency for a refund of taxes, and

WHEREAS, such County Director has transmitted a written report of his investigation of the claimed "error in essential fact" set forth in the application and his written recommendation for action thereon by this Board, and

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

RESOLVED:

1. That this Board of Legislators does determine that the claimed "error in essential fact" as alleged in application made by or for Kenneth G. Reiss of Cuba, New York, under date of January 22, 2003, exists and that the application is approved.

2. That the County Treasurer is directed to refund to Kenneth G. Reiss the total sum of $125.91.

Moved by: Mr. Nielsen
Seconded by: Mr. Crandall

Adopted: Roll Call
14 Ayes, 1 No, 0 Absent
Voting No: Burdick

RESOLUTION NO. 44-03

APPROPRIATION OF NON-BUDGETED STATE GRANT-IN-AID TO HEALTH: PUBLIC HEALTH: HEALTH DEPARTMENT E.I.P. ACCOUNT

Offered by: Human Services and Ways and Means Committees

RESOLVED:

1. That the sum of $2,294 in non-budgeted State grant-in-aid is appropriated to Account No. A4060.4, with a like sum credited to Revenue Account No. A10.3489.02.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

(Memo: The preceding Resolution No. 44-03 approves acceptance of additional funding from NYS Department of Health for Early Intervention Respite Services provided to families.)

RESOLUTION NO. 45-03

APPROPRIATION OF NON-BUDGETED CONTRIBUTIONS TO HEALTH: PUBLIC HEALTH: FAMILY PLANNING CLINIC ACCOUNTS

Offered by: Human Services and Ways and Means Committees

RESOLVED:

1. That the sum of $16,978 in non-budgeted contributions from New York State Department of Health for Family Planning/Women's

Reproductive Health Services is appropriated as follows: $5,261 to Account No. A4035.2 and $11,717 to Account No. A4035.4, with a like sum credited to Revenue Account No. A10.3450.00.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 46-03

APPROPRIATION OF NON-BUDGETED CONTRIBUTIONS TO HEALTH: PUBLIC HEALTH: PERSONNEL SERVICES ACCOUNT

Offered by: Human Services and Ways and Means Committees

RESOLVED:

1. That the sum of $13,000 in non-budgeted contributions from the Maternal Child Health Care Network of WNY for reimbursement of services provided by Supervising Public Health Educator is appropriated to Account No. A4010.1, with a like sum credited to Revenue Account No. A02.1601.04.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

A motion was made by Legislator Truax, seconded by Legislator Dibble and carried, to grant Legislators Burdick and Myers permission to abstain from voting on Resolution Intro. No. 47-03 (Appropriation of Non-Budgeted State Grant-in-aid from New York State Division of Criminal Justice Services for the Year July 2002 to June 2003 for Youth Programs: Youth Court - ACCORD).

RESOLUTION NO. 47-03

APPROPRIATION OF NON-BUDGETED STATE GRANT-IN-AID FROM NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE YEAR JULY 2002 TO JUNE 2003 FOR YOUTH PROGRAMS: YOUTH COURT - ACCORD

Offered by: Resource Management and Ways and Means Committees

RESOLVED:

1. That the sum of $26,500 in non-budgeted State grant-in-aid is appropriated to Account No. A7321.483, with a like sum credited to Revenue Account No. A10.3825.7321.

Moved by: Mrs. Myers
Seconded by: Mr. Truax

Adopted: Roll Call
13 Ayes, 0 Noes, 0 Absent
Abstained: Burdick, Myers

RESOLUTION NO. 48-03

ACCEPTANCE OF THE INSURANCE PROPOSAL BY LAWRENCE DYE, INC. FROM ST. PAUL INSURANCE CO.; CONTINUED AUTHORITY OF BOARD CLERK AND PERSONNEL COMMITTEE TO SECURE OTHER INSURANCE

Offered by: Personnel Committee

RESOLVED:

1. That the St. Paul Insurance Company proposal of insurance and related services, as submitted by the Lawrence Dye, Inc. of Cuba, New York, to the County of Allegany for the period February 1, 2003 to February 1, 2004, is approved.

2. That the premium not to exceed $300,000 is charged to the several accounts of the 2003 County Final Budget in which the funds are proportionately provided to cover the whole of such premium.

3. That all other insurance not provided for in the foregoing proposal shall continue to be secured by the Clerk of the County Board of Legislators with approval of the Personnel Committee of such County Board, limited by the funds appropriated by such County Board therefor.

Moved by: Mr. Burdick
Seconded by: Mr. Dibble

Adopted: Roll Call
8 Ayes, 7 Noes, 0 Absent
Voting No: Bennett, Heineman, Palmer, Regan, Reynolds, Russo, Sobeck

RESOLUTION NO. 49-03

APPROVAL OF CLAIMS SERVICE CONTRACT BETWEEN ALTERNATIVE SERVICE CONCEPTS, LLC AND ALLEGANY COUNTY

Offered by: Personnel Committee

RESOLVED:

1. That the Claims Service Contract between the County and Alternative Service Concepts, LLC, is approved.

2. That the Chairman of this Board is authorized to execute said Contract.

Moved by: Mr. Heineman
Seconded by: Mr. Sobeck

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Resolution Intro. No. 50-03 (Approval of Memorandum of Agreement with Cornell Cooperative Extension Association of Allegany County and Authorizing County Treasurer to Make Appropriation Payments, in Relation to the 2002 Budgetary Appropriation for the work of Such Association) was amended on a motion by Legislator Myers, seconded by Legislator Dibble and carried, to change the year 2002 to 2003 in the title.

RESOLUTION NO. 50-03

APPROVAL OF MEMORANDUM OF AGREEMENT WITH CORNELL COOPERATIVE EXTENSION ASSOCIATION OF ALLEGANY COUNTY AND AUTHORIZING COUNTY TREASURER TO MAKE APPROPRIATION PAYMENTS, IN RELATION TO THE 2003 BUDGETARY APPROPRIATION FOR THE WORK OF SUCH ASSOCIATION

Offered by: Resource Management Committee

Pursuant to County Law § 224 (8)

RESOLVED:

1. That Memorandum of Agreement between the County of Allegany and the Cornell Cooperative Extension of Allegany County, dated January 1, 2003, in relation to the payment of appropriations to such Association by the County and the providing of services for such appropriations, is approved.

2. That the County Treasurer is authorized and directed to pay one quarter of the sum provided in the 2003 County Final Budget for such Association in advance on the first day of each quarter beginning January 2003, to be used by such Association pursuant to

the terms and conditions of such Agreement; such payments to be made to the duly bonded Treasurer of such Association, after receipt before the first of such payments of a Memorandum Receipt signed by such Association Treasurer agreeing to comply with the terms of this resolution.

Moved by: Mrs. Myers — Adopted: Roll Call
Seconded by: Mr. Bennett — 15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 51-03

APPROVAL OF ALLEGANY COUNTY SOIL AND WATER CONSERVATION DISTRICT AGREEMENT IN RELATION TO COUNTY REFORESTED LANDS, COUNTY PARKS AND RECREATION AREAS

Offered by: Resource Management Committee

RESOLVED:

1. That Agreement between County of Allegany and Allegany County Soil and Water Conservation District in relation to County reforested lands, County parks and recreation areas, is approved.

2. That the Chairman of this Board of Legislators is authorized to execute the Agreement.

3. That the County Treasurer, upon receipt of a true executed copy of the Agreement, is authorized and directed to remit to the District the sum of $10,000 and charge Account No. A8710.494 therefor.

Moved by: Mrs. Myers — Adopted: Roll Call
Seconded by: Mr. Bennett — 15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 52-03

APPROVAL OF LAND PURCHASE AGREEMENT BETWEEN ALLEGANY COUNTY AND THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION REGARDING THE WAG TRAIL

Offered by: Public Works and Ways and Means Committees

RESOLVED:

1. That Land Purchase Agreement between Allegany County and the New York State Department of Environmental Conservation for part of the WAG Trail, is approved.

2. That the Chairman of this Board is authorized to execute said Agreement.

Moved by: Mr. Dibble — Adopted: Roll Call
Seconded by: Mr. Graffrath — 15 Ayes, 0 Noes, 0 Absent

Resolution Intro. No. 53-03 (Authorization and Consent to Assumption of Rights and Obligations of Acme Electronics, LLC by Tracewell Systems, Inc.) was not pre-filed and was considered from the floor on a motion by Legislator Truax, seconded by Legislator Graffrath and carried.

RESOLUTION NO. 53-03

AUTHORIZATION AND CONSENT TO ASSUMPTION OF RIGHTS AND OBLIGATIONS OF ACME ELECTRONICS, LLC BY TRACEWELL SYSTEMS, INC.

Offered by: Planning and Development and Ways and Means Committees

RESOLVED:

1. The County of Allegany authorizes and consents to the assumption by Tracewell Systems, Inc. a Delaware Corporation with offices at 567 Enterprise Drive, Westerville, Ohio 43081, of all rights and obligations of Acme Electronics, LLC contained in any and all bonds, agreements, mortgages, security interests, payment-in-lieu of tax agreements, and all amendments and modifications to such documents, arising out of the purchase by the County of Allegany of Allegany County Industrial Development Agency Series B Taxable Industrial Development Agency Bond, No. R-1 (Acme Electric Corporation Facility) authorized by Resolution No. 8-93, the assumption of which Bond by Acme Electronics, LLC was authorized by Resolution No. 77-02.

2. The Chairman of this Board is authorized to execute any and all documents necessary to carry out the purpose of this resolution.

Moved by: Mr. Reynolds
Seconded by: Mr. Graffrath

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

AUDITS:

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

A motion was made by Legislator Nielsen, seconded by Legislator Truax and adopted on a roll call vote of 15 Ayes, 0 Noes, 0 Absent, that the audit of claims be approved for payment as recommended by the County Administrator.

The meeting was adjourned.

February 24, 2003

The regular meeting of the Board of Legislators was called to order at 2:10 p.m. by Chairman Sherman.

Pledge of allegiance to the flag.

The invocation was given by Legislator Truax.

Roll Call: All present except Legislator Palmer.

APPROVAL OF MINUTES:

The Board meeting minutes of January 6, 13 and 27, 2003 were approved on a motion made by Legislator Dibble, seconded by Legislator Truax and carried.

PRIVILEGE OF THE FLOOR:

Representatives were present from offices of the County Attorney, County Clerk, Probation, Public Works, Cooperative Extension, Personnel and Sheriff, to answer any questions regarding their 2002 Annual Reports. Legislator Myers requested clarification from Cooperative Extension and the Sheriff on some figures contained within their reports.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Placed on each legislator's desk were copies of the 2002 Annual Reports from the Office for the Aging (Ms. Toot will distribute), Emergency Services, Board of Elections, Health Department, Coroners, Community Services, Real Property Tax and Fire Service for review.

2. Also placed on each legislator's desk was a copy of the 2003 Allegany County Directory.

3. Jesse Case, Tourism Specialist, recently received and distributed the 2003 Travel and Outdoor Guides.

4. Correspondence was received from the Allegany County Association for the Blind thanking the Board for their continued support.

5. A reminder was noted that the Office for the Aging Legislative Luncheon will be held on February 27 at 11 a.m. at the Belmont Legion.

RESOLUTIONS:

A motion was made by Legislator Truax, seconded by Legislator Dibble and carried, to grant Legislator Sobeck permission to abstain from voting on Resolution Intro. No. 54-03 (Appointment of Diane Martin as Commissioner of Elections).

RESOLUTION NO. 54-03

APPOINTMENT OF DIANE MARTIN AS COMMISSIONER OF ELECTIONS

Offered by: Personnel Committee

Pursuant to Election Law §§ 3-202, 3-204

WHEREAS, the Chairman of the Allegany County Democratic Committee has filed with the Clerk of this Board a certificate in accordance with Election Law Section 3-204 that recommends the appointment of Diane Martin to the position of Commissioner of Elections, and

WHEREAS, the Personnel Committee has determined that Diane Martin is qualified to hold said office, now, therefore, be it

RESOLVED:

1. That Diane Martin of Alfred, New York, is appointed to the office of Commissioner of Elections of Allegany County with term of office commencing January 1, 2003, and expiring December 31, 2006.

Moved by: Mr. Heineman
Seconded by: Mr. Reynolds

Adopted: Roll Call
11 Ayes, 2 Noes, 1 Absent
Voting No: Burdick, Regan
Abstaining: Sobeck

RESOLUTION NO. 55-03

APPROVAL OF BOARD CHAIRMAN'S REAPPOINTMENT OF HARVEY SCOTT SPILLANE AS DIRECTOR OF COUNTY VETERANS' SERVICE AGENCY

Offered by: Personnel Committee

Pursuant to Executive Law § 357 and Resolution No. 58-45

RESOLVED:

1. That the reappointment by the Chairman of this Board of Legislators of Harvey Scott Spillane as Director of the County Veterans' Service Agency effective January 6, 2003, is approved.

Moved by: Mr. Heineman
Seconded by: Mr. Reynolds

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

RESOLUTION NO. 56-03

AUTHORIZING CONVEYANCE OF COUNTY'S INTEREST IN REAL PROPERTY IN THE TOWN AND VILLAGE OF CUBA TO VILLAGE OF CUBA; AUTHORIZING CHAIRMAN TO EXECUTE DEED

Offered by: Public Works Committee

WHEREAS, the County is the owner of certain real property located in the Village of Cuba, and

WHEREAS, such property is not being occupied or used by the County and there is no planned use of it by the County, and

WHEREAS, the Village of Cuba, a municipality and political subdivision of the State of New York, has requested that the County transfer such property to the Village without consideration, now, therefore, be it

RESOLVED:

1. That this Board authorizes the conveyance to the Village of Cuba the following described premises in the Town and Village of Cuba, County of Allegany and State of New York and bounded and described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Village and Town of Cuba, Allegany County, New York and being all of the lands, premises, rights and easements as described in and conveyed by the following Deeds to wit:

Deed dated April 14, 1973 John E. Doyle and Mary L. Doyle to Cuba Village recorded April 20, 1973 in the Allegany County Clerk's Office in Liber 613 of Deeds at Page 56;

Deed dated March 12, 1973 John D. Wilson and June E. Wilson to Cuba Village recorded March 16, 1973 in the Allegany County Clerk's Office in Liber 610 of Deeds at Page 228;

Deed dated April 6th, 1973 from Gay M. Warner and Kay L. Warner Cummings to Cuba Village recorded April 12, 1973 in the Allegany County Clerk's Office in Liber 612 of Deeds at Page 197.

Also conveying all that Tract or Parcel of Land situate in Cuba Village, Town of Cuba, County of Allegany and State of New York and being all of the lands, rights, and interests of Cuba Village in and

to that portion of Bristol Street that runs generally east and west which premises are bounded on the North by the North boundary line of Bristol Street, and a westerly extension thereof being a straight line from the Northwest corner of the premises described in deed dated October 13, 1972 Orson and Elma Schryver to Cuba Village recorded October 16, 1972 in Liber 603 of Deeds at Page 660 through a portion of Bristol Street that runs generally north and south to the northwest corner of the premises described in deed dated October 20, 1972 Effie Marsh to Cuba Village recorded October 26, 1972 in Liber 603 of Deeds at Page 873; on the east by the eastern boundary line of Prospect Street, including hereby that portion of Prospect Street directly east of the eastern terminus of Bristol Street; on the south by the south boundary of Prospect Street; and on the west by the aforesaid Marsh to Cuba Village premises and premises described in deed dated March 16, 1973 John and June Wilson to Cuba Village recorded March 16, 1973 in Liber 610 of Deeds at Page 228; and also all of the rights and interests in and to West Bristol Street as the same appears on Revised Map of Valley View Subdivision prepared by Charles F. Ackerson, surveyor and dated August 5, 1954, and filed in the Allegany County Clerk's Office and the Cuba Village Clerk's Office on October 6, 1954.

Being the same premises conveyed by Cuba Village to Allegany County by Deed dated June 16, 1973 and recorded in the Allegany County Clerk's Office on July 23, 1973 in Liber 620 of Deeds at Page 16.

ALL THAT TRACT OR PARCEL OF LAND, situate in the Village and Town of Cuba, Allegany County, New York and being all of the lands, premises, rights and easements as described in and conveyed by the following Deeds to wit:

Deed dated November 3rd, 1972 Gerald N. Mabey to Cuba Village, recorded in the Allegany County Clerk's Office November 6th, 1972 in Liber 603 of Deeds at Page 1105.

Deed dated November 10th, 1972 Robrad Plateau Services, Ltd. to Cuba Village recorded in the Allegany County Clerk's Office November 14th, 1972 in Liber 604 of Deeds at Page 61.

Deed dated October 13th, 1972 Orson R. Schryver and Elma P. Schryver to Cuba Village recorded in the Allegany County Clerk's Office October 16th, 1972 in Liber 603 of Deeds at Page 660.

Deed dated September 20th, 1972 Cuba Memorial Hospital, Inc. to Cuba Village recorded in the Allegany County Clerk's Office December 8th, 1972 in Liber 605 of Deeds at Page 153.

Deed dated October 6th, 1972 Robert B. Metcalf to Cuba Village recorded in the Allegany County Clerk's Office October 10th, 1972 in Liber 603 of Deeds at Page 534.

Deed dated October 20th, 1972 Effie M. Marsh to Cuba Village recorded in the Allegany County Clerk's Office October 26th, 1972 in Liber 603 of Deeds at Page 873.

Deed dated October 6th, 1972 Donald N. Raub and Ploma W. Raub recorded in the Allegany County Clerk's Office October 10th, 1972 in Liber 603 of Deeds at Page 530, to Cuba Village.

Deed dated October 24, 1972 J. Thomas Odell and June S. Odell to Cuba Village recorded in the Allegany County Clerk's Office October 30th, 1972 in Liber 603 of Deeds at Page 933.

Deed dated October 12th, 1972 Lloyd L. Deck and Rita M. Deck to Cuba Village recorded in the Allegany County Clerk's Office October 16, 1972 in Liber 603 of Deeds at Page 656.

Deed dated September 27th, 1972 Gertrude 0. Roeske to Cuba Village recorded in the Allegany County Clerk's Office in Liber 603 of Deeds at Page 275 on the 29th day of September, 1972.

EXCEPTING AND RESERVING NEVERTHELESS ALL THAT TRACT OR PARCEL OF LAND, situate in the Village and Town of Cuba, Allegany County, New York State bounded and described as follows:

Commencing at the intersection of the western boundary line of South Street in Cuba Village, with south boundary line of the right of way of the Erie Lackawanna Railroad near the location where the rail road passes over South Street in Cuba Village: thence from said point of beginning southerly and along the western boundary line of South Street a distance of 15.0 ± feet to a point; thence westerly in a straight line along the northern boundary line of a proposed highway in Cuba Village, a distance of 90 ± feet to a Point; thence northerly, at right angles to said last described boundary line, a distance of 39.24 feet, more or less, to the South boundary line of the Erie Lackawanna Railroad right of way; thence easterly along the curve of the right of way to the place and point of beginning containing .05 of an Acre, be the same more or less.

Also excepting hereby a permanent easement running westerly from the aforesaid .05 of an Acre to a point in the existing Gas Line which runs generally westerly along the curve of said Railroad, said easement to be north of the highway limits of said proposed highway and to be for all purposes of maintaining the gas Service line from the .05 acres hereby conveyed to the existing gas line, with all usual rights of ingress and egress over and along said easement for installation, repair and maintenance of such gas line.

All of the foregoing premises (.05 acres and easement) being a portion of the lands and premises described in deed dated November 10, 1972 Robrad Plateau Services, Ltd. to Cuba Village, recorded November 14, 1972 in Liber 604 of Deeds at Page 61.

AND BEING THE SAME PREMISES conveyed by **CUBA VILLAGE** to **ALLEGANY COUNTY** by Deed dated June 16, 1973 recorded in the Allegany County Clerk's Office on July 23, 1973 in Liber 620 of Deeds at Page 18.

ALL THAT TRACT OR PARCEL OF LAND, situate in the Village and Town of Cuba, Allegany County, New York and being all of the lands, premises, rights and easements as described in and conveyed by the following Deeds to wit:

a) Deed dated June 29, 1973 from Nellie F. Clapp to Cuba Village recorded July 3rd, 1973 in Liber 618 of Deeds at Page 232.

b) Deed dated June 29, 1973 from Richard E. Dille and Anna M. Dille to Cuba Village recorded July 9, 1973, in Liber 619 of Deeds at Page 7.

c) Deed dated May 2nd, 1973 Iroquois Gas Corporation to Cuba Village which premises were in such deed described as follows:

All That Piece or Parcel of property situate in lot 52, Township 3, Range 2, of the Holland Land Company's Survey, Village of Cuba, Town of Cuba, County of Allegany, State of New York and described as follows:

Beginning at a point on the westerly boundary of South Street at its intersection with the division line between the property of Iroquois Gas Corporation on the north and the property of Swift on the south, deed dated July 16, 1957 Mary Curran Brown to Klahr H. Swift and Josephine Curran Swift recorded Liber 512 of Deeds at Page 415; thence westerly, along said division line and continuing along the division line between the property of Iroquois Gas Corporation on the north and the property once of George E. Taylor Jr., later Robrad Plateau Services, Ltd. on the south, a total distance of 198.0 ± feet to a point on the division line between the property of Iroquois Gas Corporation on the east and the property once of said Robrad Plateau Services Ltd. on the west; thence northerly, along said division line, a distance of 66.0 ± feet to a point on the division line between the property of Iroquois Gas Corporation on the south and the property of Robrad Plateau Services, Ltd. on the north; thence easterly along said division line, a distance of 198.0 ± feet to a point on the westerly boundary of South Street; thence southerly, along said westerly boundary, a distance of 66.0 ± feet to the point of beginning; being 13,068 square feet, more or less.

Being the lands once described in Deed dated March 23, 1906 George H. Eldridge and Frances C. Eldridge to the Empire Gas & Fuel Company, Limited, recorded March 26, 1906 in Liber 199 of Deeds at Page 108.

AND BEING THE SAME PREMISES conveyed by **CUBA VILLAGE** to **ALLEGANY COUNTY** by Deed dated August 14th, 1973 recorded in the Allegany County Clerk's Office on August 21, 1973 in Liber 622 of Deeds at Page 165.

SUBJECT, to all easements, rights of way, liens and encumbrances of record visible possession.

2. That the Chairman of this Board is authorized to execute and deliver a quit claim deed for said premises to the Village of Cuba without consideration.

3. That the costs of any taxes and transaction fees are to be borne by the Village of Cuba.

Moved by: Mr. Graffrath
Seconded by: Mr. Truax

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

RESOLUTION NO. 57-03

TRANSFER OF FUNDS WITHIN EMERGENCY SERVICES ACCOUNT

Offered by: Public Safety Committee

RESOLVED:

1. That the sum of $1,300 is transferred from Account No. A3640.4 to Account No. A3640.2.

Moved by: Mr. Bennett
Seconded by: Mr. Truax

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

(Memo: Transfer approved in preceding Resolution No. 57-03 is needed to purchase an audio/visual projector for the EMS training program.)

AUDITS:

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

A motion was made by Legislator Nielsen, seconded by Legislator Truax and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims be approved for payment as recommended by the County Administrator.

The meeting was adjourned.

March 10, 2003

The regular meeting of the Board of Legislators was called to order at 2:05 p.m. by Chairman Sherman.

Pledge of allegiance to the flag.

The invocation was given by Zachariah Presutti, Government Intern (Genesee Valley Central School Senior), at the request of Legislator Sobeck.

Roll Call: All present.

PRIVILEGE OF THE FLOOR:

Chairman Sherman granted privilege of the floor to Madeleine Gasdik, Director of Administrative Services for Allegany Arc, who spoke on Mental Retardation Awareness Month. Ms. Gasdik noted the employment, educational and fund-raising campaigns ongoing during the month of March.

Chairman Sherman also granted privilege of the floor to Jodi Bailey, from the Allegany County Chapter of the American Red Cross. During March, the American Red Cross Month campaign highlights their new "Together We Prepare" disaster preparedness initiative.

Representatives were present from the Office for the Aging, Emergency Services, Board of Elections, Health Department, Coroners, Community Services, Real Property Tax and Fire Service, to answer any questions regarding their 2002 Annual Reports. A request was made that in the future, department heads curtail the use of acronyms in their annual reports or possibly include a guide sheet.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Placed on each legislator's desk were copies of the 2002 Annual Reports from Employment and Training, Veterans' Services, Youth Bureau, STOP DWI, District Attorney, Public Defender, and Workers' Compensation for review.

2. Placed on each legislator's desk were copies of the Board meeting minutes of February 10 and 24, 2003 for review.

3. Also placed on each legislator's desk was a copy of the Report of Tax Bill Corrections approved by the County Administrator during the month of February 2003.

4. Correspondence was received from the Allegany County Farm Bureau objecting to the Motor Vehicle Tax for farm and agricultural vehicles and requesting the Board to exempt farm and agricultural vehicles from said tax.

5. Correspondence was received from Assemblywoman Catharine Young acknowledging receipt and support of our resolution regarding reform of the New York State Medicaid Program. Assemblywoman Young summarized the Assembly Republican Medicaid Relief Plan and a proposal requiring a 2/3 vote in each House of the Legislature to enact any new tax or impose any unfunded mandates on local governments.

6. Correspondence was received from Alice Alsworth thanking the Board for their support during her father's recent illness and death.

APPOINTMENTS:

The Clerk announced that Chairman Sherman has appointed Jack Potter of Scio, New York and Gary Link of Wellsville, New York as active farmer members on the Allegany County Agricultural and Farmland Protection Board, each for a four-year term commencing March 5, 2003 and expiring March 4, 2007.

The Clerk announced that Chairman Sherman has appointed the following as members of the Allegany County Youth Board for a three-year term commencing March 26, 2003 and expiring March 25, 2006, subject to confirmation by the Board of Legislators:

Deborah Knapp, Angelica, N.Y.	(District I)
Kathy Morris, Cuba, N.Y.	(District II)
Jack Emrick, Scio, N.Y.	(District III)
Robert Donius, Alfred Station, N.Y.	(District V)

PROCLAMATIONS:

Chairman Sherman proclaimed the month of March as Mental Retardation Awareness Month in Allegany County and urged the citizens to give full support to efforts toward enabling people with mental retardation to live productive lives and achieve their potential.

Chairman Sherman proclaimed the month of March as American Red Cross Month in Allegany County and called upon all our citizens to become partners in preparedness with their local Red Cross chapter and to become active participants in advancing the noble mission of the Red Cross.

RESOLUTIONS:

RESOLUTION NO. 58-03

REQUESTING STATE LEGISLATIVE REPRESENTATIVES TO INTRODUCE AND SEEK PASSAGE OF LEGISLATION AUTHORIZING ALLEGANY COUNTY TO CONTINUE THE ADDITIONAL ONE PERCENT COUNTY SALES TAX FOR THREE YEARS

Offered by: Ways and Means Committee

WHEREAS, the only two substantial tax revenues available to Allegany County are real property and sales, and

WHEREAS, Allegany County is at its sales tax limit, and

WHEREAS, by Chapter 118 of the 2001 Laws of the State of New York, the County of Allegany was authorized to impose an additional

one percent sales tax for the period December 1, 2001 to November 30, 2003, and

WHEREAS, by Resolution No. 213-2001, such additional sales tax was imposed for such period, and

WHEREAS, Allegany County is presently at 73 percent of its constitutional taxing limit for real estate taxes, and

WHEREAS, Allegany County will be at 100 percent of such constitutional taxing limit if such additional sales tax is not reauthorized, and

WHEREAS, Allegany County has had no substantial growth in real estate assessed valuation in the past five years, and

WHEREAS, in the current economic condition of Allegany County any substantial increase in real estate taxes would put in financial jeopardy the County's large percentage of senior citizens with fixed incomes who would have no choice but to pay such taxes out of such fixed incomes, now, therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators requests our State legislative representatives to introduce and seek passage, in the State Senate and Assembly, legislation to authorize Allegany County to increase its County sales tax by one percent for at least the period December 1, 2003, to November 30, 2006.

2. That the Clerk of this Board is directed to send copies of this resolution to Senator McGee and Assembly members Young and Burling.

Moved by: Mr. Nielsen
Seconded by: Mr. Bennett

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 59-03

POLICY FOR REIMBURSEMENT FOR MEAL EXPENSE

Offered by: Ways and Means Committee

RESOLVED:

1. All public officers and employees of the County who expend personal funds for meals while on County business shall be entitled to be reimbursed for the meal expense.

2. The maximum daily reimbursement shall be as follows:

a. Breakfast - $10.00
b. Lunch - $10.00
c. Dinner - $25.00

In addition to the above maximums, reimbursement may be obtained for a gratuity of 15 percent in addition to the cost of the meal.

3. In the event a public officer or employee seeks reimbursement for meal expense paid on behalf of another individual, the public officer or employee seeking such reimbursement must submit with the voucher the name or names of the other individual or individuals for whom the employee paid a meal expense. The above maximum amounts of reimbursement shall apply to meals paid for by a public officer or employee for another individual.

4. Reimbursement for meal expense shall not include the cost of any alcoholic beverage.

5. That the Ways and Means Committee shall have the right to approve expenses in excess of the above maximum reimbursement allowances.

Moved by: Mr. Nielsen
Seconded by: Mr. Bennett

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Prior to consideration of Resolution Intro. No. 60-03 (Authorization to Clerk of the Board of Legislators), Legislator Myers proposed a policy establishing a time frame during which legislators will need to respond if they do not wish to have their signatures included on a particular support letter. It was decided that two days would be sufficient. No amendment to the resolution is necessary.

RESOLUTION NO. 60-03

AUTHORIZATION TO CLERK OF BOARD OF LEGISLATORS

Offered by: Ways and Means Committee

RESOLVED:

1. The Clerk of the Board of Legislators is authorized to attach facsimile signatures of legislators to certain types of correspondence and to forward such correspondence under certain terms and conditions.

2. This may only be done after each legislator has been contacted and informed as to the reason for the request to attach and send facsimile signatures. If any one legislator objects to having his facsimile signature attached to any document or correspondence then no facsimile signatures may be attached to such document or correspondence.

3. This authorization shall be used by the Clerk of the Board in those situations in which legislators are requested to support or oppose state or federal legislation, or urge the state or federal government to perform or not perform any act or to take or not to take any position regarding an issue and there is not sufficient time to have each legislator individually sign the document in person.

Moved by: Mr. Nielsen
Seconded by: Mr. Bennett

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 61-03

AUTHORIZING EXECUTION AND DELIVERY OF CONFIRMATORY DEED TO CORNERSTONE FUND, INC.

Offered by: Ways and Means Committee

WHEREAS, the Cornerstone Fund, Inc. purchased a certain parcel of real property in the Town of Genesee at the tax sale held in May 2002, and

WHEREAS, a deed was subsequently delivered to Cornerstone from the County conveying the property in the Town of Genesee, and,

WHEREAS, there was an apparent inconsistency in the dates of the deed from the County to Cornerstone and the deed from the County Treasurer to the County, and Cornerstone is requesting that the

County execute and deliver a deed confirming the prior conveyance and explaining the apparent inconsistency of dates, now, therefore, be it

RESOLVED:

1. That the Chairman of this Board is authorized to execute and deliver to Cornerstone Fund, Inc. the requested confirmatory deed.

Moved by: Mr. Nielsen
Seconded by: Mr. Bennett

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 62-03

APPROVAL OF BOARD CHAIRMAN'S APPOINTMENT TO CITIZENS ADVISORY COUNCIL TO THE OFFICE FOR THE AGING

Offered by: Human Services Committee

Pursuant to Resolution No. 221-74

RESOLVED:

1. That the appointment of Curt Crandall of Caneadea, New York as Legislative Member to the Citizens Advisory Council To The Office For The Aging, with term of office commencing February 10, 2003, is confirmed.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 63-03

TRANSFER OF FUNDS WITHIN HEALTH DEPARTMENT ACCOUNTS

Offered by: Human Services and Ways and Means Committees

RESOLVED:

1. That the sum of $6,605 is transferred from Account No. A4010.1 to Account No. A4050.4.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 64-03

REAPPROPRIATION OF FEDERAL GRANT-IN-AID FROM ENVIRONMENTAL PROTECTION AGENCY TO ASSIST THE PLANNING SPECIALIST IN THE ADMINISTRATION OF THE GIS PARCEL-BY-PARCEL COVERAGE OF DISPOSAL SYSTEMS AND APPROPRIATION OF SAME TO PLANNING ACCOUNT

Offered by: Planning and Development and Ways and Means Committees

RESOLVED:

1. That the sum of $10,000 is appropriated as follows: $2,200 to Account Number A8020.2 and $7,800 to Account No. A8020.4, with a like sum credited to Revenue Account No. A11.4989.8020.

Moved by: Mr. Reynolds
Seconded by: Mrs. Myers

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 65-03

TRANSFER OF FUNDS FROM CONTINGENT ACCOUNT TO MAINTENANCE ROADS & BRIDGES CONTRACTUAL EXPENSES ACCOUNT

Offered by: Public Works and Ways and Means Committees

RESOLVED:

1. That the sum of $30,000 is transferred from Account No. A1990.4 to Account No. D5110.4 to cover transportation costs of 20 Pre-Cast Concrete Inverset Panels from Boston, MA to the County.

Moved by: Mr. Truax
Seconded by: Mr. Reynolds

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 66-03

TRANSFER OF FUNDS FROM VARIOUS PUBLIC WORKS' ACCOUNTS TO CHIPS PAVING ACCOUNT

Offered by: Public Works and Ways and Means Committees

RESOLVED:

1. That the sum of $175,000 is transferred to Account No. D5112.2 in the designated amounts from the following accounts: $70,500 from Account No. A8160.2, $14,500 from Account No. D9553.904 and $90,000 from Account No. DM9553.904.

Moved by: Mr. Graffrath
Seconded by: Mr. Truax

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 67-03

ACCEPTANCE OF GRANT-IN-AID FROM NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES AND APPROPRIATION OF SAME TO CULTURE AND RECREATION CONTRACT ACCOUNT

Offered by: Ways and Means Committee

RESOLVED:

1. That a non-budgeted State grant-in-aid in the amount of $9,627 from New York State Division of Criminal Justice Services is appropriated to Account No. A7320.483, with a like sum credited to Revenue Account No. A10.3824.7320.

Moved by: Mr. Nielsen
Seconded by: Mr. Crandall

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

(Memo: Preceding Resolution No. 67-03 concerns the Youth Compeer Program administered by the Allegany County Mental Health Association.)

RESOLUTION NO. 68-03

APPROVAL OF AGREEMENT WITH MAXIMUS, INC. TO PREPARE COUNTY-WIDE COST ALLOCATION PLAN AND RELATED INDIRECT COST RATE PROPOSALS FOR 2002 AND 2003 FOR FEDERAL AID

Offered by: Ways and Means Committee

RESOLVED:

1. That Agreement with the firm of MAXIMUS, Inc., which provides for the payment of $14,400 to the firm to prepare a County-

wide cost allocation plan and related and indirect cost rate proposals for 2002 and 2003 for Federal aid, is approved.

2. That the Agreement cost shall be charged to Account No. A1040.4.

3. That the Chairman of this Board is authorized to execute said Agreement, in duplicate, and thereafter to file one executed copy with the Clerk of this Board and send one executed copy to the firm.

Moved by: Mr. Nielsen
Seconded by: Mr. Truax

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 69-03

DETERMINING THAT THE DISPOSAL IN ALLEGANY COUNTY OF SOLID WASTE FOR OR TO BE USED FOR DAILY COVER, GENERATED BY THE EARTHWATCH WASTE SYSTEMS, INC., FROM OUT OF ALLEGANY COUNTY IS IN THE PUBLIC INTEREST OF ALLEGANY COUNTY; APPROVAL OF AGREEMENT WITH EARTHWATCH WASTE SYSTEMS, INC., IN RELATION TO DISPOSAL OF SOLID WASTE AT COUNTY LANDFILL; AUTHORIZING BOARD CHAIRMAN TO EXECUTE AGREEMENT

Offered by: Public Works Committee

Pursuant to Local Law 1 of 1991

RESOLVED:

1. That it is presently in the public interest of the County of Allegany to allow the disposal at the County landfill at Angelica of non-Allegany County generated solid waste for or to be used for daily cover from Earthwatch Waste Systems, Inc., of Buffalo, New York, and its authorized customers.

2. That Agreement, entitled "Agreement For Purchase of Tonnage Capacity at Allegany County Landfill" between Allegany County and Earthwatch Waste Systems, Inc., is approved.

Moved by: Mr. Graffrath
Seconded by: Mr. Truax

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 70-03

APPROVAL OF CONTRACT BETWEEN COUNTY OF ALLEGANY AND NEW DIRECTIONS YOUTH & FAMILY SERVICES, INC., FOR NON-SECURE DETENTION SERVICES

Offered by: Human Services Committee

RESOLVED:

1. That Contract between County of Allegany and New Directions Youth & Family Services, Inc., for Non-Secure Detention Services for the term January 1, 2003 through June 30, 2003, is approved.

2. That the Chairman of this Board of Legislators is authorized to execute the Contract.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

(Memo: Regarding preceding Resolution No. 70-03, New Directions requested contract changes to modify per diem charged for beds and

clarify billing for unused bed nights. Based on our usage for past two years, the County is also reducing contracted bed nights from three to two as a means of keeping costs in line.)

Resolution Intro. No. 71-03 (Resolution Setting Date of Public Hearings on Application for Small Cities Community Development Block Grant for Replenishment of Revolving Loan Fund) was not pre-filed and was considered from the floor on a motion made by Legislator Reynolds, seconded by Legislator Palmer and carried.

RESOLUTION NO. 71-03

RESOLUTION SETTING DATE OF PUBLIC HEARINGS ON APPLICATION FOR SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT FOR REPLENISHMENT OF REVOLVING LOAN FUND

Offered by: Planning and Development Committee

WHEREAS, the Allegany County Office of Development intends to submit an application for a Small Cities Community Development Block Grant in the amount of $400,000 for replenishment of the County's Revolving Loan Fund, and

WHEREAS, there must be two public hearings held on such application prior to the submission of the application, now, therefore, be it

RESOLVED:

1. That public hearings on the submission of the Small Cities Community Development Block Grant for replenishment of the County's Revolving Loan Fund shall be held on March 24, 2003 at 2:00 PM in the Board of Legislators Chambers in County Office Building, 7 Court Street, Belmont, New York 14813 and on March 31, 2003 at 2:00 PM in Room 220 of the Allegany County Office Building, 7 Court Street, Belmont, New York 14813.

2. That the Clerk of the Board of Legislators is directed to prepare, with the assistance of the County Attorney, a notice of said public hearing, to cause the publication of a copy of said notice in each of the two newspapers which have been officially designated by this Board to publish "notices," and to affix a copy of said notice on the County bulletin board in the County Courthouse at Belmont, New York; both publication and posting to be made at least seven days prior to the first public hearing to be held on March 24, 2003.

Moved by: Mr. Reynolds
Seconded by: Mr. Sobeck

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

AUDITS:

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

A motion was made by Legislator Nielsen, seconded by Legislator Truax and adopted on a roll call vote of 15 Ayes, 0 Noes, 0 Absent, that the audit of claims be approved for payment as recommended by the County Administrator.

The meeting was adjourned on a motion made by Legislator Dibble, seconded by Legislator Truax and carried.

March 24, 2003

The regular meeting of the Board of Legislators was called to order at 2:00 p.m. by Chairman Sherman.

Pledge of allegiance to the flag.

The invocation was given by Legislator Regan following a brief recognition of our troops fighting in Iraq, particularly Captain Townley Hedrick of Wellsville, who was wounded in a grenade attack at his camp in Kuwait.

Roll Call: All present except Legislators Graffrath and Sobeck.

PUBLIC HEARING:

Chairman Sherman closed the regular meeting to hold a public hearing in relation to the application for a Small Cities Community Development Block Grant for the replenishment of the County's revolving loan fund. Allegany County is requesting $400,000 for continuing the micro-enterprise program administered by the Office of Development. The program is designed to assist in the establishment, stabilization and expansion of commercial enterprises having five or fewer employees, one or more of whom own the enterprise. As no one desired to offer comment, the public hearing was closed and the Board reconvened in regular session.

APPROVAL OF MINUTES:

The Board meeting minutes of February 10 and 24, 2003 were approved on a motion made by Legislator Dibble, seconded by Legislator Truax and carried.

PRIVILEGE OF THE FLOOR:

Representatives were present from Employment and Training, Veterans' Services, Youth Bureau, STOP DWI, District Attorney, Public Defender, and Workers' Compensation, to answer any questions regarding their 2002 Annual Reports. Legislator Myers requested clarification from the STOP DWI Coordinator on attendance at the victim impact panels and further information on our County's rate for successful DWI prosecution.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Placed on each legislator's desk were copies of the 2002 Annual Reports from Soil and Water, Parks and Reforestation, Traffic Safety Board, Weights and Measures, and Information Technology for review.

2. Also placed on each legislator's desk was a copy of the Report of Intrafund Transfers approved by the County Administrator for the month of February 2003.

3. A Certificate of Withdrawal of Delinquent Tax Lien was filed on March 20, 2003 by the County Treasurer in the Clerk of the Board's Office for property in the Town of Friendship pursuant to Article 11 of the Real Property Tax Law of the State of New York.

APPOINTMENTS:

The Clerk announced that Chairman Sherman appointed Thomas Hayden of Wellsville, New York, as a member of the Allegany County Planning Board, effective immediately, for the remainder of a one-

year term ending December 31, 2003, subject to confirmation by the Board of Legislators.

The Clerk announced that Chairman Sherman appointed the following as members of the Ad Hoc Transportation Committee to investigate the service and purchase of County vehicles and the feasibility of creating an in-house fleet management system for Allegany County. Pursuant to Resolution No. 266-02, dated November 12, 2002, the Ad Hoc Transportation Committee shall report its findings to this Board before its June 23, 2003 regular meeting.

Edmund C. Burdick, District II Legislator
Daniel Russo, District IV Legislator
James G. Palmer, District V Legislator

RESOLUTIONS:

RESOLUTION NO. 72-03

RESOLUTION IN SUPPORT OF THE REAUTHORIZATION OF THE TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY

Offered by: Public Works Committee

WHEREAS, the current Transportation Equity Act for the 21st Century (TEA-21) Highway Bill expires in October 2003, and

WHEREAS, there is a critical need to maintain and improve the nation's and New York State's highway and transportation systems, and

WHEREAS, the future economy of New York State is dependent upon a statewide safe, adequate and sufficient transportation system, and

WHEREAS, the reauthorized TEA-21 should contain adequate funding to meet the needs of both urban and rural portions of our nation and New York State, and

WHEREAS, residents of New York State should have access to an affordable and reliable state transportation system to attract and to retain businesses vital to the economic well-being of our state, now, therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators does hereby recommend to the United States Congress the approval of the reauthorization of TEA-21.

2. That the legislation include a minimum of $1 billion per year to be available to local governments for addressing road safety issues.

3. That all transportation taxes, including those levied on all alternative fuels and gasohol, are deposited into the Highway Trust Fund.

4. That the Clerk of this Board is directed to transmit a certified copy of this resolution to Congressman Amory Houghton and United States Senators Charles Schumer and Hillary Clinton.

Moved by: Mr. Truax
Seconded by: Mr. Bennett

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 73-03

RESOLUTION IN SUPPORT OF FUNDING FOR I-86 PROJECTS

Offered by: Public Works Committee

WHEREAS, access to an interstate transportation system is essential to attract and to retain businesses vital to the economic well-being of our state, and

WHEREAS, the I-86 Economic Development Benefits Study projects that the conversion of New York State Route 17 (Route 17) to I-86, if completed in a timely manner, will result in a $3.2 billion direct economic benefit to the Southern Tier, Hudson Valley and New York State economies, and

WHEREAS, designation of Route 17 to I-86 will provide a highway network with connection to every interstate highway located within New York State, and

WHEREAS, when completed I-86 will connect to every other New York State Interstate and all Interstates leading into Pennsylvania, thus completing the New York State Interstate System, and

WHEREAS, the allocation of transportation funding for the I-86 project activities in the 2003-2004 State Budget is critical, now, therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators supports the upgrading of Route 17 to I-86 and urges the Governor and State Legislature to provide the funding necessary to implement and complete the I-86 projects.

2. That the Clerk of this Board is directed to transmit a certified copy of this Resolution to Governor George E. Pataki, Joseph Bruno, Speaker Pro Tem and Majority Leader of the New York State Senate, Sheldon Silver, Speaker of the New York State Assembly, Senator Patricia McGee, Assembly members Catharine Young, and Daniel Burling, the New York State Association of Counties, and all others deemed necessary and proper.

Moved by: Mr. Truax
Seconded by: Mrs. Myers

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 74-03

RESOLUTION URGING STATE OF NEW YORK TO INCLUDE CHIPS OPERATIONS AND MAINTENANCE AID WITH CHIPS CAPITAL PROGRAM FUNDING

Offered by: Public Works Committee

WHEREAS, over 1,600 units of local government rely on essential state highway and bridge funding through the Consolidated Highway Improvement Program (CHIPS), and

WHEREAS, enacted in 1981-1982, CHIPS replaced a dedicated stream of motor vehicle taxes and fees which counties were collecting and using for the maintenance and repair of the local transportation system, and

WHEREAS, local governments are responsible for 93,500 of New York State's 110,000 centerline miles (85 percent) of roads; most of

which need significant repair to keep condition levels from deteriorating to "poor," and

WHEREAS, while some progress has been made to address the local bridge deficiency levels across New York, nearly half of the 9,000 local bridges are structurally deficient and in need of structural repair, and

WHEREAS, investments in the local transportation infrastructure will not only lend themselves to safer motor vehicle travel, but pay for themselves many times over in job growth and revenue generation, and

WHEREAS, since 2001, the state has withheld $60 Million in CHIPS Operations and Maintenance Aid (O&M) for counties outside New York City by not authorizing the annual appropriation of such aid out of the State general fund, now, therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators urges the State to continue to invest in the local transportation system by including the $60 Million lost by Counties in CHIPS O&M funds since 2001 with CHIPS Capital Program funds, in a manner similar to the funding provided to towns, cities and villages in the 2002/03 state budget. Additionally, this Board urges the State to continue to provide counties with CHIPS O&M funding as part of CHIPS Capital Program funding.

2. That the Clerk of this Board is directed to transmit a certified copy of this Resolution to Governor George E. Pataki, Joseph Bruno, Speaker Pro Tem and Majority Leader of the New York State Senate, Sheldon Silver, Speaker of the New York State Assembly, Senator Patricia McGee, Assembly members Catharine Young, and Daniel Burling, the New York State Association of Counties, and all others deemed necessary and proper.

Moved by: Mr. Truax
Seconded by: Mr. Bennett

Adopted: Roll Call
12 Ayes, 1 No, 2 Absent
Voting No: Burdick

RESOLUTION NO. 75-03

DETERMINING THAT THE DISPOSAL IN ALLEGANY COUNTY OF OUT-OF-COUNTY SOLID WASTE, I.E., SLUDGE GENERATED BY THE CITY OF OLEAN, IS IN THE PUBLIC INTEREST OF ALLEGANY COUNTY; APPROVAL OF AGREEMENT WITH CITY OF OLEAN, IN RELATION TO DISPOSAL OF SLUDGE AT COUNTY LANDFILL AND DISPOSAL OF LEACHATE AT CITY'S WASTE WATER TREATMENT PLANT; AUTHORIZING BOARD CHAIRMAN TO EXECUTE AGREEMENT

Offered by: Public Works Committee

Pursuant to Local Law No. 1 of 1991

RESOLVED:

1. That it is presently in the public interest of the County of Allegany to allow the disposal at the County landfill at Angelica of non-Allegany County generated solid waste i.e., sludge from the City of Olean in Cattaraugus County.

2. That Agreement between the County of Allegany and City of Olean, in relation to the City's disposal of sludge at the Allegany County Landfill and the County's disposal of leachate at the City's waste water treatment plant, is approved.

3. That the Chairman of this Board is hereby authorized to execute said Agreement.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

Resolution Intro. No. 76-03 (Transfer of Funds Within Water Quality Management Account) was not pre-filed and was considered from the floor on a motion made by Legislator Truax, seconded by Legislator Dibble and carried.

RESOLUTION NO. 76-03

TRANSFER OF FUNDS WITHIN WATER QUALITY MANAGEMENT ACCOUNT

Offered by: Human Services Committee

RESOLVED:

1. That the sum of $11,500 is transferred from Account No. A4050.204 to Account No. A4050.201.

Moved by: Mr. Truax
Seconded by: Mr. Russo

Adopted: Roll Call
12 Ayes, 1 No, 2 Absent
Voting No: Burdick

Resolution Intro. No. 77-03 (Providing for Filling of Assistant Director of Veterans' Service Agency Position) was WITHDRAWN by Legislator Dibble.

AUDITS:

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

A motion was made by Legislator Nielsen, seconded by Legislator Truax and adopted on a roll call vote of 13 Ayes, 0 Noes, 2 Absent, that the audit of claims be approved for payment as recommended by the County Administrator.

The meeting was adjourned on a motion made by Legislator Bennett, seconded by Legislator Nielsen and carried.

April 14, 2003

The regular meeting of the Board of Legislators was called to order at 2:03 p.m. by Chairman Sherman.

Pledge of allegiance to the flag.

The invocation was given by Legislator Dibble.

Roll Call: All present.

PRIVILEGE OF THE FLOOR:

Representatives were present from Soil and Water, Parks and Forests, Traffic Safety Board, Weights and Measures, and Information Technology to answer any questions regarding their 2002 Annual

Reports. Legislator Reynolds addressed Fred Sinclair, Soil & Water Conservation District Manager, with inquiries about the stream repair program and Guy James, Public Works Deputy Superintendent II, was asked about the federal funds available for repair of town roads and bridges.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Placed on each legislator's desk were copies of the 2002 Annual Reports from Social Services, Development/IDA, Planner, Planning Board, Tourism, and County Administrator for review.

2. Also placed on each legislator's desk was a copy of the Report of Tax Bill Corrections approved by the County Administrator during the month of March 2003.

3. Each legislator also received a copy of the Report of Intrafund Transfers approved by the County Administrator for the month of March 2003.

4. Placed on each legislator's desk were copies of the Board meeting minutes of March 10 and 24, 2003 for review.

5. A Certificate of Withdrawal of Delinquent Tax Lien was filed on March 26, 2003 by the County Treasurer in the Clerk of the Board's Office for property in the Town of Scio pursuant to Article 11 of the Real Property Tax Law of the State of New York.

6. A news release dated April 7, 2003 was received from Southern Tier West Regional Planning & Development Board summarizing highlights of their March Board meeting.

7. The auditor's report from Deloitte & Touche for the year ended December 31, 2001 was filed in the Clerk of the Board's Office on March 26, 2003.

INTRODUCTION OF LEGISLATION:

Legislator Nielsen introduced Local Law Intro. No. 1-2003 entitled "A Local Law Amending Local Law No. 1 of the year 2003 Establishing Allegany County Motor Vehicle Use Tax," a copy of said Local Law having been placed on each legislator's desk.

(Memo: This amendment adds a new exemption from the tax for vehicles registered as agricultural trucks or farm vehicles.)

RESOLUTIONS:

RESOLUTION NO. 77-03

RESOLUTION SETTING DATE OF PUBLIC HEARING ON A LOCAL LAW TO AMEND LOCAL LAW NO. 1 OF THE YEAR 2003 ESTABLISHING ALLEGANY COUNTY MOTOR VEHICLE USE TAX

Offered by: Ways and Means Committee

WHEREAS, on this 14th day of April, 2003, a local law (Intro. No. 1-2003, Print No. 1) was introduced to Amend Local Law No. 1 of the year 2003, Establishing Allegany County Motor Vehicle Use Tax, and

WHEREAS, it will be necessary to set a date for public hearing on said proposed local law, now, therefore, be it

RESOLVED:

1. That a public hearing shall be held on the 28th day of April 2003, at 2:00 P.M. in the County Legislators' Chambers, Room 221, County Office Building, Belmont, New York, before the Allegany County Board of Legislators, in relation to proposed Local Law Intro. No. 1-2003, Print No. 1.

2. That the Clerk of the Board of Legislators is directed to prepare, with the assistance of the County Attorney, a notice of said public hearing, to cause the publication of a copy of said notice in each of the two newspapers which have been officially designated by this Board to publish "notices," and to affix a copy of said notice on the County bulletin board in the County Courthouse at Belmont, New York; both publication and posting to be made at least five days before the public hearing.

Moved by: Mr. Nielsen
Seconded by: Mr. Bennett

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 78-03

URGING STATE LEGISLATURE TO ADOPT LEGISLATION AMENDING VEHICLE AND TRAFFIC LAW WITH RESPECT TO PERMANENT REVOCATION OF MOTOR VEHICLE OPERATOR'S LICENSE AS THE RESULT OF CERTAIN ALCOHOL RELATED CONVICTIONS

Offered by: Resource Management Committee

WHEREAS, currently New York law only provides for the permanent suspension of a motor vehicle operator's license upon conviction of two or more alcohol related offenses arising out of automobile accidents resulting in personal injury, and

WHEREAS, there is currently pending before the New York State Legislature a bill (S.1262 and A.3222) providing for permanent revocation of a motor vehicle operator's license in the event of a conviction of certain alcohol related offenses, and

WHEREAS, the adoption of the legislation will help to remove serial drunk drivers from our highways and protect the motoring public of our state, now, therefore, be it

RESOLVED:

1. That this Board of Legislators urges the New York State Legislature to adopt Senate Bill No. 1262 and Assembly Bill No. 3222 in order remove from our highways those persons who would take the lives of innocent people while under the influence of alcohol or drugs.

2. The Clerk of this Board shall forward a certified copy of this resolution to the Inter-County Association of Western New York, Senator Patricia McGee, Senate Majority Leader Joseph Bruno, Assembly Speaker Sheldon Silver and members of the Assembly Catharine Young, Daniel Burling and Paul Tokasz.

Moved by: Mrs. Myers
Seconded by: Mr. Truax

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 79-03

CONFIRMATION OF BOARD CHAIRMAN'S REAPPOINTMENTS TO COUNTY YOUTH BOARD

Offered by: Resource Management Committee

Pursuant to Resolution No. 95-79

RESOLVED:

1. That the reappointments by the Chairman of this Board of Deborah Knapp, Kathy Morris, Jack Emrick and Robert Donius to the County Youth Board, with term of office for each commencing March 26, 2003, and expiring March 25, 2006, are confirmed.

Moved by: Mrs. Myers
Seconded by: Mr. Burdick

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 80-03

A RESOLUTION DETERMINING THAT ERRORS EXIST ON THE 2002-2003 COUNTY AND TOWN TAX ROLLS FOR THE TOWNS NAMED WITH REGARD TO REAL PROPERTY OF VARIOUS TAXPAYERS THEREIN; DIRECTING MAILING OF NOTICES OF APPROVAL OF APPLICATIONS FOR CORRECTED TAX ROLLS AND ORDERING THE VARIOUS TOWN TAX COLLECTORS TO CORRECT THE TAX ROLLS; PROVIDING FOR CHARGE BACKS OR CREDITS

Offered by: Ways and Means Committee

Pursuant to Real Property Tax Law § 554

WHEREAS, applications, for the taxpayers hereafter described, have been made to the County's Director of Real Property Tax Service Agency, for the correction of certain errors affecting their real property on various tax rolls, and

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

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

RESOLVED:

1. That with regard to the applications for the named taxpayers pertaining to claimed errors regarding their real property on the respective tax rolls of the named Towns, this Board of Legislators does determine that the claimed errors as alleged in those applications exist and does approve those applications.

2. That the Chairman of this Board is authorized and directed to make a notation on those applications and the duplicates thereof that they are 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 Tax Collector, and to sign thereon as Chairman.

3. That the Clerk of this Board is directed to mail to the listed taxpayers 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 respective taxpayers of the applicable provisions of subdivision seven of section 554 of the Real Property Tax Law.

4. That the Tax Collector of the Town of Amity is ordered and directed to correct in the 2002 County and Town Tax Roll the assessment or taxes, or both, of the property assessed to the following taxpayer and described as follows:

a. CCAS Southern Tier Ext Railroad; Parcel 172.13-1-67
Assessment: Land $273,579 Total $273,579

by exempting such Parcel from the Tax Roll, and the County Treasurer is directed to make the following charges on her books:

Village Relevy	$4,102.04

5. That the Tax Collector of the Town of Clarksville is ordered and directed to correct in the 2003 County and Town Tax Roll the assessment or taxes, or both, of the property assessed to the following taxpayer and described as follows:

a. Wilson J. Hershey; Parcel 231.-1-28.22
Assessment: Land $91,500 Total $91,500

by deleting such Parcel from the Tax Roll, and the County Treasurer is directed to make the following charges on her books:

Allegany County	$1,144.08
Town of Clarksville	$1,156.05
Fire	$156.39
Total	$2,456.52

6. That the Tax Collector of the Town of Friendship is ordered and directed to correct in the 2002-2003 County and Town Tax Roll the assessment or taxes, or both, of the property assessed to the following taxpayer and described as follows:

a. CCAS Southern Tier Ext Railroad; Parcel 182.12-1-1
Assessment: Land $334,503 Total $334,503

such Parcel is in Section 8 of the Tax Roll and is Wholly Exempt from all taxes, and the County Treasurer is directed to make the following charges on her books:

	Year 2002	Year 2003
Special District Light	$335.08	$424.33
Sidewalk	$920.78	$787.31
Total	$1,275.86	$1,211.64

7. That the Tax Collector of the Town of Wirt is ordered and directed to correct in the 2003 County and Town Tax Roll the assessment or taxes, or both, of the property assessed to the following taxpayer and described as follows:

a. Leonard & Kathryn Tyler; Parcel 187.-1-984
Assessment: Land $2,500 Total $2,500

by deleting such Parcel from the Tax Roll, and the County Treasurer is directed to make the following charges on her books:

Allegany County	$28.18
Town of Wirt	$25.48
Fire	$5.74
Total	$59.40

8. That the Clerk of this Board is directed to forthwith mail a certified copy of this resolution to the various Tax Collectors for the Towns stated above together with the original copies of those applications completed in accordance with section two of this resolution.

9. The Clerk of this Board shall mail a copy of this resolution to the above named School and the amount to be charged to each School shall not be charged until 10 days after such mailing. Such amount shall be deducted by the County Treasurer from the money payable to each School as a result of school taxes returned after the date such amount is charged and which shall be paid to each School after May 1, 2003. The County Treasurer shall send a written notice to each School of the amount of such deduction prior to May 1, 2003.

Moved by: Mr. Nielsen
Seconded by: Mr. Truax

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 81-03

ACCEPTANCE OF MONIES FROM INSURANCE COMPANY AND APPROPRIATION OF SAME TO OFFICE FOR THE AGING PROGRAM: NUTRITION ACCOUNT

Offered by: Human Services and Ways and Means Committees

WHEREAS, an insurance payment in the amount of $2,834.91 representing 90 percent of damages sustained in an accident to a 1995 Pontiac Grand Am owned by the Office for the Aging has been offered, now, therefore, be it

RESOLVED:

1. That the sum of $2,834.91 is accepted for damages sustained by such Office for the Aging vehicle.

2. That the accepted sum of $2,834.91 from the insurance company is appropriated to Account No. A6772.2, with a like sum credited to Revenue Account No. A07.2680.00.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 82-03

TRANSFER OF FUNDS FROM CONTINGENT ACCOUNT TO OFFICE FOR THE AGING PROGRAMS EQUIPMENT ACCOUNT

Offered by: Human Services and Ways and Means Committees

RESOLVED:

1. That the sum of $966 is transferred from Account No. A1990.4 to Account No. A6772.2 to purchase a used 2000 Saturn vehicle to deliver meals-on-wheels.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 83-03

APPROPRIATION OF NON-BUDGETED FEDERAL GRANT-IN-AID TO OFFICE FOR THE AGING PROGRAM: OFA-WEATHERIZATION ACCOUNTS

Offered by: Human Services and Ways and Means Committees

RESOLVED:

1. That non-budgeted Federal grant-in-aid of $5,988 is appropriated to Account No. A6784.4 with a like sum credited to Revenue Account No. A11.4772.08.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 84-03

TRANSFER OF FUNDS FROM E-911 REVENUE ACCOUNT TO FIRE E-911 EQUIPMENT ACCOUNT

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That the sum of $2,987 is transferred from Revenue Account No. A02.1589.R4 to Account No. A3510.203 to upgrade the voice recorder at the Wellsville Police Department (public safety answering point).

Moved by: Mr. Bennett
Seconded by: Mr. Truax

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 85-03

APPROVING AND AUTHORIZING THE SUBMISSION OF APPLICATION FOR SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT FOR REPLENISHMENT OF REVOLVING LOAN FUND

Offered by: Planning and Development Committee

WHEREAS, the Allegany County Office of Development intends to submit an application for a Small Cities Community Development Block Grant in the amount of $400,000 for replenishment of the County's Revolving Loan Fund, and

WHEREAS, Federal regulations require the holding of two public hearings prior to the submission of such grant application, and

WHEREAS, public hearings with respect to the submission of the Small Cities Community Development Block Grant for replenishment of the County's Revolving Loan Fund were held on March 24, 2003 at 2:00 PM in the Board of Legislators Chambers, County Office Building, 7 Court Street, Belmont, New York and on March 31, 2003 at 2:00 PM in Room 220 of the Allegany County Office Building, 7 Court Street, Belmont, New York 14813, and

WHEREAS, no opposition to the proposed Small Cities Community Development Block Grant application was made by members of the public at such hearings, now, therefore, be it

RESOLVED:

1. That this Board approves the Small Cities Community Development Block Grant application in the amount of $400,000 for replenishment of the County's Revolving Loan Fund and authorizes its submission to the appropriate agency.

2. The execution of such application by the necessary public officers, employees or agents is authorized.

Moved by: Mr. Reynolds
Seconded by: Mr. Graffrath

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 86-03

APPROVAL OF MUNICIPAL COOPERATIVE CONTRACT WITH CERTAIN MUNICIPALITIES FOR SOUTHERN TIER TASK FORCE DRUG ENFORCEMENT PROGRAM; AUTHORIZING CHAIRMAN TO EXECUTE CONTRACT; SHERIFF TO ADMINISTER CONTRACT

Offered by: Public Safety Committee

RESOLVED:

1. That "Contract Between County of Chautauqua, County of Allegany, County of Cattaraugus, City of Olean, and County of Wyoming For Southern Tier Drug Enforcement Program," dated March 12, 2003, is approved.

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

3. That the Allegany County Sheriff shall be responsible for the administration of the Contract as to Allegany County's interest.

Moved by: Mr. Bennett
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 87-03

APPROVAL OF SOUTHERN TIER TASK FORCE DRUG ENFORCEMENT PROGRAM AGREEMENT WITH CHAUTAUQUA COUNTY; AUTHORIZING CHAIRMAN TO EXECUTE AGREEMENT; SHERIFF TO ADMINISTER AGREEMENT

Offered by: Public Safety Committee

RESOLVED:

1. That Agreement dated March 12, 2003, entitled "Southern Tier Task Force Drug Enforcement Program," with the County of Chautauqua, New York, is approved.

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

3. That the Allegany County Sheriff shall be responsible for the administration of the Agreement as to Allegany County's interest.

Moved by: Mr. Bennett
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 88-03

APPROVAL OF ALTERNATIVES TO INCARCERATION SERVICE PLAN UPDATES FOR JANUARY 1, 2003, TO DECEMBER 31, 2003, AS SUBMITTED BY COUNTY PROBATION DIRECTOR

Offered by: Public Safety Committee

Pursuant to Executive Law Article 13-A-Alternatives To Incarceration Service Plans

RESOLVED:

1. That the Alternatives to Incarceration Service Plan Updates for January 1, 2003, to December 31, 2003, in relation to the continuation of the County's Pretrial Release Program and Community Service Program, are approved.

2. That the Chairman of this Board is authorized to certify such approval on such Plan Updates.

Moved by: Mr. Bennett
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 89-03

APPROVAL OF LEASE AGREEMENT BETWEEN THE NEW YORK STATE OFFICE OF GENERAL SERVICES AND THE ALLEGANY COUNTY SHERIFF'S DEPARTMENT FOR USE OF STATE-OWNED PROPERTY ON CUBA LAKE; AUTHORIZING CHAIRMAN TO SIGN SUCH AGREEMENT

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That Lease Agreement between the New York State Office of General Services and the Allegany County Sheriff's Department for use of State-Owned Property on Cuba Lake for period May 1, 2003 and ending April 30, 2004, is approved; the Chairman of this Board being authorized to execute said lease.

Moved by: Mr. Bennett
Seconded by: Mrs. Myers

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 90-03

APPROVAL OF TAX-EXEMPT MUNICIPAL LEASE-PURCHASE AGREEMENT WITH GENERAL ELECTRIC CAPITAL CORPORATION FOR PURCHASE OF A TAMPER PROOF I. D. SYSTEM; TRANSFER OF FUNDS AND AUTHORIZING CHAIRMAN TO SIGN SUCH LEASE-PURCHASE AGREEMENT

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That Tax-Exempt Municipal Lease-Purchase Agreement between County of Allegany and General Electric Capital Corporation regarding the purchase of a tamper proof photo I. D. system is approved; the Chairman of this Board being authorized to execute said lease-purchase agreement.

2. That the sum of $5,000 is transferred from Law Enforcement Equipment Account No. A3110.2 to Law Enforcement Contractual Expenses Account No. A3110.4.

Moved by: Mr. Bennett
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 91-03

APPROVAL OF LEASE FOR RUSHFORD LAKE SWIMMING AREA; DESIGNATING COUNTY YOUTH BUREAU PROGRAM DIRECTOR AS COUNTY OFFICIAL FOR OPERATION OF PUBLIC BEACH

Offered by: Resource Management Committee

RESOLVED:

1. That Lease between the Rushford Lake Recreation District, as Landlord, and the County of Allegany, as Tenant, for the leasing of premises at Rushford Lake for recreation purposes for the period April 1, 2003, to March 31, 2006, is approved.

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

3. That pursuant to Paragraph 6. of the Lease the Allegany County Youth Bureau Program Director is designated the County official responsible for the administration of the operation of the public beach for swimming and directly related activities on the Lease premises and authorized to establish rules and regulations for such operation.

4. That the Clerk of this Board is directed to send a certified copy of this resolution to the Rushford Lake Recreation District and to the County Youth Bureau Program Director.

Moved by: Mrs. Myers
Seconded by: Mr. Truax

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 92-03

ACCEPTANCE OF THE GOVERNOR'S TRAFFIC SAFETY COMMITTEE GRANTS; APPROVAL OF AMENDMENT CONTRACTS NUMBER C-000861 (GRANT OP-0200062) AND C-000862 (GRANT CS-0200072) BETWEEN COUNTY OF ALLEGANY AND GOVERNOR OF THE STATE OF NEW YORK; AUTHORIZING CHAIRMAN TO SIGN AMENDMENT CONTRACTS

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That the sum of $70,237 from the Governor's Traffic Safety Committee is accepted.

2. That Amendment Contracts Number C-000861 and C000862 between the County of Allegany and the Governor of the State of New York, is approved; the Chairman of this Board being authorized to execute said Contracts.

Moved by: Mr. Bennett
Seconded by: Mr. Truax

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

(Memo: Preceding Resolution No. 92-03 accepts grants for Child Passenger Safety Program (A.B.C. Coalition), Ride Smart III, & Buckle Up New York, with only the first two requiring contracts.)

Resolution Intro. No. 94-03 (Approval of Board Chairman's Appointment of One Member to Southern Tier West Regional Planning and Development Board), was not pre-filed and was considered from the floor on a motion by Legislator Reynolds, seconded by Legislator Palmer and carried.

RESOLUTION NO. 93-03

APPROVAL OF BOARD CHAIRMAN'S APPOINTMENT OF ONE MEMBER TO SOUTHERN TIER WEST REGIONAL PLANNING AND DEVELOPMENT BOARD

Offered by: Planning and Development Committee

Pursuant to Resolution No. 35-68, as amended by Resolution No. 93-75

RESOLVED:

1. That the appointment by the Chairman of this Board of Jerry Scott of Cuba, New York as member of the Southern Tier West Regional Planning and Development Board, to fill a vacancy created by the resignation of Patrick Regan with term of office commencing April 15, 2003, and expiring May 31, 2003, is approved.

Moved by: Mr. Reynolds
Seconded by: Mrs. Myers

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Resolution Intro. No. 95-03 (Acceptance of State Grant-in-aid for Purchase of Defibrillators for County Fire Departments), was not pre-filed and was considered from the floor on a motion by Legislator Bennett, seconded by Legislator Regan and carried.

RESOLUTION NO. 94-03

ACCEPTANCE OF STATE GRANT-IN-AID FOR PURCHASE OF DEFIBRILLATORS FOR COUNTY FIRE DEPARTMENTS

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That this Board accepts a $15,000 member item grant-in-aid secured by Senator Patricia McGee for the purchase of defibrillators for fire departments in the County.

2. The Chairman of this Board is authorized to execute any and all agreements and contracts necessary to secure such grant-in-aid.

3. Such grant-in-aid in the amount of $15,000 is appropriated to Unanticipated State Aid Account No. A3410.210 (Fire Other) and a like sum credited to Revenue Account No. A10.3305.3410 (State Aid-Fire Defibrillator).

Moved by: Mr. Bennett
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

AUDITS:

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

A motion was made by Legislator Nielsen, seconded by Legislator Truax and adopted on a roll call vote of 15 Ayes, 0 Noes, 0 Absent, that the audit of claims be approved for payment as recommended by the County Administrator.

The meeting was adjourned on a motion made by Legislator Regan, seconded by Legislator Truax and carried.

April 28, 2003

The regular meeting of the Board of Legislators was called to order at 2:00 p.m. by Chairman Sherman.

Pledge of allegiance to the flag.

The invocation was given by Legislator Crandall.

Roll Call: All present.

PUBLIC HEARING:

Chairman Sherman closed the regular session to hold a public hearing on Local Law Intro. No. 1-03, Print No. 1, entitled "A Local Law Amending Local Law No. 1 of the Year 2003 Establishing Allegany County Motor Vehicle Use Tax." Florence Fuller, of Rushford, representing the Allegany County Grange, thanked the Board for their consideration of the request to grant an exemption to farm vehicles. As there were no further comments offered, the public hearing was closed and the Board reconvened in regular session.

APPROVAL OF MINUTES:

A motion was made by Legislator Truax, seconded by Legislator Dibble and carried, to approve the Board meeting minutes of March 10 and 24, 2003.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Certificates of Withdrawal of Delinquent Tax Liens were filed on April 21, 2003 by the County Treasurer in the Clerk of the Board's Office for property in the Towns of Amity and Friendship pursuant to Article 11 of the Real Property Tax Law of the State of New York.

2. A media release dated April 23, 2003 was received from Southern Tier West Regional Planning & Development Board summarizing highlights of their April Board meeting.

3. Also received was the 2003 Broadcast Schedule for the NYS Comptroller Division of Local Government Services and Economic Development Live, Interactive Satellite Teleconferences.

PRIVILEGE OF THE FLOOR:

Representatives were present from Social Services, Development/IDA, Planner, Planning Board, Tourism, and County Administrator to answer any questions regarding their 2002 Annual Reports.

PROCLAMATIONS:

Chairman Sherman proclaimed the month of May 2003 as Tourism Month in Allegany County in recognition of the unique significance of the travel and tourism industry in the lives of our citizens. Area residents are called upon to observe this month by taking pride in their communities by working together to enhance our quality of life, maintain our beautiful scenery, and to share our heritage.

Chairman Sherman proclaimed the month of May 2003 as Older Americans Month in Allegany County to pay tribute to the achievements and contributions of our greatest generation and reaffirm our commitment to their well-being. Citizens are encouraged to honor our seniors, seek opportunities to address their needs, and work together to reinforce the bonds that unite families and communities.

RESOLUTIONS:

RESOLUTION NO. 95-03

ADOPTION OF LOCAL LAW INTRO. NO. 1-2003, PRINT NO. 1, IN RELATION TO A LOCAL LAW AMENDING LOCAL LAW NO. 1 OF THE YEAR 2003 ESTABLISHING ALLEGANY COUNTY MOTOR VEHICLE USE TAX

Offered by: Ways and Means Committee

RESOLVED:

1. That proposed Local Law, Intro. No. 1-2003, Print No. 1, is adopted without any change in language, to wit:

A LOCAL LAW AMENDING LOCAL LAW NO. 1 OF THE YEAR 2003 ESTABLISHING ALLEGANY COUNTY MOTOR VEHICLE USE TAX

BE IT ENACTED by the Board of Legislators of the County of Allegany, State of New York, as follows:

1. Section 4. of Local Law No. 1 of the year 2003 is amended to read as follows:

Section 4. Exemptions.

4.1 The tax imposed by this Local Law shall not be imposed upon any vehicle exempt from the registration fee pursuant to the Vehicle and Traffic Law.

4.2 The tax imposed by this Local Law shall not be imposed upon nonprofit religious, charitable or educational organizations qualified for exemption with the New York State Department of Taxation and Finance.

4.3 The tax imposed by this Local Law shall not be imposed on any vehicle registered as an agricultural truck or farm vehicle pursuant to the provisions of the Vehicle and Traffic Law.

2. Effective Date. This Local Law shall take effect immediately.

Moved by: Mr. Nielsen
Seconded by: Mr. Bennett

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 96-03

APPROVAL OF A STATE LEGISLATIVE BILL WHICH AUTHORIZES THE EXTENSION OF ALLEGANY COUNTY'S ADDITIONAL ONE PERCENT SALES AND USE TAX UNTIL NOVEMBER 30, 2005; DECLARING EXISTENCE OF NECESSITY AND REQUESTING PASSAGE OF BILL BY STATE LEGISLATURE

Offered by: Ways and Means Committee

Pursuant to Municipal Home Rule Law § 40

WHEREAS, the only two substantial tax revenues available to Allegany County are real property and sales, and

WHEREAS, Allegany County is at its sales tax limit, and

WHEREAS, by Chapter 188 of the 2001 Laws of the State of New York, the County of Allegany was authorized to impose an additional one percent sales tax for the period December 1, 2001, to November 30, 2003, and

WHEREAS, by Resolution No. 213-2001, such additional sales tax was imposed for such period, and

WHEREAS, Allegany County is presently at 73 percent of its constitutional taxing limit for real estate taxes, and

WHEREAS, Allegany County will be at 100 percent of such constitutional taxing limit if such additional sales tax is not reauthorized, and

WHEREAS, Allegany County has had no substantial growth in real estate assessed valuation in the past five years, and

WHEREAS, in the current economic condition of Allegany County any substantial increase in real estate taxes would put in financial jeopardy the County's large percentage of senior citizens with fixed incomes who would have no choice but to pay such taxes out of such fixed incomes, now, therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators approves of a State legislative bill bearing Senate No. 3207 and Assembly No. 7251, entitled

> AN ACT to amend the tax law, in relation to extending the expiration of the provisions authorizing the County of Allegany to impose an additional one percent of sales and compensating use taxes

2. That such Board does declare that a necessity exists for the passage of such bill and requests its passage by the State Legislature.

3. That the Clerk of this Board is authorized and directed to submit to the Senate and Assembly the foregoing request in such form and manner that conforms to rules promulgated by concurrent resolution of the Senate and Assembly pursuant to Article 3-A of the Legislative Law.

Moved by: Mr. Nielsen
Seconded by: Mr. Truax

Adopted: Roll Call
13 Ayes, 2 Noes, 0 Absent
Voting No: Russo, Sobeck

RESOLUTION NO. 97-03

REQUESTING NEW YORK STATE LEGISLATURE ENACT SENATE BILL S.1736 AND ASSEMBLY BILL A.6094 REGARDING AUTHORIZATION OF WIRELESS COMMUNICATIONS SERVICE SURCHARGES IN ALLEGANY COUNTY

Offered by: Ways and Means Committee

Pursuant to Section 40 of the Municipal Home Rule Law

WHEREAS, the purpose of 911 and E-911 systems is to provide a universal emergency number response system to the public, allowing 911 calls to be routed directly to a public service access point (PSAP), instead of a telephone operator, and

WHEREAS, the current $.35 wireline surcharge is insufficient to fund the E-911 system, and

WHEREAS, Senate Bill S.1736 and Assembly Bill A.6094, have been introduced to authorize the County of Allegany to impose a surcharge in an amount not to exceed $.30 per month on wireless communications service in Allegany County, and

WHEREAS, the surcharge shall be imposed on each wireless communications device and shall be reflected and made payable on bills rendered for wireless communication service that is provided to a customer whose place of primary use is within the County, and

WHEREAS, the term "place of primary use" shall mean the street address that is representative of where the customer's use of the wireless communication service primarily occurs, which address must be: (a) the residential street address or the primary business street address of the customer; and (b) within the licensed service area of the wireless communication service supplier, and

RESOLVED:

1. That the Allegany County Board of Legislators approves of a State legislative bill bearing Senate No. 1736 and Assembly No. 6094, entitled

> AN ACT to amend the County law, in relation to authorizing wireless communications service surcharges in the County of Allegany.

2. That such Board does declare that a necessity exists for the passage of such bill and requests its passage by the State Legislature.

3. That the Clerk of this Board is authorized and directed to submit to the Senate and Assembly the foregoing request in such form and manner that conforms to rules promulgated by concurrent resolution of the Senate and Assembly pursuant to Article 3-A of the Legislative Law.

Moved by: Mr. Nielsen
Seconded by: Mr. Bennett

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 98-03

REQUESTING NEW YORK STATE LEGISLATURE ENACT SENATE BILL S.2632 AND ASSEMBLY BILL A.6276 AUTHORIZING ALLEGANY COUNTY TO IMPOSE AN OCCUPANCY TAX

Offered by: Ways and Means Committee

WHEREAS, the only two substantial tax revenues available to Allegany County are real property and sales, and

WHEREAS, Allegany County is presently at 73 percent of its constitutional taxing limit for real estate taxes, and

WHEREAS, Allegany County will be at 100 percent of such constitutional taxing limit if such additional tax is not authorized, and

WHEREAS, Allegany County has had no substantial growth in real estate assessed valuation in the past five years, and

WHEREAS, in the current economic condition of Allegany County any substantial increase in real estate taxes would put in financial jeopardy the County's large percentage of senior citizens with fixed incomes who would have no choice but to pay such taxes out of such fixed incomes, and

RESOLVED:

1. That the Allegany County Board of Legislators approves of a State legislative bill bearing Senate No. 2632 and Assembly No. 6276, entitled

> AN ACT to amend the tax law, in relation to authorizing the County of Allegany to impose hotel and motel taxes

2. That such Board does declare that a necessity exists for the passage of such bill and requests its passage by the State Legislature.

3. That the Clerk of this Board is authorized and directed to submit to the Senate and Assembly the foregoing request in such form and manner that conforms to rules promulgated by concurrent resolution of the Senate and Assembly pursuant to Article 3-A of the Legislative Law.

Moved by: Mr. Nielsen
Seconded by: Mr. Crandall

Adopted: Roll Call
11 Ayes, 4 Noes, 0 Absent
Voting No: Heineman, Reynolds, Russo, Sobeck

RESOLUTION NO. 99-03

APPOINTMENT OF COUNTY DIRECTOR OF WEIGHTS AND MEASURES

Offered by: Public Safety and Ways and Means Committees

Pursuant to Agriculture and Markets Law § 180

RESOLVED:

1. That Gilbert Green of Cuba, New York, is appointed County Director of Weights and Measures.

2. This resolution shall take effect on April 29, 2003.

Moved by: Mr. Bennett
Seconded by: Mr. Truax

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 100-03

RESOLUTION AMENDING RESOLUTION NO. 284-99 WHICH ESTABLISHED COUNTY SMOKING POLICY

Offered by: Human Services Committee

RESOLVED:

1. That paragraph 3. of Resolution No. 284-99 is amended to read as follows:

3. Smoking Policy. The policy regarding smoking is established, as follows:

a. Smoking and the use of all smokeless tobacco products is prohibited in any County building or County vehicle.

b. Employees found smoking or using a smokeless tobacco product in an established outdoor non-smoking area will be considered in violation of this Smoking Policy and will be subject to the existing disciplinary procedures contained in the collective bargaining agreement covering the employee who commits such violation. If any employee not covered by any such agreement violates this Smoking Policy, then such employee shall be subject to the progressive disciplinary action which their employer has established or shall establish in the case of such violation.

c. The Allegany County Public Health Director shall enforce the provisions of this Smoking Policy in the place of employment.

2. This resolution shall take effect immediately.

Moved by: Mr. Palmer
Seconded by: Mr. Bennett

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 101-03

CREATING ONE POSITION OF SENIOR HEAVY EQUIPMENT MECHANIC AND ABOLISHING ONE POSITION OF HEAVY EQUIPMENT MECHANIC IN THE DEPARTMENT OF PUBLIC WORKS DUE TO HUMAN RESOURCES AND CIVIL SERVICE DEPARTMENT RECLASSIFICATION

Offered by: Personnel Committee

WHEREAS, the Human Resources and Civil Service Department has reclassified one position of Heavy Equipment Mechanic in the Department of Public Works to a Senior Heavy Equipment Mechanic position, and

WHEREAS, the New Position Duties Statement has been submitted to the Personnel Officer, who has approved the title in accordance with Section 22 of the Civil Service Law, now, therefore, be it

RESOLVED:

1. That one position of Senior Heavy Equipment Mechanic is created and one position of Heavy Equipment Mechanic is abolished in the Department of Public Works due to Human Resources and Civil Service Department reclassification.

2. This resolution shall take effect on April 29, 2003.

Moved by: Mr. Graffrath
Seconded by: Mr. Heineman

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 102-03

APPOINTMENT OF MEMBER TO THE ALLEGANY COUNTY PLANNING BOARD

Offered by: Planning and Development Committee

RESOLVED:

1. That Thomas Hayden is appointed to the Allegany County Planning Board, with term of office commencing April 29, 2003, and expiring December 31, 2003.

Moved by: Mr. Russo
Seconded by: Mr. Sobeck

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 103-03

AUTHORIZING SALE AND CONVEYANCE OF COUNTY'S INTEREST IN REAL PROPERTY IN TOWN OF CLARKSVILLE TO CONSECO FINANCE SERVICING CORPORATION; AUTHORIZING CHAIRMAN TO EXECUTE DEED

Offered by: Public Works and Ways and Means Committees

WHEREAS, the County is the owner of certain real property located in the Town of Clarksville, and

WHEREAS, such property is not being occupied or used by the County and there is no planned use of it by the County, and

WHEREAS, Conseco Finance Servicing Corporation of Bedford, New Hampshire has offered to purchase such property for $8,342.47, now, therefore, be it

RESOLVED:

1. That this Board authorizes the sale to Conseco Finance Servicing Corporation of the following described premises in the Town of Clarksville, County of Allegany and State of New York and bounded and described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Clarksville, County of Allegany, State of New York and described as follows, viz:

Assessed to: Van Sickle Frank R.
Paynter Theresa

Town of Clarksville
Tax Map #232.-1-9.5
Assessment: $46,000
Acreage: 3.40
Property class 210

TOGETHER with all the appurtenances and rights, title and interest of first party in and to said premises.

TO HAVE AND TO HOLD unto the party of the second part, its successors and assigns forever.

2. That the Chairman of this Board is authorized to execute and deliver a quit claim deed for said premises upon payment of the amount of $8,342.47 by purchaser.

3. That the costs of any taxes and transaction fees are to be borne by the purchaser.

Moved by: Mr. Graffrath
Seconded by: Mr. Bennett

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 104-03

AUTHORIZING PLANNING AND DEVELOPMENT COMMITTEE OF COUNTY BOARD OF LEGISLATORS TO ACT AS TOURIST PROMOTION AGENCY AND TO APPLY FOR STATE FUNDS FOR TOURISM PROMOTION PURPOSES

Offered by: Planning and Development Committee

Pursuant to Article 5-A of the Economic Development Law

RESOLVED:

1. That the Planning and Development Committee of this County Board of Legislators is authorized to act as a tourist promotion agency and to apply for state funds up to $500,000 for tourism promotion purposes.

2. That if the application for such funding is approved, such Committee shall submit the grant agreement to this Board for approval and appropriation prior to commencing any work.

3. That the Clerk of this Board is directed to send a certified copy of this resolution to the New York State Commissioner of Economic Development.

Moved by: Mr. Reynolds
Seconded by: Mr. Graffrath

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 105-03

TRANSFER OF FUNDS WITHIN OFFICE FOR AGING ACCOUNT

Offered by: Human Services and Ways and Means Committees

RESOLVED:

1. That the sum of $850 is transferred from Account No. A6774.4 to Account No. A6774.2.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 106-03

REDUCING APPROPRIATIONS AND REVENUES IN HEALTH DEPARTMENT ACCOUNTS

Offered by: Human Services and Ways and Means Committees

WHEREAS, the Health Department has advised that certain appropriations and revenues should be reduced, now, therefore, be it

RESOLVED:

1. That the following Health Department Accounts are reduced by $40,000, as follows:

Appropriation Accounts	Amount
A02.4189.2	$20,000
A02.4010.1	$20,000

Revenue Accounts	Amount
A11.4489.4189	$40,000

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

(Memo: The Health Department account reductions approved in the previous Resolution No. 106-03 were necessary due to notification that the County will not be receiving anticipated funds directly from the State for Bioterrorism Preparedness Federal Aid.)

RESOLUTION NO. 107-03

ACCEPTANCE OF MONEY FROM NEW YORK CENTRAL MUTUAL INSURANCE COMPANY AND APPROPRIATION OF SAME TO RISK RETENTION ACCOUNT

Offered by: Ways and Means Committee

WHEREAS, a full estimate in the amount of $584, to repair a 2000 Chevrolet Cavalier Health Department vehicle damaged on March 17, 2003, has been received, now, therefore, be it

RESOLVED:

1. That the sum of $584 is accepted from New York Central Mutual Insurance Company for damages sustained to the 2000 Chevrolet Cavalier vehicle.

2. That the accepted sum of $584 from New York Central Mutual is appropriated to Account No. CS1931.429, with a like sum credited to Revenue Account No. A07.2680.00.

Moved by: Mr. Nielsen
Seconded by: Mr. Crandall

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Resolution Intro. No. 109-03 (Approval of Three-Year Lease of Four Chevrolet Malibu Automobiles from Preston Auto/Truck Center, Inc.; Authorizing Health Department Director to Execute Lease) was DEFEATED on a roll call vote of 6 Ayes, 9 Noes, 0 Absent. Voting No were Legislators Bennett, Burdick, Graffrath, Nielsen, Regan, Reynolds, Russo, Sherman and Sobeck.

RESOLUTION NO. 108-03

URGING THE STATE OF NEW YORK AND ALL MUNICIPALITIES TO FLY THE POW/MIA FLAG AT ALL TIMES THE UNITED STATES FLAG IS FLOWN

Offered by: Legislators Susan F. Myers and Edgar Sherman

WHEREAS, Section 403-a of the Executive Law of the State of New York encourages all municipalities outside of the city of New York to display the POW/MIA flag at the building housing its local legislative body on all days on which the flag of the United States of America is displayed, and

WHEREAS, it is not the practice of the State of New York and other municipalities to fly the POW/MIA flag when the flag of the United States of America is displayed, now, therefore, be it

RESOLVED:

1. That this Board urges the State of New York and all cities, towns and villages to display the POW/MIA flag at the

building housing its local legislative body at all times at which the flag of the United States of America is displayed.

Moved by: Mrs. Myers
Seconded by: Mr. Russo

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

AUDITS:

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

A motion was made by Legislator Nielsen, seconded by Legislator Graffrath and adopted on a roll call vote of 15 Ayes, 0 Noes, 0 Absent, that the audit of claims be approved for payment as recommended by the County Administrator.

The meeting was adjourned.

May 12, 2003

The regular meeting of the Board of Legislators was called to order at 2:05 p.m. by Chairman Sherman.

Pledge of allegiance to the flag.

The invocation was given by Legislator Nielsen.

Roll Call: All present.

PRIVILEGE OF THE FLOOR:

Chairman Sherman took privilege of the floor to present certificates of recognition to Allegany County employees with 25 years of service. Honored were Daniel Guiney, County Attorney, and John Margeson, County Administrator.

Chairman Sherman granted privilege of the floor to Charles Jessup, Industrial Development Agency Chairman, who presented the 2002 Industrial Development Agency Audit. Mr. Jessup highlighted a few of the issues the agency was involved in during this period such as the Atlantic-Richfield bond refinancing, Cuba Hospital's Community Development Block Grant, Heritage Cutlery's expansion and the purchase of Acme Electronics. He mentioned that although there are often no fees collected for services, the projects they are involved in promote economic growth in the County.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Placed on each legislator's desk was a copy of the 2003 Allegany County Directory Supplement.

2. Also placed on each legislator's desk were copies of the Board meeting minutes of April 14 and 28, 2003 for review.

3. Each legislator also received a copy of the Report of Intrafund Transfers approved by the County Administrator for the month of April 2003.

4. Certificates of Withdrawal of Delinquent Tax Liens were filed on April 29 and May 1 and 12, 2003 by the County Treasurer in

the Clerk of the Board's Office for property in the Towns of Amity, Independence, Wellsville and Willing pursuant to Article 11 of the Real Property Tax Law of the State of New York.

5. A notice was received of the next Inter-County Association meeting to be hosted by Genesee County in Pavilion on May 16, 2003.

6. Correspondence was received from Assemblyman Burling and Assemblywoman Young acknowledging receipt of our Resolution No. 78-03 regarding revocation of motor vehicle operator's license as a result of certain alcohol related convictions. Both the Senate and Assembly have sponsored bills related to this issue.

7. Correspondence was received from Congressman Amo Houghton acknowledging the Board's expression of sympathy at the recent death of his mother.

8. Chairman Sherman announced that the next Bicentennial Committee meeting will be held on June 25, and he would like representatives from the following departments and agencies to attend: Tourism, Development, Historian, Office for the Aging, Youth Bureau, Planning, Fair Board, Business, Education and Community Consortium, Committee of 44, and Chamber Alliance.

RESOLUTIONS:

RESOLUTION NO. 109-03

APPROVAL OF APPORTIONMENT OF MORTGAGE TAX TO TAX DISTRICTS AND AUTHORIZING WARRANT THEREFOR

Offered by: Ways and Means Committee

Pursuant to Tax Law § 261 (3)

RESOLVED:

1. That the Semi-Annual Report for the period October 1, 2002, through March 31, 2003, relating to Mortgage Tax Receipts and Disbursements, and the proposed distribution of such mortgage tax receipts therein, is approved.

2. That the Clerk of this Board is authorized and directed to execute a warrant of this Board to the County Treasurer directing her to distribute to the several tax districts in the County their respective share of such mortgage tax.

Moved by: Mr. Nielsen
Seconded by: Mr. Bennett

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 110-03

A RESOLUTION DETERMINING THAT ERRORS EXIST ON THE 2002-2003 COUNTY AND TOWN TAX ROLLS FOR THE TOWNS NAMED WITH REGARD TO REAL PROPERTY OF VARIOUS TAXPAYERS THEREIN; DIRECTING MAILING OF NOTICES OF APPROVAL OF APPLICATIONS FOR CORRECTED TAX ROLLS AND ORDERING THE VARIOUS TOWN TAX COLLECTORS TO CORRECT THE TAX ROLLS; PROVIDING FOR CHARGE BACKS OR CREDITS

Offered by: Ways and Means Committee

Pursuant to Real Property Tax Law § 554

WHEREAS, applications, for the taxpayers hereafter described, have been made to the County's Director of Real Property Tax Service

Agency, for the correction of certain errors affecting their real property on various tax rolls, and

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

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

RESOLVED:

1. That with regard to the applications for the named taxpayers pertaining to claimed errors regarding their real property on the respective tax rolls of the named Towns, this Board of Legislators does determine that the claimed errors as alleged in those applications exist and does approve those applications.

2. That the Chairman of this Board is authorized and directed to make a notation on those applications and the duplicates thereof that they are 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 Tax Collector, and to sign thereon as Chairman.

3. That the Clerk of this Board is directed to mail to the listed taxpayers 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 respective taxpayers of the applicable provisions of subdivision seven of section 554 of the Real Property Tax Law.

4. That the Tax Collector of the Town of Hume is ordered and directed to correct in the 2002-2003 County and Town Tax Roll the assessment or taxes, or both, of the property assessed to the following taxpayer and described as follows:

a. Tw Fanch; Parcel 600.-1-988
Assessment: Land $21,841 Total $21,841

by deleting such Parcel from the Tax Roll, and the County Treasurer is directed to make the following charges on her books:

	2003
Allegany County	$245.98
Town of Hume	$255.92
Fire	$12.63
Total	$514.53

5. That the Clerk of this Board is directed to forthwith mail a certified copy of this resolution to the various Tax Collectors for the Towns stated above together with the original copies of those applications completed in accordance with section two of this resolution.

Moved by: Mr. Nielsen
Seconded by: Mr. Bennett

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 111-03

ACCEPTANCE OF CONDITIONAL MONETARY BEQUEST FROM THE ESTATE OF MARY C. HARDING AND APPROPRIATION OF SAME TO OFFICE FOR THE AGING PROGRAM: NUTRITION ACCOUNT

Offered by: Human Services and Ways and Means Committees

WHEREAS, a conditional monetary bequest of $1,000 has been offered by the Estate of Mary C. Harding to the Allegany County Office For The Aging to be used for the Home Delivered Meals Program, now, therefore, be it

RESOLVED:

1. That the conditional bequest of $1,000 which has been offered by the Estate of Mary C. Harding to the Allegany County Office For The Aging, is accepted.

2. That the sum of $1,000 is appropriated to Account No. A6772.4, with a like sum credited to Revenue Account No. A02.1972.00.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 112-03

APPROPRIATION OF NON-BUDGETED FEDERAL AND STATE GRANT-IN-AID TO SOCIAL SERVICES ADMINISTRATION EQUIPMENT ACCOUNT

Offered by: Human Services and Ways and Means Committees

RESOLVED:

1. That non-budgeted Federal and State grant-in-aid in the amount of $22,320 is appropriated as follows: $22,320 to Account No. A6010.2, with a sum of $11,160 credited to Revenue Account No. A11.4610.00, and $11,160 credited to Revenue Account No. A10.3610.00.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

(Memo: The Federal and State Grant-in-aid appropriated in the preceding Resolution No. 112-03 is a 90 percent Enhanced Federal Matching Grant and will be used for 12 computer work stations, network printer, procurve cards and server, with the remaining 10 percent of costs covered through the Medicaid Managed Care Grant.)

RESOLUTION NO. 113-03

REDUCING APPROPRIATIONS AND REVENUES IN TOURISM AND CULTURE CONTRACTUAL SERVICES ACCOUNTS

Offered by: Planning and Development and Ways and Means Committees

WHEREAS, the Office of Development has advised that certain appropriations and revenues should be reduced, now, therefore, be it

RESOLVED:

1. That the following Tourism and Culture Accounts are reduced by $1,245, as follows:

Appropriation Account	Amount
A6989.4	$1,245

Revenue Account	Amount
A10.3715	$1,245

Moved by: Mr. Reynolds
Seconded by: Mr. Russo

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

(Memo: The Tourism account reductions approved in the preceding Resolution No. 113-03 reflect actual funds received from the projected 2003 I Love New York Matching Funds Grant.)

RESOLUTION NO. 114-03

TRANSFER OF FUNDS WITHIN EMPLOYMENT AND TRAINING APPROPRIATION AND REVENUE ACCOUNTS

Offered by: Planning and Development and Ways and Means Committees

RESOLVED:

1. That the following transfers are approved:

From:	To:	Amount:
CD1 6403.101	CD1 6402.101	25,000.00
CD1 6403.475	CD1 6402.101	5,800.00
CD1 6403.802	CD1 6402.101	1,500.00
CD1 6403.803	CD1 6402.101	2,500.00
CD1 6403.805	CD1 6402.101	1,200.00
CD1 6404.474	CD1 6402.409	3,300.00
CD1 6404.474	CD1 6402.474	1,200.00
CD1 6405.101	CD1 6402.474	4,800.00
CD1 6408.101	CD1 6402.474	9,000.00
CD1 6408.101	CD1 6402.475	14,000.00
CD1 6408.476	CD1 6402.475	5,000.00
CD1 6408.803	CD1 6402.475	2,000.00
CD1 6408.806	CD1 6402.475	4,000.00
CD1 6408.806	CD1 6402.803	1,000.00
CD1 6409.101	CD1 6402.803	1,600.00
CD1 6409.101	CD1 6402.806	400.00
CD1 6412.201	CD1 6402.806	2,000.00
CD1 6412.474	CD1 6402.806	4,400.00
CD1 6412.474	CD1 6401.474	7,000.00
CD1 6412.474	CD1 6406.101	600.00
CD1 6413.474	CD1 6406.101	3,000.00
CD1 6794.101	CD1 6406.101	18,700.00
CD1 6794.408	CD1 6406.101	1,000.00
CD1 6794.474	CD1 6406.101	400.00
CD1 6794.474	CD1 6406.409	3,500.00
CD1 6794.474	CD1 6406.803	1,000.00
CD1 6794.474	CD1 6406.806	100.00
CD1 6794.803	CD1 6406.806	2,100.00
CD1 6794.804	CD1 6406.806	1,100.00
CD1 6794.806	CD1 6406.806	1,700.00
CD1 6794.806	CD1 6410.101	2,300.00
CD1 6795.101	CD1 6410.101	4,700.00
CD1 6795.101	CD1 6410.201	1,000.00
CD1 6795.101	CD1 6410.408	1,000.00
CD1 6795.101	CD1 6410.409	3,500.00
CD1 6795.101	CD1 6410.806	2,200.00
CD1 6795.101	CD1 6400.407	1,000.00
CD1 6795.101	CD1 6400.408	1,000.00
CD1 6795.101	CD1 6400.414	1,600.00

CD1 6795.803	CD1 6400.414	1,200.00
CD1 6795.804	CD1 6400.414	200.00
CD1 6795.804	CD1 6400.474	1,000.00
	TOTAL	149,600.00

From:	To:	Amount:
CD1 2801.6403	CD1 4701.6402	36,000.00
CD1 2801.6404	CD1 4701.6402	9,300.00
CD1 3792.6408	CD1 4701.6402	7,000.00
CD1 4701.6408	CD1 4701.6402	30,000.00
CD1 4701.6412	CD1 4701.6402	6,400.00
CD1 4701.6412	CD1 4701.6401	7,000.00
CD1 4701.6412	CD1 4701.6406	3,600.00
CD1 11 4701.12	CD1 4701.6406	29,600.00
CD1 11 4701.12	CD1 4701.6410	14,700.00
CD1 11 4701.12	CD1 4701.6400	6,000.00
	TOTAL	149,600.00

Moved by: Mr. Reynolds
Seconded by: Mr. Graffrath

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 115-03

TRANSFER OF FUNDS WITHIN DISTRICT ATTORNEY ACCOUNT

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That the sum of $1,170 is transferred from Account No. A1165.4 to Account No. A1165.2.

Moved by: Mr. Bennett
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

(Memo: The transfer approved in the preceding Resolution No. 115-03 will allow payment of invoices for a replacement motor vehicle purchased from Aid to Prosecution Grant funds and has no effect on the overall budget.)

RESOLUTION NO. 116-03

ACCEPTANCE OF STATE GRANT-IN-AID FROM NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO FINANCE PURCHASE OF EQUIPMENT FOR COUNTY

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That this Board accepts a $20,000 grant-in-aid from New York State Division of Criminal Justice Services for the purchase of equipment to upgrade the computer aided dispatch, radios, antennas, mount kits, headsets, storage unit, radio batteries and chargers in the Office of the Sheriff.

2. The Chairman of this Board is authorized to execute any and all agreements and contracts necessary to secure such grant-in-aid.

3. That such State grant-in-aid in the amount of $20,000 is appropriated to an account to be designated by the County Treasurer.

Moved by: Mr. Bennett
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 117-03

APPROVAL OF INDEPENDENT CONTRACTOR AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND GOVERNMENT PAYMENT SERVICE, INC. TO ACCEPT CREDIT CARDS TO PAY BAIL FOR INMATES

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That Independent Contractor Agreement between the County of Allegany and Government Payment Service, Inc., is approved.

2. That the Chairman of this Board is authorized to execute said Agreement.

Moved by: Mr. Bennett
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

AUDITS:

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

A motion was made by Legislator Nielsen, seconded by Legislator Truax and adopted on a roll call vote of 15 Ayes, 0 Noes, 0 Absent, that the audit of claims be approved for payment as recommended by the County Administrator.

The meeting was adjourned on a motion made by Legislator Truax, seconded by Legislator Dibble and carried.

May 27, 2003

The regular meeting of the Board of Legislators was called to order at 2:00 p.m. by Chairman Sherman.

Pledge of allegiance to the flag.

The invocation was given by Legislator Reynolds.

Roll Call: All present.

APPROVAL OF MINUTES:

A motion was made by Legislator Dibble, seconded by Legislator Truax and carried, to approve the Board meeting minutes of April 14 and 28, 2003.

PRIVILEGE OF THE FLOOR:

Chairman Sherman granted privilege of the floor to Deborah Aumick, Youth Bureau Director/STOP DWI Coordinator, who presented highlights of the recent SADD Awards Breakfast. Ms. Aumick then introduced Sarah Jackson, senior at Scio Central School, to share a poem she wrote entitled "Every Fifteen Minutes," relating some of the consequences of drunk driving.

Deborah Aumick, Youth Bureau Director; Scott Spillane, Veterans' Service Agency Director; Deborah Button, Information Technology Director; and John Tucker, Emergency Services Director were commended for their participation in compiling the Armed Forces Roll of Honor board displayed in the hall outside of the Legislative Board Chambers. The project is on-going and response has been large enough to necessitate additional boards.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. A media release dated May 20, 2003 was received from Southern Tier West Regional Planning & Development Board summarizing highlights of their May meeting.

2. Also received was Southern Tier West Regional Planning & Development Board's 2002 Annual Report.

3. Correspondence was received from the Allegany County Chapter of the American Red Cross announcing a community disaster class on Saturday, May 31 from 10:00 to 11:30 a.m. at the David A. Howe Library in Wellsville, NY.

4. Correspondence was received from Assemblyman Daniel Burling acknowledging receipt of our Resolution No. 108-03 urging the State of New York and all municipalities to fly the POW/MIA flag at all times the United States flag is flown. Assemblyman Burling indicated that legislation has been introduced which requires the POW/MIA flag to be displayed by state agencies when and where the flag of the United States is displayed. The bill is currently in the Governmental Operations Committee.

APPOINTMENTS:

Chairman Sherman has appointed Brenda A. Rigby as a member of the Ad Hoc Transportation Committee to investigate the service and purchase of County vehicles and the feasibility of creating an in-house fleet management system for Allegany County.

RESOLUTIONS:

RESOLUTION NO. 118-03

REQUESTING NEW YORK STATE LEGISLATURE NOT TO ADOPT LEGISLATION AMENDING SECTION 207-C OF THE GENERAL MUNICIPAL LAW

Offered by: Personnel Committee

WHEREAS, there is presently pending before the New York State Legislature a bill (A4635 S3904) to amend Section 207-c of the General Municipal Law, and

WHEREAS, such legislation requires all local governments to substantially increase payments to injured law enforcement personnel irrespective of whether or not the injury suffered was related to the performance of the hazardous duties associated with law enforcement work, and

WHEREAS, under current law, only those injuries sustained by law enforcement personnel while in the performance of hazardous duties are eligible for municipal compensation benefits, and

WHEREAS, the bill, as proposed, is retroactive to December 16, 1999 which will result in local governments being responsible for

increased compensation costs even if the injury sustained was not of the type eligible for such benefits under existing law, and

WHEREAS, the amendments to Section 207-c of the General Municipal Law will impose additional significant financial burdens on the taxpayers of Allegany County and all counties of New York State, now, therefore, be it

RESOLVED:

1. That this Board requests that the New York State Legislature not adopt the legislative bills amending Section 207-c of the General Municipal Law.

2. That the Clerk of this Board is directed to forward a copy of this resolution to Governor George Pataki, Senator Patricia McGee, Members of the Assembly Catharine M. Young and Daniel J. Burling.

Moved by: Mr. Heineman
Seconded by: Mr. Sobeck

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 119-03

REFUND OF REAL PROPERTY TAXES TO TW FANCH

Offered by: Ways and Means Committee

Pursuant to Real Property Tax Law §556

WHEREAS, application, in duplicate, dated April 3, 2003, has been made by or for Tw Fanch, c/o Time Warner Cable V-7, Endlewood, California, to this County's Director of Real Property Tax Service Agency for a refund of taxes, and

WHEREAS, such County Director has transmitted a written report of his investigation of the claimed "error in essential fact" set forth in the application and his written recommendation for action thereon by this Board, and

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

RESOLVED:

1. That this Board of Legislators does determine that the claimed "error in essential fact" as alleged in application made by or for Tw Fanch, c/o Time Warner Cable V-7, Endlewood, California, under date of April 3, 2003, exists and that the application is approved.

2. That the County Treasurer is directed to refund to Tw Fanch, c/o Time Warner Cable V-7, Endlewood, California, the total sum of $347.52 and to make the following charges on her books:

	2002-2003
Fillmore Central School	$346.39
Library	1.13
Total	$347.52

3. The Clerk of this Board shall mail a copy of this resolution to the above named School and the amount to be charged to each School shall not be charged until 10 days after such mailing. Such amount shall be deducted by the County Treasurer from the money

payable to each School as a result of school taxes returned after the date such amount is charged and which shall be paid to each School after May 1, 2003.

Moved by: Mr. Nielsen
Seconded by: Mr. Bennett

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 120-03

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR FIFTY PERCENT FUNDING OF RECYCLING COORDINATOR AND EDUCATIONAL EXPENSES UNDER THE NEW YORK STATE MUNICIPAL WASTE REDUCTION AND RECYCLING PROGRAM

Offered by: Public Works Committee

WHEREAS, the State of New York provides 50 percent funding of recycling coordinator and educational expenses under the New York State Municipal Waste Reduction and Recycling Program, and

WHEREAS, the County of Allegany has examined and duly considered the applicable laws of the State of New York and deems it to be in the public interest and benefit to file such an application, and

WHEREAS, it is necessary that a Contract by and between the State of New York and the County of Allegany be executed for such funding, now, therefore, be it

RESOLVED:

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State including all understanding and assurances contained in said application is authorized.

2. That the Chairman of the Board or his designee is directed and authorized as the official representative of the County of Allegany to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the State of New York.

Moved by: Mr. Graffrath
Seconded by: Mr. Reynolds

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

(Memo: The Recycling Program funding application approved in the preceding Resolution No. 120-03 covers a three-year period with a fiscal impact of up to $145,000.)

RESOLUTION NO. 121-03

APPROVAL OF PURCHASE OF FOUR CHEVROLET CAVALIER AUTOMOBILES FROM PRESTON AUTO/TRUCK CENTER, INC. AND TRANSFER OF FUNDS

Offered by: Human Services and Ways and Means Committees

RESOLVED:

1. That the purchase of four Chevrolet Cavalier automobiles from Preston Auto/Truck Center, Inc., is approved.

2. That the sum of $21,000 is transferred as follows: $12,000 from Account No. A4011.413 to Account No. A4011.204 and from

Contingent Account No. A1990.4 to Account No. A4011.204 the sum of $9,000.

3. The Director of the Allegany County Health Department is authorized to execute documents necessary to complete the transaction.

Moved by: Mr. Truax
Seconded by: Mr. Crandall

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 122-03

APPROVAL OF SUPPLEMENTAL AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR FINAL ADJUSTMENT OF COSTS ON WEST STATE STREET BRIDGE

Offered by: Public Works Committee

RESOLVED:

1. That Supplemental Agreement between the New York State Department of Transportation and the County of Allegany regarding the final adjustment of costs on the West State Street Bridge in Wellsville, New York, is approved.

2. That the Chairman of this Board is authorized to execute said Supplemental Agreement.

Moved by: Mr. Graffrath
Seconded by: Mr. Reynolds

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 123-03

APPROVAL OF AMENDMENT OF COURT SECURITY AGREEMENT BETWEEN THE NEW YORK STATE UNIFIED COURT SYSTEM AND THE ALLEGANY COUNTY SHERIFF'S DEPARTMENT

Offered by: Public Safety Committee

RESOLVED:

1. The amendment of an agreement for the period April 1, 2002, through March 31, 2003, between the New York State Unified Court System and the Allegany County Sheriff's Department for the provision of Court Security, is approved; the Allegany County Sheriff being authorized to execute such Renewal.

Moved by: Mr. Bennett
Seconded by: Mr. Truax

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

(Memo: The Court Security Agreement Amendment approved in the preceding Resolution No. 123-03 reflects an increase in maximum compensation from $133,242 to $165,575.)

Resolution Intro. No. 126-03 (Resolution in Support of Application of ACCORD Corporation for USDA Rural Development Community Facilities Loan to Construct New Office Facility) was not pre-filed and was considered from the floor on a motion made by Legislator Truax, seconded by Legislator Dibble and carried.

A motion was made by Legislator Truax, seconded by Legislator Dibble and carried, to grant Legislators Burdick and Myers permission to abstain from voting on Resolution Intro. No. 126-03 (Resolution in Support of Application of ACCORD Corporation for USDA Rural Development Community Facilities Loan to Construct New Office Facility).

RESOLUTION NO. 124-03

RESOLUTION IN SUPPORT OF APPLICATION OF ACCORD CORPORATION FOR USDA RURAL DEVELOPMENT COMMUNITY FACILITIES LOAN TO CONSTRUCT NEW OFFICE FACILITY

Offered by: Resource Management Committee

WHEREAS, ACCORD Corporation has a long history of contributing to the needs of the citizens of Allegany County, and

WHEREAS, ACCORD wishes to centralize its program and administrative services by constructing a new office building at its present location in Belmont, New York, and

WHEREAS, this Board believes that the construction of a new office facility by ACCORD will be beneficial to the citizens of Allegany County, now, therefore, be it

RESOLVED:

1. This Board supports the application of ACCORD Corporation and its subsidiary title-holding corporation, Genesee Valley Improvement Corporation, to the United States Department of Agriculture for a loan pursuant to the Rural Development Community Facilities Loan Program to construct a new office facility in Belmont, New York.

Moved by: Mr. Truax
Seconded by: Mr. Graffrath

Adopted: Roll Call
13 Ayes, 0 Noes, 0 Absent
Abstained: Burdick, Myers

NOTICE RECEIVED FROM NYSAC RE: TEMPORARY MEDICAID RELIEF:

NYSAC has notified Counties that an increase of 2.9 percent in the Federal Medicaid Assistance Program (FMAP) formula has been included in the federal budget tax relief package and has passed both the house and senate. This will result in $889,000 coming back to Allegany County to partially offset Medicaid costs. This is being labeled as a temporary FMAP percentage change and will be spread over five financial quarters, two in 2003 and three in 2004. The tax relief package is also calling for $700 million that may go 100 percent to the state. NYSAC is lobbying for this to be split so a percentage will filter down to the local level.

AUDITS:

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

A motion was made by Legislator Nielsen, seconded by Legislator Truax and adopted on a roll call vote of 15 Ayes, 0 Noes, 0 Absent, that the audit of claims be approved for payment as recommended by the County Administrator.

The meeting was adjourned on a motion made by Legislator Dibble, seconded by Legislator Regan and carried.

June 9, 2003

The regular meeting of the Board of Legislators was called to order at 2:10 p.m. by Chairman Sherman.

Pledge of allegiance to the flag.

The invocation was given by Legislator Bennett.

Roll Call: All present.

PRIVILEGE OF THE FLOOR:

Chairman Sherman granted privilege of the floor to Tim Bigham, Farm Bureau Field Advisor, in recognition of Dairy Week. Mr. Bigham addressed some of the challenges facing New York's farmers and expressed appreciation for the Legislature's efforts toward approving the farm vehicle exemption from the motor vehicle use tax.

Privilege of the floor was also granted to Amanda Meyers, Allegany County's Dairy Princess, who spoke regarding dairy product promotion and increasing consumption to meet daily nutritional requirements of three servings per day.

Martha Roberts, Agricultural Society President, was granted privilege of the floor to present the 2003 County Fair Book. She thanked the Board for past and future support and made note of this year's renovation projects including the new federation building and cement pad for the mini theater.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Placed on each legislator's desk was a copy of the Report of Intrafund Transfers approved by the County Administrator for the month of May 2003.

2. Also placed on each legislator's desk were copies of the Board meeting minutes of May 12 and 27, 2003 for review.

3. Certificates of Withdrawal of Delinquent Tax Liens were filed by the County Treasurer in the Clerk of the Board's Office for property in the Towns of Burns and Wirt pursuant to Article 11 of the Real Property Tax Law of the State of New York on June 5, 2003.

4. Notice was received of the next Inter-County Association meeting to be hosted by Steuben County in Hammondsport on June 20, 2003.

5. Correspondence was received from Senator John R. Kuhl acknowledging receipt of our resolution urging that the POW-MIA flag be flown whenever the US flag is flown. Senator Kuhl requested the Commissioner of the Department of Transportation to address the desire of the Allegany County Veterans to have the POW-MIA flag flown at the Friendship rest area all year long.

6. Correspondence was received from Linda Canfield thanking the Board for their expressions of sympathy after the recent death of her husband, Richard Canfield.

RESOLUTIONS:

RESOLUTION NO. 125-03

REQUESTING NEW YORK STATE LEGISLATURE ENACT SENATE BILL S.2606-A AND ASSEMBLY BILL A.6095-A REGARDING AUTHORIZATION OF ALLEGANY COUNTY TO IMPOSE A MORTGAGE RECORDING TAX

Offered by: Ways and Means Committee

WHEREAS, the only two substantial tax revenues available to Allegany County are real property and sales, and

WHEREAS, Allegany County is presently at 79 percent of its constitutional taxing limit for real estate taxes, and

WHEREAS, Allegany County will be at 100 percent of such constitutional taxing limit if such additional tax is not authorized, and

WHEREAS, Allegany County has had no substantial growth in real estate assessed valuation in the past five years, and

WHEREAS, in the current economic condition of Allegany County any substantial increase in real estate taxes would put in financial jeopardy the County's large percentage of senior citizens with fixed incomes who would have no choice but to pay such taxes out of such fixed incomes, now, therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators approves of a State legislative bill bearing Senate No. S.2606-A and Assembly No. A.6095-A, entitled

AN ACT to amend the tax law, in relation to the mortgage recording tax in the County of Allegany

2. That such Board does declare that a necessity exists for the passage of such bill and requests its passage by the State Legislature.

3. That the Clerk of this Board is authorized and directed to submit to the Senate and Assembly the foregoing request in such form and manner that conforms to rules promulgated by concurrent resolution of the Senate and Assembly pursuant to Article 3-A of the Legislative Law.

Moved by: Mr. Nielsen
Seconded by: Mr. Bennett

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

A motion was made by Legislator Truax and seconded by Legislator Heineman to amend Resolution Intro. No. 128-03 (Resolution to Create an Additional Standing Committee to be Known as the Transportation Committee; Amendment of County Board Rules) by adding under Resolved No. 1, *"that will serve at the discretion of the Chairman of the Board."* The motion was defeated on a roll call vote of 4 Ayes, 11 Noes, 0 Absent. Voting No: Bennett, Burdick, Crandall, Graffrath, Nielsen, Palmer, Regan, Reynolds, Russo, Sherman, Sobeck.

RESOLUTION NO. 126-03

RESOLUTION TO CREATE AN ADDITIONAL STANDING COMMITTEE TO BE KNOWN AS THE TRANSPORTATION COMMITTEE; AMENDMENT OF COUNTY BOARD RULES

Offered by: Legislator Edgar Sherman

WHEREAS, there presently exists an ad hoc Transportation Committee of the Allegany County Board of Legislators duly formed by its Chairman, Edgar Sherman, and

WHEREAS, it has been determined that the quantity of work to be undertaken by the ad hoc committee is substantial, and

WHEREAS, it has been further determined that in order to properly carry out its responsibilities, the ad hoc committee needs to possess the same authority as all other Standing Committees, now, therefore, be it

RESOLVED:

1. That there is created a standing committee known as the Transportation Committee.

2. The members of this committee shall be appointed in accordance with Rule 200 of the County Board Rules.

3. That County Board Rule 190.A.8. is relettered 9. and amended and a new subsection 8. is inserted as follows:

8. Transportation. (See Rule 220.H.)

9. Ways and Means. (See Rule 220.I.)

4. That County Board Rule 220.H. is relettered I. and a new section H. is inserted to read as follows:

H. Transportation.

1. General Jurisdiction:

a. County transportation policy and vehicle acquisition and maintenance.

2. Specific Jurisdiction:

a. Supervision of the acquisition and maintenance of all County vehicles.

b. General supervision of County transportation policy.

3. Administrative Unit Jurisdiction:

a. All County departments and offices with respect to transportation policy and vehicle acquisition and maintenance.

Moved by: Mr. Graffrath
Seconded by: Mr. Burdick

Adopted: Roll Call
13 Ayes, 2 Noes, 0 Absent
Voting No: Heineman, Truax

RESOLUTION NO. 127-03

APPOINTMENT OF ONE MEMBER TO COUNTY BOARD OF HEALTH

Offered by: Human Services Committee

Pursuant to Public Health Law §§ 343 and 344

RESOLVED:

1. That Dr. Timothy Orth Leonard is appointed to the County Board of Health, with term of office commencing July 8, 2003, and expiring July 7, 2008.

Moved by: Mr. Truax — Adopted: Roll Call
Seconded by: Mr. Dibble — 15 Ayes, 0 Noes, 0 Absent

A motion was made by Legislator Truax, seconded by Legislator Regan and carried, to grant Legislator Dibble permission to abstain from voting on Resolution Intro. No. 130-03 (Approval of Sale of 2003 Tax Sale Properties).

RESOLUTION NO. 128-03

APPROVAL OF SALE OF 2003 TAX SALE PROPERTIES

Offered by: Ways and 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 tax delinquent properties as shown below, to the owners and purchasers 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 such of the below mentioned properties which are subject to the 2001 and/or back to the year 1995 (TF95 up to and including TF01) tax foreclosure proceedings and the subsequent execution of a deed of all of the below mentioned 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 each 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 considerations.

Purchaser & Address Sale Price	Formerly Assessed Description/Town	County Title Recorded Date Liber, Page
KLEIN ROGER A	SHEARER RICHARD SHEARER ELIZABETH Town code 022400 Town of Alma Map# 290.-1-22.14	Bk: 1246 Pg: 25
1909 HESELTON GULLY RD ANDOVER NY 14806 Consideration: 5,300.00	Assessment: 3,600 Acreage: 5.11 Tax sale date: 2/01/01 Tax sale amt: 182.88	

CLARK TERRY C NO STREET AND NUMBER PO BOX 27 WHITESVILLE NY 14897 Consideration: 5,300.00	STUCK DOUGLAS & STACY Town code 022400 Town of Alma Map# 302.-1-22.32 Assessment: 20,900 Acreage: .80 Tax sale date: 2/01/01 Tax sale amt: 653.22	Bk: 1246 Pg: 25
WILKINS SCOTT M 271 EAST LAKE RD HAMMONDSPORT NY 14840 Consideration: 11,000.00	HURLBURT HAL HURLBURT NORTHRUP Town code 022601 Town of Almond Map# 126.7-1-11 Assessment: 34, 400 Acreage: .44 Tax sale date: 2/01/01 Tax sale amt: 2,612.94	Bk: 1246 Pg: 25
COMES JOSEPH W 108 SPAULDING BUFFALO NY 14220 Consideration: 6,600.00	DHEN TERRANCE A Town code 022689 Town of Almond Map# 139.-1-41 Assessment: 26,000 Acreage: 12.70 Tax sale date: 2/01/01 Tax sale amt: 1,097.41	Bk: 1246 Pg: 25
REID CHRISTOPHER W 386 NIAGARA ST NORTH TONAWANDA NY 14120 Consideration: 50.00	MITCHELL HAROLD Town code 022889 Town of Amity Map# 184.-1-38 Assessment: 1,700 Acreage: .60 Tax sale date: 2/01/01 Tax sale amt: 66.44	Bk: 1246 Pg: 25
DOLAN JOHN F SOOTHERAN MARY BETH 3427 SMITH HOLLOW RD WELLSVILLE NY 14895 Consideration: 4,500.00	WINTER GEORGE IV Town code 023001 Town of Andover Map# 216.14-2-54 Assessment: 15,000 Acreage: .05 Tax sale date: 2/01/01 Tax sale amt: 828.57	Bk: 1246 Pg: 25
CORNERSTONE HOMES 11801 HARRINGTON DRIVE CORNING NY 14830 Consideration: 13,700.00	SHELLMAN KATHRYN SHELLMAN MAUREEN Town code 023001 Town of Andover Map# 216.15-3-37 Assessment: 60,600 Acreage: .77 Tax sale date: 2/01/01 Tax sale amt: 1,664.44	Bk: 1246 Pg: 25

CORNERSTONE HOMES	DHEN TERRANCE A Town code 023001 Town of Andover	Bk: 1246
11801 HARRINGTON DRIVE CORNING NY 14830	Map# 216.18-1-9 Assessment: 26,300	Pg: 25
Consideration: 7,000.00	Acreage: .29 Tax sale date: 2/01/01 Tax sale amt: 1,708.06	
- - - - - - - - - - - - - -	- - - - - - - - - - - - - -	- - - - - - - - -
MCCULLOUGH CYNTHIA A MCCULLOUGH CHARLES E	TALLMAN TERRY L TALLMAN JANET Town code 023201 Town of Angelica	Bk: 1246
94 WEST MAIN ST PO BOX 429 ANGELICA NY 14709	Map# 120.18-1-23.1 Assessment: 20,300	Pg: 25
Consideration: 6,100.00	Acreage: .32 Tax sale date: 2/01/01 Tax sale amt: 770.00	
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CORNERSTONE HOMES	MILES EDNA Town code 023201 Town of Angelica	Bk: 1246
11801 HARRINGTON DRIVE CORNING NY 14830	Map# 133.6-1-4 Assessment: 24,900	Pg: 25
Consideration: 22,000.00	Acreage: .37 Tax sale date: 2/01/01 Tax sale amt: 641.32	
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HERDMAN JOSEPH C III HERDMAN ELAINE C	VENANGO LAND VENANGO FARMING Town code 023289 Town of Angelica	Bk: 1246
6520 PEACOCK HILL BELMONT NY 14813	Map# 134.-1-18.3 Assessment: 11,100	Pg: 25
Consideration: 4,400.00	Acreage: 1.00 Tax sale date: 2/01/01 Tax sale amt: 330.97	
- - - - - - - - - - - - - -	- - - - - - - - - - - - - -	- - - - - - - - -
MARTIN RONALD R MARTIN JOANNE R NO STREET NUMBER	GUILE MYRON J Town code 023400 Town of Belfast	Bk: 1246
GLEASON HILL RD BELFAST NY 14711	Map# 105.-1-66 Assessment: 2,700	Pg: 25
Consideration: 1,200.00	Acreage: .75 Tax sale date: 2/01/01 Tax sale amt: 108.00	
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CORNERSTONE HOMES	DALEY HELEN DALEY BRIAN M Town code 023400 Town of Belfast	Bk: 1246
11801 HARRINGTON DRIVE CORNING NY 14830	Map# 105.10-2-34 Assessment: 34,900	Pg: 25
Consideration: 7,500.00	Acreage: .22 Tax sale date: 2/01/01 Tax sale amt: 912.46	
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CORNERSTONE HOMES	GAINES JOYCE E C/O PAULINE SMITH Town code 023801 Town of Bolivar	Bk: 1246
11801 HARRINGTON DRIVE CORNING NY 14830	Map# 260.13-1-27 Assessment: 21,100	Pg: 25
Consideration: 3,600.00	Acreage: 0.00 Tax sale date: 2/01/01 Tax sale amt: 1,030.54	
SISSON DAVID J	BEATON JAMES D JR Town code 023801 Town of Bolivar	Bk: 1246
172 N MAIN BOLIVAR NY 14715	Map# 260.17-4-38 Assessment: 64,000	Pg: 25
Consideration: 4,100.00	Acreage: .36 Tax sale date: 2/01/00 Tax sale amt: 3,218.80	
TOP HAT PIZZA	MARLETT TIMOTHEY MARLETT NANCY Town code 023801 Town of Bolivar	Bk: 1246
278 NORTH MAIN ST BOLIVAR NY 14715	Map# 273.5-1-34 Assessment: 30,700	Pg: 25
Consideration: 4,500.00	Acreage: .14 Tax sale date: 2/01/01 Tax sale amt: 1,013.93	
CASSIDY VICKI G	VENANGO LAND VENANGO FARMING Town code 024089 Town of Burns	Bk: 1246
4952 KLEIN RD FILLMORE NY 14735	Map# 47.-1-18.3 Assessment: 10,426	Pg: 25
Consideration: 1,400.00	Acreage: .41 Tax sale date: 2/01/01 Tax sale amt: 429.78	
YOUNG JEFFREY R	HARRIS RONALD Town code 024200 Town of Caneadea	Bk: 1246
8989 VANDUSEN RD HOUGHTON NY 14744	Map# 91.2-1-36 Assessment: 25,200	Pg: 25
Consideration: 4,900.00	Acreage: .23 Tax sale date: 2/01/01 Tax sale amt: 850.34	
AMOS PETER A	SCHLAU JAMES A SCHLAU TINA M Town code 024400 Town of Centerville	Bk: 1246
7545 CO RD 49 CANEADEA NY 14717	Map# 1.-1-6.11 Assessment: 98,900	Pg: 25
Consideration: 23,500.00	Acreage: 4.90 Tax sale date: 2/01/01 Tax sale amt: 3,087.97	

BLAUVELT HARRY J NO STREET AND NUMBER PO BOX 87 W CLARKSVILLE NY 14786 Consideration: 2,100.00	CLARK JAMES A CLARK LINDA Town code 024600 Town of Clarksville Map# 232.6-1-2 Assessment: 15,700 Acreage: .25 Tax sale date: 2/01/01 Tax sale amt: 406.27	Bk: 1246 Pg: 25
REISS DONA M 63 WOLF RUN RD CUBA NY 14727 Consideration: 3,200.00	DOMAGALA STEPHEN Town code 024600 Town of Clarksville Map# 233.-1-24 Assessment: 4,500 Acreage: 6.18 Tax sale date: 2/01/01 Tax sale amt: 115.68	Bk: 1246 Pg: 25
REISS DONA M 63 WOLF RUN RD CUBA NY 14727 Consideration: 2,500.00	KEY BANK NATIONAL ASSOC 2ND FLOOR Town code 024600 Town of Clarksville Map# 244.-1-7.122 Assessment: 20,900 Acreage: .71 Tax sale date: 2/01/01 Tax sale amt: 876.85	Bk: 1246 Pg: 25
ARTS WEST GALLERY INC 24 W MAIN ST CUBA NY 14727 Consideration: 700.00	ARTS WEST GALLERY Town code 024801 Town of Cuba Map# 179.7-2-6 Assessment: 25,000 Acreage: .18 Tax sale date: 2/01/01 Tax sale amt: 9,732.04	Bk: 1246 Pg: 25
CORNERSTONE HOMES 11801 HARRINGTON DRIVE CORNING NY 14830 Consideration: 17,000.00	CLARK LYLE CLARK DOROTHY Town code 025000 Town of Friendship Map# 182.11-2-39 Assessment: 44,900 Acreage: .22 Tax sale date: 2/01/01 Tax sale amt: 1,466.05	Bk: 1246 Pg: 25
CLUTE STEPHEN G 3064 TOP NOTCH RD CUBA NY 14727 Consideration: 1,100.00	RAUBER RICHARD B Town code 025000 Town of Friendship Map# 182.11-2-50 Assessment: 35,000 Acreage: .25 Tax sale date: 2/01/01 Tax sale amt: 1,143.02	Bk: 1246 Pg: 25

CORNERSTONE HOMES 11801 HARRINGTON DRIVE CORNING NY 14830 Consideration: 1,000.00	BARRETT DONALD L Town code 025000 Town of Friendship Map# 182.12-1-14 Assessment: 18,600 Acreage: .56 Tax sale date: 2/01/01 Tax sale amt: 961.00	Bk: 1246 Pg: 25
TAYLOR DAVID E 6474 CO RD 20 FRIENDSHIP NY 14739 Consideration: 3,900.00	BISHOP MOLLY N Town code 025000 Town of Friendship Map# 182.12-2-11 Assessment: 31,900 Acreage: .05 Tax sale date: 2/01/01 Tax sale amt: 2,509.11	Bk: 1246 Pg: 25
TAYLOR DAVID E 6474 CO RD 20 FRIENDSHIP NY 14739 Consideration: 2,500.00	BISHOP MOLLY N Town code 025000 Town of Friendship Map# 182.12-2-12 Assessment: 31,900 Acreage: .07 Tax sale date: 2/01/01 Tax sale amt: 2,078.30	Bk: 1246 Pg: 25
VAN SCHAICK EDWIN J JR 104 NEW WICKHAM DR PENFIELD NY 14526 Consideration: 200.00	WALLACE LEW JR WALLACE LEONA Town code 025000 Town of Friendship Map# 182.12-2-32 Assessment: 3,000 Acreage: .50 Tax sale date: 2/01/01 Tax sale amt: 620.36	Bk: 1246 Pg: 25
CORNERSTONE HOMES 11801 HARRINGTON DRIVE CORNING NY 14830 Consideration: 2,400.00	GILES TIMOTHY A Town code 025000 Town of Friendship Map# 182.12-2-50 Assessment: 35,000 Acreage: .38 Tax sale date: 2/01/01 Tax sale amt: 2,358.00	Bk: 1246 Pg: 25
MONTANYE NATHAN W MONTANYE BRENDA L 7324 CO RD 46 CANEADEA NY 14717 Consideration: 4,200.00	WHEATON MARGARET Town code 025400 Town of Granger Map# 7.-1-24.4 Assessment: 3,800 Acreage: 1.90 Tax sale date: 2/01/01 Tax sale amt: 140.34	Bk: 1246 Pg: 25

HINZ TODD S	STEPHENS JOSEPH A MARY HL Town code 025400 Town of Granger	Bk: 1246
10002 ST RT 70 HUNT NY 14846	Map# 29.-1-15 Assessment: 23,500	Pg: 25
Consideration: 6,700.00	Acreage: 3.40 Tax sale date: 4/01/99 Tax sale amt: 661.08	
FROSOLONE JOHN V	NUCIOLA CLARA Town code 025400 Town of Granger	Bk: 1246
3020 NIAGARA AVE NIAGARA FALLS NY 14303	Map# 42.3-1-1 Assessment: 5,200	Pg: 25
Consideration: 5,200.00	Acreage: 1.00 Tax sale date: 2/01/01 Tax sale amt: 342.03	
MACRI SALVATORE	SWAIN HILL DEVELOPMENT CORP Town code 025600 Town of Grove	Bk: 1246
RD4 BOX 247 MIDDLETOWN NY 10940	Map# 21.-1-18.1 Assessment: 21,200	Pg: 25
Consideration: 10,100.00	Acreage: 40.40 Tax sale date: 2/01/01 Tax sale amt: 895.35	
SCHROEDER SHANE N SCHROEDER KELLY M	GILBERT ROGER GILBERT FRANCIS Town code 025800 Town of Hume	Bk: 1246
CO RD 23 BOX 43 HUME NY 14745	Map# 26.-1-32.2 Assessment: 3,800	Pg: 25
Consideration: 5,200.00	Acreage: 0.00 Tax sale date: 2/01/01 Tax sale amt: 149.99	
REID CHRISTOPHER	SPRINGER NORMA C Town code 026200 Town of New Hudson	Bk: 1246
386 NIAGARA ST NORTH TONAWANDA NY 14120	Map# 114.-1-24.1 Assessment: 100	Pg: 25
Consideration: 300.00	Acreage: .20 Tax sale date: 2/01/01 Tax sale amt: 18.09	
MAST LAMAR H MAST JULIE L	HADAWAY LAVERN R HADAWAY ELAINE M Town code 026400 Town of Rushford	Bk: 1246
8467 BALLARD RD FILLMORE NY 14735	Map# 76.5-1-23 Assessment: 56,200	Pg: 25
Consideration: 1,200.00	Acreage: 0.00 Tax sale date: 4/01/96 Tax sale amt: 1,847.27	

WILKINS SCOTT M	MYTNIK DENNIS T C/O JEAN LUCAS Town code 026600 Town of Scio	Bk: 1246
271 EAST LAKE RD HAMMONDSPORT NY 14840	Map# 199.18-2-17 Assessment: 40,000	Pg: 25
Consideration: 7,100.00	Acreage: .13 Tax sale date: 2/01/01 Tax sale amt: 2,170.92	
DEMARTE STEPHEN J	HAXTON RALPH L C/O RALPH E HAXTON Town code 027001 Town of Wellsville	Bk: 1246
1981 BELLAMY RD WELLSVILLE NY 14895	Map# 225.20-2-26 Assessment: 22,200	Pg: 25
Consideration: 1,000.00	Acreage: 0.00 Tax sale date: 2/01/01 Tax sale amt: 1,287.78	
VAN SCHAICK EDWIN J JR	COY MARSHA C/O RALPH E HAXTON Town code 027001 Town of Wellsville	Bk: 1246
104 NEW WICKHAM DR PENFIELD NY 14526	Map# 225.20-2-84 Assessment: 3,000	Pg: 25
Consideration: 600.00	Acreage: .50 Tax sale date: 2/01/10 Tax sale amt: 174.04	
MIDDAUGH RICHARD C	COVERT RONALD & WANDA Town code 027001 Town of Wellsville	Bk: 1246
6148 CO RD 18 ALMA NY 14708	Map# 238.16-1-27 Assessment: 22,000	Pg: 25
Consideration: 5,400.00	Acreage: .21 Tax sale date: 2/01/01 Tax sale amt: 1,276.18	
VAN SCHAICK EDWIN J JR	CANNIOTO KEVIN L Town code 027001 Town of Wellsville	Bk: 1246
104 NEW WICKHAM DR PENFIELD NY 14526	Map# 239.5-1-5.1 Assessment: 5,000	Pg: 25
Consideration: 100.00	Acreage: .65 Tax sale date: 4/01/98 Tax sale amt: 89.78	
WOODRUFF STACIE D	WOODRUFF STACIE D Town code 027001 Town of Wellsville	Bk: 1246
127 WILLIAMS AVE WELLSVILLE NY 14895	Map# 239.10-2-33.1 Assessment: 2,400	Pg: 25
Consideration: 100.00	Acreage: .12 Tax sale date: 2/01/01 Tax sale amt: 91.67	

ARMSTRONG JAY E	BUTLER WILLIAM & JEANETTE	
	Town code 027001	
	Town of Wellsville	Bk: 1246
7420 FREEBORN RD	Map# 239.38-1-41	Pg: 25
CANEADEA NY	Assessment: 2,300	
14717		
Consideration: 300.00	Acreage: 0.00	
	Tax sale date: 2/01/01	
	Tax sale amt: 951.51	
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WILKINS SCOTT M	HARLOFF CHARLES & WILMA	
	Town code 027089	
	Town of Wellsville	Bk: 1246
271 EAST LAKE RD	Map# 227.-1-9	Pg: 25
HAMMONDSPORT NY	Assessment: 90,000	
14840		
Consideration: 8,000.00	Acreage: 3.10	
	Tax sale date: 2/01/01	
	Tax sale amt: 5,229.74	
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SWIDER THOMAS W	BALDWIN ROBERT D	
	Town code 027089	
	Town of Wellsville	Bk: 1246
BOX 223A MILL ST	Map# 237.-1-11.3	Pg: 25
CANEADEA NY	Assessment: 20,900	
14717		
Consideration: 300.00	Acreage: 1.24	
	Tax sale date: 2/01/01	
	Tax sale amt: 673.84	
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SWIDER THOMAS W	BALDWIN ROBERT D	
	Town code 027089	
	Town of Wellsville	Bk: 1246
BOX 223A MILL ST	Map# 237.-1-11.22	Pg: 25
CANEADEA NY	Assessment: 3,000	
14717		
Consideration: 500.00	Acreage: 1.12	
	Tax sale date: 2/01/01	
	Tax sale amt: 57.76	
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WIDRIG DENNIS L	HEARD TONY SR	
WIDRIG DONNA J		
WIDRIG ADAM D	Town code 027089	
	Town of Wellsville	Bk: 1246
5753 THORNWOOD DR	Map# 238.-1-36	Pg: 25
WEST VALLEY NY	Assessment: 2,700	
14171		
Consideration: 700.00	Acreage: .17	
	Tax sale date: 2/01/01	
	Tax sale amt: 105.69	
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VAN SCHAICK EDWIN J JR	CANNIOTO KEVIN L	
	Town code 027089	
	Town of Wellsville	Bk: 1246
104 NEW WICKHAM DR	Map# 239.-1-6	Pg: 25
PENFIELD NY	Assessment: 4,300	
14526		
Consideration: 400.00	Acreage: 0.00	
	Tax sale date: 4/01/98	
	Tax sale amt: 319.57	
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LEWIS WILLIAM J	SCHRAM TAMMY L Town code 027400 Town of Willing Map# 278.-1-46.3 Assessment: 24,100	Bk: 1246 Pg: 25
16 MARILOU DR ROCHESTER NY 14624 Consideration: 3,800.00	Acreage: 5.50 Tax sale date: 2/01/01 Tax sale amt: 890.97	
POWERS VALERIE S	FAGAN ROBERT K Town code 027689 Town of Wirt Map# 208.-1-29.26 Assessment: 8,000	Bk: 1246 Pg: 25
8382 ST RT 19 BELFAST NY 14711 Consideration: 1,900.00	Acreage: 5.00 Tax sale date: 2/01/01 Tax sale amt: 301.39	
HOWARD SCOTT	GRAHAM JAMES Town code 027689 Town of Wirt Map# 246.-3-22.12 Assessment: 5,200	Bk: 1246 Pg: 25
468 BELLS BROOK RD CERES NY 14721 Consideration: 2,200.00	Acreage: 5.30 Tax sale date: 2/01/01 Tax sale amt: 180.74	

Moved by: Mr. Nielsen
Seconded by: Mr. Crandall

Adopted: Roll Call
13 Ayes, 1 No, 0 Absent
Abstaining: Dibble

RESOLUTION NO. 129-03

TRANSFER OF FUNDS WITHIN COUNTY HEALTH DEPARTMENT ACCOUNT

Offered by: Human Services Committee

RESOLVED:

1. That the sum of $125 is transferred from Account No. A4010.4 to Account No. A4010.2.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 130-03

TRANSFER OF FUNDS WITHIN COUNTY REFORESTATION ACCOUNT

Offered by: Resource Management Committee

RESOLVED:

1. That the sum of $4,750 is transferred from Account No. A8710.1 to Account No. A8710.4.

Moved by: Mrs. Myers
Seconded by: Mr. Russo

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

(Memo: The transfer between Personnel and Contractual Services accounts approved in preceding Resolution No. 130-03 covers work performed on a contractual basis by the Soil and Water Conservation District, previously performed by Ronald Smutzer, who retired at the end of 2002.)

RESOLUTION NO. 131-03

TRANSFER OF FUNDS FROM CONTINGENT ACCOUNT TO COUNTY ADMINISTRATOR CONTRACTUAL EXPENSES ACCOUNT

Offered by: Ways and Means Committee

RESOLVED:

1. That the sum of $20,000 is transferred from Account No. A1990.4 to Account No. A1011.4, to fund current and anticipated expenses relative to the contractual agreement with Associated Labor Consultants.

Moved by: Mr. Nielsen
Seconded by: Mr. Truax

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 132-03

ACCEPTANCE OF MONEY FROM THE CUBA COUNCIL OF CHURCHES AND APPROPRIATION OF SAME TO OFFICE FOR THE AGING NUTRITION CONTRACTUAL EXPENSES ACCOUNT

Offered by: Human Services and Ways and Means Committees

WHEREAS, a sum of $429 has been offered by the Cuba Council of Churches to the Allegany County Office for the Aging to be used for the Luncheon Center Program in Cuba, now, therefore, be it

RESOLVED:

1. That the sum of $429 is accepted from the Cuba Council of Churches to be used for the Luncheon Center Program in Cuba.

2. That the accepted sum of $429 from the Cuba Council of Churches is appropriated to Account No. A6672.4, with a like sum credited to Revenue Account No. A02.1972.00.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 133-03

TRANSFER OF FUNDS FROM E-911 MUNICIPAL SURCHARGE REVENUE ACCOUNT TO E-911 EQUIPMENT ACCOUNT

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That the sum of $5,197 is transferred from Revenue Account No. A02.1589.R4 to Account No. A3510.2, to purchase telemetry equipment for alarm systems at three tower sites.

Moved by: Mr. Bennett
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 134-03

ACCEPTANCE OF MONEY FROM THE SOUTHWESTERN REGIONAL EMS COUNCIL AND APPROPRIATION OF SAME TO EMERGENCY SERVICES CONTRACTUAL EXPENSES ACCOUNT

Offered by: Public Safety and Ways and Means Committees

WHEREAS, a sum of $1,750 has been offered by the Southwestern Regional EMS Council to the Allegany County Office of Emergency Services for the purpose of funding training programs, now, therefore, be it

RESOLVED:

1. That the sum of $1,750 is accepted from the Southwestern Regional EMS Council to be used for unfunded training programs.

2. That the accepted sum of $1,750 from the Southwestern Regional EMS Council is appropriated to Account No. A3640.4, with a like sum credited to Revenue Account No. A08.2705.3640.

Moved by: Mr. Bennett
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 135-03

APPROVAL OF AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS PROVIDING FOR REIMBURSEMENT OF EXPENSES INCURRED BY DIRECTOR OF WEIGHTS AND MEASURES IN PETROLEUM PRODUCT QUALITY PROGRAM

Offered by: Public Safety Committee and Ways and Means Committees

RESOLVED:

1. That an Agreement between the County of Allegany and the New York State Department of Agriculture and Markets providing for reimbursement of certain expenses incurred by the Allegany County Director of Weights and Measures in administering the New York State Petroleum Product Quality Program during the period April 1, 2003, to March 31, 2004, is approved.

2. That the Chairman of this Board is authorized to execute such Agreement and any and all necessary required forms or vouchers to secure reimbursement.

Moved by: Mr. Bennett
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

(Memo: Preceding Resolution No. 135-03 approves the renewal period of the Petroleum Product Quality Agreement and reflects revenue of $15,525, an increase of $4,224.)

RESOLUTION NO. 136-03

APPROVAL OF AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS FOR AGRICULTURE AND FARMLAND PROTECTION PLANNING GRANT; AUTHORIZING BOARD CHAIRMAN TO EXECUTE AGREEMENT AND APPROPRIATION OF FUNDS

Offered by: Resource Management and Ways and Means Committees

RESOLVED:

1. That Agreement between New York State Department of Agriculture and Markets and the County of Allegany for Agriculture

and Farmland Protection Planning Grant for period March 28, 2003 to March 31, 2005, is approved.

2. That the Chairman of this Board of Legislators is authorized to execute the Agreement.

3. That the sum of $12,500 is appropriated to Account Number A8020.496, with a like sum credited to Revenue Account No. A10.3902.8020.

Moved by: Mrs. Myers
Seconded by: Mr. Bennett

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

AUDITS:

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

A motion was made by Legislator Nielsen, seconded by Legislator Truax and adopted on a roll call vote of 15 Ayes, 0 Noes, 0 Absent, that the audit of claims be approved for payment as recommended by the County Administrator.

The meeting was adjourned on a motion made by Legislator Truax, seconded by Legislator Dibble and carried.

June 17, 2003

This special session of the Board of Legislators was called to order at 9:00 a.m. by Chairman Sherman.

Pledge of allegiance to the flag.

The invocation was given by Legislator Bennett.

Roll Call: All present except Legislators Crandall, Dibble, Regan and Truax.

APPOINTMENTS:

The Clerk announced that Chairman Sherman has appointed the following as members of the Friendship Empire Zone of Allegany County Administrative Board, effective immediately, to serve at his pleasure:

Charles Criss, Sr., Belmont
Marcia Habberfield, Scio
Robert C. Ellis, Belmont

RESOLUTIONS:

Resolution Intro. No. 139-03 (Requesting New York State Legislature Enact Senate Bill S.1736-A and Assembly Bill A.6094-A Regarding Authorization of Wireless Communications Service Surcharges in Allegany County; Repealing Resolution No. 97-2003) was not pre-filed and was considered from the floor on a motion made by Legislator Graffrath, seconded by Legislator Palmer and carried.

RESOLUTION NO. 137-03

REQUESTING NEW YORK STATE LEGISLATURE ENACT SENATE BILL S.1736-A AND ASSEMBLY BILL A.6094-A REGARDING AUTHORIZATION OF WIRELESS COMMUNICATIONS SERVICE SURCHARGES IN ALLEGANY COUNTY; REPEALING RESOLUTION NO. 97-2003

Offered by: Legislator Edgar Sherman

Pursuant to Section 40 of the Municipal Home Rule Law

WHEREAS, the purpose of 911 and E-911 systems is to provide a universal emergency number response system to the public, allowing 911 calls to be routed directly to a public service access point (PSAP), instead of a telephone operator, and

WHEREAS, the current $.35 wireline surcharge is insufficient to fund the E-911 system, and

WHEREAS, Senate Bill S.1736-A and Assembly Bill A.6094-A, have been introduced to authorize the County of Allegany to impose a surcharge in an amount not to exceed $.30 per month on wireless communications service in Allegany County, and

WHEREAS, the surcharge shall be imposed on each wireless communications device and shall be reflected and made payable on bills rendered for wireless communication service that is provided to a customer whose place of primary use is within the County, and

WHEREAS, the term "place of primary use" shall mean the street address that is representative of where the customer's use of the wireless communication service primarily occurs, which address must be: (a) the residential street address or the primary business street address of the customer; and (b) within the licensed service area of the wireless communication service supplier, and

RESOLVED:

1. That the Allegany County Board of Legislators approves of a State legislative bill bearing Senate No. 1736-A and Assembly No. 6094-A, entitled

> AN ACT to amend the County law, in relation to authorizing wireless communications service surcharges in the County of Allegany.

2. That such Board does declare that a necessity exists for the passage of such bill and requests its passage by the State Legislature.

3. That Resolution No. 97-2003 is repealed.

4. That the Clerk of this Board is authorized and directed to submit to the Senate and Assembly the foregoing request in such form and manner that conforms to rules promulgated by concurrent resolution of the Senate and Assembly pursuant to Article 3-A of the Legislative Law.

Moved by: Mr. Graffrath
Seconded by: Mr. Russo

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

Resolution Intro. No. 140-03 (A Resolution of the County of Allegany Electing Temporary Exemptions from Sales and Compensating Use Taxes for Receipts from Retail Sales of, and Consideration Given or Contracted to be Given for, Certain Clothing and Footwear) was not pre-filed and was considered from the floor on a motion made by Legislator Nielsen, seconded by Legislator Graffrath and carried.

RESOLUTION NO. 138-03

A RESOLUTION OF THE COUNTY OF ALLEGANY ELECTING TEMPORARY EXEMPTIONS FROM SALES AND COMPENSATING USE TAXES FOR RECEIPTS FROM RETAIL SALES OF, AND CONSIDERATION GIVEN OR CONTRACTED TO BE GIVEN FOR, CERTAIN CLOTHING AND FOOTWEAR

Offered by: Ways and Means Committee

Be in enacted by the Board of Legislators of the County of Allegany, as follows:

SECTION 1. Section six of Resolution No. 118 of 1967, as amended, is amended by adding a new subdivision (h) to read as follows:

(h) Receipts from sales of and consideration given or contracted to be given for purchases of clothing and footwear exempt from state sales and compensating use taxes pursuant to paragraph (30) of subdivision (a) of section 1115 of the New York State Tax Law during the periods commencing August 26, 2003, and ending September 1, 2003, and commencing January 26, 2004, and ending February 1, 2004, shall also be exempt during such periods from sales and compensating use taxes imposed by this resolution.

SECTION 2. This resolution shall take effect June 1, 2003, and shall apply during the applicable exemption periods in accordance with the applicable transitional provisions of Article 29 of the New York Tax Law; provided that this resolution and subdivision (h) of section 6 of Resolution No. 118 of 1967, as added by section one of this resolution, shall expire May 31, 2004, and be deemed repealed.

Moved by: Mr. Nielsen
Seconded by: Mr. Reynolds

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

The meeting was adjourned on a motion made by Legislator Nielsen, seconded by Legislator Russo and carried.

LEGISLATORS' PROCEEDINGS

June 23, 2003

The regular meeting of the Board of Legislators was called to order at 2:05 p.m. by Chairman Sherman.

Pledge of allegiance to the flag.

The invocation was given by Legislator Truax.

Roll Call: All present except Legislator Regan who arrived later in the meeting.

APPROVAL OF MINUTES:

The Board meeting minutes of May 12 and 27, 2003, were approved on a motion by Legislator Truax, seconded by Legislator Nielsen and carried.

PRIVILEGE OF THE FLOOR:

Chairman Sherman granted privilege of the floor to Wayne Grant, coordinator of the Allegany County 9/11 Tribute Committee, who gave a brief update on the presentation of the large flags traveling from the County to the three crash sites. The presentation ceremony at the Shanksville, PA site was held May 31; for the Pentagon site, the ceremony will be held July 19 at 11:00 (U.S. Congressman Amo Houghton will be here); and at the New York City site on August 23 (a bus will be chartered).

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Placed on each legislator's desk was a copy of the Report of Tax Bill Corrections approved by the County Administrator during the month of April 2003.

2. Also placed on each legislator's desk was a copy of the Allegany County Board Rules, which was revised June 9, 2003.

3. Correspondence was received from Robert Gregory, Executive Director at NYSAC, thanking the County for our efforts in the recent success to bring nearly $500 million in additional federal Medicaid funding to the counties of New York State. In Allegany County, that means $604,709 in savings over the next 15 months.

4. Correspondence was received from the NYS Comptroller's Office regarding their recent survey to assess the financial operations of Allegany County. During their survey, nothing came to their attention indicating the County was in need of further services.

RESOLUTIONS:

RESOLUTION NO. 139-03

AMENDMENT OF COUNTY NON-UNIT SALARY PLAN TO MOVE TITLE OF OFFICE MANAGER FROM GRADE 5 TO GRADE 6

Offered by: Personnel Committee

RESOLVED:

1. That Section 3. of Resolution No. 297-75, as last amended by Resolution No. 323-2002, is amended to move title of Office Manager from Grade 5 to Grade 6.

2. This resolution shall take effect June 24, 2003.

Moved by: Mr. Heineman
Seconded by: Mr. Burdick

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

(Memo: The Office Manager position referenced in the preceding Resolution No. 139-03 is located in the Health Department.)

RESOLUTION NO. 140-03

GRANTING SALARY INCREMENTS EFFECTIVE JULY 1, 2003, TO UNIT AND NON-UNIT EMPLOYEES

Offered by: Personnel Committee

Pursuant to § 5 (9) of Resolution No. 1-69 and Rule 7 of § 5 of Resolution No. 297-75

WHEREAS, eleven County unit and non-unit employees are eligible to receive an annual salary increment effective July 1, 2003, and

WHEREAS, the proper County department heads have recommended that such employees receive their respective annual salary increment effective July 1, 2003, 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, 2003, to wit:

Department	Name	Title	Increment
Sheriff	D. Reynolds	Undersheriff	$.68
Sheriff	J. Newton	Cook	$.28
Social Services	R. Neely	Sr. Typist	$.29
Social Services	C. Mangine	CommSvcAide	$.23
Social Services	C. Huegel	Typist	$.23
Tax	L. Dorrett	AcctClkTypist	$.29
Health	E. Starck	AcctClkTypist	$.29
Health	N. Chesebro	Supv PHN	$.66
Health	D. Hunt	PHN	$.69
Information Tech.	M. Yudichak	Network Tech	$.57
Employment & Trng.	V. Hark	E&T Counselor	$.52

Moved by: Mr. Heineman
Seconded by: Mr. Burdick

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

Resolution Intro. No. 143-03 (Authorizing Sale and Conveyance of County's Interest in Real Property in Town of Amity to Herald Ford, Inc.,; Acceptance of Offer and Authorizing Chairman to Execute Quit Claim Deed) was amended on a motion by Legislator Graffrath, seconded by Legislator Bennett and carried, by inserting the correct description of the property under "Resolved, paragraph 1" discovered during the title search.

RESOLUTION NO. 141-03

AUTHORIZING SALE AND CONVEYANCE OF COUNTY'S INTEREST IN REAL PROPERTY IN TOWN OF AMITY TO HERALD FORD, INC.; ACCEPTANCE OF OFFER AND AUTHORIZING CHAIRMAN TO EXECUTE QUIT CLAIM DEED

Offered by: Public Works and Ways and Means Committees

WHEREAS, the County is the owner of certain real property consisting of approximately 2.08 acres of land located on State Route 19 in the Town of Amity, and

WHEREAS, such property is not being occupied or used by the County and there is no planned use of it by the County, and

WHEREAS, Herald Ford, Inc., P. O. Box K, 8 Main Street, Andover, New York 14806 has offered to purchase such property for the amount of $3,550.00, and

WHEREAS, the fair market value of such property has been appraised at $3,550.00, now, therefore, be it

RESOLVED:

1. That this Board authorizes the sale to Herald Ford, Inc. of the following described premises in the Town of Amity, County of Allegany located on State Route 19:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Amity, County of Allegany, State of New York, being a portion of Great Lot 37, Township 3, Range 2 of the Morris Reserve, bounded and described as follows:

Commencing at a P. K. found at the centerline intersection of New York State Route No. 19 and County Road No. 31A; thence N 42° 41′ 43″ W, along the centerline of Route No. 19, a distance of 204.0 feet to an angle point therein; thence N 42° 31′ 43″ W a distance of 38.17 feet to the Point and Place of Beginning, said point being the Beginning Point of lands conveyed by Watson Farms, Inc. to the County of Allegany by a deed recorded in the Allegany County Clerks office on August 10, 1995 in Liber 1097 of Deeds at Page 81; thence N 42° 31′ 43″ W, along the center of Route No. 19, a distance of 117.83 feet to a point; thence N 47° 28′ 17″ E, passing through an iron pin placed on the highway bounds at 33 feet from the centerline, a distance of 333.0 feet to an iron pin corner set; thence S 42° 31′ 43″ E, on a line parallel with the center of said highway, a distance of 442.55 feet to an iron pin corner set in the southerly bounds of lands conveyed to the said County of Allegany, said point being in the reputed north line of Douglas I. Perry lands; thence N 88° 15′ 00″ W, along the said south line of the County of Allegany lands and passing through an iron found, a distance of 465.11 feet to the Point and Place of Beginning. Containing 2.142 acres of lands more or less. This description in accordance with a survey and map prepared by Robert C. Ackerman, Surveyor, dated June 18, 2003.

EXCEPTING and **RESERVING** to grantor, its successors and assigns, all oil, gas and minerals in, under and upon the above described property.

SUBJECT TO all easements and rights of way of record or visible possession.

2. That the costs of any taxes and transaction fees are to be borne by Herald Ford, Inc.

3. That upon payment of the consideration described above to the Allegany County Treasurer the Chairman of this Board is authorized to execute a quit claim deed to said premises and to cause delivery of same to Herald Ford, Inc.

Moved by: Mr. Graffrath
Seconded by: Mr. Bennett

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

RESOLUTION NO. 142-03

AUTHORIZING SALE AND CONVEYANCE OF COUNTY'S INTEREST IN REAL PROPERTY IN TOWN OF FRIENDSHIP TO ROBIN TATHAM AND LORI TATHAM; ACCEPTANCE OF PURCHASE OFFER AND AUTHORIZING CHAIRMAN TO EXECUTE QUIT CLAIM DEED

Offered by: Public Works and Ways and Means Committees

WHEREAS, the County is the owner of certain real property consisting of approximately 1.1069 acres of land located at 7908 County Route 20 in the Town of Friendship, and

WHEREAS, such property is not being occupied or used by the County and there is no planned use of it by the County, and

WHEREAS, Robin Tatham and Lori Tatham of Friendship, New York, have submitted to the County a purchase offer for such property in the amount of $400.00, and

WHEREAS, the fair market value of such property has been appraised at $400.00, now. therefore, be it

RESOLVED:

1. That this Board authorizes the sale to Robin Tatham and Lori Tatham of the following described premises in the Town of Friendship, County of Allegany located at 7908 County Route 20:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Friendship, County of Allegany, State of New York, being part of Great Lot No. 59, Township 3, Range 1 of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING: On the northeasterly bounds of County Road No. 20 at an iron found on the easterly line of lands deeded to the County of Allegany, as recorded in Liber 809 of Deeds at Page 122;

Thence, along the northeasterly bounds of County Road No. 20 the following three courses;

1. on a chord course of N 62 28' 57" W, a distance of 127.32 feet to a point;
2. N 60 58' 45" W, a distance of 372.70 feet to a point;
3. N 60 08' 00" W, a distance of 320.54 feet to the POINT OF BEGINNING;

Thence N 60 08' 00" W, along the northeasterly bounds of County Road No. 20, a distance of 51.40 feet to an iron set;

Thence N 46 24' 20" E, a distance of 179.68 feet to an iron set;

Thence S 29 46' 59" W, a distance of 172.23 feet to the point and place of beginning: Containing 0.1016 acres of land more or less.

ALSO, ALL THAT CERTAIN OTHER TRACT OR PARCEL OF LAND situate in the Town of Friendship, County of Allegany, State of New York, being part of Great Lot No. 59, Township 3, Range 1 of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING: On the northeasterly bounds of County Road No. 20 at an iron found on the easterly line of lands deeded to the County of Allegany, as recorded in Liber 809 of Deeds at Page 122;

Thence along the northeasterly bounds of County Road No. 20 the following Two courses;

1. on a chord course of N 62 28' 57" W, a distance of 127.32 feet to a point;

2. N 60 58' 45" W, a distance of 244.64 feet to the point of beginning;

Thence N 60 08' 00" W, along the northeasterly bounds of County Road No. 20, a distance of 29.98 feet to the southeast corner of lands now reputedly owned by Lori Webb, as recorded on August 11, 1997 in Liber 1133 of deeds at Page 28;

Thence N 29 46' 59" E, along the easterly line of said Webb, a distance of 123.83 feet to a point;

Thence N 24 05' 40" W, along lands of said Webb, a distance of 173.83 feet to a point;

Thence N 71 25' 57" W, along lands of said Webb, a distance of 153.07 feet to an iron set at the northwest corner of said Webb;

Thence N 46 24' 20" E, a distance of 35.56 feet to an iron set;

Thence S 68 39' 40" E. a distance of 324.12 feet to an iron set;

Thence S 06 42' 30" W, a distance of 300.60 feet to the point and place of beginning: Containing 1.0053 acres of land more or less.

SUBJECT TO all easements and rights of way of record or visible possession.

2. This Board accepts the purchase offer for said premises from Robin Tatham and Lori Tatham in the amount of $400.00.

3. That the costs of any taxes and transaction fees are to be borne by Robin Tatham and Lori Tatham.

4. That upon payment of the consideration described above to the Allegany County Treasurer the Chairman of this Board is authorized to execute a quit claim deed to said premises and to cause delivery of same to Robin Tatham and Lori Tatham.

Moved by: Mr. Graffrath
Seconded by: Mr. Truax

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

RESOLUTION NO. 143-03

APPROVAL FOR THE SUBMISSION OF A GRANT APPLICATION TO THE GOVERNOR'S COMMITTEE ON TRAFFIC SAFETY FOR BUCKLE UP NEW YORK (BUNY); ALLEGANY BUCKLES UP CHILDREN (A.B.C.) COALITION; SHARING THE ROADS AND CHOICES TRAFFIC SAFETY PROGRAMS; AUTHORIZING CHAIRMAN TO EXECUTE SUCH APPLICATION

Offered by: Public Safety Committee

WHEREAS, the Governor's Committee on Traffic Safety for fiscal year beginning October 1, 2003 to September 30, 2004, has announced the availability of funds in the amount of $133,012, for these programs, and

WHEREAS, the County of Allegany desires to submit an application for the funds for these programs, now, therefore, be it

RESOLVED:

1. That the submission of an application to the Governor's Committee on Traffic Safety for a grant in the amount of $133,012 for these programs to be used by the Allegany County Sheriff's Department, is approved.

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

Moved by: Mr. Bennett
Seconded by: Mr. Truax

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

RESOLUTION NO. 144-03

APPROVAL OF AGREEMENT WITH COUNTY OF STEUBEN FOR HOUSING ALLEGANY COUNTY MALE AND FEMALE PRISONERS IN STEUBEN COUNTY JAIL

Offered by: Public Safety Committee

Pursuant to Corrections Law § 504

RESOLVED:

1. That Agreement between the County of Steuben and the County of Allegany in relation to the confinement of Allegany County male and female prisoners in Steuben County Jail for period January 1, 2003, To December 31, 2005, is approved.

Moved by: Mr. Bennett
Seconded by: Mr. Dibble

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

(Memo: The Agreement approved in the preceding Resolution No. 144-03 provides for per diem housing of inmates at a rate of $75 per day and replaces the agreement that expired December 31, 2002, at no increase in cost.)

Resolution Intro. No. 147-03 (Approval of Sale of 2003 Tax Sale Properties) was not pre-filed and was considered from the floor on a motion made by Legislator Nielsen, seconded by Legislator Bennett and carried.

RESOLUTION NO. 145-03

APPROVAL OF SALE OF 2003 TAX SALE PROPERTIES

Offered by: Ways and 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 tax delinquent properties as shown below, to the owners and purchasers 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 such of the below mentioned properties which are subject to the 2001 and/or back to the year 1995 (TF95 up to and including TF01) tax foreclosure proceedings and the subsequent execution of a deed of all of the below mentioned 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 each 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 considerations.

Purchaser & Address Sale Price	Formerly Assessed Description/Town	County Title Recorded Date Liber, Page
DAY GREGORY A. SR DAY WILLIAM H. SR 273 NORTH OGDEN ST BUFFALO NY 14206 Consideration: 1,500.00	DAY GREGORY DAY WILLIAM Town code 025800 Town of Hume Map# 26.-1-32.1 Assessment: 8,900 Acreage: .39 Tax sale date: 2/01/01 Tax sale amt: 204.51	Bk: 1246 Pg: 25

Moved by: Mr. Nielsen
Seconded by: Mr. Bennett

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

AUDITS:

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

A motion was made by Legislator Nielsen, seconded by Legislator Dibble and adopted on a roll call vote of 15 Ayes, 0 Noes, 0 Absent, (Legislator Regan arrived just prior to consideration of the audit) that the audit of claims be approved for payment as recommended by the County Administrator.

The meeting was adjourned on a motion made by Legislator Truax, seconded by Legislator Bennett and carried.

LEGISLATORS' PROCEEDINGS

July 14, 2003

The regular meeting of the Board of Legislators was called to order at 2:08 p.m. by Chairman Sherman.

Pledge of allegiance to the flag.

The invocation was given by Legislator Dibble.

Roll Call: All present.

PRIVILEGE OF THE FLOOR:

Chairman Sherman granted privilege of the floor to Nancy Lotter and Lynn McCutcheon, members of the Wellsville Balloon Rally Committee. They presented lanyards to each legislator and a poster to the Chairman in appreciation of the Board's support.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Placed on each legislator's desk were copies of the Board meeting minutes of June 9, 17, and 23, 2003 for review.

2. Also placed on each legislator's desk was a copy of the Report of Tax Bill Corrections approved by the County Administrator for the month of June 2003.

3. A media release was received from Southern Tier West Regional Planning and Development Board summarizing highlights of their June Board meeting.

4. Financial Statements for the Year Ended December 31, 2002 were filed by the County Treasurer in the Clerk of the Board's Office in June.

5. The Deloitte & Touche Government Accounting Standards Board (GASB) Statement No. 34 Readiness Assessment was filed by the County Treasurer in the Clerk of the Board's Office in June.

6. The Clerk of the Board received notification that Wayne Grant, Chairman of the Allegany County 9/11 Tribute Committee, has organized a ceremony to present the flags that will be going to the Pentagon. The ceremony will be held at the Veterans' Monument in front of the Courthouse on Saturday, July 19, at 9:00 a.m., and Congressman Amory Houghton will be among those in attendance. There will also be a bus trip to New York City on August 23 to make the presentation of flags. Those interested in attending should contact Wayne Grant.

7. Notice was received from NYSAC announcing the fall seminar at the Prime Hotel and Conference Center in Saratoga Springs September 13-16, 2003.

8. Correspondence was received from Congressman Amory Houghton announcing the 2003 GOP Picnic on Saturday, July 19, from 1:00 to 4:00 p.m. in Great Valley.

APPOINTMENTS:

The Clerk of the Board announced that Chairman Sherman has appointed Kenneth Nielsen of Houghton, NY, to serve on the Law Library Board of Trustees for a term of two years commencing October 2, 2003, without compensation.

RESOLUTIONS:

RESOLUTION NO. 146-03

ESTABLISHING PROCEDURE FOR FILLING OF POSITIONS

Offered by: Ways and Means Committee

RESOLVED:

1. Prior to filling a position, a Department Head must secure the permission of his or her committee of jurisdiction. Upon the approval by the committee of jurisdiction the request shall be forwarded to the Ways and Means Committee for final approval.

2. This resolution shall take effect immediately.

Moved by: Mr. Nielsen
Seconded by: Mr. Truax

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 147-03

ESTABLISHING ALLEGANY COUNTY COMPUTER USE POLICY, E-MAIL POLICY AND INTERNET POLICY

Offered by: Technology and Ways and Means Committees

RESOLVED:

1. That the Allegany County Computer Use Policy, E-mail Policy, Internet Policy, dated October 24, 2001, Revised 2003, as approved by the Technology Committee on May 27, 2003 and the Ways and Means Committee on June 25, 2003, is adopted as the official policy of the County with respect to computer, e-mail and internet use by County employees.

2. This resolution shall take effect immediately.

Moved by: Mr. Crandall
Seconded by: Mr. Palmer

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

RESOLUTION NO. 148-03

ABOLISHING ONE POSITION OF SENIOR TYPIST IN HEALTH DEPARTMENT

Offered by: Human Services and Ways and Means Committees

RESOLVED:

1. That one position of Senior Typist is abolished in the Health Department.

2. This resolution shall take effect July 15, 2003.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 149-03

ABOLISHING ONE POSITION OF COMMUNITY SERVICES WORKER AND CREATING ONE POSITION OF SOCIAL WELFARE EXAMINER IN THE DEPARTMENT OF SOCIAL SERVICES

Offered by: Human Services and Ways and Means Committees

WHEREAS, a New Position Duties Statement has been submitted to the Personnel Officer, who has approved the title in accordance with Section 22 of the Civil Service Law, now, therefore, be it

RESOLVED:

1. That one position of Community Services Worker is abolished in the Department of Social Services and one position of Social Welfare Examiner is created in the Department of Social Services.

2. This resolution shall take effect July 15, 2003.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 150-03

APPROVAL OF SALE OF 2003 TAX SALE PROPERTY

Offered by: Ways and 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 tax delinquent properties as shown below, to the owners and purchasers 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 such of the below mentioned properties which are subject to the 2001 and/or back to the year 1995 (TF95 up to and including TF01) tax foreclosure proceedings and the subsequent execution of a deed of all of the below mentioned 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 each 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 considerations.

Purchaser & Address Sale Price	Formerly Assessed Description/Town	County Title Recorded Date Liber, Page
DUNBAR DANIEL J NO STREET OR NUMBER BOX 86 RICHBURG NY 14774 Consideration: 3,501.00	QUAKER STATE CORPORATION C/O TAX DEPT Town code 027689 Town of Wirt Map# 247.-1-41 Assessment: 8,100 Acreage: 11.30 Tax sale date: 2/01/01 Tax sale amt: 206.78	Bk: 1246 Pg: 25

Moved by: Mr. Nielsen
Seconded by: Mr. Dibble

Adopted: Roll Call
14 Ayes, 1 No, 0 Absent
Voting No: Myers

RESOLUTION NO. 151-03

A RESOLUTION DETERMINING THAT ERRORS EXIST ON THE 2002 and 2003 COUNTY AND TOWN TAX ROLLS FOR THE TOWNS NAMED WITH REGARD TO REAL PROPERTY OF VARIOUS TAXPAYERS THEREIN; DIRECTING MAILING OF NOTICES OF APPROVAL OF APPLICATIONS FOR CORRECTED TAX ROLLS AND ORDERING THE VARIOUS TOWN TAX COLLECTORS TO CORRECT THE TAX ROLLS; PROVIDING FOR CHARGE BACKS OR CREDITS

Offered by: Ways and Means Committee

Pursuant to Real Property Tax Law § 554

WHEREAS, applications, for the taxpayers hereafter described, have been made to the County's Director of Real Property Tax Service Agency, for the correction of certain errors affecting their real property on various tax rolls, and

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

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

RESOLVED:

1. That with regard to the applications for the named taxpayers pertaining to claimed errors regarding their real property on the respective tax rolls of the named Towns, this Board of Legislators does determine that the claimed errors as alleged in those applications exist and does approve those applications.

2. That the Chairman of this Board is authorized and directed to make a notation on those applications and the duplicates thereof that they are 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 Tax Collector, and to sign thereon as Chairman.

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

4. That the Tax Collector of the Town of Wirt is ordered and directed to correct in the 2003 County and Town Tax Roll the assessment or taxes, or both, of the property assessed to the following taxpayer and described as follows:

a. Shawn S. Milne; Parcel 248.-1-36
Assessment: Land $43,200 Total $43,200

by deleting such Parcel from the Tax Roll, and the County Treasurer is directed to make the following charges on her books:

Allegany County	$ 487.00
Town of Wirt	$ 440.37
Wirt Fire	$ 99.10
School Relevy	$ 644.99
Total	$1,671.46 (2003)

5. That the Tax Collector of the Town of Willing is ordered and directed to correct in the 2002 and 2003 County and Town Tax Roll the assessment or taxes, or both, of the property assessed to the following taxpayer and described as follows:

a. Thomas & Gladys Hopwood; Parcel 265.-2-26.4
Assessment: Land $1,200 Total $1,200

by deleting such Parcel from the Tax Roll, and the County Treasurer is directed to make the following charges to her books:

Allegany County Tax	$ 14.29
Town of Willing	$ 6.44
Willing Fire	$ 1.10
Total	$ 21.83 (2003)

b. Thomas & Gladys Hopwood; Parcel 265.-2-26.4
Assessment: Land: $1,200 Total $1,200

by deleting such Parcel from the Tax Roll, and the County Treasurer is directed to make the following charges to her books:

Allegany County Tax	$ 12.46
Town of Willing	$ 6.35
Willing Fire	$ 1.11
Total	$ 19.92 (2002)

6. That the Clerk of this Board is directed to forthwith mail a certified copy of this resolution to the various Tax Collectors for the Towns stated above together with the original copies of those applications completed in accordance with section two of this resolution.

7. The Clerk of this Board shall mail a copy of this resolution to the above named School and the amount to be charged to each School shall not be charged until 10 days after such mailing. Such amount shall be deducted by the County Treasurer from the money payable to each School as a result of school taxes returned after the date such amount is charged and which shall be paid to each School after May 1, 2004. The County Treasurer shall send a written notice to each School of the amount of such deduction prior to May 1, 2004.

Moved by: Mr. Nielsen
Seconded by: Mr. Truax

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 152-03

TRANSFER OF FUNDS WITHIN HEALTH DEPARTMENT ACCOUNTS

Offered by: Human Services Committee

RESOLVED:

1. That the sum of $2,500 is transferred from Account No. A4010.4 to Account No. A4010.2.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 153-03

TRANSFER OF FUNDS FROM CONTINGENT ACCOUNT TO DEPARTMENT OF PUBLIC WORKS ACCOUNT

Offered by: Public Works and Ways and Means Committees

RESOLVED:

1. That the sum of $20,000 is transferred from Account No. A1990.4 (Contingent) to D5110.466 (Maintenance Roads & Bridges - Contractual) to cover additional costs associated with the transportation of 33 Pre-Cast Concrete Inverset Panels from Boston, MA to Allegany County.

Moved by: Mr. Graffrath
Seconded by: Mr. Sobeck

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 154-03

AUTHORIZING COUNTY ADMINISTRATOR TO SOLICIT PROPOSALS TO PERFORM A COST STUDY; TRANSFER OF FUNDS FROM CONTINGENT ACCOUNT TO COUNTY ADMINISTRATOR - FEES ACCOUNT

Offered by: Ways and Means Committee

RESOLVED:

1. The County Administrator is authorized to solicit proposals to perform a study of the costs to renovate the former Belmont Central School Campus for office space.

2. That the sum of $10,000 is transferred from Account No. A1990.4 (Contingent) to Account No. A1011.409 (County Administrator - Fees) to cover the costs of such study.

Moved by: Mr. Nielsen
Seconded by: Mr. Crandall

Adopted: Roll Call
14 Ayes, 1 No, 0 Absent
Voting No: Heineman

RESOLUTION NO. 155-03

TRANSFER OF FUNDS FROM CONTINGENT ACCOUNT TO TREASURER - FEES ACCOUNT TO COVER COSTS OF BOND ISSUANCE FEES

Offered by: Ways and Means Committee

RESOLVED:

1. That the sum of $3,981 is transferred from Account No. A1990.4 (Contingent Account) to Account No. A1325.409 (Treasurer - Fees) for the payment of bond issuance fees.

Moved by: Mr. Nielsen
Seconded by: Mr. Crandall

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 156-03

INCREASING APPROPRIATIONS AND REVENUES IN OFFICE FOR THE AGING ACCOUNTS

Offered by: Human Services and Ways and Means Committees

WHEREAS, the Office for the Aging has advised that certain appropriations and revenues should be increased due to a Federal grant-in-aid, now, therefore, be it

RESOLVED:

1. That the following Office for the Aging accounts are increased as follows:

Revenue Accounts:

A11.4772.00	$ 642.00
A11.4772.07	63.00
A11.4772.10	9,040.00

Appropriation Accounts:

A6772.201	$ 642.00
A6783.474	63.00
A6786.402	700.00
A6786.408	3,240.00
A6786.409	2,000.00
A6786.474	3,100.00

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 157-03

ACCEPTANCE OF CONDITIONAL MONETARY GIFT FROM FIRST PRESBYTERIAN CHURCH OF CUBA AND APPROPRIATION OF SAME TO OFFICE FOR THE AGING ACCOUNTS

Offered by: Human Services and Ways and Means Committees

WHEREAS, a conditional monetary gift in the amount of $219.00 has been offered to the Office for the Aging to be applied to the rental of the A. A. Arnold Community Building in Cuba for the Senior Lunch Program, now, therefore, be it

RESOLVED:

1. That the conditional gift of $219.00 offered by the First Presbyterian Church of Cuba is accepted.

2. That the sum of $219.00 is appropriated to Account No. A6772.414 (Nutrition - Contractual) with a like sum credited to Revenue Account No. A02.1972.00 (Departmental Income, Office for the Aging - Nutrition).

Moved by: Mr. Burdick
Seconded by: Mr. Palmer

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 158-03

ACCEPTANCE OF STATE GRANT-IN-AID AND APPROPRIATION OF SAME TO DEPARTMENT OF PUBLIC WORKS ACCOUNTS

Offered by: Public Works and Ways and Means Committees

WHEREAS, the Department of Public Works has advised that certain appropriations and revenues should be increased due to an additional State grant-in-aid under the Consolidated Highway Improvement Program (CHIPS), now, therefore, be it

RESOLVED:

1. That the following Department of Public Works accounts are increased as follows:

Revenue Account: D10.3501.00	$ 331,962
Appropriation Account: D5112.223	$ 331,962

Moved by: Mr. Graffrath
Seconded by: Mr. Truax

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 159-03

ACCEPTANCE OF GRANT-IN-AID FROM NEW YORK STATE LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND AND APPROPRIATION OF SAME TO INFORMATION TECHNOLOGY ACCOUNTS

Offered by: Technology and Ways and Means Committees

WHEREAS, a grant-in-aid from the New York State Local Government Records Management Improvement Fund in the amount of $50,000 has been awarded to the Information Technology Department to be applied to records management projects, now, therefore, be it

RESOLVED:

1. That the grant-in-aid of $50,000 from the New York State Local Government Records Management Improvement Fund is accepted.

2. That the grant-in-aid is appropriated as follows: $33,000 to Account No. A1680.201 (IT-Equipment), $5,000 to Account No. A1680.408 (IT-General Supplies), $12,000 to Account No. A1680.430 (IT-Contractual); and the sum of $50,000 is credited to Revenue Account No. A10.3060.00 (State Aid).

Moved by: Mr. Crandall
Seconded by: Mr. Burdick

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 160-03

APPROVAL OF AMENDMENT AGREEMENT WITH LAFORGE DISPOSAL SERVICE, INC.

Offered by: Public Works Committee

RESOLVED:

1. That the Amendment Agreement to the Agreement for Purchase of Tonnage Capacity at Allegany County Landfill between the County and LaForge Disposal Service, Inc., which Agreement was dated December 9, 2002, is approved.

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

Moved by: Mr. Russo
Seconded by: Mr. Graffrath

Adopted: Roll Call
14 Ayes, 1 No, 0 Absent
Voting No: Bennett

(Memo: The Amendment approved in preceding Resolution No. 160-03 reduces the price for landfill capacity purchased by LaForge to $25 per ton of solid waste. Payment was previously raised from $25 to $35 and is now being decreased due to cost fluctuations.)

Resolution Intro. No. 163-03 (Urging United States Congress to Enact Student Loan Fairness Consolidation Act of 2003) was not pre-filed and was considered from the floor on a motion made by Legislator Palmer, seconded by Legislator Russo and carried.

RESOLUTION NO. 161-03

URGING UNITED STATES CONGRESS TO ENACT STUDENT LOAN FAIRNESS CONSOLIDATION ACT OF 2003

Offered by: Legislator Robert Sobeck

WHEREAS, students who pursue a higher education often incur a significant amount of loan debt which they must begin to repay shortly after graduation, and

WHEREAS, the Higher Education Act of 1965 permits students to consolidate all loans into a consolidation loan with a fixed interest rate, and

WHEREAS, there has been introduced in the House of Representatives Bill No. H. R. 2504 entitled "Student Loan Fairness Consolidation Act of 2003" which would allow for a variable interest rate on consolidation loans thereby allowing students to take advantage of changes in the economy which might provide lower interest rates, now, therefore, be it

RESOLVED:

1. That this Board urges the United States Senate and House of Representatives to enact the Student Loan Fairness Consolidation Act of 2003.

2. That the Clerk of this Board is directed to forward a certified copy of this resolution to Senators Charles Schumer and Hillary Clinton and Congressman Amory Houghton.

Moved by: Mr. Sobeck
Seconded by: Mr. Russo

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

AUDITS:

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

A motion was made by Legislator Nielsen, seconded by Legislator Truax and adopted on a roll call vote of 15 Ayes, 0 Noes, 0 Absent, that the audit of claims be approved for payment as recommended by the County Administrator.

The meeting was adjourned on a motion made by Legislator Truax, seconded by Legislator Bennett and carried.

LEGISLATORS' PROCEEDINGS

July 28, 2003

The regular meeting of the Board of Legislators was called to order at 2:10 p.m. by Chairman Sherman.

Pledge of allegiance to the flag.

The invocation was given by Legislator Nielsen.

Roll Call: All present.

APPROVAL OF MINUTES:

The Board meeting minutes of June 9, 17, and 23, 2003, were approved on a motion by Legislator Reynolds, seconded by Legislator Palmer and carried.

PRIVILEGE OF THE FLOOR:

Chairman Sherman granted privilege of the floor to Dianne Baker, Executive Director, Cornell Cooperative Extension of Allegany and Cattaraugus Counties. Ms. Baker, with staff members Kate O'Stryker, Aihme Ellis, and Teri Violet, presented information on new programs developed in response to escalating Medicaid costs. Educational efforts in promoting improvement in all areas of health, from physical to financial, are targeting various sectors of the general public, as well as Medicaid recipients.

Privilege of the floor was also granted to William Burt, President of the WNY and Pennsylvania Railroad, who gave a status report on the restoration of the East-West rail line beginning in Meadville, PA and stretching 188 miles to Hornell, NY. Work is progressing at a rapid pace on the railroad bed and crossing equipment, and ten miles of new rails are waiting to be laid in a few weeks. Industrial customers have been approached with many already successfully recruited. The re-opening of the line is projected to cost nearly $25 million, much of which was raised by grants, and is slated to be completed in August of this year. The legislators were thanked for their support.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Noted received was a media release from Southern Tier West Regional Planning & Development Board summarizing highlights of their July 2003 Board meeting.

2. Also received was a notice of the next Inter-County Association meeting to be hosted by Niagara County on August 15 at the Seneca Niagara Casino in Niagara Falls.

INTRODUCTION OF LEGISLATION:

Legislator Crandall introduced Local Law Intro. No. 2 of 2003, Print No. 1, entitled "A Local Law Imposing a Tax on the Occupancy of Hotel or Motel Rooms," a copy of said Local Law having been placed on each legislator's desk.

RESOLUTIONS:

Resolution Intro. No. 164-03 (Resolution Setting Date of Public Hearing on a Local Law Imposing a Tax on the Occupancy of Hotel or Motel Rooms) was amended on a motion made by Legislator Bennett, seconded by Legislator Truax and carried, by changing the Local Law Intro. No. from "3" to "2".

RESOLUTION NO. 162-03

RESOLUTION SETTING DATE OF PUBLIC HEARING ON A LOCAL LAW IMPOSING A TAX ON THE OCCUPANCY OF HOTEL OR MOTEL ROOMS

Offered by: Ways and Means Committee

WHEREAS, on this 28th day of July, 2003, a local law (Intro. No. 2-2003, Print No. 1) was introduced to provide a tax on the occupancy of hotel or motel rooms, and

WHEREAS, it will be necessary to set a date for public hearing on said proposed local law, now, therefore, be it

RESOLVED:

1. That a public hearing shall be held on August 11, 2003, at 2:00 p.m. in the County Legislators' Chambers, Room 221, County Office Building, Belmont, New York, before the Allegany County Board of Legislators, in relation to proposed Local Law Intro. No. 2-2003, Print No. 1.

2. That the Clerk of the Board of Legislators is directed to prepare, with the assistance of the County Attorney, a notice of said public hearing, to cause the publication of a copy of said notice in each of the two newspapers which have been officially designated by this Board to publish "notices," and to affix a copy of said notice on the County bulletin board in the County Courthouse at Belmont, New York; both publication and posting to be made at least five days before the public hearing.

Moved by: Mr. Nielsen — Adopted: Roll Call
Seconded by: Mr. Crandall — 11 Ayes, 4 Noes, 0 Absent
Voting No: Heineman, Reynolds, Russo, Sobeck

RESOLUTION NO. 163-03

CHANGING PRESCRIPTION POLICY AND MAJOR MEDICAL POLICY FOR CERTAIN COUNTY EMPLOYEES, RETIREES AND LEGISLATORS

Offered by: Personnel Committee

RESOLVED:

1. That notwithstanding the provisions of any previous resolution to the contrary, the following changes are made with respect to the County's prescription drug co-payment plan and major medical insurance coverage for all active non-unit employees, employees covered by the Section 4 Salary Plan, Legislators and retirees from any of the aforementioned groups:

(a) Effective the first day of the month following the month of the adoption of this resolution, prescription drug plan co-payments shall change from $3.00 to $5.00 for generic prescriptions and $10.00 for brand name prescriptions.

(b) Effective January 1, 2004, the annual major medical deductibles will change from $100.00 for a single plan to $175.00 and from $200.00 for a family plan to $325.00.

Moved by: Mr. Heineman — Adopted: Roll Call
Seconded by: Mr. Sobeck — 15 Ayes, 0 Noes, 0 Absent

(Memo: Major Medical Deductibles and Prescription Co-Payments for employees and retirees not covered by collective bargaining

agreements were last changed in 1993 by Resolution No. 66-93. The adjustments in the preceding resolution reflect typical health plan benefit levels in 2003 and our current labor contracts. Annual fiscal impact: Prescription Co-Payment - $27,000 savings; Major Medical Deductibles - $15,000 savings.)

RESOLUTION NO. 164-03

DESIGNATING THE CUBA PATRIOT & FREE PRESS AS SUBSTITUTE OFFICIAL NEWSPAPER FOR THE WEEK OF JULY 27, 2003 AND THE WELLSVILLE DAILY REPORTER AS SOLE OFFICIAL NEWSPAPER FOR THE WEEK OF AUGUST 3, 2003

Offered by: Legislator Edgar Sherman

WHEREAS, the Clerk of this Board was informed that The Alfred Sun, one of the official newspapers, will not be published during the weeks of July 27, 2003 and August 3, 2003, now, therefore, be it

RESOLVED:

1. Notwithstanding the provisions of Section 1 of Resolution No. 326-2002, the newspaper The Cuba Patriot & Free Press is designated as a substitute official newspaper for The Alfred Sun to publish local laws, notices and other matters required by law to be published during the week of July 27, 2003 and the newspaper The Wellsville Daily Reporter is designated as the sole official newspaper to publish local laws, notices and other matters required by law to be published during the week of August 3, 2003.

Moved by: Mr. Bennett
Seconded by: Mr. Dibble
Adopted: Voice Vote

RESOLUTION NO. 165-03

TRANSFER OF FUNDS FROM CONSUMER AFFAIRS PERSONNEL SERVICES ACCOUNT

Offered by: Public Safety Committee

RESOLVED:

1. That the sum of $420 is transferred as follows: $320 from Account No. A6610.1 to A6610.4 and $100 from Account No. A6610.1 to Account No. A6610.2.

Moved by: Mr. Bennett
Seconded by: Mr. Truax
Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

(Memo: Preceding Resolution No. 165-03 refers to transfers needed to cover costs of Weights & Measures seals, van repair, pump repair, and schooling for new Director.)

RESOLUTION NO. 166-03

TRANSFER OF FUNDS FROM TRAFFIC SAFETY PROGRAM PERSONNEL SERVICES ACCOUNT

Offered by: Public Safety Committee

RESOLVED:

1. That the sum of $5,000 is transferred from Account No. A3114.1 to Account No. A3114.4.

Moved by: Mr. Bennett
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

(Memo: Preceding Resolution No. 166-03 refers to transfer needed to pay part-time contract employees during Coordinator's illness.)

RESOLUTION NO. 167-03

APPROVAL OF CONSTRUCTION MANAGER AGREEMENT BETWEEN COUNTY OF ALLEGANY AND CIMINELLI-COWPER CO., INC.

Offered by: Ways and Means Committee

RESOLVED:

1. That Construction Manager Agreement between the County of Allegany and Ciminelli-Cowper Co., Inc., is approved.

2. That the Chairman of this Board is authorized to execute said Agreement.

Moved by: Mr. Nielsen
Seconded by: Mr. Bennett

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

(Memo: The Construction Manager Agreement approved in the preceding Resolution No. 167-03 relates to the building of the proposed Allegany County Public Safety Complex to include the Sheriff's Department, Dispatch Facility, Emergency Services Facility, and a 100 to 150 bed Jail Facility.)

AUDITS:

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

A motion was made by Legislator Nielsen, seconded by Legislator Dibble and adopted on a roll call vote of 15 Ayes, 0 Noes, 0 Absent, that the audit of claims be approved for payment as recommended by the County Administrator.

The meeting was adjourned on a motion made by Legislator Graffrath, seconded by Legislator Dibble and carried.

August 11, 2003

The regular meeting of the Board of Legislators was called to order at 2:12 p.m. by Chairman Sherman.

Pledge of allegiance to the flag.

The invocation was given by Legislator Crandall.

Roll Call: All present except Legislators Nielsen and Truax.

PUBLIC HEARING:

Chairman Sherman closed the regular meeting to hold a public hearing on Local Law Intro. No. 2-2003 entitled "A Local Law Imposing a Tax on the Occupancy of Hotel or Motel Rooms." As no one desired to offer comment, the public hearing was closed and the Board reconvened in regular session.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Placed on each legislator's desk was a copy of the 2004 budget for the Allegany County Mutual Self-Insurance Plan, together with the apportionment of costs to the County, Towns and Villages of Allegany County.

2. Also placed on each legislator's desk was a copy of the Report of Tax Bill Corrections approved by the County Administrator for the month of July 2003.

3. Also distributed to each legislator were copies of the Board meeting minutes of July 14 and 28, 2003 for review.

4. Certificates of Withdrawal of Delinquent Tax Liens were filed by the County Treasurer in the Clerk of the Board's Office for property in the Towns of Friendship and Willing pursuant to Article 11 of the Real Property Tax Law of the State of New York on July 31, 2003.

5. Correspondence was received from Assemblywoman Young's Office noting her request of the Governor to declare a public disaster for Allegany and Cattaraugus Counties so they will be eligible for Federal Emergency Management Agency assistance.

6. Correspondence was received from Roger Swift, the Mayor of the Village of Cuba, commending the work of County employees during Cuba's recent State of Emergency in July. Mayor Swift expressed gratitude and thanks and especially wanted to mention the assistance of John Tucker and staff, Dean Scholes and Richard Haywood.

7. Correspondence was also received from Bonnie Sylor expressing thanks and appreciation for the honor of having the Joncy Bridge in Angelica named after her husband, former Legislator Alton Sylor.

APPOINTMENTS:

The Clerk of the Board announced that Chairman Sherman appointed the following as members of the Building Committee to serve at his pleasure:

Rodney K. Bennett, Chairman of Public Safety
Edmund C. Burdick, Legislator
Kenneth Nielsen, Chairman of Ways and Means
James A. Graffrath, Chairman of Public Works
John E. Margeson, County Administrator/Budget Officer
Edgar Sherman, Chairman of the Board
Randal J. Belmont, Sheriff
John C. Tucker, Director of Emergency Services
Paul Gallmann, Fire Coordinator

FLOOD DAMAGE ASSESSMENT:

Chairman Sherman met this weekend with Assemblywoman Young, Town Supervisors, Highway Superintendents and Fire Chiefs to assess damage from the recent heavy rains and flooding occurring between July 21 and August 13. John Tucker, Director of Emergency Services, is going to try to have estimates from the August 9 storms combined with the prior damage estimates he had already submitted in an effort to get assistance from the Federal Emergency Management Agency. Mr. Tucker is also requesting repair estimates from County residents who sustained flooding damage to private property. Gratitude was expressed for the many hours, much of it volunteer, put in by all emergency workers and municipal employees.

RESOLUTIONS:

RESOLUTION NO. 168-03

RESOLUTION REPEALING RESOLUTIONS NO. 93-70 AND 112-71 REGARDING SUSPENSION OF IMPOSITION OF MORTGAGE RECORDING TAX

Offered by: Ways and Means Committee

Pursuant to Sections 253(2)(a) and 261 of the Tax Law

WHEREAS, Resolutions No. 93-70 and 112-71 suspended the collection of the additional mortgage tax provided for in Section 253(2)(a) of the Tax Law, and

WHEREAS, elimination of the suspension of this recording tax would result in additional revenue to be used in accordance with the provisions of Section 261 of the Tax Law, now, therefore, be it

RESOLVED:

1. That Resolutions No. 93-70 and 112-71 are repealed.

2. That the Clerk of the Board of Legislators is directed to send certified copies of this resolution by certified mail, return receipt requested, to the Comptroller of the State of New York and the New York State Tax Commission. The Clerk of this Board shall also send certified copies of this resolution to the Allegany County Clerk and the Allegany County Treasurer.

Moved by: Mr. Crandall
Seconded by: Mr. Bennett

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

Resolution Intro. No. 171-03 (Amendment of Resolution No. 318-2002 to the Salary of Assistant District Attorneys) was DEFEATED on a roll call vote of 6 Ayes, 7 Noes, 2 Absent. Voting No: Burdick, Graffrath, Myers, Regan, Russo, Sherman, and Sobeck. Absent: Nielsen and Truax. The District Attorney had made the request for Assistant District Attorney salary increases to bring them into parity with those paid to Assistant Public Defenders. He also wants to advertise to fill a vacant position with a more adequate wage.

Discussion prior to the defeat of Resolution Intro. No. 171-03 included objections to raising these salaries mid-year and a suggestion to write a letter objecting to the additional unfunded State mandate increasing the Assistant Public Defender salaries. Legislator Heineman went on record stating that for just $3200 (additional payroll cost for the balance of the current year), he feels we're making a mistake turning this request down and thinks some legislators are objecting to the raise because of problems they have with the DA's Office. Legislators Burdick and Myers went on record as taking exception to Legislator Heineman's insinuation.

RESOLUTION NO. 169-03

RESOLUTION REQUESTING STATE OF NEW YORK TO ABANDON MAINTENANCE JURISDICTION OF LAND IN THE TOWN OF BURNS ACQUIRED FOR HIGHWAY PURPOSES

Offered by: Public Works Committee

WHEREAS, the County of Allegany owns certain lands in the Town of Burns, which lands are more fully described in New York State Department of Transportation Van Scoters Corners-Canaseraga-Garwoods State Highway No. 1366, Map No. 1-C, Parcel No. 158, and

WHEREAS, the County of Allegany and the State of New York have determined that said property is surplus to the needs of the County and State, and

WHEREAS, the adjacent property owner, Valley Wesleyan Church, is interested in acquiring such property from the County, and

WHEREAS, prior to the conveyance of such land, the State of New York must abandon maintenance jurisdiction over such parcel, now, therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators requests that the New York State Department of Transportation release and abandon its maintenance jurisdiction over the property in the Town of Burns more fully described in Van Scoters Corners-Canaseraga-Garwoods State Highway No. 1366, Map No. 1-C, Parcel No. 158 on file in the office of the New York State Department of Transportation in Hornell, New York.

2. That the Clerk of this Board is directed to send three certified copies of this resolution to the Regional Real Estate Officer of the New York State Department of Transportation at 93 Main Street, Hornell, New York 14843.

Moved by: Mr. Graffrath
Seconded by: Mr. Reynolds

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 170-03

AUTHORIZATION TO MAKE APPLICATION FOR SECTION 5311 ANNUAL OPERATING ASSISTANCE

Offered by: Ways and Means Committee

WHEREAS, the COUNTY OF ALLEGANY is submitting a request for a grant of funds to the New York State Department of Transportation, pursuant to Section 5311, Title 49 United States Code, for a PROJECT TO PROVIDE FOR PUBLIC MASS TRANSPORTATION SERVICE FOR ALLEGANY COUNTY, WITH SERVICE EXTENDING TO BATH AND OLEAN, for the 2003 and 2004 fiscal years, and

WHEREAS, the COUNTY OF ALLEGANY, and the State of New York have entered into a continuing Agreement for a ten-year period which authorizes the undertaking of the Project and payment of Federal Share, identified as State Contract No. C003647, now, therefore, be it

RESOLVED, that the CHAIRMAN OF THE ALLEGANY COUNTY BOARD OF LEGISLATORS is authorized to act on behalf of the COUNTY OF ALLEGANY to sign the annual grant application and process and complete the above named Project.

FURTHER RESOLVED, that the CHAIRMAN OF THE ALLEGANY COUNTY BOARD OF LEGISLATORS is authorized to sign any contracts or agreements between the COUNTY OF ALLEGANY and any third party subcontractor necessary to complete the above Project.

WHEREAS, the COUNTY OF ALLEGANY, is contracting with a third party subcontractor for the project described above;

FURTHER RESOLVED, that the CHAIRMAN OF THE ALLEGANY COUNTY BOARD OF LEGISLATORS is authorized to sign any contracts between the

COUNTY OF ALLEGANY and any third party subcontractor necessary to complete the above Project.

Moved by: Mr. Crandall
Seconded by: Mr. Bennett

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

A motion was made by Legislator Burdick and seconded by Legislator Regan to table and refer to County Attorney for clarification Resolution Intro. No. 174-03 (A Resolution Determining that Errors Exist on the 2003 County and Town Tax Rolls for the Towns Named with Regard to Real Property of Various Taxpayers Therein . . .) After noting from the Real Property Tax Service Director's letter that the correction is being made due to a clerical error, Legislator Burdick rescinded his request.

RESOLUTION NO. 171-03

A RESOLUTION DETERMINING THAT ERRORS EXIST ON THE 2003 COUNTY AND TOWN TAX ROLLS FOR THE TOWNS NAMED WITH REGARD TO REAL PROPERTY OF VARIOUS TAXPAYERS THEREIN; DIRECTING MAILING OF NOTICES OF APPROVAL OF APPLICATIONS FOR CORRECTED TAX ROLLS AND ORDERING THE VARIOUS TOWN TAX COLLECTORS TO CORRECT THE TAX ROLLS; PROVIDING FOR CHARGE BACKS OR CREDITS

Offered by: Ways and Means Committee

Pursuant to Real Property Tax Law § 554

WHEREAS, applications, for the taxpayers hereafter described, have been made to the County's Director of Real Property Tax Service Agency, for the correction of certain errors affecting their real property on various tax rolls, and

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

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

RESOLVED:

1. That with regard to the applications for the named taxpayers pertaining to claimed errors regarding their real property on the respective tax rolls of the named Towns, this Board of Legislators does determine that the claimed errors as alleged in those applications exist and does approve those applications.

2. That the Chairman of this Board is authorized and directed to make a notation on those applications and the duplicates thereof that they are 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 Tax Collector, and to sign thereon as Chairman.

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

4. That the Tax Collector of the Town of Granger is ordered and directed to correct in the 2003 County and Town Tax Roll the assessment or taxes, or both, of the property assessed to the following taxpayer and described as follows:

a. N.Y. State D.E.C.; Parcel 6.-3-1
Assessment: Land $45,300 Total $45,300

by exempting such Parcel from the Tax Roll, and the County Treasurer is directed to make the following charges on her books:

Allegany County	$504.67
Town of Granger	452.40
Granger Fire	32.18
School Relevy	794.12
Total	$1,783.37

5. That the Clerk of this Board is directed to forthwith mail a certified copy of this resolution to the various Tax Collectors for the Towns stated above together with the original copies of those applications completed in accordance with section two of this resolution.

6. The Clerk of this Board shall mail a copy of this resolution to the above named School and the amount to be charged to each School shall not be charged until 10 days after such mailing. Such amount shall be deducted by the County Treasurer from the money payable to each School as a result of school taxes returned after the date such amount is charged and which shall be paid to each School after May 1, 2004. The County Treasurer shall send a written notice to each School of the amount of such deduction prior to May 1, 2004.

Moved by: Mr. Crandall
Seconded by: Mr. Bennett

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 172-03

TRANSFER OF FUNDS FROM CONTINGENT ACCOUNT TO SHERIFF CONTRACTUAL EXPENSES ACCOUNT

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That the sum of $10,000 is transferred from Account No. A1990.4 to Account No. A3110.4 for anticipated repairs to vehicles.

Moved by: Mr. Bennett
Seconded by: Mr. Dibble

Adopted: Roll Call
11 Ayes, 2 Noes, 2 Absent
Voting No: Myers, Regan

RESOLUTION NO. 173-03

TRANSFER OF FUNDS FROM E-911 RESERVE ACCOUNT TO FIRE E-911 EQUIPMENT ACCOUNT

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That the sum of $27,543 is transferred from Reserve Account No. A889.0005 to Account No. A3510.203 to finance the cost of replacing the microwave link between the Allegany County Office Building and Corbin Hill.

Moved by: Mr. Bennett
Seconded by: Mr. Dibble

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 174-03

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100 PERCENT OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM AID-ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL AID PROJECT, AND APPROPRIATING FUNDS THEREFOR

Offered by: Public Works and Ways and Means Committees

WHEREAS, a Project for the preliminary engineering, right-of-way incidental work, acquisition, construction and/or construction supervision and inspection of BIN 3330490, Bridge 23-11, County Road 7B over tributary to Caneadea Creek (Village of Rushford), PIN 6753.27 (the "Project") is eligible for funding under Title 23 U. S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80 percent Federal funds and 20 percent non-federal funds, and

WHEREAS, the County of Allegany desires to advance the Project by making a commitment of 100 percent of the non-federal share of the costs for preliminary engineering, right-of-way incidental work, acquisition, construction and/or construction supervision and inspection of BIN 3330490, Bridge 23-11, County Road 7B over tributary to Caneadea Creek, (Village of Rushford), PIN 6753.27, now, therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators hereby approves the above-subject project.

2. That the Allegany County Board of Legislators authorizes the County of Allegany to pay in the first instance 100 percent of the federal and non-federal share of the cost of Construction and Construction inspection work for the Project or portions thereof.

3. That the sum of $140,000 is hereby appropriated to Capital Project Account H5607.200 and made available to cover the cost of participation in the above phase of the Project.

4. That in the event the full federal and non-federal share costs of the Project exceeds the amount appropriated above, the Allegany County Board of Legislators shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof.

5. That the Chairman of the Allegany County Board of Legislators be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Allegany with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal aid and state aid-eligible Project costs and all Project costs within appropriations therefor that are not so eligible.

6. That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project.

7. This resolution shall take effect immediately.

Moved by: Mr. Graffrath
Seconded by: Mr. Bennett

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 175-03

ACCEPTANCE OF GRANT-IN-AID FROM NEW YORK STATE CRIME VICTIM'S BOARD AND APPROPRIATION OF SAME TO DISTRICT ATTORNEY ACCOUNTS

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That the state grant-in-aid in the amount of $30,200 from New York State Crime Victim's Board to fund the Crime Victim's Program is accepted and appropriated as follows: $22,800 to Account No. A1165.1, $3,886 to Account No. A1165.8, $3,514 to Account No. A1165.4, and a sum of $30,200 credited to Revenue Account No. A10.3031.01.

Moved by: Mr. Bennett
Seconded by: Mr. Dibble

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 176-03

APPROVAL OF EQUIPMENT SPACE AGREEMENT WITH DOBSON CELLULAR SYSTEMS, INC. IN RELATION TO INSTALLATION OF CELL PHONE ENHANCER EQUIPMENT AT COUNTY OFFICE BUILDING

Offered by: Ways and Means Committee

RESOLVED:

1. That Agreement between the County of Allegany and Dobson Cellular Systems, Inc., in relation to installation of cell phone enhancer equipment, is approved.

2. That the Chairman of this Board is authorized to execute said Agreement.

Moved by: Mr. Crandall
Seconded by: Mr. Bennett

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 177-03

APPROVAL OF AGREEMENT WITH KIMBALL ASSOCIATES OF PENNSYLVANIA, P.C. IN RELATION TO ARCHITECTURAL SERVICES FOR THE PROPOSED PUBLIC SAFETY COMPLEX

Offered by: Ways and Means Committee

RESOLVED:

1. That Agreement between the County of Allegany and Kimball Associates of Pennsylvania, P.C., in relation to architectural services for the proposed public safety complex, is approved.

2. That the Chairman of this Board is authorized to execute said Agreement.

Moved by: Mr. Crandall
Seconded by: Mr. Bennett

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

A motion was made by Legislator Crandall, seconded by Legislator Bennett and approved, to amend Resolution Intro. No. 181-03 (Approval of Transportation of Preschool Children with Handicapping Conditions Agreements with Fourteen Central School Districts) to reflect the receipt of an additional agreement. In the title and whereas section, fourteen central school districts should be changed to fifteen, and under the resolved section, Pioneer should be added to the listing of schools.

RESOLUTION NO. 178-03

APPROVAL OF TRANSPORTATION OF PRESCHOOL CHILDREN WITH HANDICAPPING CONDITIONS AGREEMENTS WITH FIFTEEN CENTRAL SCHOOL DISTRICTS

Offered by: Human Services Committee

WHEREAS, fifteen central school districts will provide transportation for County preschool children with handicapping conditions, now, therefore, be it

RESOLVED:

1. That each Agreement titled "Agreement Concerning The Transportation Of Pre-School Children With Handicapping Conditions" for the period July 1, 2003 to June 30, 2004, with the respective Central School Districts of Alfred-Almond, Andover, Arkport, Belfast, Bolivar-Richburg, Canaseraga, Cuba-Rushford, Fillmore, Friendship, Genesee Valley, Pioneer, Portville, Scio, Wellsville and Whitesville is approved; the Chairman of this Board being authorized to execute all such Agreements.

Moved by: Mr. Crandall
Seconded by: Mr. Bennett

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 179-03

APPROVAL OF CONTRACT BETWEEN COUNTY OF ALLEGANY AND NEW DIRECTIONS YOUTH & FAMILY SERVICES, INC., FOR NON-SECURE DETENTION SERVICES

Offered by: Human Services and Ways and Means Committees

RESOLVED:

1. That Contract between County of Allegany and New Directions Youth & Family Services, Inc., for Non-Secure Detention Services for the term July 1, 2003 through June 30, 2004, is approved.

2. That the Chairman of this Board of Legislators is authorized to execute the Contract.

Moved by: Mr. Crandall
Seconded by: Mr. Palmer

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

STANDING COMMITTEE ASSIGNMENT CHANGES:

Chairman Sherman distributed an amended Standing Committee list reflecting some recent changes he made in committee assignments. Legislator Russo is replacing Legislator Heineman as Chairman of the Personnel Committee and member of the Ways and Means Committee.

AUDITS:

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

A motion was made by Legislator Crandall, seconded by Legislator Dibble and adopted on a roll call vote of 13 Ayes, 0 Noes, 2 Absent, that the audit of claims be approved for payment as recommended by the County Administrator.

The meeting was adjourned on a motion made by Legislator Dibble, seconded by Legislator Graffrath and carried.

August 25, 2003

The regular meeting of the Board of Legislators was called to order at 2:10 p.m. by Chairman Sherman.

Pledge of allegiance to the flag.

The invocation was given by Legislator Regan.

Roll Call: All present except Legislators Bennett & Graffrath.

APPROVAL OF MINUTES:

The Board meeting minutes of July 14 and 28, 2003, were approved on a motion by Legislator Dibble, seconded by Legislator Nielsen and carried.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Certificates of Withdrawal of Delinquent Tax Liens were filed by the County Treasurer in the Clerk of the Board's Office for property in the Towns of Amity, Clarksville and Friendship pursuant to Article 11 of the Real Property Tax Law of the State of New York on August 22, 2003.

2. Received in the Clerk of the Board's Office was a bulletin from the Office of the State Comptroller announcing an interactive, satellite teleconference on September 9 regarding the Pension Fund, trends in employer contributions, and benefits provided to members.

3. Cuba Community Development Corporation filed its 2002-2003 annual report in the Clerk of the Board's Office.

4. A news release was received wherein Governor Pataki announced $10 million in aid for rural hospitals under the Rural Health Care Access Development Program.

PROCLAMATION:

Chairman Sherman proclaimed September 22, 2003 as Family Day in Allegany County and called upon citizens to observe this day by spending quality time with family members and engaging in nurturing activities to strengthen relationships between parents and children. This annual event is promoted by the National Center on Addiction and Substance Abuse (CASA) and locally by the Allegany Council on Alcoholism and Substance Abuse, Prevention Education Department.

RESOLUTIONS:

RESOLUTION NO. 180-03

ACCEPTANCE OF MONETARY GIFT AND APPROPRIATION TO PUBLIC SAFETY REVENUE ACCOUNT

Offered by: Public Safety Committee

WHEREAS, a monetary gift of $82.16 has been donated by the United Way to the Allegany County Office of Emergency Services, now, therefore, be it

RESOLVED:

1. That the monetary gift of $82.16 from the United Way to the Allegany County Office of Emergency Services is accepted.

2. That the total sum of such monetary gift is appropriated to Revenue Account No. A1589.02.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 181-03

TRANSFER OF FUNDS WITHIN PROBATION ACCOUNT

Offered by: Public Safety Committee

RESOLVED:

1. That the sum of $540 is transferred from Account No. A3140.4 to Account No. A3140.2.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

(Memo: The transfer approved in the previous Resolution No. 181-03 was requested to cover the cost of one Intoxilyzer.)

RESOLUTION NO. 182-03

TRANSFER OF FUNDS WITHIN DISTRICT ATTORNEY ACCOUNT

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That the sum of $4,794 is transferred from Account No. A1165.1 to Account No. A1165.2.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
10 Ayes, 3 Noes, 2 Absent
Voting No: Burdick, Regan, Sherman

(Memo: The transfer approved in the previous Resolution No. 182-03 was requested to cover shortfall in appropriation accounts to complete the equipment package for the District Attorney office vehicle.)

RESOLUTION NO. 183-03

APPROVAL OF STANDARD FBI ANTENNA SITE LICENSE RENEWAL FOR COMMUNICATIONS SYSTEM SITE BETWEEN COUNTY AND U. S. DEPARTMENT OF JUSTICE FEDERAL BUREAU OF INVESTIGATION

Offered by: Public Safety Committee

RESOLVED:

1. That Standard FBI Antenna Site License Renewal between the County of Allegany and the U. S. Department of Justice Federal Bureau of Investigation in relation to the Bureau's use of County real property on Corbin Hill, Town of Amity, for the period October 1, 2003, through September 30, 2004, at the annual rate of $1,073.52, is approved.

2. That the Chairman of this Board is authorized to execute said Agreement

Moved by: Mr. Truax — Adopted: Roll Call
Seconded by: Mr. Dibble — 13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 184-03

APPROVAL OF AMENDMENT OF COURT SECURITY AGREEMENT BETWEEN THE NEW YORK STATE UNIFIED COURT SYSTEM AND THE ALLEGANY COUNTY SHERIFF'S DEPARTMENT

Offered by: Public Safety Committee

RESOLVED:

1. The amendment of an agreement for the period April 1, 2003, through March 31, 2004, between the New York State Unified Court System and the Allegany County Sheriff's Department for the provision of Court Security, is approved; the Allegany County Sheriff being authorized to execute such Renewal.

Moved by: Mr. Truax — Adopted: Roll Call
Seconded by: Mr. Dibble — 13 Ayes, 0 Noes, 2 Absent

(Memo: The Court Security Agreement amendment approved in the previous Resolution No. 184-03 establishes the dates of the new period of the current five-year contract, as well as the maximum compensation for this 2003-04 period, which is set at $183,136.)

Prior to consideration of Resolution Intro. No. 188-03 in relation to imposing a tax on the occupancy of hotel or motel rooms, Chairman Sherman granted privilege of the floor to motel owners Teresa Messoloras, Best Value Inn, Wellsville (formerly Wellsville Motel) and C. Patel, Economy Inn, Alfred (formerly College Inn and Squirrel's Nest Motel). Both voiced objections to the new tax, stating that keeping prices low to deal with new competition and paying for extensive renovations will ultimately cause the new tax to cut into their profits. They feel that area small business owners, as well as tourism, will be adversely affected by the tax.

Legislators opposed to the new tax cited not wanting to make up budget deficits on the backs of small business owners and wondering if the benefits will really amount to the estimated $120,000. Concern was voiced about the effects on economic development. Comment was also made regarding enthusiasm for downsizing County workforce and services when the time comes.

Supporting remarks included that our area is one of the very few that doesn't already have the hotel occupancy tax and the only additional burden this will add to motel owners is paperwork. Most of the patrons that will be actually paying the tax will be from out of the County and this is one way of raising some revenue without increasing the burden on property taxpayers.

Resolution Intro. No. 188-03 (Adoption of Local Law Intro. No. 2-2003, Print No. 1, In Relation to Imposing a Tax on the Occupancy of Hotel or Motel Rooms) was not pre-filed and was considered from the floor on a motion made by Legislator Crandall, seconded by Legislator Nielsen and approved on a roll call vote of 12 Ayes, 1 No, 2 Absent. Voting No: Reynolds; Absent: Bennett, Graffrath.

RESOLUTION NO. 185-03

ADOPTION OF LOCAL LAW INTRO. NO. 2-2003, PRINT NO. 1, IN RELATION TO IMPOSING A TAX ON THE OCCUPANCY OF HOTEL OR MOTEL ROOMS

Offered by: Ways and Means Committee

RESOLVED:

1. That proposed Local Law, Intro. No. 2-2003, Print No. 1, is adopted without any change in language, to wit:

COUNTY OF ALLEGANY

Intro. No. 2 of 2003 Print No. 1

A LOCAL LAW IMPOSING A TAX ON THE OCCUPANCY OF HOTEL OR MOTEL ROOMS

BE IT ENACTED by the Board of Legislators of the County of Allegany, State of New York, as follows:

Section 1. Short Title

This local law shall be known as the "Allegany County Hotel or Motel Room Occupancy Tax Local Law".

Section 2. Statement of Intent

The intent of this local law shall be to impose a tax on facilities providing lodging on an overnight basis and provide for the collection thereof in order to make funds available for deposit in the general fund of Allegany County to be allocated to enhance the general economy of Allegany County, its cities, towns and villages.

Section 3. Definitions

When used in this local law, the following terms shall mean:

(a)	**County.**	Allegany County, New York.
(b)	**County Treasurer.**	The Allegany County Treasurer, or such other fiscal officers of Allegany County.
(c)	**Board of Legislators.**	The Allegany County Board of Legislators.

(d)	**Hotel or Motel.**	Any facility providing lodging on an overnight basis, and shall include those facilities designated and commonly known as "bed and breakfast" and "tourist" facilities.
(e)	**Occupancy.**	The use or possession, or the right to the use or possession of any room in a hotel or motel.
(f)	**Occupant.**	A person who, for a charge or any consideration, uses, possesses or has the right to use or possess, any room in a hotel or motel under any lease, concession, permit, right, license, agreement, or otherwise.
(g)	**Operator.**	Any person operating a hotel or motel in Allegany County including but not limited to the owner, proprietor, lessee, sub-lessee, mortgagee in possession, licensee, or any other person otherwise operating such hotel or motel.
(h)	**Resident.**	Any person occupying any room or rooms in a hotel or motel for at least 30 consecutive days.
(i)	**Person.**	An individual, partnership, society, association, joint stock company, corporation, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of the foregoing.
(j)	**Rent.**	The charge and/or consideration received for occupancy valued in money, whether received in money, or otherwise.
(k)	**Return.**	Any return filed or required to be filed as herein provided.
(l)	**Room.**	Any room or rooms of any kind in any part or portion of a hotel or motel, which is available for, rented or otherwise let out for the lodging of guests.
(m)	**State.**	The State of New York.

Section 4. Imposition of Tax

On and after October 1, 2003, there is hereby imposed and there shall be paid a tax of four percent (4%) of the per diem rental rate for each room or rooms in a hotel or motel located within the County upon the rental of each such room or rooms, except that such tax shall not be applicable to a permanent resident of a hotel or motel.

Section 5. Transitional Provisions

The tax imposed by this local law shall be paid upon any occupancy on or after October 1, 2003, although such occupancy is pursuant to a prior contract, lease or other arrangement. Where rent is paid on a weekly or other term basis, the rent shall be subject to the tax imposed by this local law to the extent that it covers any period on or after October 1, 2003.

Section 6. Exempt Organizations

Except as otherwise provided in this section, any use or occupancy by any of the following shall not be subject to the tax imposed by this local law:

(a) The State of New York, or any public corporation (including a public corporation created pursuant to agreement or compact with another state or the Dominion of Canada), improvement district or other political subdivision of the State;

(b) The United States of America, insofar as it is immune from taxation;

(c) Any corporation or association, or trust, or community chest, fund or foundation organized and operated exclusively for religious, charitable or educational purposes, or for the prevention of cruelty to children or animals, and no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation; provided, however, that nothing in this paragraph shall include an organization operated for the primary purpose of carrying on a trade or business for profit, whether or not all of its profits are payable to one or more organizations described in this paragraph.

Section 7. Territorial Limitations

The tax imposed by this local law shall apply only within the territorial limits of Allegany County.

Section 8. Registration

Within ten (10) days after the effective date of this local law, or in the case of operators commencing business after such effective date, within three (3) days after such commencement or opening, every operator shall file with the Treasurer a registration application in a form prescribed by the Treasurer.

Section 9. Administration and Collection

(a) The tax imposed by this local law shall be administered and collected by the Treasurer, or other fiscal officers of Allegany County, by such means and in such manner as other taxes which are now collected and administered by such officers or as otherwise may be provided by such local law.

(b) The tax to be collected shall be stated and charged separately from the rent and shown separately on any record thereof, at the time when the occupancy is arranged or contracted for and charged for, and upon every evidence of occupancy or any bill or statement of charge made for

said occupancy issued or delivered by the operator. The tax shall be paid by the occupant to the operator or to the person entitled to be paid the rent or charge for the hotel or motel occupied for and on account of the County, and the operator or person entitled to be paid the rent or charge shall be liable for the collection and payment of the tax.

(c) The operator or any officer of any corporate operator shall be personally liable for the tax collected or required to be collected under this local law, and that such operator or person entitled to be paid the rent or charge shall have the same right in respect to collecting the tax from the occupant, or in respect to non-payment of the tax by the occupant, as if the tax were a part of the rent or charge and payable at the same time as the rent or charge; provided, however, that the Treasurer or other fiscal officers, employees or agents specified in this local law, shall be joined as a party in any action or proceeding brought to collect the tax by the operator or by the person entitled to be paid the rent or charge.

(d) The Treasurer may, whenever deemed necessary for the proper enforcement of this local law, provide that the occupant shall file returns and pay directly to the Treasurer, the tax herein imposed.

(e) For the purpose of the proper administration of this local law and to prevent evasion of the tax hereby imposed, it shall be presumed that all rents are subject to tax until the contrary is established, and the burden of proving that a rent for occupancy is not taxable hereunder shall be upon the operator, except that, where by regulation pursuant to subdivision (d) of this section, an occupant is required to file returns and pay directly to the Treasurer the tax herein imposed, the burden of proving that a rent for occupancy is not taxable shall be upon the occupant.

(f) Where an occupant claims exemption from the tax under the provisions of section six of this local law, the rent shall be deemed taxable hereunder unless the operator shall receive from the occupant claiming such exemption a certificate duly executed by an exempt corporation or association certifying that the occupant is its agent, representative, or employee, together with a certificate executed by the occupant that his occupancy is paid or to be paid by such exempt corporation or association, and is necessary or required in the course of or in connection with the occupant's duties as a representative of such corporation or association. Where deemed necessary, the operator may further require that any occupant claiming exemption from the tax furnish a copy of a certificate issued by the Treasurer certifying that the corporation or association therein named is exempt from the tax under section six of this local law.

Section 10. Records to be Kept

Every operator shall keep records of every occupancy and of all rent paid, charged and due thereon and of the tax payable thereon, in such form as the Treasurer may require. Such records shall be available for inspection and examination at any time upon demand by the Treasurer or the Treasurer's duly authorized agents or employees, and shall be preserved for a period of not less than

three (3) years, except that the Treasurer may consent in writing to their destruction within that period or may in writing require that such records be kept and maintained for a specified period in excess of three (3) years.

Section 11. Returns

(a) Every operator shall file with the Treasurer a return of occupancy and of rents, and of the taxes payable thereon for the quarterly periods ending February 28, May 31, August 31 and November 30 of each year on or after September 1, 2003. Such returns shall be filed within twenty (20) days from the expiration of the period covered thereby. The Treasurer may permit or require returns to be made by other periods and upon such dates as may be specified. If the Treasurer deems it necessary in order to insure the payment of the tax imposed by this local law, the Treasurer may require returns to be made for shorter periods than those prescribed pursuant to the foregoing provisions of this section and upon such dates as may be specified.

(b) The forms of returns shall be prescribed by the Treasurer and shall contain such information as may be deemed for the proper administration of this local law. The Treasurer may require amended returns to be filed within twenty (20) days after notice and to contain the information specified in the notice.

(c) If the return required by this local law is not filed, or a return filed is incorrect or insufficient on its face, the Treasurer shall take the necessary steps to enforce the filing of such return or of a corrected return.

Section 12. Payment of Tax

(a) Upon the time of filing a return of occupancy and of rents, each operator shall pay to the Treasurer the taxes imposed by this local law upon the rents required to be included in such return, as well as other monies collected by the operator acting or purporting to act under the provisions of this local law.

(b) Where the Treasurer, in his discretion, deems it necessary to protect revenues to be obtained under this local law, the Treasurer may require any operator obligated to collect the tax imposed by this local law to file with the Treasurer's office a bond, issued by a surety company authorized to transact business in this state and approved by the superintendent of insurance of this state as solvency and responsibility, in such amount as the Treasurer may fix to secure the payment of any tax and/or penalties and interest due or which may become due from such operator.

(c) In the event the Treasurer determines that an operator is to file such bond, notice shall be given by the Treasurer to such operator to that effect specifying the amount of the bond required.

(d) The operator shall file such bond within five (5) days after the issuance of such notice, unless within five (5), days the operator shall serve upon and deliver to the Treasurer a written request for a hearing before the Treasurer at which the necessity, propriety and amount of

the bond shall be determined by the Treasurer. Any determination by the Treasurer upon such hearing shall be final and shall be complied with by the operator within fifteen (15) days after the giving of notices thereof.

(e) In lieu of such bond, securities approved by the Treasurer or cash in such amount as may be prescribed, may be deposited which shall be kept in the custody of the Treasurer who may at any time without notice of the depositor apply them to any tax and interest and penalties due, and for that purpose the securities may be sold by him at public or private sale without notice to the depositor thereof.

Section 13. Determination of Tax

If a return required by this local law is not filed, or if a return is incorrect or insufficient, the amount of tax due shall be determined by the Treasurer from such information as may be obtainable and, if necessary, the tax may be estimated on the basis of external indices, such as number of rooms, location, scale of rents, comparable rents, type of accommodations and service, number of employees and/or other factors. Notice of such determination shall finally and irrevocably fix the tax unless the person against whom it is assessed, within thirty (30) days after giving of such notice of such determination, shall apply to the Treasurer for a hearing, or unless the Treasurer of its own motion shall re-determine the same. After such hearing, the Treasurer shall give notice of the determination made to the person against whom the tax is assessed. Any final determination of the amount of any tax payable hereunder, shall be reviewable for error, illegality or unconstitutionality or any other reason whatsoever by a proceeding under article seventy-eight of the Civil Practice Law and Rules if application therefor is made to the Supreme Court within thirty (30) days after the giving of the notice of such final determination, provided, however, that any such proceeding under article seventy-eight of the Civil Practice Law and Rules shall not be instituted unless:

(a) The amount of tax sought to be reviewed, with such interest and penalties thereon as may be provided for by local law or regulation shall be first deposited and there is filed an undertaking, issued by a surety company authorized to transact business in this state and approved by the superintendent of insurance of this state as to solvency and responsibility, in such amount as a justice of the Supreme court shall approve to the effect that if such proceeding be dismissed or the tax confirmed, the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding; or

(b) At the option of the petitioner, such undertaking may be in a sum sufficient to cover the taxes, interests, and penalties stated in such determination plus the costs and charges which may accrue against such petitioner in the prosecution of the proceeding, in which event the petitioner shall not be required to pay such taxes, interests or penalties as a condition precedent to the application.

Section 14. Refunds

(a) In the manner provided in this section, the Treasurer shall refund or credit, without interest, any tax, penalty or interest erroneously, illegally or unconstitutionally

collected or paid if application to the Treasurer for such refund shall be made within one year of payment thereof. Whenever a refund is made by the Treasurer, the reason therefor shall be stated in writing. Such application may be made by the occupant, operator, or other person who has actually paid the tax. Such application may also be made by an operator who has collected and paid over such tax to the Treasurer provided the application is made within one year of the payment by the occupant to the operator, but no actual refund of money shall be paid to such operator until it is first established to the satisfaction of the Treasurer, under such regulations as the Treasurer may prescribe, that the Treasurer has repaid to the occupant the amount for which the application for refund is made. The Treasurer may in lieu of any refund required to be made, allow credit therefor on payments due from the applicant.

(b) Where any tax imposed hereunder shall have been erroneously, illegally or unconstitutionally collected and application for the refund thereof duly made to the proper fiscal officer or officers, and such officer or officers shall have made a determination denying such refund, such determination shall be reviewable by a proceeding under article seventy-eight of the Civil Practice Law and Rules, provided, however, that such proceeding is instituted within thirty (30) days after the giving of the notice of such denial, that final determination of the tax due was not previously made, and that an undertaking is filed with the proper fiscal officer or officers in such amount and with such sureties as a justice of the Supreme Court shall approve to the effect that if such proceeding be dismissed or the tax confirmed, the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding.

Section 15. Reserves

In cases where the occupant or operator has applied for a refund and has instituted a proceeding under article seventy-eight of the Civil Practice Law and Rules to review a determination adverse to such occupant or operator on such application for a refund, the Treasurer shall set aside sufficient monies to meet any decision adverse to the County.

Section 16. Disposition of Revenues

All revenues resulting from the imposition of the tax under this local law shall be paid into the Treasury of Allegany County and shall be credited to and deposited in the general fund of the County; provided, however, that the County is authorized to retain up to a maximum of ten (10) percent of such revenue to defer necessary expenses in administering such tax. The revenue derived from such tax, after deducting the amount provided for administering such tax, shall be allocated to enhance the general economy of Allegany County, its cities, towns and villages, as determined by the Allegany County Board of Legislators.

Section 17. Remedies Exclusive

The remedies provided by sections thirteen (13) and fourteen (14) of this local law shall be the exclusive remedies available to any person for the review of the tax liability imposed by this local law; and no determination or proposed determination of tax or determination on any application for refund or credit shall be

enjoined, contested or reviewed by any action or proceeding, except by a proceeding under article seventy-eight of the Civil Practice Law and Rules provided, however, that a taxpayer may proceed by declaratory judgment if suit is instituted within thirty (30) days after a deficiency assessment to the Treasurer prior to the institution of such suit and posts a bond for costs pursuant to section thirteen (13) of this local law.

Section 18. Proceedings to Recover Tax

(a) Whenever any operator or other person shall fail to collect and pay over any tax and/or to pay any tax, penalty or interest imposed by this local law as herein provided, or whenever any occupant shall fail to pay any such tax, penalty or interest, the County Attorney shall, upon the request of the County Treasurer bring or cause to be brought an action to enforce the payment of the same on behalf of Allegany County in any court of the State of New York or of any other state or of the United States.

(b) Notwithstanding any other provision of this section, if the Treasurer, in his discretion, believes that any such operator, occupant or other person is about to cease business, leave the state or remove or dissipate the assets out of which the tax or penalties might be satisfied, and that any such tax or penalty will not be paid when due, the Treasurer may declare such tax or penalty to be immediately due and payable and may issue a warrant, as provided in this section, immediately.

(c) As an additional alternate remedy, the Treasurer may issue a warrant, directed to the Allegany County Sheriff or to the Sheriff of any other County commanding said Sheriff to levy upon and sell the real and personal property of the operator, occupant, or other person liable for the tax, which may be found within the County for the payment of the amount thereof, with any penalties and interest and the cost of executing the warrant, and to return such warrant to the Treasurer and to pay to the Treasurer the money collected by virtue thereof within sixty (60) days after the receipt of such warrant. The sheriff shall, within five (5) days after the receipt of the warrant, file with the County Clerk a copy thereof, and thereupon such Clerk shall enter in the judgment docket the name of the person mentioned in the warrant and the amount of tax, penalties and interest for which the warrant is issued and the date when such copy is filed. Thereupon the amount of such warrant so docketed shall become a lien upon the interest in real and personal property of the person against whom the warrant is issued. The Sheriff shall then proceed upon the warrant, in the same manner, and with like effect, as that provided by in respect to executions issued against property judgments of a court of record and for services in executing the warrant the Sheriff shall be entitled to the same fees, which may be collected in the same manner. In the discretion of the Treasurer, a warrant of like terms, force and effect may be issued and directed to any officer or employee of the Treasurer and in the execution thereof such officer or employee shall have all the powers conferred upon by the Sheriff, but shall be entitled to no fee or compensation in excess of the actual expenses paid in the performance of such duty. If a warrant is returned not satisfied in full, the Treasurer may from time to time issue new warrants and shall also have the same remedies to enforce

the amount due thereunder as if the County has recovered judgment therefor and execution thereon has been returned unsatisfied.

(d) Whenever an operator shall make a sale, transfer, or assignment in bulk of any party of the whole of his hotel or motel or his lease, or of such operator's business assets, otherwise than in the ordinary course of business, the purchaser, transferee or assignee shall at least ten (10) days before taking possession of the subject of the said sale, transfer or assignment, or paying therefor, notify the Treasurer by registered mail of the proposed sale and of the price, terms and conditions thereof whether or not the seller, transferrer or assignor, has represented to or informed the purchaser, transferee or assignee that any tax is owed pursuant to this local law, and whether or not the purchaser, transferee or assignee has knowledge that such taxes are owing, and whether any such taxes are in fact owing.

(e) Whenever the purchaser, transferee or assignee shall fail to give notice to the Treasurer as required by sub-section eighteen (18) (d), of this section or whenever the Treasurer shall inform the purchaser, transferee, or assignee that a possible claim for such tax or taxes exists, any sums of money, property or choses in action, or other consideration, which the purchaser, transferee or assignee is required to transfer over to the seller, transferor or assignor shall be subject to a first priority right and lien of any such taxes theretofore or thereafter determined to be due the seller, transferor or assignor to the County, and the purchaser, transferee or assignee is forbidden to transfer to the seller, transferor or assignor any such sums of money, property or choses in action to the extent of the amount of the County's claim. For failure to comply with the provisions of this sub-section, the purchaser, transferee or assignee, in addition to being subject to the liabilities and remedies imposed under the provisions of article six of the Uniform Commercial Code, shall be personally liable for the payment determined to be due to the County from the seller, transferor or assignor, and such liability may be assessed and enforced in the same manner as the liability for tax under this local law.

Section 19. General Powers of the Treasurer

In addition to the powers granted to the Treasurer by County Law and this local law, the Treasurer is hereby authorized and empowered:

(a) To make, adopt and amend rules and regulations, and to issue orders, appropriate to the carrying out of this local law and the purposes thereof;

(b) To extend for cause shown the time of filing any return for a period not exceeding thirty (30) days; and for cause shown, to remit or waive penalties but not interest; and to compromise disputed claims in connection with the taxes hereby imposed.

(c) To request information from the tax commissioner of the State of New York or the treasury department of the United States relative to any person; and to afford information to such tax commissioner or such treasury department

relative to any person, any other provision of this local law to the contrary not withstanding

(d) To delegate said functions hereunder to any employee or employees of the County Treasurer

(e) To prescribe methods for determining the rents for occupancy and to determine the taxable and non-taxable rents

(f) To require any operator within the County to keep detailed records of the nature and type of hotel or motel maintained, nature and type of service rendered, the rooms available and rooms occupied daily, leases or occupancy contracts or arrangements, rents received, charged and accrued, the names and addresses of the occupants, whether or not any occupancy is claimed to be subject to the tax imposed by this local law, and to furnish such information upon request to the County Treasurer

(g) To assess, determine, revise and readjust the taxes imposed under this local law

Section 20. Administration of Oaths and Compelling Testimony

(a) The Treasurer, or the Treasurer's duly designated and authorized employees or agents, shall have power to administer oaths and take affidavits in relation to any matter or proceeding in the exercise of the Treasurer's powers and duties under this local law.

(b) The Treasurer shall have the power to subpoena and require the attendance of witnesses and the production of books, papers, and documents to secure information pertinent to the performance of his duties hereunder and of the enforcement of this local law, and to examine them in relation thereto, and to issue commissions for the examination of witnesses who are out of the state or unable to attend before the Treasurer or excused from attendance.

(c) A justice of the Supreme Court, either in court or at chambers shall have power summarily to enforce by proper proceedings the attendance and testimony of witnesses and the production and examination of books, papers and documents called for by the subpoena of the Treasurer under this local law.

(d) Any person who shall refuse to testify or to produce books or records or who shall testify falsely in any material matter pending before the Treasurer under this local law shall be guilty of a misdemeanor, punishment for which shall be a fine of not more than one thousand dollars ($1,000) or imprisonment for not more than one year, or both such fine and imprisonment.

(e) The officers who serve the summons or subpoena of the Treasurer and witnesses attending in response thereto shall be entitled to the same fees as are allowed to officers and witnesses in civil cases in courts of record, except as herein otherwise provided.

(f) The County Sheriff, the Sheriff's duly appointed deputies, and any officer or employee of the Treasurer designated to serve process under this local law, are hereby authorized

and empowered to serve any summons, subpoena, order, notice, document, instrument, or other process to enforce or carry out this local law.

Section 21. Reference to Tax

Wherever reference is made in placards or advertisements or in any other publications to this tax such reference shall be substantially in the following form: "Tax on occupancy of hotel or motel rooms"; except that in any bill, receipt, statement or other evidence of memorandum of occupancy or rent charge issued or employed by the operator, the word "tax" will suffice.

Section 22. Penalties and Interest

(a) Any person failing to file a return or to pay over any tax to the Treasurer within the time required by this local law shall be subject to a penalty of five percent (5%) of the amount of the tax due. In addition to the aforementioned penalty, interest at the rate of one percent (1%) of such tax for each month of delay, excepting the first month after such return was required to be filed or such tax became due, shall accrue. The Treasurer, if satisfied the delay was excusable, may remit or waive all or any part of the penalty, but not the interest owed. Such penalties and interest shall be paid and disposed of in the same manner as other revenues from this local law. Unpaid penalties and interest may be enforced in the same manner as the tax imposed by this local law.

(b) Any operator or occupant and any officer of a corporate operator or occupant failing to file a return required by this local law, or filing or causing to be filed, or making or causing to be made or giving or causing to be given any return, certificate affidavit, representation, information, testimony, or statement required or authorized by this local law, which is willfully false, and any operator and any officer of a corporate operator willfully failing to file a bond required pursuant to section thirteen (13) of this local law, failing to file a registration certificate and such data in connection therewith as the Treasurer may by regulation or otherwise require or to display or surrender the certificate of authority as required by this local law or assigning or transferring such certificate of authority and any operator and any officer of a corporate operator willfully failing to charge separately from the rent the tax herein imposed, or willfully failing to state such tax or any evidence of occupancy and on any bill or statement or receipt or rent issued or employed by the operator, or willfully failing or refusing to collect such tax from the occupant, and any operator and any officer of a corporate operator who shall refer or cause reference to be made to this tax in a form or manner other than that required by this local law, and any operator failing to keep the records required by section ten (10) of this local law, shall in addition to the penalties herein or elsewhere prescribed, be guilty of a misdemeanor, punishment for which shall be a fine of not more than one thousand dollars ($1,000) or imprisonment for not more than one year, or both such fine and imprisonment. Officers of a corporate operator shall be personally liable for the tax collected or required to be collected by such corporation

under this local law, and subject to the penalty herein above imposed.

(c) The certificate of the Treasurer to the effect that a tax has not been paid, that a return, bond or registration certificate has not been filed, or that information has not been supplied pursuant to the provisions of this local law, shall be presumptive evidence thereof.

Section 23. Returns to be Secret

(a) Except in accordance with proper judicial order, or as otherwise provided by law, it shall be unlawful for the Treasurer or any officer or employee of the Treasurer to divulge or make known in any manner the rents or other information relating to the business of the taxpayer contained in any return required under this local law. The officers charged with the custody of such returns shall not be required to produce any of them or evidence of anything contained in them in any action or proceeding in any court, except on behalf of the Treasurer in an action or proceeding under the provisions of this local law or on behalf of any party to any action or proceeding under this local law when the returns or facts shown thereby are directly involved in such action or proceeding, in either of which events the court may require the production of, and may admit in evidence, so much of said returns or of the facts shown thereby, as are pertinent to the action or proceeding and no more. Nothing herein shall be construed to prohibit the delivery to a taxpayer or his duly authorized representative of a certified copy of any return filed in connection with his tax nor to prohibit the publication of statistics so classified as to prevent the identification of particular returns and the items thereof, or the inspection by the County Attorney or other legal representatives of the County of the return of any taxpayer who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been instituted for the collection of a tax or penalty. Returns shall be preserved for three (3) years and thereafter until the Treasurer permits them to be destroyed.

(b) Any violation of this section shall be punishable by a fine not exceeding one thousand dollars ($1,000), or by imprisonment not exceeding one year, or both, in the discretion of the court, and if the offender be an officer or employee of the County such officer or employee shall be dismissed from office and be incapable of holding any public office for a period of five (5) years thereafter.

Section 24. Notices and Limitations of Time

(a) Any notice authorized or required under the provisions of this local law may be given by mailing the same to the person for whom it is intended in a post-paid envelope addressed to such person at the address given in the last return filed by him pursuant to the provisions of this local law, or in any application made by him, or if no return has been filed or application made, then to such address as may be obtainable. The mailing of such notice shall be presumptive evidence of the receipt of the same by the person to whom it is addressed. Any period of time which is determined according to the provisions of the

local law giving of notice shall commence to run from the date of such notice.

(b) The Provisions of the Civil Practice Law and Rules or any other law relative limitations of time for the enforcement of a civil remedy shall not apply to any proceeding or action taken by the County to levy, appraise, assess, determine or enforce the collection of any tax penalty provided by this local law. However, except in the case of a willfully false or fraudulent return with the intent to evade the tax, no assessment of additional tax shall be made after the expiration of more than three (3) years from the date of the filing of a return, provided, however, that where no return has been filed as provided by law the tax may be assessed at any time.

(c) Where, before the expiration of the period described herein for the assessment of an additional tax, a taxpayer has consented in writing that such period be extended, the amount of such additional tax due may be determined at any time within such extended period. The period so extended may be further extended by subsequent consents in writing made before the expiration of the extended period.

Section 25. Separability

If any provision of this local law or the application thereof to any person or circumstance shall be held invalid, the remainder of this local law and the application of such provision to other persons or circumstances shall not be affected thereby.

Section 26. Effective Date

This local law shall take effect immediately upon filing in the Office of the Secretary of State of New York State.

Moved by: Mr. Dibble
Seconded by: Mr. Nielsen

Adopted: Roll Call
9 Ayes, 4 Noes, 2 Absent
Voting No: Heineman, Reynolds, Russo, Sobeck

Resolution Intro. No. 189-03 (Amending Resolution No. 118-67, as Amended, to Increase the Rate of Allegany County Sales and Use Tax from Three to Four Percent for the Period Beginning December 1, 2003, and Ending November 30, 2005, and Thereafter Said Rate of Sales and Use Tax to Revert to Three Percent) was not pre-filed and was considered from the floor on a motion made by Legislator Nielsen, seconded by Legislator Crandall and approved on a roll call vote of 13 Ayes, 0 Noes, 2 Absent.

RESOLUTION NO. 186-03

AMENDING RESOLUTION NO. 118-67, AS AMENDED, TO INCREASE THE RATE OF ALLEGANY COUNTY SALES AND USE TAX FROM THREE TO FOUR PERCENT FOR THE PERIOD BEGINNING DECEMBER 1, 2003, AND ENDING NOVEMBER 30, 2005, AND THEREAFTER SAID RATE OF SALES AND USE TAX TO REVERT TO THREE PERCENT

Offered by: Ways and Means Committee

Pursuant to Article 29 of the Tax Law, and Chapter 348 of the Laws of 2003

BE IT RESOLVED AND ENACTED by the Board of Legislators of the County of Allegany that Resolution No. 118-67, as last amended, is hereby amended to read as follows:

Section 1. The first clause of the opening paragraph of Section 2. of Resolution No. 118-67, as amended, is hereby amended to read as follows:

On and after December first, nineteen hundred eighty-six, there is hereby imposed and there shall be paid a tax of four percent upon, and on and after December first, two thousand five, there is hereby imposed and there shall be paid a tax of three percent upon:

Section 2. Subdivisions (g) and (h) of Section 3.of Resolution No. 118-67, as amended, are hereby amended to read as follows:

(g) With respect to the additional tax of one percent imposed effective for the period beginning December first, nineteen hundred eighty-six, and ending November thirtieth, two thousand five, the provisions of subdivisions (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said sub-divisions (a), (b), (c) and (d) to the first day of March, nineteen hundred sixty-eight, shall be read as referring to the first day of December, nineteen hundred eighty-six, all references in said subdivision (a) to the first day of November, nineteen hundred sixty-seven, shall be read as referring to the first day of August, nineteen hundred eighty-six, and the reference in said subdivision (b) to the twenty-ninth day of February, nineteen hundred sixty-eight shall be read as referring to the thirtieth day of November, nineteen hundred eighty-six. Nothing herein contained shall be deemed to exempt from tax at the rate in effect prior to the first day of December, nineteen hundred eighty-six, any transaction which may not be subject to the additional tax imposed effective on that date.

(h) The taxes imposed under subdivisions (a), (c) and (d) of Section 2. shall be paid at the rate of three percent upon all sales made and services rendered on or after December first, two thousand five. With respect to the tax rate of three percent effective December first, two thousand five, the provisions of subdivisions (b), (c), (d) and (e) of this section apply, except that for purposes of this subdivision, all references in said subdivisions (b), (c) and (d) to the first day of March, nineteen hundred sixty-eight, shall be read as referring to December first, two thousand five, and the reference in subdivision (b) to the twenty-ninth day of February, nineteen hundred sixty-eight, shall be read as referring to November thirtieth, two thousand five. Nothing herein contained shall be deemed to exempt from tax at the rate in effect prior to December first, two thousand five, any transaction which may not be subject to the lowered rate of tax in effect on that date.

Section 3. Section 4. of Resolution No. 118-67, as amended, is hereby amended to read as follows:

Section 4. Imposition of Compensating Use Tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this resolution, there is hereby imposed on every person a use tax for the use within this County on and after December first, nineteen hundred eighty-six, except as otherwise exempted under

this resolution, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of Section 2., (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of Section 2. have been performed, (E) of any telephone answering service described in subdivision (b) of Section 2. and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A.) of subdivision (a) of this section, the tax shall be at the rate of four percent, and on and after December first, two thousand five, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of Section 1., but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, the tax shall be at the rate of four percent, and on and after December first, two thousand five, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, the tax shall be at the rate of four percent, and on and after December first, two thousand five, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of Section 1.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property,

property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, the tax shall be at the rate of four percent, and on and after December first, two thousand five, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of Section 1.

(g) For purposes of clause (F) of subdivision (a) of this section, the tax shall be at the rate of four percent, and on and after December first, two thousand five, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person.

Section 4. Subdivision (1) of Section 11. of Resolution No. 118-67, as amended, is hereby amended to read as follows:

(1) (A) In respect to the use of property used by the purchaser in this County prior to March first, nineteen hundred sixty-eight.

(B) With respect to the additional tax of one percent imposed effective for the period beginning December first, nineteen hundred eighty-six, and ending November thirtieth, two thousand five, in respect to the use of property used by the purchaser in this County prior to December first, nineteen hundred eighty-six.

Section 5. Section 17. of Resolution No. 118-67, as amended, is hereby amended to read as follows:

Section 17. Effective Date.

Notwithstanding the foregoing provisions of this resolution to the contrary, for the period beginning December first, nineteen hundred eighty-six and ending November thirtieth, two thousand five, there is hereby imposed and there shall be paid a four percent sales and compensating use tax; and for the period beginning December first, two thousand five and thereafter, there is hereby imposed and there shall be paid a three percent sales and compensating use tax with respect to the items and services enumerated in this resolution.

Section 6. This resolution shall take effect December first, two thousand three.

Moved by: Mr. Nielsen
Seconded by: Mr. Crandall

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

AUDITS:

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

A motion was made by Legislator Nielsen, seconded by Legislator Truax and adopted on a roll call vote of 13 Ayes, 0 Noes, 2 Absent, that the audit of claims be approved for payment as recommended by the County Administrator.

The meeting was adjourned on a motion made by Legislator Truax, seconded by Legislator Dibble and carried.

September 8, 2003

The regular meeting of the Board of Legislators was called to order at 2:00 p.m. by Chairman Sherman.

Pledge of allegiance to the flag.

The invocation was given by Legislator Dibble.

Roll Call: All present.

PRIVILEGE OF THE FLOOR:

Chairman Sherman granted privilege of the floor to Wayne Grant, Allegany County 9-11 Tribute Committee Chairman, to give an update on the presentations of the large American flags and memorial materials for the three disaster sites. The New York City and Shanksville events have taken place and were well received. Congressman Amory Houghton will present our tribute materials for the Pentagon to Secretary of State Rumsfeld on September 11. Films are being made and when finished, will be given to the County Historian. Chairman Sherman thanked Mr. Grant for his dedication.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Placed on each legislator's desk were copies of the Board meeting minutes of August 11 and 25, 2003 for review.

2. Also placed on each legislator's desk was a copy of the Report of Tax Bill Corrections approved by the County Administrator during the month of August 2003.

3. Each legislator also received a copy of the Report of Intrafund Transfers approved by the County Administrator for the months of June, July and August 2003.

4. Also distributed to each legislator was a news release from Southern Tier West Regional Planning & Development Board summarizing highlights of their August Board meeting.

5. Noted received in the Clerk of the Board's Office was a notice of the Inter-County Association meeting to be hosted by Wyoming County on October 17 in Varysburg. (It was also noted that the Inter-County meeting in September will be a joint meeting with

the Adirondack Association to be held during the NYSAC Conference in Saratoga Springs, September 14 through 16.)

6. Correspondence was received from the NYS Department of Public Service regarding their endeavor to ensure that within ten years, at least 25 percent of the electricity purchased by retail customers in New York is generated from renewable sources.

RESOLUTIONS:

RESOLUTION NO. 187-03

ESTABLISHING LAW ENFORCEMENT CAPITAL PROJECT TO FUND THE PROPOSED JAIL CONSTRUCTION FOR ALLEGANY COUNTY

Offered by: Ways and Means Committee

RESOLVED:

1. That there is established a Capital Project for the proposed jail construction for Allegany County.

2. That the expenditure account for this Capital Project is Account No. H3197.200, Law Enforcement Capital Project and Revenue Account No. H13.5710.3197, Proceeds from Serial Bond Issue.

Moved by: Mr. Nielsen
Seconded by: Mr. Truax

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 188-03

CANCELLATION OF 2002 AND 2003 DELINQUENT TAX LIENS AND DETERMINATION OF NO PRACTICAL METHOD TO ENFORCE DELINQUENT TAX LIENS ARISING THEREAFTER AND DIRECTING COUNTY TREASURER TO ISSUE CERTIFICATE OF CANCELLATION AND PROSPECTIVE CANCELLATION, IN RELATION TO A CERTAIN TAX PARCEL

Offered by: Ways and Means Committee

WHEREAS, the County Treasurer has withdrawn a certain parcel of real property from a foreclosure proceeding under Article 11 of the Real Property Tax Law for the reason that the tax on such parcel has been canceled or is subject to cancellation pursuant to Section 558 of the Real Property Tax Law, and

WHEREAS, the Ways and Means Committee recommends that this Board determine that there is no practical method to enforce the collection of the 2002 and 2003 delinquent tax liens and those liens arising thereafter and that supplementary proceedings to enforce the collection of such existing taxes would not be effective against such parcel, now, therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators does determine that there is no practical method to enforce the collection of the 2002 and 2003 delinquent tax liens and that supplementary proceedings to enforce the collection of such taxes would not be effective, against the following parcel:

Town	Owner	Tax Map Number	Serial Number
Friendship	Ritter, Burton & Marion	182.15-1-58	655-02

and that such delinquent tax liens are cancelled.

2. That the Allegany County Board of Legislators does determine that there is no practical method to enforce the collection of delinquent tax liens arising thereafter against such parcel.

3. That the County Treasurer, as enforcing officer, is directed to issue a certificate of cancellation for such parcel and to file a copy of such certificate in the County Clerk's Office and a certificate of prospective cancellation for such parcel and to file a copy of such certificate with the assessor of the assessing unit in which such parcel is located and with the County Director of Real Property Tax Services.

4. That upon such respective filings the parcel shall thereby become exempt from taxation and shall remain exempt until the Allegany County Board of Legislators determines that such parcel should be restored to the taxable portion of the assessment roll.

5. That the Clerk of this Board is directed to file a copy of this resolution with the Allegany County Treasurer as enforcement officer.

Moved by: Mr. Nielsen
Seconded by: Mr. Bennett

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 189-03

ACCEPTANCE OF INSURANCE SETTLEMENT FROM ST. PAUL INSURANCE COMPANY; APPROPRIATION OF SAME TO ACCOUNTS TO BE DESIGNATED BY THE ALLEGANY COUNTY TREASURER

Offered by: Personnel and Ways and Means Committees

WHEREAS, St. Paul Insurance Company has agreed to pay to the County the sum of $100,256.47 for the October 17, 2002 fire damage to the Allegany County maintenance building, now, therefore, be it

RESOLVED:

1. That the sum of $100,256.47 is accepted from St. Paul Insurance Company for the fire damage claim on the maintenance building.

2. That the sum of $100,256.47 is appropriated to Accounts to be designated by the Allegany County Treasurer.

Moved by: Mr. Dibble
Seconded by: Mr. Reynolds

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 190-03

TRANSFER OF FUNDS FROM COUNTY REFORESTATION PERSONNEL SERVICES ACCOUNT TO LAW ENFORCEMENT CAPITAL PROJECT ACCOUNT

Offered by: Ways and Means Committee

RESOLVED:

1. That the sum of $20,000 is transferred from Account No. A8710.1 to Account No. H3197.200.

Moved by: Mr. Nielsen
Seconded by: Mr. Truax

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

(Memo: The transfer approved in the preceding Resolution No. 190-03 was requested to finance payments for Construction Manager and Architect/Engineering Services related to the proposed Public Safety Building. The Reforestation Personnel Services Account was used due to the retirement of the County Forester.)

RESOLUTION NO. 191-03

TRANSFER OF FUNDS FROM COUNTY REFORESTATION PERSONNEL SERVICES ACCOUNT TO CLERK, LEGISLATIVE BOARD CONTRACTUAL EXPENSES ACCOUNT

Offered by: Ways and Means Committee

RESOLVED:

1. That the sum of $1,200 is transferred from Account No. A8710.1 to Account No. A1040.4.

Moved by: Mr. Nielsen — Adopted: Roll Call
Seconded by: Mr. Bennett — 15 Ayes, 0 Noes, 0 Absent

(Memo: The transfer approved in the preceding Resolution No. 191-03 was requested to cover unanticipated, larger than normal legal advertising expenses.)

AUDITS:

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

A motion was made by Legislator Nielsen, seconded by Legislator Truax and adopted on a roll call vote of 15 Ayes, 0 Noes, 0 Absent, that the audit of claims be approved for payment as recommended by the County Administrator.

The meeting was adjourned on a motion made by Legislator Dibble, seconded by Legislator Truax and carried.

September 22, 2003

The regular meeting of the Board of Legislators was called to order at 2:05 p.m. by Chairman Sherman.

Pledge of allegiance to the flag.

The invocation was given by Legislator Nielsen.

Roll Call: All present except Legislator Palmer.

APPROVAL OF MINUTES:

The Board meeting minutes of August 11 and 25, 2003, were approved on a motion by Legislator Dibble, seconded by Legislator Truax and carried.

PRIVILEGE OF THE FLOOR:

Chairman Sherman granted privilege of the floor to Kelly A. Beil, ACCORD's Family Development Division Director. Ms. Beil addressed the Board regarding domestic violence awareness and cited statistics on ACCORD's domestic violence program. In 2001 they

served 146 victims of domestic abuse, 117 of which were new cases. The figures for 2002 were 188 victims served, 155 of them new cases. Ms. Beil also noted that ACCORD just recently obtained funding in the amount of $44,000 to reinstate transitional housing. This vital component of their domestic abuse program had to be discontinued in 2001 due to lack of funding. In closing, Ms. Beil called on members of the Board to serve as positive role models in their communities.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. The County Treasurer filed the 4 percent Occupancy Tax Handbook (information related to the recently adopted Hotel/Motel Occupancy Tax) with the Clerk of the Board on September 15, 2003.

2. Correspondence was received from the Allegany Senior Foundation thanking Board members for their contribution.

PROCLAMATION:

Chairman Sherman proclaimed October 2003 as Domestic Violence Awareness Month in recognition of the important work done through domestic violence programs. He urged County citizens to work together toward improving victim safety and holding perpetrators of domestic abuse accountable for their actions against victims and our society as a whole.

RESOLUTIONS:

RESOLUTION NO. 192-03

AUTHORIZING CONDITIONAL ISSUANCE OF REPLACEMENT QUIT CLAIM DEED TO ROBERT STANFORD AND BETTY STANFORD DUE TO LOSS OF PREVIOUS DEED

Offered by: Ways and Means Committee

WHEREAS, this Board, by Resolution No. 131-82, approved the sale to Robert Stanford and Betty Stanford of certain real property in the Town of Independence, described therein which was acquired by the County of Allegany through Tax Sale, and

WHEREAS, such purchaser made full payment to the County for such real property, and

WHEREAS, the Chairman of this Board executed a quit claim deed of such real property to such purchaser, and

WHEREAS, said deed was delivered to such purchaser who subsequently lost or misplaced said deed before recording same, and

WHEREAS, such purchaser desires a duplicate quit claim deed to replace said deed, now, therefore, be it

RESOLVED:

1. That the Chairman of this Board is authorized to execute a duplicate quit claim deed to Robert Stanford and Betty Stanford after payment to the County Attorney's Office of $171 for recording fees and the legal work required to accomplish this transaction.

2. That the duplicate deed shall convey only the right, title and interest in such real property the County of Allegany possessed on May 10, 1982.

Moved by: Mr. Nielsen
Seconded by: Mr. Truax

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

RESOLUTION NO. 193-03

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100 PERCENT OF THE FEDERAL AID-ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL AID EMERGENCY RELIEF PROJECT, TO FULLY FUND THE LOCAL SHARE OF FEDERAL AID-ELIGIBLE AND INELIGIBLE PROJECT COSTS AND APPROPRIATING FUNDS THEREFOR

Offered by: Public Works Committee

WHEREAS, a Project for the Flood Repairs on County Road 6 and 15, P.I.N. 6704.64.321 (the "Project") is eligible for funding under Title 23 U. S. Code, as amended, for Federal emergency relief that calls for the apportionment of the costs of such project to be borne at the ratio of 100 percent Federal funds and 9 percent non-federal funds, and

WHEREAS, the County of Allegany desires to advance the Project by making a commitment of 100 percent of the federal and non-federal share of the costs thereof, now, therefore, be it

RESOLVED:

1. That the Board of Legislators hereby approves the Project.

2. That the Board of Legislators authorizes the Chairman of the Allegany County Board of Legislators to pay in the first instance 100 percent of the federal and non-federal share of the cost of Flood Repair work for the Project or portions thereof.

3. That the sum of $26,611 is appropriated from Account No. D5110 and made available to cover the cost of participation in the Project.

4. That in the event the full federal and non-federal share costs of the project exceed the amount appropriated above, the County of Allegany shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the State thereof.

5. That the Chairman of the Allegany County Board of Legislators be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Allegany with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal aid-eligible Project costs and all Project costs within appropriations therefor that are not so eligible.

6. That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project.

7. That this resolution shall take effect immediately.

Moved by: Mr. Graffrath
Seconded by: Mr. Dibble

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

Resolution Intro. No. 197-03 (Appropriation of Non-Budgeted State Grant-in-Aid from New York state Division of Criminal Justice Services for the Year July 1, 2003 to June 30, 2004 for Youth

Programs; Youth Court - ACCORD) was WITHDRAWN by Legislator Myers, Chairman of the Resource Management Committee.

RESOLUTION NO. 194-03

APPROVAL OF AGREEMENT WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE (NRCS) FOR REIMBURSEMENT FOR EMERGENCY WATERSHED PROTECTION MEASURES ON COUNTY ROAD 31 IN THE TOWN OF FRIENDSHIP AND RATIFYING SUCH AGREEMENT

Offered by: Public Works Committee

RESOLVED:

1. That Agreement between the Department of Public Works of Allegany County (the Sponsor) and the United States Department of Agriculture Natural Resources Conservation Service (NRCS) for the construction of emergency watershed measures on County Road 31 in the Town of Friendship, is approved.

2. That approximately $109,600 representing 75 percent reimbursement for such project shall be provided by NRCS and 25 percent of such project totaling approximately $27,400 shall be the responsibility of the County of Allegany.

3. That the execution of such agreement by Deputy Chairman James A. Graffrath on August 18, 2003, is ratified.

Moved by: Mr. Graffrath
Seconded by: Mr. Sobeck

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

RESOLUTION NO. 195-03

RESOLUTION APPROVING SNOW REMOVAL AND ICE CONTROL CONTRACTS BETWEEN COUNTY OF ALLEGANY AND VARIOUS TOWNS IN ALLEGANY COUNTY

Offered by: Public Works Committee

Pursuant to Highway Law § 135-a

WHEREAS, the Public Works Committee and the County Superintendent of Public Works have recommended to this Board that they approve of the proposed contracts between the County of Allegany and various Towns in Allegany County for the removal of snow from County Roads and for sanding or otherwise treating them for the purpose of removing the danger of snow and ice, now, therefore, be it

RESOLVED:

1. That Snow Removal and Ice Control Contracts between the County of Allegany and various Towns in Allegany County for a term covering four (4) seasons beginning with the 2003-2004 snow season and ending with the 2006-2007 snow season, are approved.

2. That an executed duplicate original of each such Contract shall be filed in the office of the Clerk of this Board along with a certified copy of each such Town Board's resolution approving such Contract.

3. That the Clerk of this Board is directed to send a certified copy of this resolution to each of the Town Clerks of such Towns for filing in his or her office.

Moved by: Mr. Graffrath
Seconded by: Mr. Dibble

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

(Memo: Regarding preceding Resolution No. 195-03, only three of the 29 Allegany County townships opted not to sign contracts for snow removal and ice control on County roads located within their towns. These townships were Alfred, Bolivar and Clarksville.)

Legislator Reynolds requested privilege of the floor for Emergency Services Director John Tucker. Mr. Tucker noted September 29 is the deadline for municipalities, school districts and private not-for-profits to apply for Federal Emergency Management Agency (FEMA) assistance for this summer's flood damage repairs. Individual residents applying for assistance have longer. He also briefly discussed the County-wide pre-disaster mitigation plan being developed which will need to be completed by November 4.

AUDITS:

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

A motion was made by Legislator Nielsen, seconded by Legislator Truax and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims be approved for payment as recommended by the County Administrator.

The meeting was adjourned on a motion made by Legislator Truax, seconded by Legislator Graffrath and carried.

October 14, 2003

The regular meeting of the Board of Legislators was called to order at 2:12 p.m. by Chairman Sherman.

Pledge of allegiance to the flag.

The invocation was given by Legislator Bennett.

Roll Call: All present except Legislator Regan.

PRIVILEGE OF THE FLOOR:

Chairman Sherman granted privilege of the floor to Jeff Luckey, member of the Allegany County Firefighters Memorial Committee, to update the Board on the progress of the memorial project. Since the Board gave approval in July 2002 to place the memorial near the flagpole on the front lawn of the courthouse, the committee has been raising money to fund this project through the sale of bricks, blocks and prints and receiving donations. The memorial will be set within the month and a dedication service will be held on November 15, 2003 at 1:00 pm on the courthouse lawn.

Privilege of the floor was granted to Senator Patricia McGee, Assemblyman Daniel Burling, Belmont Postmaster Dan Leonard, Wellsville Postmaster Ken Johnston and Allegany County Veterans' Services Coordinator Scott Spillane to honor Allegany County Purple Heart recipients and commemorate the issuance of the new Purple Heart postage stamp. A poster replica of the stamp was presented to the County and Mr. Spillane recited the names of the 81 known

Allegany County Purple Heart recipients, both living and deceased. Medal recipients and family members of deceased recipients that were present were officially recognized.

Privilege of the floor was also granted to County financial advisor David Allardice, President of Allardice and Associates in Canandaigua. Mr. Allardice spoke regarding the County's cash flow problems and the proposed issuance of a revenue anticipation note (RAN) to borrow money against expected state aid. Of the promised $10 million in state aid for 2003, only a little over $3 million has been received to date. Several legislators expressed concern with the $6.3 million proposed to be borrowed and how it would be repaid. Mr. Allardice advised that borrowing on a RAN is comparable to borrowing against one's paycheck and explained that cash flow problems and debt are two very different things. According to Allardice, the County is in excellent shape debt-wise, having a $90 million debt limit, against which only $8 million has been borrowed. Distributed were copies of the County's official statement, which will be updated and sent to loan underwriters.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Placed on each legislator's desk were copies of the Board meeting minutes of September 8 and 22, 2003 for review.

2. A media release was received from Southern Tier West Regional Planning & Development Board summarizing highlights of their September Board meeting.

3. Correspondence was received from the Belmont Free Library inviting Board members to join them in celebrating the library's acceptance to the Historical Registry with an open house to be held at the library today, October 14, from 1:00 to 9:00 pm.

APPOINTMENTS:

The Clerk of the Board announced that Chairman Sherman, in a joint measure with Gerard Fitzpatrick, Chairman of the Cattaraugus County Board of Legislators, has appointed the following individuals to serve on the Cattaraugus-Allegany Workforce Investment Board:

Ann Gilpin, Wellsville, NY, replacing Lisa Bornak from the private sector, to serve the remainder of the term ending December 31, 2004.

Marcella Kane, Irving, NY, replacing Jennie Longboat as representative for the Seneca Nation of Indians, to serve the remainder of the term ending December 31, 2004.

RESOLUTIONS:

Resolution Intro. No. 200-03 (A Resolution Delegating to the County Treasurer of the County of Allegany, New York, the Power to Authorize, from Time to Time and Year to Year, the Issuance and Sale of Revenue Anticipation Notes of Said County in Anticipation of the Receipt of State and Federal Aid) was amended on a motion by Legislator Nielsen, seconded by Legislator Dibble and carried, by adding the following sentence to the end of Resolved No. 2: *"That the principal total of the revenue anticipation notes shall not exceed $10,000,000 aggregate principal total."*

RESOLUTION NO. 196-03

REVENUE ANTICIPATION NOTE RESOLUTION DATED OCTOBER 14, 2003

A RESOLUTION DELEGATING TO THE COUNTY TREASURER OF THE COUNTY OF ALLEGANY, NEW YORK, THE POWER TO AUTHORIZE, FROM TIME TO TIME AND YEAR TO YEAR, THE ISSUANCE AND SALE OF REVENUE ANTICIPATION NOTES OF SAID COUNTY IN ANTICIPATION OF THE RECEIPT OF STATE AND FEDERAL AID

Offered by: Ways and Means Committee

Pursuant to Section 30.00 of the Local Finance Law

RESOLVED:

1. The power to authorize, from time to time and year to year, the issuance and sale of revenue anticipation notes of the County of Allegany, New York, including renewals thereof, in anticipation of the receipt of State and Federal aid (i) either during the fiscal year of said County in which such notes shall be issued or (ii) for the fiscal year commencing up to thirty days after the date which such notes shall be issued, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents as may be determined by said County Treasurer, pursuant to the provisions of the Local Finance Law.

2. It is the intent of this Board of Legislators that this resolution shall be of ten years duration which will self-repeal ten years from the date hereof, until otherwise modified, amended, revoked, rescinded or repealed. That the principal total of the revenue anticipation notes shall not exceed $10,000,000 aggregate principal total.

3. That Resolution No. 5-2003 is hereby repealed.

4. That this resolution shall take effect immediately.

Moved by: Mr. Nielsen
Seconded by: Mr. Bennett

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

RESOLUTION NO. 197-03

AMENDING NON-UNIT SALARY PLAN TO ADD THE TITLE OF PLANNER IN THE OFFICE OF DEVELOPMENT

Offered by: Planning and Development and Ways and Means Committees

RESOLVED:

1. That Section 3. of Resolution No. 297-75, as last amended by Resolution No. 139-2003, is amended to add title of Planner in Grade 7 of the Non-Unit Salary Plan.

2. This resolution shall take effect October 14, 2003.

Moved by: Mr. Reynolds
Seconded by: Mr. Graffrath

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

RESOLUTION NO. 198-03

CREATING ONE POSITION OF CLINIC SECRETARY AND ABOLISHING ONE POSITION OF MEDICAL RECORDS COMPUTER OPERATOR IN THE DEPARTMENT OF HEALTH DUE TO HUMAN RESOURCES AND CIVIL SERVICE DEPARTMENT RECLASSIFICATION; AMENDING UNIT SALARY PLAN

Offered by: Personnel and Ways and Means Committees

WHEREAS, the Human Resources and Civil Service Department has reclassified one position of Medical Records Computer Operator in the Department of Health to a Clinic Secretary position, and

WHEREAS, the New Position Duties Statement has been submitted to the Personnel Officer, who has approved the title in accordance with Section 22 of the Civil Service Law, now, therefore, be it

RESOLVED:

1. That one position of Clinic Secretary is created and one position of Medical Records Computer Operator is abolished in the Department of Health due to Human Resources and Civil Service Department reclassification.

2. That Section 3. of Resolution No. 1-69, as last amended by Resolution No. 254-02, is amended to place the title of Clinic Secretary in Grade 13 of the Unit Salary Plan.

3. This resolution shall take effect on October 14, 2003.

Moved by: Mr. Russo — Adopted: Roll Call
Seconded by: Mr. Dibble — 14 Ayes, 0 Noes, 1 Absent

Resolution Intro. No. 203-03 (Prohibiting Purchase of Equipment or Transfer of Funds Into or Out of Equipment Accounts Without Prior Consent of Committee of Jurisdiction) was amended on a motion by Legislator Graffrath, seconded by Legislator Reynolds and carried, by adding *"and Ways and Means Committee"* at the end of the title and the end of Resolved No. 1.

RESOLUTION NO. 199-03

PROHIBITING PURCHASE OF EQUIPMENT OR TRANSFER OF FUNDS INTO OR OUT OF EQUIPMENT ACCOUNTS WITHOUT PRIOR CONSENT OF COMMITTEE OF JURISDICTION AND WAYS AND MEANS COMMITTEE

Offered by: Ways and Means Committee

RESOLVED:

1. No County department or office shall purchase any equipment or transfer any funds into or out of equipment accounts (.2 accounts) without obtaining the prior approval of their committee of jurisdiction and the Ways and Means Committee.

2. That this resolution shall take effect September 25, 2003.

Moved by: Mr. Nielsen — Adopted: Roll Call
Seconded by: Mr. Crandall — 14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 200-03

TRANSFER OF FUNDS WITHIN COUNTY ATTORNEY ACCOUNT

Offered by: Ways and Means Committee

RESOLVED:

1. That the sum of $300 is transferred from Account No. A1420.4 to Account No. A1420.2.

Moved by: Mr. Nielsen
Seconded by: Mr. Dibble

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

(Memo: The purpose for the transfer requested in the preceding Resolution No. 200-03 is to purchase the copier the County Attorney's office has been leasing from Xerox.)

RESOLUTION NO. 201-03

TRANSFER OF FUNDS FROM CENTRAL SERVICE COPYING CONTRACTUAL ACCOUNT TO CENTRAL SERVICE COPYING EQUIPMENT ACCOUNT

Offered by: Ways and Means Committee

RESOLVED:

1. That the sum of $408 is transferred from Account No. A1670.4 to Account No. A1670.2.

Moved by: Mr. Nielsen
Seconded by: Mr. Truax

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

(Memo: The purpose for the transfer requested in the preceding Resolution No. 201-03 is to finance the cost of replacing the central service binding machine.)

RESOLUTION NO. 202-03

INCREASING APPROPRIATIONS AND REVENUES IN OFFICE FOR AGING ACCOUNTS

Offered by: Human Services and Ways and Means Committees

WHEREAS, the Office for the Aging has advised that certain appropriations and revenues should be increased due to an increase in client contributions in the nutrition program, now, therefore, be it

RESOLVED:

1. That the following Office for the Aging accounts are increased as follows:

Revenue Accounts:	
A02.1972.00	$25,000.00
A09.2801.36	5,280.00
Appropriation Accounts:	
A6772.474	$25,000.00
A6779.474	5,280.00

Moved by: Mr. Truax
Seconded by: Mr. Dibble

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

RESOLUTION NO. 203-03

APPROPRIATION OF NON-BUDGETED STATE GRANT-IN-AID TO OFA: ENERGY PACKAGER AND OFA C.S.I. ACCOUNTS

Offered by: Human Services and Ways and Means Committees

RESOLVED:

1. That the sum of $3,000 in non-budgeted State grant-in-aid is appropriated as follows: to Account No. A6775.1 the sum of $200 and to Account No. A6785.4 the sum of $2,800; with the sum of $200 credited to Revenue Account No. A10.3772.04 and $2,800 to Revenue Account No. A10.3772.06.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

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

(Memo: In the preceding Resolution No. 203-03, accounts A6775.1 and A10.3772.04 cover appropriations and revenue respectively for the State Long Term Care Ombudsman Program.)

RESOLUTION NO. 204-03

TRANSFER OF FUNDS WITHIN PUBLIC HEALTH: HEALTH-NURSES ACCOUNT

Offered by: Human Services Committee

RESOLVED:

1. That the sum of $2,835 is transferred from Account No. A4011.4 to Account No. A4011.2.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

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

(Memo: The purpose of the transfer requested in the preceding Resolution No. 204-03 is to cover the overage in the equipment account created by the purchase of four vehicles in May 2003.)

RESOLUTION NO. 205-03

TRANSFER OF FUNDS WITHIN SPECIAL EDUCATION PHC ACCOUNT

Offered by: Human Services Committee

RESOLVED:

1. That the sum of $55,000 is transferred from Account No. A2960.421 to Account No. A2960.442.

Moved by: Mr. Truax
Seconded by: Mr. Palmer

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

(Memo: The transfer approved in the preceding Resolution No. 205-03 is needed to cover the cost of related services provided to eligible physically handicapped children through the end of the fiscal year.)

RESOLUTION NO. 206-03

TRANSFER OF FUNDS WITHIN COUNTY PUBLIC HEALTH ACCOUNTS

Offered by: Human Services and Ways and Means Committees

RESOLVED:

1. That the following transfers are approved:

From	To	Amount
A4010.1	A4050.2	$ 2,500
A4010.1	A4050.4	$32,000

Moved by: Mr. Truax
Seconded by: Mr. Dibble

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

(Memo: The transfers approved in the preceding Resolution No. 206-03 are needed to cover drinking water enhancement account expenditures due to services being contracted instead of performed in-house as originally budgeted.)

RESOLUTION NO. 207-03

APPROPRIATION OF UNANTICIPATED SURPLUS WORKFORCE INVESTMENT ACT (WIA) ADULT AND DISLOCATED WORKER FUNDS FROM DEPARTMENT OF LABOR TO VARIOUS WIA APPROPRIATIONS AND REVENUE ACCOUNTS

Offered by: Planning and Development and Ways and Means Committees

RESOLVED:

1. That unanticipated surplus Workforce Investment Act funds from the Department of Labor are appropriated as follows:

Appropriation Account No:		Amount:
CD16400.101		2,500.00
CD16401.474		10,000.00
CD16402.474		71,700.00
CD16402.475		35,800.00
CD16406.474		18,000.00
CD16407.474		12,000.00
	TOTAL	150,000.00

Revenue Account No:		Amount:
CD14701.6400		2,500.00
CD14701.6401		10,000.00
CD14701.6402		107,500.00
CD14701.6406		30,000.00
	TOTAL	150,000.00

Moved by: Mr. Reynolds
Seconded by: Mrs. Myers

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

RESOLUTION NO. 208-03

TRANSFER OF FUNDS WITHIN EMPLOYMENT AND TRAINING APPROPRIATION AND REVENUE ACCOUNTS

Offered by: Planning and Development and Ways and Means Committees

RESOLVED:

1. That the following transfers are approved:

Appropriations

From:	To:	Amount:
CD16400.474	CD16400.101	2,500.00
CD16402.101	CD16402.201	1,000.00
CD16402.101	CD16402.474	7,800.00
CD16402.806	CD16402.474	3,700.00
CD16403.101	CD16404.101	10,400.00
CD16403.101	CD16404.806	2,100.00
CD16403.101	CD16406.474	1,500.00
CD16403.201	CD16406.474	1,300.00
CD16403.806	CD16406.474	11,400.00
CD16406.101	CD16406.474	14,000.00
CD16406.201	CD16406.474	800.00
CD16406.806	CD16406.474	5,300.00
CD16408.101	CD16794.101	8,000.00
CD16408.201	CD16794.101	2,000.00
CD16408.408	CD16794.101	1,400.00
CD16408.408	CD16794.474	4,600.00
CD16408.806	CD16794.474	1,810.00
CD16408.806	CD16794.806	1,190.00
CD16409.101	CD16794.806	1,000.00
CD16410.101	CD16794.806	860.00
CD16410.101	CD16795.101	740.00
CD16410.476	CD16795.101	795.00
CD16410.476	CD16795.803	920.00
CD16410.806	CD16410.201	1,185.00
CD16410.806	CD16400.101	2,315.00
CD16411.101	CD16401.474	4,880.00
CD16411.803	CD16401.474	2,320.00
CD16412.101	CD16412.475	6,000.00
CD16412.101	CD16402.474	3,400.00
CD16412.201	CD16402.474	1,780.00
CD16412.806	CD16402.474	2,900.00
CD16413.101	CD16402.474	1,000.00
	TOTAL	110,895.00

Revenues

From:	To:	Amount:
CD12801.6403	CD12801.6404	12,500.00
CD12801.6403	CD14701.6406	14,200.00
CD13792.6408	CD1114701.12	15,000.00
CD14701.6408	CD1114701.12	5,000.00
CD14701.6410	CD1114701.12	3,315.00
CD14701.6410	CD14701.6400	2,315.00
CD14701.6411	CD14701.6401	7,200.00
CD14701.6412	CD14701.6402	9,080.00
	TOTAL	68,610.00

Moved by: Mr. Reynolds
Seconded by: Mr. Graffrath

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

RESOLUTION NO. 209-03

TRANSFER OF FUNDS FROM CONTINGENT ACCOUNT TO OTHER CORRECTION AGENCIES ACCOUNT

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That the sum of $15,000 is transferred from Account No. A1990.4 to Account No. A3170.4.

Moved by: Mr. Bennett
Seconded by: Mr. Dibble

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

(Memo: The transfer approved in preceding Resolution No. 209-03 is needed to cover anticipated costs for housing out inmates.)

A motion was made by Legislator Truax, seconded by Legislator Dibble and carried, to grant Legislators Burdick and Myers permission to abstain from voting on Resolution Intro. No. 214-03 (Appropriation of Non-Budgeted State Grant-in-Aid from New York State Division of Criminal Justice Services for the Year July 1, 2003 to June 30, 2004 for Youth Programs: Youth Court; Approving Grant Agreement and Ratifying Director of Youth Bureau's Execution of Said Agreement).

RESOLUTION NO. 210-03

APPROPRIATION OF NON-BUDGETED STATE GRANT-IN-AID FROM NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE YEAR JULY 1, 2003 TO JUNE 30, 2004 FOR YOUTH PROGRAMS: YOUTH COURT; APPROVING GRANT AGREEMENT AND RATIFYING DIRECTOR OF YOUTH BUREAU'S EXECUTION OF SAID AGREEMENT

Offered by: Resource Management and Ways and Means Committees

RESOLVED:

1. That Agreement between the New York State Division of Criminal Justice Services and the County of Allegany is approved; the execution of said agreement by the Youth Bureau Director is ratified.

2. That the sum of $26,500 in non-budgeted State grant-in-aid is appropriated to Account No. A7123.483, with a like sum credited to Revenue Account No. A10.3825.7321.

Moved by: Mr. Russo
Seconded by: Mr. Truax

Adopted: Roll Call
12 Ayes, 0 Noes, 1 Absent
Abstained: Burdick, Myers

RESOLUTION NO. 211-03

APPROVAL OF LOCAL ENHANCED WIRELESS 911 GRANT PROGRAM AGREEMENTS WITH NEW YORK STATE DEPARTMENT OF STATE; AUTHORIZING APPROPRIATE COUNTY OFFICIAL TO EXECUTE AGREEMENTS AND APPROPRIATION OF FUNDS TO ACCOUNTS TO BE DESIGNATED BY COUNTY TREASURER

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That the Local Enhanced Wireless 911 Grant Program Agreements between the New York State Department of State and the

County of Allegany in the total amount of $30,806, are approved and the appropriate County official is authorized to execute same.

2. That the sum of $30,806 is appropriated to accounts to be designated by the County Treasurer.

Moved by: Mr. Bennett
Seconded by: Mr. Dibble

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

(Memo per Resolution No. 211-03: Pursuant to Article 6-A of the County Law of the State of New York and the appropriation of funds for the Wireless 911 Program in the 2003-2004 State Budget, the Department of State has determined that Allegany County is eligible to apply for reimbursement of certain costs associated with the provision of Wireless 911 services. Our allocation from the 2003-2004 budget for prior year costs incurred between January 1, 1993 and December 31, 2001 is $3,081. Our allocation from the 2003-2004 budget for costs incurred from April 1, 2003 through March 31, 2006 is $27,725.)

RESOLUTION NO. 212-03

ACCEPTANCE BY THE COUNTY OF ALLEGANY OF A PRE-DISASTER MITIGATION PLANNING GRANT FROM THE NEW YORK STATE EMERGENCY MANAGEMENT OFFICE TO ASSIST IN THE DEVELOPMENT OF A COUNTY-WIDE PRE-DISASTER MITIGATION PLAN; APPROVAL OF GRANT AGREEMENT; AUTHORIZING CHAIRMAN TO EXECUTE AGREEMENT AND APPROPRIATION OF FUNDS TO ACCOUNTS TO BE DESIGNATED BY COUNTY TREASURER

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That the County of Allegany accepts the Pre-disaster Mitigation Planning Grant from the New York State Emergency Management Office in the amount of $28,988 and approves the Grant Agreement. The Chairman of this Board is authorized to execute the Grant Agreement.

2. That such sum of $28,988 shall be appropriated to accounts to be designated by the County Treasurer.

Moved by: Mr. Bennett
Seconded by: Mr. Dibble

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

RESOLUTION NO. 213-03

APPROVAL OF NEW YORK STATE SMALL CITIES PROGRAM COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT; AUTHORIZING CHAIRMAN TO EXECUTE AGREEMENT AND APPROPRIATION OF FUNDS TO ACCOUNTS TO BE DESIGNATED BY COUNTY TREASURER

Offered by: Ways and Means Committee

RESOLVED:

1. That the New York State Small Cities Program Community Development Block Grant Agreement between the New York State Housing Trust Fund Corporation, represented by the Governor's Office for Small Cities, and the County of Allegany in the amount of $230,000, is approved; the Chairman of this Board being authorized to execute same.

2. That the sum of $230,000 is appropriated to accounts to be designated by the County Treasurer.

Moved by: Mr. Nielsen
Seconded by: Mrs. Myers

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

(Memo: The grant agreement referred to in preceding Resolution No. 213-03 is for the Allegany County Revolving Loan Fund.)

Resolution Intro. No. 218-03 (Amending Resolution 93-2003 to Extend the Term of Member of Southern Tier West Regional Planning and Development Board) was not pre-filed and was considered from the floor on a motion made by Legislator Reynolds, seconded by Legislator Palmer and carried.

RESOLUTION NO. 214-03

AMENDING RESOLUTION 93-2003 TO EXTEND THE TERM OF MEMBER OF SOUTHERN TIER WEST REGIONAL PLANNING AND DEVELOPMENT BOARD

Offered by: Planning and Development Committee

Pursuant to Resolution No. 35-68, as amended by Resolution No. 93-75

RESOLVED:

1. That the term of Jerry Scott of Cuba, New York as a member of the Southern Tier West Regional Planning and Development Board is extended to expire on May 31, 2004.

Moved by: Mr. Reynolds
Seconded by: Mr. Palmer

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

AUDITS:

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

A motion was made by Legislator Nielsen, seconded by Legislator Truax and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims be approved for payment as recommended by the County Administrator.

The meeting was adjourned on a motion made by Legislator Truax, seconded by Legislator Graffrath and carried.

LEGISLATORS' PROCEEDINGS

October 27, 2003

The regular meeting of the Board of Legislators was called to order at 2:03 p.m. by Kenneth Nielsen, Emergency Interim Successor for the Chairman.

Pledge of allegiance to the flag.

The invocation was given by Legislator Reynolds.

Roll Call: All present except Chairman Sherman and Legislator Graffrath.

APPROVAL OF MINUTES:

The Board meeting minutes of September 8 and 22, 2003, were approved on a motion by Legislator Bennett, seconded by Legislator Heineman and carried.

PRIVILEGE OF THE FLOOR:

Acting Chairman Nielsen granted privilege of the floor to Uma Gupta who introduced herself as the new President of Alfred State College. Ms. Gupta spoke briefly on the mission, services, and focus of the college, as well as her impression of the area.

Privilege of the floor was granted to Daniel Russo, Chairman of the Personnel Committee, for recognition of seven County employees with 30 years of service. Plaques were presented to: Lynn Gross, Public Health Department; Sue Clark and Karl Graves, Sheriff's Office; Electa Hollier, Department of Social Services; Wayne Green, Department of Public Works; and Ellen Ruckle, Human Resources Department. Not present for the meeting, but also recognized was Grace Young, Public Health Department.

Also granted privilege of the floor was Richard Shear, representing the Wellsville Area Chamber of Commerce and the Ridgewalk Committee. Mr. Shear spoke on the 11th Annual Ridgewalk and Run held October 19 and recognized all the committee members and individuals responsible for its success. Jesse Case, Tourism Director, was presented with an award for his efforts in promoting the event.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Placed on each legislator's desk was a copy of the 2004 Allegany County Tentative Budget.

2. Certificates of Withdrawal of Delinquent Tax Liens were filed by the County Treasurer in the Clerk of the Board's Office on October 22, 2003 for property in the Towns of Alma and Angelica pursuant to Article 11 of the Real Property Tax Law of the State of New York.

PROCLAMATION:

Kenneth Nielsen, Emergency Interim Successor for the Chairman, proclaimed November 2 through 8, 2003 as Winter Preparedness Week in Allegany County and urged all citizens to prepare now for the upcoming season by heeding the advice and information from the emergency management community so that they can enjoy winter with a greater sense of comfort and safety.

RESOLUTIONS:

RESOLUTION NO. 215-03

RESOLUTION SETTING DATE OF PUBLIC HEARING ON 2004 COUNTY TENTATIVE BUDGET AND PROVIDING CONTENTS OF SUCH NOTICE

Offered by: Ways and Means Committee

WHEREAS, the 2004 County Tentative Budget has been presented to this Board together with a copy of the proposed appropriation resolution, and

WHEREAS, it is necessary to hold a public hearing on the Budget before any further action can be taken on the Budget and on the appropriation resolution, and

WHEREAS, it is necessary to provide notice to the public of such public hearing and to also include in such notice or in a separate notice published in the same manner and at the same time as such notice of public hearing, a statement of the maximum salary that may be fixed and payable during the year 2004 to the members of the County Board of Legislators and to its officers, now, therefore, be it

RESOLVED:

1. That a public hearing on the 2004 County Tentative Budget shall be held in the Legislators' Chambers, Room 221, at the County Office Building, Belmont, New York, at 7:00 p.m. on November 13, 2003.

2. That the notice of public hearing shall include a statement that the 2004 maximum salary for members of the Board of Legislators and the maximum salary that may be fixed and payable during fiscal year 2004 to the Majority Leader, Minority Leader and Board Chairman, are as follows:

Members of the Board of Legislators	$8,500. annual
Chairman of the Board of Legislators	$8,500. annual
Majority Leader of Board	$300. annual
Minority Leader of Board	$300. annual

Moved by: Mr. Crandall
Seconded by: Mr. Dibble

Adopted: Voice Vote

RESOLUTION NO. 216-03

CREATING ONE POSITION OF YOUTH PROGRAM COORDINATOR; AMENDING UNIT SALARY PLAN

Offered by: Personnel and Ways and Means Committees

WHEREAS, a New Position Duties Statement has been submitted to the Personnel Officer, who has approved the title in accordance with Section 22 of the Civil Service Law, now, therefore, be it

RESOLVED:

1. That one position of Youth Program Coordinator is created in the Youth Bureau.

2. That Section 3. of Resolution No. 1-69, as last amended by Resolution No. 198-2003 is amended to place the Title of Youth Program Coordinator in Grade 12 of said Salary Plan.

3. This resolution shall take effect October 27, 2003.

Moved by: Mr. Russo
Seconded by: Mrs. Myers Adopted: Voice Vote

(Memo: The Youth Program Coordinator position referred to in Resolution No. 216-03 was created primarily to oversee the Allegany County Youth Court after the previous sponsoring agency withdrew from the program. The new position, under supervision of the Youth Bureau Program Director, is funded by a New York State Division of Criminal Justice Services Grant and community contributions. "Youth Court" was not included in the position title to allow flexibility to assign additional duties in the future without having to alter the job description.)

RESOLUTION NO. 217-03

APPOINTMENT OF ONE MEMBER TO ALLEGANY COUNTY COMMUNITY SERVICES BOARD

Offered by: Human Services Committee

RESOLVED:

1. That Dawn M. Doane of Friendship, New York is appointed to fill a vacancy on the County Community Services Board with term of office commencing October 27, 2003, and expiring December 31, 2006.

Moved by: Mr. Truax Adopted: Roll Call
Seconded by: Mr. Dibble 13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 218-03

TRANSFER OF FUNDS WITHIN HEALTH DEPARTMENT ACCOUNTS

Offered by: Human Services Committee

RESOLVED:

1. That the sum of $12,000 is transferred from Account No. A4046.4 to Account No. A4043.4, to cover rabies expenditures.

Moved by: Mr. Truax Adopted: Roll Call
Seconded by: Mr. Dibble 13 Ayes, 0 Noes, 2 Absent

Resolution Intro. No. 223-03 (Transfer of Funds from Contingent Account to Architectural Services Contractual Expenses Account) was amended on a motion by Legislator Crandall, seconded by Legislator Dibble and carried, to change the second account number to H3197.2.

RESOLUTION NO. 219-03

TRANSFER OF FUNDS FROM CONTINGENT ACCOUNT TO ARCHITECTURAL SERVICES CONTRACTUAL EXPENSES ACCOUNT

Offered by: Ways and Means Committee

RESOLVED:

1. That the sum of $50,000 is transferred from Account No. A1990.4 to Account No. H3197.2 (Capital Account-Jail Construction), to pay invoices from Kimball Associates.

Moved by: Mr. Crandall Adopted: Roll Call
Seconded by: Mrs. Myers 13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 220-03

APPROVAL OF AGREEMENTS FOR APPROVED PROVIDERS OF PROGRAMS, SEIT AND/OR EVALUATIONS FOR PRESCHOOLERS WITH DISABILITIES

Offered by: Human Services Committee

RESOLVED:

1. That each Agreement titled "County of Allegany Contract for Approved Providers of Programs, SEIT and/or Evaluations for Preschoolers with Disabilities" with Livingston-Wyoming ARC, Cattaraugus-Allegany Board of Cooperative Educational Services, and Pathways, Inc., for the period September 1, 2003 to August 31, 2004, is approved; the Chairman of this Board being authorized to execute all such Agreements.

Moved by: Mr. Truax
Seconded by: Mr. Palmer

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

AUDITS:

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

A motion was made by Legislator Crandall, seconded by Legislator Bennett and adopted on a roll call vote of 13 Ayes, 0 Noes, 2 Absent, that the audit of claims be approved for payment as recommended by the County Administrator.

The meeting was adjourned on a motion made by Legislator Truax, seconded by Legislator Dibble and carried.

November 10, 2003

The regular meeting of the Board of Legislators was called to order at 2:03 p.m. by Chairman Sherman.

Pledge of allegiance to the flag.

The invocation was given by Legislator Dibble.

Roll Call: All present except Legislator Regan.

PRIVILEGE OF THE FLOOR:

Chairman Sherman granted privilege of the floor to Kelly Beil, ACCORD Family Development Division Director, who spoke on the National Hunger and Homelessness Awareness Week. Several local agencies pool resources through the Allegany County Consortium on Homelessness to work on this issue. In 2002, 159 families were served, with 40 individuals being truly homeless. During the week of November 16, 2003, the consortium would like to raise awareness and invite support to strengthen the response to this safety concern within our community.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. The 2002 Journals of Proceedings were received and distributed.

2. Placed on each legislator's desk were copies of the Board meeting minutes of October 14 and 27, 2003 for review.

3. Also placed on each legislator's desk were copies of the Report of Intrafund Transfers approved by the County Administrator for the months of September and October 2003.

4. Also placed on each legislator's desk were copies of the Report of Tax Bill Corrections approved by the County Administrator for the months of September and October 2003.

5. A media release was received from Southern Tier West Regional Planning and Development Board summarizing the highlights of their October Board meeting.

6. Notice was received in the Clerk of the Board's Office of the next Inter-County Association meeting to be hosted by Ontario County at the new Jail in Canandaigua on November 21, 2003.

7. Announcement was made for a special Ways and Means Committee meeting regarding budget issues and changes on Wednesday, November 12.

8. Correspondence was received from Assemblywoman Catharine Young regarding Medicaid and indicating that she will continue to fight for more Medicaid reform and relief to our counties.

9. The County Treasurer filed a copy of general purpose financial statements from Deloitte & Touche for the year ended December 31, 2002 in the Clerk of the Board's Office on October 27.

10. An invitation was received from the Volunteer Firemen's Association and the Memorial Committee to attend a dedication ceremony at the Firefighters' Memorial on Saturday, November 15, 2003 at 1:00 p.m.

PROCLAMATION:

Chairman Sherman proclaimed the week of November 16, 2003, as Hunger and Homelessness Awareness Week in Allegany County. He urged all citizens to learn about homelessness in our community and programs sponsored by the Allegany County Homelessness Prevention Consortium, to work toward improving resources, and create a response to address homelessness in our society as a whole.

RESOLUTIONS:

RESOLUTION NO. 221-03

DESIGNATING ALLEGANY COUNTY COMMUNICATIONS CENTER AS PUBLIC SAFETY ANSWERING POINT TO RECEIVE ALL WIRELESS 911 CALLS IN COUNTY OF ALLEGANY

Offered by: Public Safety Committee

Pursuant to Section 330 of the County Law

RESOLVED:

1. That the Allegany County Communications Center is designated as the public safety answering point to receive all

wireless 911 calls from wireless telephone service suppliers that own, operate or control wireless telecommunications facilities located in the County of Allegany.

2. This Board finds that the Allegany County Communications Center complies with the standards promulgated by the New York State 911 Board pursuant to subdivision 4 of Section 328 of the County Law.

3. The Clerk of this Board is directed to file a certified copy of this resolution with the New York State 911 Board and to provide such Board with the ten-digit telephone number to which the wireless telephone service suppliers with wireless telecommunications facilities located in the County of Allegany shall route wireless 911 service calls.

Moved by: Mr. Bennett — Adopted: Roll Call
Seconded by: Mr. Dibble — 14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 222-03

RESOLUTION SUPPORTING THE ESTABLISHMENT OF A CHEESE MUSEUM IN ALLEGANY COUNTY

Offered by: Planning and Development Committee

WHEREAS, the cheese industry has been a part of Western New York and the surrounding area for many generations, and

WHEREAS, numerous small cheese factories were scattered across the countryside at various crossroads in the late 1800's, and

WHEREAS, the first cheese company in Allegany County was formed in Cuba, New York, in 1871 and in 1888 the company bought the building where the Cuba Cheese Shoppe is located today, now, therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators supports the establishment of a Cheese Museum in Allegany County.

Moved by: Mr. Graffrath — Adopted: Roll Call
Seconded by: Mrs. Myers — 14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 223-03

RELEVY OF RETURNED VILLAGE TAXES

Offered by: Ways and Means Committee

Pursuant to Local Law No. 4 of 1978 and Real Property Tax Law § 1442

RESOLVED:

1. That the amount of the unpaid returned village taxes of each village of Allegany County which has complied with the provisions of Local Law No. 4 of 1978, together with seven per centum of the amount of principal and interest, is relevied upon the real property upon which the same were originally imposed by each such respective village.

2. This resolution shall take effect on November 14, 2003.

Moved by: Mr. Nielsen — Adopted: Roll Call
Seconded by: Mr. Crandall — 14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 224-03

RELEVY OF RETURNED SCHOOL TAXES

Offered by: Ways and Means Committee

Pursuant to Real Property Tax Law § 1330

RESOLVED:

1. That the amount of the unpaid returned school taxes of the several school districts of Allegany County with seven per centum of the amount of principal and interest in addition thereto, is relevied upon the real property upon which the same were imposed.

2. This resolution shall take effect on November 14, 2003.

Moved by: Mr. Nielsen
Seconded by: Mr. Crandall

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

RESOLUTION NO. 225-03

A RESOLUTION LEVYING THE AMOUNT OF UNPAID SEWER AND WATER RENTS IN VARIOUS TOWN SEWER AND WATER DISTRICTS AGAINST THE VARIOUS REAL PROPERTIES LIABLE THEREFOR

Offered by: Ways and Means Committee

Pursuant to Article 14-F of the General Municipal Law and Town Law § 198

WHEREAS, the Towns of Belfast, Caneadea, Friendship, Hume, Independence, Scio and Wellsville have submitted to this Board of Legislators statements showing sewer and water rents unpaid by the persons or entities noted therein and the real property to be charged with such unpaid rents, and

WHEREAS, pursuant to law this Board is required to levy such sums against the real property liable therefor, now, therefore, be it

RESOLVED:

1. That the unpaid sewer and water rents by the persons or entities noted in statements filed with this Board of Legislators by the respective Supervisors of the Towns of Belfast, Caneadea, Friendship, Hume, Independence, Scio and Wellsville between September 22, 2003, and November 3, 2003, are levied against the real property noted in such statements and are to be placed on the tax rolls of such Towns in the manner provided by law.

Moved by: Mr. Nielsen
Seconded by: Mr. Crandall

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

RESOLUTION NO. 226-03

ESTABLISHING COUNTY BRIDGE CAPITAL PROJECT AND PROVIDING FUNDS THEREFOR

Offered by: Public Works and Ways and Means Committees

RESOLVED:

1. That the replacement of County Bridge No. 16-06 located on County Road No. 1 in the Town of Friendship is established as a County Bridge Capital Project and the County Treasurer is authorized to transfer to an Account to be designated by her the sum of $600,000.

Moved by: Mr. Graffrath
Seconded by: Mr. Truax

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

(Memo: The bridge referred to in preceding Resolution No. 226-03 was destroyed by flooding, Summer 2003. Funding is covered as follows: Federal Aid 75 percent - $450,000, State Aid 12.5 percent - 75,000, and County Share - $75,000.)

RESOLUTION NO. 227-03

DESIGNATION OF DEPOSITORIES AND ESTABLISHING MAXIMUM DEPOSIT AMOUNTS; REPEALING RESOLUTION NO. 254-96

Offered by: Ways and Means Committee

Pursuant to County Law § 212 and General Municipal Law § 10

RESOLVED:

1. That the following named entities within Allegany County are designated depositories for the deposit of public funds, the disposition of which is not otherwise provided for by law, received by the County Treasurer, up to the maximum amount for deposit in each at any time as set forth opposite, to wit:

Fleet Bank of New York	$12,000,000
Community Bank of New York	$12,000,000
Steuben Trust Company	$12,000,000
First Tier Bank and Trust	$12,000,000
JP Morgan Chase	$12,000,000

2. That Resolution No. 254-96 is repealed.

Moved by: Mr. Nielsen
Seconded by: Mr. Truax

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

(Memo: In the preceding Resolution No. 227-03, JP Morgan Chase was added as a designated depository. The County Treasurer noted that in reviewing current interest rates and money market account rates, they appear to have significant increases in rates. This would allow another option for obtaining the best rate of return for Allegany County.)

RESOLUTION NO. 228-03

APPROVAL OF APPORTIONMENT OF MORTGAGE TAX TO TAX DISTRICTS AND AUTHORIZING WARRANT THEREFOR

Offered by: Ways and Means Committee

Pursuant to Tax Law § 261 (3)

RESOLVED:

1. That the Semi-Annual Report for the period April 1, 2003, through September 30, 2003, relating to Mortgage Tax Receipts and Disbursements, and the proposed distribution of such mortgage tax receipts therein, is approved.

2. That the Clerk of this Board is authorized and directed to execute a warrant of this Board to the County Treasurer directing her to distribute to the several tax districts in the County their respective share of such mortgage tax.

Moved by: Mr. Nielsen
Seconded by: Mr. Truax

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

RESOLUTION NO. 229-03

ESTABLISHING FEES FOR ISSUANCE OF ID CARDS BY SHERIFF

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That the Allegany County Sheriff's Office shall charge the following fees for issuing ID cards to the following groups:

Adults (Age 21 and over)	$10.00
Youth (Age 16 to 20)	$ 7.00
Children (Age under 16)	$ 2.00

2. This resolution shall take effect November 11, 2003.

Moved by: Mr. Bennett
Seconded by: Mr. Dibble

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

RESOLUTION NO. 230-03

TRANSFER OF FUNDS WITHIN OFFICE FOR AGING: OFA-OPERATION RESTORE TRUST ACCOUNTS

Offered by: Human Services Committee

RESOLVED:

1. That the sum of $213 is transferred as follows: $191 from Account No. A6780.405 to Account No. A6780.1 and $22 from Account No. A6780.407 to Account No. A6780.8.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

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

RESOLUTION NO. 231-03

ACCEPTANCE OF GIFT FROM THE FIRST CONGREGATIONAL CHURCH OF WELLSVILLE AND APPROPRIATION OF SAME TO OFA-NUTRITION ACCOUNT

Offered by: Human Services and Ways and Means Committees

WHEREAS, the First Congregational Church of Wellsville wishes to donate $634 to the Allegany County Office for the Aging Nutrition Program, now, therefore, be it

RESOLVED:

1. That the gift of $634 is accepted from the First Congregational Church of Wellsville, and is appropriated to Account No. A6772.4, with a like sum credited to Revenue Account No. A02.1972.00.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

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

RESOLUTION NO. 232-03

TRANSFER OF FUNDS WITHIN BIOTERRORISM PREPAREDNESS ACCOUNT

Offered by: Human Services and Ways and Means Committees

RESOLVED:

1. That the sum of $5,000 is transferred from Account No. A4189.4 to Account No. A4189.2, to cover the cost of equipment purchased for security of the County Office Building.

Moved by: Mr. Truax
Seconded by: Mr. Bennett

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

RESOLUTION NO. 233-03

TRANSFER OF FUNDS WITHIN LAW ENFORCEMENT ACCOUNT

Offered by: Human Services and Ways and Means Committees

RESOLVED:

1. That the sum of $18,000 is transferred from Account No. A3110.1 to Account No. A3150.4, to finance the cost of medical expenses for inmates.

Moved by: Mr. Truax
Seconded by: Mr. Bennett

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

RESOLUTION NO. 234-03

TRANSFER OF FUNDS FROM E-911 RESERVE ACCOUNT TO FIRE E-911 CONTRACTUAL EXPENSES ACCOUNT

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That the sum of $20,000 is transferred from Reserve Account No. A889.0005 to Account No. A3510.4 to cover E-911 phone bills through the end of the year.

Moved by: Mr. Bennett
Seconded by: Mr. Truax

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

(Memo: The transfer approved in preceding Resolution No. 234-03 is needed due to expenses incurred in upgrading E-911 phone equipment.)

RESOLUTION NO. 235-03

TRANSFER OF FUNDS FROM COUNTY ROAD ACCOUNT TO SOLID WASTE CONTRACTUAL EXPENSES ACCOUNT

Offered by: Public Works and Ways and Means Committees

RESOLVED:

1. That the sum of $30,000 is transferred from Account No. D5110.408 to Account No. A8160.4, to cover shortfalls.

Moved by: Mr. Graffrath
Seconded by: Mr. Truax

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

(Memo: The transfer approved in preceding Resolution No. 235-03 is needed because the Landfill Service Account has been depleted due to large amounts of leachate resulting from the heavy summer rain storms.)

RESOLUTION NO. 236-03

APPROVAL OF RENEWAL AGREEMENT BETWEEN THE NEW YORK STATE UNIFIED COURT SYSTEM AND COUNTY OF ALLEGANY FOR MAINTENANCE AND OPERATION OF COURT FACILITIES FOR THE STATE FISCAL YEARS 2003-2008

Offered by: Public Works and Ways and Means Committees

RESOLVED:

1. That Renewal Agreement between the New York State Unified Court System and County of Allegany, in relation to cleaning services for the interior of the Allegany County Courthouse as well as minor and emergency repairs to that facility for the period April 1, 2003 to March 31, 2008, is approved; the Chairman of the Board of Legislators being authorized to execute such Agreement.

Moved by: Mr. Graffrath
Seconded by: Mr. Russo

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

(Memo: The Agreement approved in preceding Resolution No. 236-03 provides for approximately $90,000 in yearly revenue for reimbursement of cleaning and minor repair services performed by the Department of Public Works for the court facilities.)

RESOLUTION NO. 237-03

APPROVAL OF AGREEMENT WITH THE VILLAGE OF BOLIVAR IN RELATION TO THE DISPOSAL OF COUNTY LANDFILL LEACHATE AT VILLAGE OF BOLIVAR WASTE WATER TREATMENT PLANT; AUTHORIZING BOARD CHAIRMAN TO EXECUTE AGREEMENT

Offered by: Public Works and Ways and Means Committees

RESOLVED:

1. That Agreement between the County of Allegany and the Village of Bolivar, in relation to the County's disposal of leachate at the Village of Bolivar waste water treatment plant, is approved.

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

Moved by: Mr. Graffrath
Seconded by: Mr. Dibble

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

RESOLUTION NO. 238-03

APPROVAL OF AGREEMENT WITH THE TOWN OF FRIENDSHIP IN RELATION TO THE DISPOSAL OF COUNTY LANDFILL LEACHATE AT TOWN OF FRIENDSHIP WASTE WATER TREATMENT PLANT; AUTHORIZING BOARD CHAIRMAN TO EXECUTE AGREEMENT

Offered by: Public Works and Ways and Means Committees

RESOLVED:

1. That Agreement between the County of Allegany and the Town of Friendship, in relation to the County's disposal of leachate at the Town of Friendship waste water treatment plant, is approved.

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

Moved by: Mr. Graffrath
Seconded by: Mr. Reynolds

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

RESOLUTION NO. 239-03

DETERMINING THAT THE DISPOSAL IN ALLEGANY COUNTY OF OUT-OF-COUNTY SOLID WASTE, I.E., SLUDGE GENERATED BY THE CITY OF OLEAN, IS IN THE PUBLIC INTEREST OF ALLEGANY COUNTY; APPROVAL OF AGREEMENT WITH CITY OF OLEAN, IN RELATION TO DISPOSAL OF SLUDGE AT COUNTY LANDFILL AND DISPOSAL OF LEACHATE AT CITY'S WASTE WATER TREATMENT PLANT; AUTHORIZING BOARD CHAIRMAN TO EXECUTE AGREEMENT

Offered by: Public Works and Ways and Means Committees

Pursuant to Local Law No. 2 of 2000

RESOLVED:

1. That it is presently in the public interest of the County of Allegany to allow the disposal at the County landfill at Angelica of non-Allegany County generated solid waste i.e., sludge from the City of Olean in Cattaraugus County.

2. That Agreement between the County of Allegany and City of Olean, in relation to the City's disposal of sludge at the Allegany County Landfill and the County's disposal of leachate at the City's waste water treatment plant, is approved.

3. That the Chairman of this Board is hereby authorized to execute said Agreement.

Moved by: Mr. Graffrath
Seconded by: Mr. Nielsen

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

RESOLUTION NO. 240-03

APPROVAL OF FINAL 2004 ALLEGANY COUNTY PLAN UNDER COUNTY SPECIAL TRAFFIC OPTIONS PROGRAM FOR DRIVING WHILE INTOXICATED; AUTHORIZING STOP DWI COORDINATOR TO ENTER INTO AGREEMENTS FOR SERVICES

Offered by: Resource Management Committee

Pursuant to Vehicle and Traffic Law § 1197

RESOLVED:

1. That the final Allegany County 2004 STOP DWI Plan is approved and shall replace on and after January 1, 2004, the Plan approved by Resolution No. 277-02.

2. That the STOP DWI Coordinator is authorized to enter into agreements with Towns and Villages who wish to participate in the STOP DWI Program; all such agreements to be in accordance with the approved Plan.

Moved by: Mrs. Myers
Seconded by: Mr. Truax

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

(Memo: Regarding preceding Resolution No. 240-03, 2004 STOP DWI Plan revenue estimates for the 2004 program year total $130,000, funded entirely by DWI fines.)

RESOLUTION NO. 241-03

APPROVAL OF 2004 RESOURCE ALLOCATION PLAN AGREEMENT WITH OFFICE OF CHILDREN AND FAMILY SERVICES; PROVIDING FOR APPROPRIATION OF FUNDS WHEN SUBCONTRACTS FOR SPECIAL DELINQUENCY PREVENTION PROGRAM SERVICES ARE APPROVED

Offered by: Resource Management and Ways and Means Committees

RESOLVED:

1. That the 2004 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: Mrs. Myers
Seconded by: Mr. Truax

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

(Memo: Preceding Resolution No. 241-03 provides for acceptance of $124,543 in State Aid reimbursement for youth programs.)

RESOLUTION NO. 242-03

APPROVAL OF 2004 MUNICIPAL YOUTH PROJECTS

Offered by: Resource Management and Ways and Means Committees

WHEREAS, the County Youth Bureau has recommended certain municipal youth projects within the County for 2004, now, therefore, be it

RESOLVED:

1. That the following Municipal Youth Projects (Recreation Programs) for 2004 are approved: R001, R010, R021, R041, R051, R061, R071, R081, R091, R111, R121, R131, R151, R161, R181, R191, R201, R231, R241, R251, R301, R321, R341, R351, R371, R411.

2. That the following Municipal Youth Projects (Service Programs) for 2004 are approved: S241 and S371.

Moved by: Mrs. Myers
Seconded by: Mr. Truax

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

(Memo: The youth projects approved in preceding Resolution No. 242-03 represent approximately $40,000, funded entirely by State Aid.)

AUDITS:

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

A motion was made by Legislator Nielsen, seconded by Legislator Truax and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims be approved for payment as recommended by the County Administrator.

The meeting was adjourned.

November 13, 2003

The public hearing on the Tentative 2004 Allegany County Budget was declared open at 7:00 pm by Chairman Edgar Sherman.

Pledge of allegiance to the flag.

Roll Call: All present except Legislators Burdick, Regan, and Reynolds.

The meeting was turned over to County Budget Officer John Margeson, who requested that Brenda Rigby, Clerk of the Board, read his 2004 Budget Message (attached at end). The procedure to be followed for the hearing was outlined. Ms. Rigby then proceeded to read the tentative budget appropriations by major category, with time allowed for questions between each category.

Approximately 50 people were present for the hearing, including approximately 25 County employees. Those speaking are indicated below with responses in parentheses.

Barb Burdick, Little Genesee, questioned Community Colleges expenses. (County students attending Community Colleges within New York State pay 33 percent of their expenses, the State pays 33 percent, and the County pays the remaining third.)

Linda Ross, Amity, asked about the increase in line item A1990. (This is the Contingent Account, used for emergencies, and $200,000 was budgeted each year. The Actual 2002 and Budget 2003 figures are balances left in the account after transfers were made to other accounts in the budget.)

Comment was made that there isn't enough time to look through the budget and have questions ready between the reading of the major account totals. (The public hearing notice was printed in all the County newspapers November 5 or 6 and included mention that the tentative budget was available in the Clerk of the Board's Office.)

Norm Ungerman, Cuba, requested information on patronage of the County bus service and cost per rider. (Bus transportation is a contracted service, not County operated. The entire system is subsidized by State and Federal funds, along with the fares collected.) Neil Green, Cuba, asked if any County tax dollars are used for the bus service. (No.)

Norm Ungerman, Cuba, asked what the category Economic Assistance and Opportunity includes. (Primarily Social Services, as well as Economic Development, Veterans' Services, Weights & Measures, and Office for the Aging.)

Darwin Fanton, Wellsville, inquired about the revenue offset in Economic Assistance and Opportunity. (Mr. Margeson estimated that under Social Services, 57 percent of expenses are reimbursed by State and/or Federal funding; Development, no reimbursement; Veterans, $5,000 State Aid; Weights and Measures, $7,000 State Aid; and Office for the Aging, 90 percent State and Federal funding.)

Curt Burdick, Little Genesee, requested information on cost per person served through Social Services.

Rick Hollis, Granger, asked if the pictometry program is still included in the Development budget. (Still planning to fund; included in the Information Technology Department budget.)

Barb Burdick, Little Genesee, questioned the Beach and Pool Account. (The County operates a public beach at Rushford Lake, which is 50 percent funded by the State.)

Norm Ungerman, Cuba, requested an explanation of the category Undistributed. (Employee Benefits and Inter-Fund Transfers.)

Fred Dearborn, Bolivar, questioned full health benefits for County employees. (County employees hired since 1992 have contributed 15 percent, Sheriff employees 25 percent, of health benefit costs.)

Comment was made about County vehicles being driven back and forth to work and personal use at home. (There are some employees using County vehicles, but there should be no personal use.)

Josephine Biancuzzo, Amity, asked about legislators receiving paid health insurance, even into retirement, when most employers don't provide this benefit to part-time employees. (Legislators have to serve ten years FTE and be vested in the NYS Retirement System to take health coverage into retirement, and then it's only

single coverage. Not all legislators participate in the County's health insurance plan.)

Linda Ross, Amity, commented regarding full prescription benefits for legislators, and the health insurance "tier system". (Legislators do have a prescription co-pay.)

Sharon Collins, Belfast, asked how time served by the legislators was calculated. (It includes Board and Committee meetings and outside work and meetings. The State Retirement System requires that a daily work time estimate be made; the figure we use is 30 hours per week.) Is mileage reimbursement received for legislators driving here for meetings? (Yes.)

Laurie Hennessy, Wellsville, clarified County vehicle use, responding to an earlier comment, explaining they are charged $3 per day and there is no personal use.

Sharon Collins, Belfast, questioned the cost for employee health insurance. ($575 per month dependent policy and $380 per month single.)

Barb Burdick, Little Genesee, asked about County employee disability insurance costs. (The County pays 100 percent.)

Mr. Margeson briefly explained the WIA Grant Fund and stated that of the $1,195,013 total budget, only $25,000 is County generated.

Cindy Gowiski, Birdsall, questioned the CSH Risk Retention Health Fund as to why it's separate from the A9060 Health Insurance Account. (The County is self-insured and the CSH Fund is where the actual costs are expensed. This fund is totally reimbursed by revenue, so the total cost for insurance is not the total of the two accounts.) Curt Burdick, Little Genesee, asked if there are significant savings from the County's being self-insured? (The first year this went into effect, the County saved $400,000.)

Sharon Collins, Belfast, asked what the budgeted increase is for Risk Retention Health over this past year. ($400,000.) Was the contract put out for bid? (No, the North American contract won't expire until 2006 and the County will begin the bidding process about one year in advance.) During the last AFSCME contract negotiations, the Union obtained health insurance quotes that would save the County $440,000. Why wasn't it considered? (The County did look at the quotes and one portion did reflect considerable savings, but the County felt there were other factors that were under-estimated that would have cost more.) If a vendor comes in with a proposal that will save money, will the County look at it? (Yes.) The Union has made proposals in the past that there be no "tier system" in health insurance coverage and that all employees pay for a portion of the premium. (It has been considered, but was precluded due to contract negotiations.)

Question was asked about current union contract expiration dates. (Deputy Sheriffs 2002, Nurses 2003, County Employees 2004 - all three-year contracts.)

Sharon Collins, Belfast, inquired about prescription co-pay amounts - are they all the same? (No, legislators and managers have a $10 co-pay, union members pay $7.)

Norm Ungerman, Cuba, asked about the current number of County employees. (Approximately 490; the County is the fourth or fifth largest employer in Allegany County.)

Fred Dearborn, Bolivar, asked about the number of layoffs being considered. (21 positions are to be eliminated.) Mr. Dearborn commented that this seems like a low percentage of the workforce when compared to the private sector.

Question was asked about figures included in the tentative budget - are they coming down further? (The figures in the tentative budget reflect the 55 percent tax increase that we started out with. At the current time, with the recommended cuts and proposed revenue increases, the tax increase is at 28 percent. The budget is still a work in progress; this figure needs to be lower.)

Plowing of County roads was questioned, specifically if it's necessary for the County to handle plowing and purchase the equipment when the Towns already have equipment. (The County tries to contract with all the Towns for plowing of County roads. All but three have signed contracts. The County has to use County equipment and resources to plow the County roads in those other three towns.)

Kiersten Fenn, Wellsville, asked who should be called if roads weren't being plowed adequately. (County Highway Superintendent Dave Roeske.)

Neil Green, Cuba, requested information on amount being paid for personnel services for snow removal. (Public Works Superintendent Dave Roeske stated employees are paid at Heavy Equipment Operator II rate.)

Question asked on Road Machinery Fund - does it cover equipment repair and maintenance? (Yes.) Does the County charge back to the Towns when loaning equipment or manpower? (No, the County helps any of the towns that ask and it's a reciprocal arrangement.)

Neil Green, Cuba, asked if there is new equipment included in the Road Machinery Fund. (No, it's been cut since the printing of the tentative budget.)

Mr. Margeson noted that the Self Insurance Fund covers towns and fire fighters in addition to County employees. Kate Hollis, Granger, pointed out that Towns are assessed for this coverage.

Sharon Collins, Belfast, asked about the contract expenses under the Self Insurance Fund. (It covers office expenses such as mileage, office supplies, fees, and also State assessment costs.)

The Debt Service Fund was explained as including payments on principal and interest on long-term bonds. Cindy Gowiski, Birdsall, asked about current outstanding debt. ($6.5 million.) Rick Hollis, Granger, asked if the County is planning to borrow additional money. (Yes, for retirement costs and $1.8 million for Public Works.)

Barb Burdick, Little Genesee, commented that she had tried to get tonight's meeting postponed due to the inclement weather but was unsuccessful. She feels another hearing should be scheduled to allow others, who had planned to come, a chance to be heard.

Vince Middaugh, Amity, stated that senior citizens can't afford taxes to go any higher. If the tax rate increase could be brought down from 55 to 28 percent, he feels it can come down further.

Dwight Fanton, Willing, asked that if 16 percent of the tax increase is due to mandated expenses, what is driving the rest? Mr. Fanton also objected to the proposed per bag waste disposal fee, which he feels will be difficult for senior citizens and an

inconvenience for everyone. He asked how much revenue the solid waste proposals are estimated to generate. ($1 million in bag fees, $400,000 in tipping fees.) Mr. Fanton stated that taxpayers already paid for the landfill and feels these bag fees are a "back door" tax for taxpayers; he'd rather pay increased taxes than deal with the bag fees. He also voiced concern about the County infrastructure due to the major budget cuts taken by Department of Public Works each year. (Even with the $1.50 per bag fee and tax revenue, the landfill is not self-supporting.)

Howard Miller questioned if consideration was given to selling the landfill? (No, the landfill is a valuable County asset.) Neil Green, Cuba, voiced opposition to privatization of the landfill as there'd be no way to prohibit out-of-County waste. He doesn't agree with the per bag fee, either, but would rather the permit fee be increased to possibly $20 per year.

Is there anything in the County law that requires County commercial haulers to use the County landfill, thereby allowing the tipping fees to come to the County rather than a private landfill? (County commercial haulers currently don't pay tipping fees.)

Dwight Fanton, Willing, voiced the opinion that the County should leave the 10 percent portion of the tax increase that's being offset by the proposed $1.5 million landfill revenue in place, which would put the budget at a level requiring the State to intervene. He feels the County has not made the hard choices needed. If we're at our constitutional limit this year, what about next year?

Richard Hollis, Granger, referring to past County-wide clean ups, asked how many employees would have to be hired to clean the roadsides when the bag fee is instituted and people start dumping.

Neil Green addressed out-of-County solid waste decreasing the life of the landfill, and asked if money is set aside for capping landfill cells. (The estimated 10-14 year landfill lifespan is figured on the permit maximum and proposed out-of-County waste would only be accepted up to that permit maximum. There is a fund set aside for capping.)

Howard Miller commented about how many years it's taken for the County to get in this financial position and asked why action wasn't taken sooner. You can't continue to spend more than is taken in. The time to have started working on the Medicaid issue was way back when the program was first started in the '60s.

Vince Middaugh, Amity, stated there are better ways to take care of the garbage and other ways to raise money that haven't been looked at yet. He also feels there are too many County employees.

Clint Gilkey, Wellsville, commented on the solid waste bag fee and its effect on the rural areas, cost to administer, and dumping on roadsides. He questioned the 21 County positions being cut, all probably from lower levels. Is there any effort being made to cut in the area of middle management?

Kate Hollis, Granger, stated she is opposed to selling the landfill. It's an asset for the County now, and if sold, the revenue gained would be just a one-time deal.

Dennis Ricketts, Fillmore, commented that when the landfill was started, there was to be no out-of-County waste accepted. If it is to be taken, the County would be in competition with private companies and taking business away from them.

Barb Burdick, Little Genesee, feels the higher taxes are pushing our young people away from the area and putting too heavy a burden on our senior citizens.

Josephine Biancuzzo, Amity, asked if there are any plans to use the old Belmont school building. (The County has commissioned a study to determine necessary repairs, at a cost of $9,500; recommendations will be made on whether the building will be adequate and which departments would fit.)

Neil Green, Cuba, asked how many of the layoffs are actual employees and how many are vacant positions not being filled. (Sixteen actual individuals and five vacancies that were funded for 2004 but positions are now being eliminated.) How many positions have been created after the hiring freeze? (None.)

Darwin Fanton, Wellsville, suggested the County may want to reconsider the estimate for anticipated revenue from landfill bag fees as he feels there will be more burning and dumping. Revenue won't be as high as planned.

Sharon Collins, Belfast, asked if all the layoffs being considered are low-end positions. (There will be some mid and upper-level positions eliminated.)

Comments were made regarding another public hearing when the budget is considered final, after people have had a chance to look it over ahead of time. It was suggested that the budget be posted on the website and the Towns could download locally. Kate Hollis, Granger, made note of how the town handles their budget, with a tentative and preliminary budget prior to review and approval. (The process the County uses is the one mandated by the State.)

Dwight Fanton, Willing, reiterated the need for another public hearing, requested the bag fee be eliminated, and stated the County needs to make further budget cuts. Other companies are looking at the County's tax increases and economic development will be affected.

Sharon Collins, Belfast, commented on reducing the size of the County legislature. Other counties have less than the three per district that Allegany presently has. Howard Miller voiced the opinion that Allegany County is in violation of law with the present number of legislators since redistricting occurred with the last census. (This was looked at after the census data came in, and the County is fine.)

The public hearing was declared officially closed at 8:40 pm.

BUDGET MESSAGE FOR THE 2004 COUNTY TENTATIVE BUDGET
(Attachment to 11/13/03 Budget Hearing Minutes)

The 2004 County Tentative Budget is both fiscally unusual and disturbing. As presented, the Tentative Budget in order to be balanced, calls for a 55 percent increase in the real property tax levy.

This extraordinary increase is a result of a number of factors, some of which are beyond any local control, some of which are a result of modest departmental requests for increased spending and some the result of previous, well-intentioned efforts to suppress county property tax increases.

The 2004 Tentative Budget calls for total General Fund expenditures of approximately $70.8 million. This is an increase of $5.6 million or 8.5 percent over 2003.

What is most disturbing is the fact that over $2 million of the $5.6 million in additional spending is attributed to providing health insurance benefits to Medicaid recipients and county employees. We are not alone. Every county government in New York State is struggling under the same burden. However, this is of little consolation to our taxpaying public.

Of greater alarm to me as Budget Officer is the fact our cash surpluses are exhausted and our budgetary revenue collection projections are either flat or decreasing.

Specifically, we are projecting a decrease in General Fund revenues in the amount of $1.1 million. Compounding this problem is the fact we were able, in the 2003 budget, to allocate $1.6 million in Appropriated Fund Balance and Appropriated Reserve.

In 2004, there is nothing to appropriate from Fund Balance or Reserves.

As recently as five years ago, we enjoyed the ability to begin amassing annual budgetary surpluses which were the result of welfare reform measures, low unemployment, healthy sales tax collections and conservative governmental spending. We consistently delivered annual county budgets that called for tax increases which were less than the annual cost-of-living increases and, in one instance, actually reduced the county tax rate by 1.3 percent.

To do this, however, we were forced to utilize accumulated surpluses. At the conclusion of the 2002 fiscal year we exhausted our surpluses in order to cover cost over-runs in the Sheriffs Department, employee health insurance and Medicaid.

We must now, in my opinion, begin the arduous process of re-establishing ourselves as a fiscally viable governmental entity. It cannot be done overnight. We should not expect to do it overnight, but instead should develop a 3 to 5 year plan which combines spending frugality and maximal revenue generation in order to stabilize our financial condition.

Respectfully Submitted,
John E. Margeson, Budget Officer

November 24, 2003

The regular meeting of the Board of Legislators was called to order at 2:00 p.m. by Chairman Sherman.

Pledge of allegiance to the flag.

The invocation was given by Legislator Regan.

Roll Call: All present except Legislator Myers.

APPROVAL OF MINUTES:

The Board meeting minutes of October 14 and 27, 2003, were approved on a motion by Legislator Dibble, seconded by Legislator Graffrath and carried.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. A Certificate of Withdrawal of Delinquent Tax Lien was filed on November 10, 2003 by the County Treasurer in the Clerk of the Board's Office for property in the Town of Andover pursuant to Article 11 of the Real Property Tax Law of the State of New York.

PROCLAMATION:

Chairman Sherman proclaimed November 15, 2003 as Allegany County Volunteer Firefighters Memorial Day in Allegany County to commemorate the dedication of the Memorial on the front lawn of the Court House. The purpose of this Memorial is to honor volunteer firefighters of the past, present, and future, as well as their families, and to establish a scholarship fund. On behalf of the Board of Legislators, Chairman Sherman extended sincere thanks and support to all County firefighters.

RESOLUTIONS:

RESOLUTION NO. 243-03

ESTABLISHING RETIREMENT HEALTH INSURANCE INCENTIVE

Offered by: Personnel and Ways and Means Committees

RESOLVED:

1. County employees filing for New York State Retirement System retirement benefits effective before February 1, 2004 may retain their employee health insurance benefit, including prescription and dependent coverage until December 31, 2005.

Moved by: Mr. Dibble
Seconded by: Mr. Nielsen

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

RESOLUTION NO. 244-03

RESOLUTION WITH RESPECT TO GRANT FUNDED PROGRAMS

Offered by: Ways and Means Committee

RESOLVED:

1. That all County programs funded entirely by State or Federal grants-in-aid shall terminate upon the expiration of the grant-in-aid which funds any such program, except as specifically authorized by the Allegany County Board of Legislators.

Moved by: Mr. Nielsen Adopted: Roll Call
Seconded by: Mr. Bennett 14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 245-03

ESTABLISHING CIVIL SERVICE EXAMINATION FEE SCHEDULE

Offered by: Personnel Committee

RESOLVED:

1. That effective January 1, 2004, the following fee schedule will apply to all civil service examinations given in the County of Allegany:

Scheduled Examinations

Uniformed protective service (police, fire, corrections): $25.00 per candidate per examination. All other scheduled examinations: $15.00 per candidate per examination.

Decentralized Examinations

All decentralized examinations: $10.00 per candidate per examination.

2. Resolution No. 319-2001 is repealed.

Moved by: Mr. Dibble Adopted: Roll Call
Seconded by: Mr. Truax 14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 246-03

ABOLISHING ONE POSITION OF ASSISTANT DISTRICT ATTORNEY (4TH) IN DISTRICT ATTORNEY'S OFFICE

Offered by: Ways and Means Committee

RESOLVED:

1. That one position of Assistant District Attorney (4th) is abolished in the District Attorney's Office.

2. This resolution shall take effect January 1, 2004.

Moved by: Mr. Nielsen Adopted: Roll Call
Seconded by: Mr. Bennett 14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 247-03

ABOLISHING ONE POSITION OF COOK IN THE SHERIFF'S OFFICE

Offered by: Ways and Means Committee

RESOLVED:

1. That one position of Cook is abolished in the Sheriff's Office.

2. This resolution shall take effect January 1, 2004.

Moved by: Mr. Nielsen Adopted: Roll Call
Seconded by: Mr. Bennett 14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 248-03

RESOLUTION LEVYING TOWNS 2004 SHARE OF ALLEGANY COUNTY MUTUAL SELF-INSURANCE PLAN

Offered by: Ways and Means Committee

Pursuant to § 67 (2) and § 71 of the Workers' Compensation Law and § 13 of Local Law No. 3 of 2002

RESOLVED:

1. That this Board levies the sum of $266,063 upon the taxable property of the Towns participating in the Allegany County Mutual Self-Insurance Plan, in the proportionate amount which each such Town is required to pay for such participation as determined by the provisions of Section 12 of Local Law No. 3 of 2002.

Moved by: Mr. Nielsen
Seconded by: Mr. Truax

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

RESOLUTION NO. 249-03

APPROVAL OF AGREEMENT WITH H & V RISK CONSULTANTS FOR INSURANCE ADVICE AND SERVICES

Offered by: Personnel Committee

RESOLVED:

1. That Agreement for the period January 1, 2004 to January 1, 2005, with H & V Risk Consultants to provide insurance advice and services is approved; the Chairman of this Board being authorized to execute such Agreement.

Moved by: Mr. Russo
Seconded by: Mr. Dibble

Adopted: Roll Call
12 Ayes, 2 Noes, 1 Absent
Voting No: Regan, Sobeck

A motion was made by Legislator Heineman to amend Resolution Intro. No. 254 (Approval of Agreement Between the County of Allegany and H. Kier Dirlam; Authorizing Chairman to Execute Agreement) by changing the rate of monetary compensation from $400 per month to $200 per month. The motion failed as it was not seconded.

RESOLUTION NO. 250-03

APPROVAL OF AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND H. KIER DIRLAM; AUTHORIZING CHAIRMAN TO EXECUTE AGREEMENT

Offered by: Planning and Development Committee

RESOLVED:

1. That Agreement between the County of Allegany and H. Kier Dirlam to provide consultant and related services to the Allegany County Planning Board, is approved.

2. That the Chairman of this Board is authorized to execute said Agreement.

Moved by: Mr. Reynolds
Seconded by: Mr. Dibble

Adopted: Roll Call
12 Ayes, 2 Noes, 1 Absent
Voting No: Russo, Sobeck

RESOLUTION NO. 251-03

APPROVAL OF RENEWAL AGREEMENT WITH COUNTY OF ONEIDA TO PROVIDE SERVICES FOR ALLEGANY COUNTY PRISONERS HELD AT THE CENTRAL NEW YORK PSYCHIATRIC CENTER FORENSIC UNIT

Offered by: Public Safety Committee

RESOLVED:

1. That Renewal Agreement between the County of Allegany and the County of Oneida, to provide in-patient psychiatric services for Allegany County prisoners held at the Central New York Psychiatric Center Forensic Unit, is approved.

2. That the Chairman of this Board and the Allegany County Sheriff are authorized to execute said Agreement.

Moved by: Mr. Bennett
Seconded by: Mr. Truax

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

(Memo: The fiscal impact of the renewal agreement approved in preceding Resolution No. 251-03 is $125 per inmate.)

RESOLUTION NO. 252-03

ACCEPTANCE OF THE GOVERNOR'S TRAFFIC SAFETY COMMITTEE GRANTS; APPROVAL OF AMENDMENT CONTRACTS NUMBER C-000862 (GRANT CS-0200073) AND C-00 (GRANT CP-0200081) BETWEEN COUNTY OF ALLEGANY AND GOVERNOR OF THE STATE OF NEW YORK; AUTHORIZING CHAIRMAN TO SIGN AMENDMENT CONTRACTS

Offered by: Public Safety and Ways and Means Committees

RESOLVED:

1. That the sum of $79,606 from the Governor's Traffic Safety Committee is accepted.

2. That Amendment Contracts Number C-000862 and C-00 between the County of Allegany and the Governor of the State of New York, are approved; the Chairman of this Board being authorized to execute said Amended Contracts.

Moved by: Mr. Bennett
Seconded by: Mr. Dibble

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

(Memo: The contract amendments approved in preceding Resolution No. 252-03 are for Contract C-000862, Child Passenger Safety Program [A.B.C. Coalition], $19,104 [for Grant CS-0200073, FY 10/01/03 to 09/30/04]; and Contract C-00, Sharing Safe Roads I, $58,282 [for Grant CP-0200081, FY 10/01/03 to 09/30/04]. For Grant PT-0200035 [FY 10/01/03 to 09/30/04], Buckle Up New York!, $2,220, the State does not require a contract; the award letter is sufficient.)

RESOLUTION NO. 253-03

APPROVAL OF AGREEMENT WITH SIMONSEN ENTERPRISES IN RELATION TO DEER CARCASS REMOVAL SERVICES; AUTHORIZING BOARD CHAIRMAN TO EXECUTE AGREEMENT

Offered by: Public Works Committee

RESOLVED:

1. That Agreement between the County of Allegany and the Simonsen Enterprises in relation to Deer Carcass Removal Services is approved.

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

Moved by: Mr. Graffrath
Seconded by: Mr. Reynolds

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

(Memo: The fiscal impact of the agreement approved in preceding Resolution No. 253-03 is $10,000 maximum at $32.50 per pickup.)

RESOLUTION NO. 254-03

APPROVAL OF AGREEMENT WITH THE VILLAGE OF CUBA IN RELATION TO THE DISPOSAL OF COUNTY LANDFILL LEACHATE AT VILLAGE OF CUBA WASTE WATER TREATMENT PLANT; AUTHORIZING BOARD CHAIRMAN TO EXECUTE AGREEMENT

Offered by: Public Works and Ways and Means Committees

RESOLVED:

1. That Agreement between the County of Allegany and the Village of Cuba, in relation to the County's disposal of leachate at the Village of Cuba waste water treatment plant, is approved.

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

Moved by: Mr. Graffrath
Seconded by: Mr. Reynolds

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

RESOLUTION NO. 255-03

APPROVAL OF AGREEMENT WITH THE VILLAGE OF WELLSVILLE IN RELATION TO THE DISPOSAL OF COUNTY LANDFILL LEACHATE AT VILLAGE OF WELLSVILLE WASTE WATER TREATMENT PLANT; AUTHORIZING BOARD CHAIRMAN TO EXECUTE AGREEMENT

Offered by: Public Works and Ways and Means Committees

RESOLVED:

1. That Agreement between the County of Allegany and the Village of Wellsville, in relation to the County's disposal of leachate at the Village of Wellsville waste water treatment plant, is approved.

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

Moved by: Mr. Graffrath
Seconded by: Mr. Reynolds

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

Resolution Intro. No. 260-03 (Requesting State Legislative Representatives to Introduce and Seek Passage of Legislation Authorizing Allegany County to Increase its County Sales Tax by One-Half of One Percent) was not pre-filed and was considered from the floor on a motion made by Legislator Nielsen, seconded by Legislator Crandall and carried.

A motion was made by Legislator Dibble to amend Resolution Intro. No. 260-03 (Requesting State Legislative Representatives to Introduce and Seek Passage of Legislation Authorizing Allegany County to Increase its County Sales Tax by One-Half of One Percent) by changing the One-Half of One Percent to Six-Tenths of One Percent. The motion failed as it was not seconded.

RESOLUTION NO. 256-03

REQUESTING STATE LEGISLATIVE REPRESENTATIVES TO INTRODUCE AND SEEK PASSAGE OF LEGISLATION AUTHORIZING ALLEGANY COUNTY TO INCREASE ITS COUNTY SALES TAX BY ONE-HALF OF ONE PERCENT

Offered by: Ways and Means Committee

WHEREAS, the County of Allegany has one of the lowest tax bases in the State of New York and one of the highest tax rates in the State, and

WHEREAS, the only substantial tax revenues available to Allegany County are real property and sales taxes, and

WHEREAS, Allegany County has had no real growth in real estate assessed valuation or the amount of sales tax collected in the past five years, and

WHEREAS, the County is quickly approaching its real property constitutional taxing limit, and

WHEREAS, the County is at its authorized County sales tax limit of four percent, and

WHEREAS, the State of New York has imposed extensive unfunded mandates on the County resulting in the County's 2004 preliminary budget carrying a 55 percent real property tax increase, and

WHEREAS, such a tax increase would far exceed the County's constitutional tax limit and place an unjust burden on the citizens of Allegany County, and

WHEREAS, the County has no other sources of revenue to offset the budgetary appropriations necessitated by such unfunded state mandates, now, therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators requests our State legislative representatives to immediately introduce and seek passage of legislation, in the State Senate and Assembly, to authorize Allegany County to increase its County sales tax by an additional one-half of one percent for a period of three years.

2. The Clerk of this Board is directed to send copies of this resolution to Senator Patricia McGee and Members of the Assembly Catharine Young and Daniel Burling.

Moved by: Mr. Nielsen
Seconded by: Mr. Crandall

Adopted: Roll Call
11 Ayes, 3 Noes, 1 Absent
Voting No: Reynolds, Russo, Sobeck

Resolution Intro. No. 261-03 (A Resolution Approving the Issuance of Certain Bonds by Allegany County Industrial Development Agency to Finance a Certain Civic Facility Project for Houghton College) was not pre-filed and was considered from the floor on a motion made by Legislator Reynolds, seconded by Legislator Palmer and carried.

A motion was made by Legislator Truax, seconded by Legislator Dibble and carried, to grant Legislator Nielsen permission to abstain from voting on Resolution Intro. No. 261-03 (A Resolution Approving the Issuance of Certain Bonds by Allegany County Industrial Development Agency to Finance a Certain Civic Facility Project for Houghton College).

RESOLUTION NO. 257-03

A RESOLUTION APPROVING THE ISSUANCE OF CERTAIN BONDS BY ALLEGANY COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO FINANCE A CERTAIN CIVIC FACILITY PROJECT FOR HOUGHTON COLLEGE

Offered by: Planning and Development and Ways and Means Committees

BE IT ENACTED by the Board of Legislators of Allegany County, as follows:

WHEREAS, pursuant to Article 18-A of the General Municipal Law of the State of New York and Chapter 99 of the 1973 Laws of New York, as amended, constituting Section 906-a of said General Municipal Law (collectively, the "Act"), the Board of Legislators of Allegany County (the "Board of Legislators") has heretofore appointed the members of Allegany County Industrial Development Agency (the "Issuer") and has duly caused to be filed in the office of the Secretary of the State of New York the certificates required by Section 856 of the General Municipal Law of the State of New York; and

WHEREAS, to accomplish its stated purposes, the Issuer is authorized and empowered under the Act to issue its revenue bonds to finance the cost of acquisition, construction and installation of one or more "projects" (as defined in the Act), to acquire, construct and install said projects or to cause said projects to be acquired, constructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, Houghton College (the "College") has presented an application (the "Application"), including a cost benefit analysis, to the Issuer, requesting that the Issuer consider undertaking a project (the "Project") consisting of the following: (A) (1) the acquisition of various interests (collectively, the "Existing Land") relating to the existing approximately 1400 acre campus operated by Houghton College (the "College") and located at 1 Willard Avenue in the Town of Caneadea, Allegany County, New York (the "Campus"), together with the various buildings and improvements located thereon (collectively, the "Existing Facility") and certain existing machinery and equipment located thereon and therein (the "Existing Equipment"), (2) the acquisition of an additional approximately 50 acre parcel of land located adjacent to the Campus in the Town of Caneadea, Allegany, New York (the "New Land") (the Existing Land and the New Land hereinafter collectively referred to as the "Land"), together with an approximately 25,000 square foot building located or to be located thereon (the "New Facility") (the Existing Facility

and the New Facility hereinafter collectively referred to as the "Facility"), (3) the acquisition, construction or reconstruction and renovation of the New Facility, (4) the acquisition and installation therein and thereon of various machinery and equipment (the "New Equipment") (the Existing Equipment and the New Equipment hereinafter collectively referred to as the "Equipment") (the Land, the Facility and the Equipment hereinafter collectively referred to as the "Project Facility") and (5) the refinancing of certain existing indebtedness incurred by the College in connection with the acquisition, construction, reconstruction, upgrading, renovation and equipping of various portions of the Land, the Facility and the Equipment, all of the foregoing to constitute the reconstruction, renovation, financing and/or refinancing of the Project Facility for use by the College as an educational facility and other directly and indirectly related activities; (B) the financing of all or a portion of the costs of the foregoing by the issuance of revenue bonds of the Issuer in one or more issues or series in an aggregate principal amount sufficient to pay the cost of undertaking the Project, together with necessary incidental costs in connection therewith, presently estimated to be approximately $10,000,000 (the "Obligations"); (C) the granting of certain other "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from real estate transfer taxes and mortgage recording taxes (collectively with the Obligations, the "Financial Assistance"); and (D) the lease (with an obligation to purchase) or sale of the Project Facility to the College or such other person as may be designated by the College and agreed upon by the Issuer; and

WHEREAS, the College has requested that interest on the Obligations be treated by the federal government as excludable from gross income for federal income tax purposes pursuant to Section 103 and Section 145(a) of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, the Board of Legislators has been advised by the Issuer that the Issuer proposes to issue, subsequent to the adoption of this resolution, the Obligations from time to time in a principal amount sufficient to fund all or a portion of the costs of the Project; and

WHEREAS, interest on the Obligations will not be excludable from gross income for federal income tax purposes unless, among other things, pursuant to Section 147(f) of the Code, the issuance of the Obligations is approved by the "applicable elected representative" of Allegany County, New York after the Issuer has held a public hearing on the nature and location of the Project Facility and the issuance of the Obligations; and

WHEREAS, pursuant to the authorization contained in a resolution adopted by the members of the Issuer on October 2, 2003 (the "Public Hearing Resolution"), the Executive Director of the Issuer (A) caused notice of a public hearing of the Issuer (the "Public Hearing") pursuant to Section 859-a of the Act and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), to hear all persons interested in the Project and the Financial Assistance being contemplated by the Issuer with respect to the Project, to be mailed on October 14, 2003 to the chief executive officers of each county, city, town and school district in which the Project Facility is (or will be) located, (B) caused notice of the Public Hearing to be published on October 17, 2003 in the Wellsville Daily Reporter, a newspaper of general circulation available to the residents of the Town of Caneadea, Allegany County, New York, (C) conducted the Public Hearing on November 18, 2003, at 10:00 o'clock, a.m., local time at the Caneadea Town Hall, Route 19

in the Town of Caneadea, Allegany County, New York, and (D) prepared a report of the Public Hearing (the "Report") which fairly summarized the views presented at said Public Hearing and distributed same to the members of the Issuer and to the Board of Legislators of Allegany County (the "Board of Legislators"); and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations (the "Regulations") adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, "SEQRA"), by resolution adopted by the members of the Issuer on November 20, 2003 (the "Final SEQR Resolution"), the Issuer (A) determined to conduct an uncoordinated review of the Project and (B) determined that the Project is an "Unlisted action" which will not have a significant effect on the environment and, therefore, that an environmental impact statement is not required to be prepared with respect to the Project (as such quoted terms are defined in SEQRA); and

WHEREAS, pursuant to Section 147(f) of the Code, the Board of Legislators desires to allow the interest on the Obligations to be exempt from federal income taxation; and

WHEREAS, Section 870 of the General Municipal Law of the State of New York specifically provides that neither the Obligations nor any other obligation of the Issuer shall be a debt of Allegany County, New York, nor shall Allegany County, New York be liable thereon, now, therefore, be it

RESOLVED:

1. That for the sole purpose of qualifying the interest payable on the Obligations for exclusion from federal income taxation pursuant to the provisions of the Code, the Board of Legislators, as the elected legislative body of Allegany County, New York, hereby approves the issuance by the Issuer of the Obligations, provided that the Obligations, and the premium (if any) and interest thereon, shall be special obligations of the Issuer and shall never be a debt of the State of New York, Allegany County, New York or any political subdivision thereof (other than the Issuer), and neither the State of New York, Allegany County, New York nor any political subdivision thereof (other than the Issuer) shall be liable thereon.

2. That this Resolution shall take effect immediately.

Moved by: Mr. Reynolds
Seconded by: Mr. Truax

Adopted: Roll Call
13 Ayes, 0 Noes, 1 Absent
Abstained: Nielsen

AUDITS:

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

A motion was made by Legislator Nielsen, seconded by Legislator Truax and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims be approved for payment as recommended by the County Administrator.

The meeting was adjourned on a motion made by Legislator Truax, seconded by Legislator Dibble and carried.

December 8, 2003

The regular meeting of the Board of Legislators was called to order at 2:00 p.m. by Chairman Sherman.

Pledge of allegiance to the flag.

The invocation was given by Legislator Reynolds.

Roll Call: All present.

PRIVILEGE OF THE FLOOR:

Chairman Sherman granted privilege of the floor to Deborah Aumick, STOP DWI Coordinator, who announced the "Safe and Sober" Holiday Kick-Off with wassail and cookies prepared by the BOCES Culinary Arts students.

Chairman Sherman granted privilege of the floor to Legislator Edmund Burdick, who has held the position of President of the Inter-County Association of Western New York for the past three years. Mr. Burdick presented certificates of appreciation to Alice Alsworth and Brenda Rigby, Secretary and Treasurer respectively, for all the support they gave him during his tenure.

Privilege of the floor was also granted to Legislator William Dibble, who addressed the Medicaid and State pension contribution increases and suggested we need to work together in these tough financial times. Mr. Dibble suggested a collaborative effort with Concerned Citizens of Allegany County to take these issues to our representatives in Albany. Chairman Sherman noted that petitions are being circulated for Medicaid reform.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Placed on each legislator's desk were copies of the Board meeting minutes of November 10, 13, and 24, 2003 for review.

2. Placed on each legislator's desk was a copy of the Preliminary 2004 County Budget.

3. Also placed on each legislator's desk was a copy of the Report of Tax Bill Corrections approved by the County Administrator for the month of November 2003.

4. Also placed on each legislator's desk was a copy of the Report of Intrafund Transfers approved by the County Administrator for the month of November 2003.

5. Correspondence was received from Assemblywoman Catharine Young indicating that she will be having a joint press conference regarding Medicaid with Chairman Sherman on Tuesday, December 9, at 2:00 p.m. in the Legislative Chambers.

6. Noted received in the Clerk of the Board's Office was ACCORD Corporation's March 2002 through February 2003 Annual Report.

RESOLUTIONS:

RESOLUTION NO. 258-03

REAPPOINTMENT OF COMMISSIONER OF SOCIAL SERVICES

Offered by: Human Services Committee

Pursuant to Social Services Law § § 65 and 116

RESOLVED:

1. That Margaret A. Cherre, is reappointed Commissioner of Social Services for a term of five years commencing December 31, 2003, and expiring December 30, 2008.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Resolution Intro. No. 263-03 (Abolishing One Position of Supervising Public Health Nurse in Health Department) was amended on a motion by Legislator Truax, seconded by Legislator Dibble and carried, to indicate that one position of Environmental Health Technician is also to be abolished.

RESOLUTION NO. 259-03

ABOLISHING ONE POSITION OF SUPERVISING PUBLIC HEALTH NURSE AND ONE POSITION OF ENVIRONMENTAL HEALTH TECHNICIAN IN HEALTH DEPARTMENT

Offered by: Human Services and Ways and Means Committees

RESOLVED:

1. That one position of Supervising Public Health Nurse and one position of Environmental Health Technician are abolished in the Health Department.

2. This resolution shall take effect January 1, 2004.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

A motion was made by Legislator Heineman and seconded by Legislator Reynolds to amend Resolution Intro. No. 264-03 (Abolishing Three Positions of Deputy Sheriff in the Office of Sheriff) by changing number of positions to be abolished from three to two. The motion was defeated on a roll call vote of 3 Ayes, 12 Noes, 0 Absent. Voting Yes: Heineman, Reynolds, Sherman.

RESOLUTION NO. 260-03

ABOLISHING THREE POSITIONS OF DEPUTY SHERIFF IN THE OFFICE OF SHERIFF

Offered by: Ways and Means Committee

RESOLVED:

1. That three positions of Deputy Sheriff are abolished in the Office of the Sheriff.

2. This resolution shall take effect January 1, 2004.

Moved by: Mr. Nielsen
Seconded by: Mr. Crandall

Adopted: Roll Call
13 Ayes, 2 Noes, 0 Absent
Voting No: Heineman, Reynolds

RESOLUTION NO. 261-03

DESIGNATING ANNUAL THIRTY-DAY PERIOD TO REQUEST INCLUSION OF VIABLE AGRICULTURAL LAND WITHIN CERTIFIED AGRICULTURAL DISTRICT

Offered by: Resource Management Committee

Pursuant to Section 303-b of the Agriculture and Markets Law

RESOLVED:

1. This Board designates October 1 through October 31 of each year as the annual thirty-day period within which a land owner may submit to this Board a request for inclusion of land which is predominately viable agricultural land within a certified agricultural district prior to the established review period of such district.

Moved by: Mrs. Myers
Seconded by: Mr. Bennett

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 262-03

CHARGEBACK TO TOWNS OF COST OF VARIOUS TAX SUPPLIES PURCHASED OR PROVIDED FOR BY COUNTY

Offered by: Ways and Means Committee

WHEREAS, assessment rolls, field books and various other tax supplies have been purchased or provided by the County for Towns within the County, and

WHEREAS, it is necessary to charge the cost of such items back to the Towns, now, therefore, be it

RESOLVED:

1. That the cost of assessment rolls, field books and various other tax supplies purchased or provided by the County to the Towns within Allegany County shall be charged back to the Towns on the 2004 tax rolls, as follows:

Alfred	1,480.80	Friendship	1,528.80
Allen	663.60	Genesee	1,424.40
Alma	1,233.60	Granger	698.40
Almond	1,334.40	Grove	796.80
Amity	1,695.60	Hume	1,429.20
Andover	1,588.80	Independence	951.60
Angelica	1,268.40	New Hudson	891.60
Belfast	1,375.20	Rushford	1,996.80
Birdsall	673.20	Scio	1,447.20
Bolivar	1,912.80	Ward	516.00
Burns	950.40	Wellsville	4,491.60
Caneadea	1,641.60	West Almond	597.60
Centerville	730.80	Willing	1,293.60
Clarksville	1,276.80	Wirt	1,630.30
Cuba	2,668.80		

Moved by: Mr. Nielsen
Seconded by: Mr. Crandall

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 263-03

ACCEPTANCE OF UNALLOCATED FEDERAL GRANT-IN-AID FROM THE NEW YORK STATE DEPARTMENT OF HEALTH WIC GRANT AND APPROPRIATION OF SAME TO HEALTH DEPARTMENT WIC ACCOUNT

Offered by: Human Services and Ways and Means Committees

RESOLVED:

1. That the unallocated sum of $19,342 is accepted from the New York State Department of Health WIC Grant for the purchase of a Chevy Van and Autodialer system.

2. That the accepted sum of $19,342 from the New York State Department of Health WIC Grant is appropriated to Account No. A4190.2, with a like sum credited to Revenue Account No. A10.4452.00.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 264-03

ACCEPTANCE OF MONEY RAISED BY THE 2003 CROP WALK IN WELLSVILLE, NEW YORK AND APPROPRIATION OF SAME TO OFA-S.N.A.P ACCOUNT

Offered by: Human Services and Ways and Means Committees

WHEREAS, a sum of $372.45 has been raised by the 2003 Crop Walk in Wellsville, New York, to benefit the Home Delivered Meals Program, now, therefore, be it

RESOLVED:

1. That the sum of $372.45 raised by the 2003 Crop Walk is accepted.

2. That the accepted sum of $372.45 is appropriated to Account No. A6779.4, with a like sum credited to Revenue Account No. A09.2801.36.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 265-03

TRANSFER OF FUNDS WITHIN OFA-COMM. SERVICE FOR ELDERLY ACCOUNT

Offered by: Human Services Committee

RESOLVED:

1. That the sum of $900 is transferred from Account No. A6776.4 to Account No. A6776.2, to purchase two meal carriers needed for the Home Delivered Meals Program.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 266-03

TRANSFER OF FUNDS WITHIN COUNTY PUBLIC HEALTH ACCOUNT

Offered by: Human Services Committee

RESOLVED:

1. That the sum of $25,000 is transferred from Account No. A4010.409 to Account No. A4010.408, to cover cost of flu vaccine.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 267-03

TRANSFER OF FUNDS WITHIN HEALTH DEPARTMENT BIOTERRORISM PREPAREDNESS ACCOUNT

Offered by: Human Services Committee

RESOLVED:

1. That the sum of $8,000 is transferred from Account No. A4189.4 to Account No. A4189.2, to cover cost of equipment purchased for security of County Office Building.

Moved by: Mr. Truax
Seconded by: Mr. Dibble

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 268-03

TRANSFER OF FUNDS WITHIN EMPLOYMENT AND TRAINING APPROPRIATION AND REVENUE ACCOUNTS

Offered by: Planning and Development and Ways and Means Committees

RESOLVED:

1. That the following transfers are approved:

Appropriations

From:	To:	Amount:
CD1 6400.201	CD1 6400.413	$ 1,900.00
CD1 6400.101	CD1 6403.101	17,000.00
CD1 6400.806	CD1 6403.806	4,500.00
CD1 6401.474	CD1 6407.474	5,000.00
CD1 6402.474	CD1 6408.101	8,000.00
CD1 6402.475	CD1 6408.101	4,000.00
CD1 6402.475	CD1 6408.806	2,000.00
CD1 6404.101	CD1 6408.806	1,000.00
CD1 6406.101	CD1 6406.474	4,000.00
CD1 6406.806	CD1 6406.474	1,000.00
CD1 6411.101	CD1 6406.475	7,000.00
CD1 6410.476	CD1 6406.475	2,000.00
CD1 6410.476	CD1 6403.101	2,000.00
	TOTAL	$59,400.00

Revenues

From:	To:	Amount:
CD1 2801.6404	CD1 3792.6408	$ 1,000.00
CD1 4701.6400	CD1 2801.6403	21,500.00
CD1 4701.6401	CD1 4701.6406	5,000.00
CD1 4701.6402	CD1 3792.6408	14,000.00
CD1 4701.6410	CD1 2801.6403	2,000.00
CD1 4701.6410	CD1 4701.6406	2,000.00
CD1 4701.6411	CD1 4701.6406	7,000.00
	TOTAL	$52,500.00

Moved by: Mr. Reynolds
Seconded by: Mr. Sobeck

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 269-03

TRANSFER OF FUNDS BETWEEN CAPITAL PROJECTS

Offered by: Public Works and Ways and Means Committees

RESOLVED:

1. That the sum of $30,000 is transferred from Capital Project Account No. H5603.200 to Capital Project Account No. H5606.200.

Moved by: Mr. Graffrath
Seconded by: Mr. Reynolds

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

(Memo: The transfer approved in preceding Resolution No. 269-03 is necessary to cover an overage in the account.)

RESOLUTION NO. 270-03

TRANSFER OF FUNDS WITHIN CENTRAL SERVICE COMPUTER ACCOUNT

Offered by: Ways and Means Committee

RESOLVED:

1. That the sum of $10,000 is transferred from Account No. A1680.4 to Account No. A1680.2, to purchase a server and software to collect data from web traffic.

Moved by: Mr. Nielsen
Seconded by: Mr. Crandall

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 271-03

APPROVING CAPITAL ASSET GUIDE FOR ALLEGANY COUNTY

Offered by: Ways and Means Committee

RESOLVED:

1. That the Capital Asset Guide for Allegany County dated November 26, 2003 is approved.

Moved by: Mr. Nielsen
Seconded by: Mr. Truax

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

(Memo: The Capital Asset Guide referred to in preceding Resolution No. 271-03 was developed collaboratively with Deloitte & Touche

LLP's Buffalo Office, Allegany County Treasurer's Office and Allegany County Department of Public Works. The guide will establish a basis for inventory, values of capital and infrastructure assets [based on threshold] and depreciation calculations [class, threshold and useful life]. As part of the requirement for GASB #34 [Government Accounting Standards Board] Allegany County was required to revise our Capital [Fixed] Asset Policy by December 31, 2003.)

RESOLUTION NO. 272-03

RATIFYING AGREEMENT WITH
HUNT ENGINEERS, ARCHITECTS & SURVEYORS, P.C.

Offered by: Planning and Development and Ways and Means Committees

RESOLVED:

1. That the Agreement between the Director of Development and Hunt Engineers, Architects & Surveyors, P.C. in the amount of $1,500 for consulting services with respect to redevelopment plans for the Village of Wellsville's downtown district is ratified and approved.

Moved by: Mr. Reynolds
Seconded by: Mrs. Myers

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 273-03

APPROVAL OF AGREEMENT WITH THE TOWN OF CANEADEA
IN RELATION TO THE DISPOSAL OF COUNTY LANDFILL LEACHATE AT
TOWN OF CANEADEA HOUGHTON WASTE WATER TREATMENT PLANT;
AUTHORIZING BOARD CHAIRMAN TO EXECUTE AGREEMENT

Offered by: Public Works and Ways and Means Committees

RESOLVED:

1. That Agreement between the County of Allegany and the Town of Caneadea, in relation to the County's disposal of leachate at the Town of Caneadea Houghton waste water treatment plant, is approved.

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

Moved by: Mr. Graffrath
Seconded by: Mr. Bennett

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Resolution Intro. No. 278-03 (Amendment of 2004 County Tentative Budget) was not pre-filed and was considered from the floor on a motion made by Legislator Nielsen, seconded by Legislator Bennett and carried.

Resolution Intro. No. 278-03 (Amendment of 2004 County Tentative Budget) was amended on a motion by Legislator Myers, seconded by Legislator Regan and carried, by changing the amended amount for Appropriation Account No. A3141.4 STOP DWI from $89,550 to $93,550.

RESOLUTION NO. 274-03

AMENDMENT OF 2004 COUNTY TENTATIVE BUDGET

Offered by: Ways and Means Committee

RESOLVED:

1. That the 2004 County Tentative Budget dated September 24, 2003, is amended as follows:

APPROPRIATIONS - GENERAL FUND:

Account No.	Account	Amendment
A1010.4	Legislative Board	Change from $27,050 to $19,550
A1011.4	County Administrator	Change from $18,750 to $6,250
A1040.1	Clerk, Board of Leg.	Change from $154,273 to $130,273
A1040.4	Clerk, Board of Leg.	Change from $17,400 to $16,600
A1165.1	District Attorney	Change from $355,338 to $330,838
A1165.4	District Attorney	Change from $60,400 to $53,600
A1170.4	Public Defender	Change from $32,620 to $31,820
A1325.2	Treasurer	Change from $250 to $0
A1325.4	Treasurer	Change from $78,259 to $76,384
A1355.1	Assessments (RPT)	Change from $232,347 to $220,347
A1355.2	Assessments (RPT)	Change from $500 to $0
A1355.4	Assessments (RPT)	Change from $42,400 to $40,850
A1410.1	County Clerk	Change from $586,622 to $538,622
A1410.2	County Clerk	Change from $1,000 to $0
A1410.4	County Clerk	Change from $57,050 to $54,950
A1420.4	County Attorney	Change from $75,350 to $71,750
A1430.4	Human Resources	Change from $18,750 to $18,150
A1450.4	Elections	Change from $53,500 to $49,100
A1490.4	DPW-Administrative	Change from $16,625 to $14,025
A1620.1	Buildings & Grounds	Change from $377,543 to $362,543
A1620.2	Buildings & Grounds	Change from $5,500 to $3,100
A1620.4	Buildings & Grounds	Change from $505,700 to $459,950
A1680.2	Information Tech.	Change from $57,700 to $41,750
A1680.4	Information Tech.	Change from $73,200 to $68,150
A1920.4	Municipal Assoc. Dues	Change from $4,735 to $0
A2960.2	Special Education PHC	Change from $1,000 to $200
A2960.4	Special Education PHC	Change from $1,368,500 to $1,361,750
A3110.1	Sheriff	Change from $786,752 to $763,566
A3110.2	Sheriff	Change from $85,000 to $15,000
A3110.4	Sheriff	Change from $131,835 to $99,335
A3111.4	Sheriff - Drug Program	Change from $10,000 to $8,500
A3112.2	E-911 Dispatch	Change from $1,500 to $500
A3112.4	E-911 Dispatch	Change from $9,550 to $1,550
A3114.4	Traffic Program	Change from $35,568 to $34,508
A3140.1	Probation	Change from $669,992 to $645,992
A3140.4	Probation	Change from $100,853 to $92,753
A3141.4	STOP DWI	Change from $94,050 to $93,550
A3142.4	Altern. to Incarceration	Change from $11,564 to $11,324
A3143.4	Probation - Intensive Super.	Change from $3,950 to $3,850
A3150.1	Jail	Change from $2,347,205 to $2,230,925
A3150.2	Jail	Change from $10,250 to $5,250
A3150.4	Jail	Change from $204,380 to $203,880
A3310.4	Traffic Control	Change from $2,375 to $2,125

A3410.2	Fire Service	Change from $30,000 to $20,000
A3410.4	Fire Service	Change from $36,675 to $35,675
A3640.4	Emergency Services	Change from $79,445 to $79,045
A4010.1	Health Department	Change from $1,100,312 to $1,023,612
A4010.2	Health Department	Change from $38,000 to $1,500
A4010.4	Health Department	Change from $313,400 to $274,150
A4011.2	Health - Nurses	Change from $74,000 to $39,452
A4011.4	Health - Nurses	Change from $686,050 to $682,708
A4035.4	Health - Family Planning	Change from $128,300 to $95,300
A4037.4	Health - Lead	Change from $4,850 to $1,150
A4040.1	Long Term Health Care	Change from $162,713 to $159,713
A4040.2	Long Term Health Care	Change from $43,790 to $6,300
A4040.4	Long Term Health Care	Change from $598,350 to $589,450
A4046.4	PHC Program	Change from $22,500 to $20,000
A4047.4	Community Health Assess.	Change from $5,000 to $1,000
A4050.4	Water Quality Management	Change from $72,900 to $72,400
A4051.4	Tobacco Awareness	Change from $24,800 to $18,472
A4052.2	Health - IHAP	Change from $3,750 to $1,500
A4052.4	Health - IHAP	Change from $37,525 to $33,375
A4056.2	Immunization Under 24 mos.	Change from $800 to $0
A4056.4	Immunization Under 24 mos.	Change from $2,818 to $2,418
A4071.4	Cancer Screening	Change from $64,250 to $59,250
A4083.4	Healthy Heart	Change from $2,500 to $1,750
A4189.4	Bioterrorism Preparedness	Change from $49,500 to $49,000
A4190.4	WIC	Change from $212,087 to $201,087
A4310.4	Mental Health - Admin.	Change from $1,112,484 to $1,107,484
A4312.4	Youth ICM	Change from $62,512 to $59,512
A6010.1	Social Services	Change from $3,749,865 to $3,606,292
A6010.2	Social Services	Change from $22,270 to $8,770
A6010.4	Social Services	Change from $1,806,036 to $1,768,496
A6011.4	Social Services - CAP	Change from $21,500 to $21,200
A6430.4	Development	Change from $157,400 to $107,100
A6510.4	Veterans' Service Agency	Change from $3,300 to $2,800
A6610.4	Consumer Affairs	Change from $3,130 to $2,610
A6772.2	OFA - Nutrition	Change from $17,500 to $0
A6772.4	OFA - Nutrition	Change from $260,016 to $259,716
A6773.4	OFA - Supportive Services	Change from $32,540 to $31,740
A6775.4	OFA - State LTCOP	Change from $352 to $332
A6776.4	OFA - Comm. Ser. Elderly	Change from $41,526 to $40,776
A6777.4	OFA - HEAP	Change from $1,110 to $1,060
A6778.4	OFA - EISEP	Change from $125,000 to $124,800
A6779.4	OFA - SNAP	Change from $165,170 to $165,070
A6781.4	OFA - Title VII Elder Abuse	Change from $1,474 to $1,284
A6782.4	OFA - HIICA	Change from $428 to $380
A6784.4	OFA - Weatherization	Change from $5,107 to $5,007
A6786.4	OFA - IIIE Family Caregiver	Change from $26,340 to $25,840
A6989.4	Tourism	Change from $253,795 to $253,395
A7180.4	Beach & Pool	Change from $5,075 to $4,975
A7310.4	Youth Bureau	Change from $5,100 to $4,200
A7510.4	Historian	Change from $2,200 to $1,855
A8020.4	Planning	Change from $63,200 to $19,700
A8160.1	Solid Waste	Change from $736,181 to $711,181
A8160.4	Solid Waste	Change from $489,700 to $479,200

A9010.8	State Retirement	Change from $1,500,000 to $1,821,000
A9060.8	Hospital & Medical Insurance	Change from $4,230,000 to $4,020,000
A9522.9	I/F Trans. County Road Fund	Change from $5,649,766 to $4,817,766
A9523.9	I/F Trans. Road Mach. Fund	Change from $744,944 to $308,757
A9560.9	I/F Trans. Risk Reten. Fund	Change from $1,288,500 to $1,218,500

RISK RETENTION FUND:

CS9050.8	Unemployment Insurance	Change from $0 to $30,000

COUNTY ROAD FUND:

D3310.1	Traffic Safety	Change from $34,998 to $33,998
D5020.1	Engineering	Change from $161,835 to $159,835
D5020.4	Engineering	Change from $20,950 to $18,450
D5110.1	Maint. Roads & Bridges	Change from $1,999,903 to $1,924,903
D5110.4	Maint. Roads & Bridges	Change from $1,429,050 to $1,327,550
D9553.9	Inter-Fund Trans. - Capital	Change from $650,000 to $0

ROAD MACHINERY FUND:

DM5130.1	Road Machinery	Change from $449,944 to $390,757
DM5130.2	Road Machinery	Change from $317,000 to $45,500
DM5130.4	Road Machinery	Change from $320,400 to $319,900
DM9553.9	Inter-Fund Trans.-Capital	Change from $105,000 to $0

REVENUES - GENERAL FUND:

Account No.	Account	Amendment
A01.1235.00	Tax Advertising	Change from $5,000 to $15,000
A02.1235.01	Real Property Tax Enf.	Change from $130,000 to $134,500
A02.1266.08	Tax Department Fees	Change from $3,500 to $3,800
A02.1580.04	Probation Drug Testing	Change from $5,500 to $6,750
A02.1801.00	DSS - Repay Med Assis.	Change from $350,000 to $400,000
A02.1809.00	DSS - Repay Family Assis.	Change from $493,000 to $600,000
A02.2130.03	Solid Waste Fees/Other	Change from $50,000 to $630,000
A02.2130.04	Solid Waste Permits	Change from $16,000 to $366,000
A02.2210.00	Tax & Assessment Services	Change from $85,000 to $86,000
A07.2652.00	Sale of Forest Products	Change from $30,000 to $50,000
A09.2801.47	Information Tech. - DSS	Change from $25,000 to $30,000
A10.3040.00	Real Property - Star Program	Change from $2,000 to $4,000
A10.3277.00	Special Education PHC	Change from $800,000 to $796,031
A10.3401.00	Public Health Work	Change from $800,000 to $754,452
A10.3450.04	Tobacco Awareness	Change from $22,500 to $19,972
A10.3446.00	PHC Program	Change from $10,000 to $7,500
A10.3601.00	DSS Medical Assistance	Change from $61,750 to $300,407
A11.4610.00	DSS Administration	Change from $2,609,064 to $2,523,377
A11.4670.00	Services for Recipients	Change from $559,370 to $574,770
A14.511.00	Appropriated Reserve - DWI	Change from $0 to $100,000

RISK RETENTION FUND:

CS12.5031.00	I/F Trans. From General	Change from $303,500 to $233,500
CS15.599.00	Appropriated Reserve	Change from $0 to $100,000

RISK RETENTION - HEALTH FUND:

CSH08.2709.00	Employee 15% Contributions	Change from $0 to $125,000
CSH08.2709.01	Retirees Contributions	Change from $0 to $75,000
CSH08.2709.02	COBRA Contributions	Change from $0 to $10,000
CSH09.2801.16	I/F Revenue - General	Change from $4,230,000 to $4,020,000

COUNTY ROAD FUND:

D12.5031.03	I/F Trans. From General	Change from $5,649,766 to $4,817,766

ROAD MACHINERY FUND:

DM12.5032.00	I/F Trans. From General	Change from $744,944 to $308,757

Moved by: Mr. Nielsen
Seconded by: Mrs. Myers

Adopted: Roll Call
13 Ayes, 2 Noes, 0 Absent
Voting No: Dibble, Regan

The following five proposed Resolutions were TABLED by Chairman Sherman on the recommendation of the Republican caucus held prior to the Board meeting. The consensus was that the legislators are not prepared to vote on the adoption of the 2004 County Budget and therefore have scheduled some additional Committee of the Whole meetings to continue working on further reducing the projected tax rate increase. These Committee of the Whole meeting dates were announced as December 10 at 5:00 p.m., December 11 at 3:00 p.m., and December 17 at 3:00 p.m.

Resolution Intro. No. 279-03 (Adoption of 2004 County Final Budget) TABLED

Resolution Intro. No. 280-03 (Resolution Making Appropriations for the Conduct of the County Government for the Fiscal Year 2004) TABLED

Resolution Intro. No. 281-03 (Resolution Levying County Taxes) TABLED

Resolution Intro. No. 282-03 (Resolution Approving the Final Assessment Rolls with Taxes Extended Thereon: Authorizing and Directing the Preparation and Execution of Tax Warrants and Causing Delivery of Tax Rolls to Collecting Officers) TABLED

Resolution Intro. No. 283-03 (A Resolution in Relation to the Compensation of County Officers and Employees) TABLED

A motion was made by Legislator Bennett, seconded by Legislator Truax and carried to offer Resolution Intro. No. 284-03 (Changing Regular Meeting Date from December 22, 2003 to December 18, 2003) for the purpose of consideration of the tabled budget related resolutions prior to the December 20 budget adoption deadline.

Resolution Intro. No. 284-03 (Changing Regular Meeting Date from December 22, 2003 to December 18, 2003) was not pre-filed and was considered from the floor on a motion made by Legislator Graffrath, seconded by Legislator Sobeck and carried. Voting No: Regan.

RESOLUTION NO. 275-03

CHANGING REGULAR MEETING DATE FROM DECEMBER 22, 2003 TO DECEMBER 18, 2003

Offered by: Legislator Rodney Bennett

RESOLVED:

1. Notwithstanding Rule 110. A. of County Board Rules, the second regular meeting of this Board in the month of December of 2003 shall be held on December 18, 2003 at 6:00 PM and not on December 22, 2003 at 2:00 PM.

Moved by: Mr. Bennett
Seconded by: Mr. Graffrath

Adopted: Roll Call
14 Ayes, 1 No, 0 Absent
Voting No: Regan

NEXT INTER-COUNTY ASSOCIATION MEETING

Legislator Burdick announced the next meeting of the Inter-County Association of Western New York will be hosted by Allegany County on February 20, 2004 at Moonwink's Restaurant in Cuba, NY.

AUDITS:

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

A motion was made by Legislator Nielsen, seconded by Legislator Truax and adopted on a roll call vote of 15 Ayes, 0 Noes, 0 Absent, that the audit of claims be approved for payment as recommended by the County Administrator.

The meeting was adjourned on a motion made by Legislator Graffrath, seconded by Legislator Dibble and carried.

LEGISLATORS' PROCEEDINGS

December 18, 2003

The regular meeting of the Board of Legislators was called to order at 6:05 p.m. by Chairman Sherman.

Pledge of allegiance to the flag.

The invocation was given by Legislator Crandall.

Roll Call: All present except Legislators Nielsen and Regan.

APPROVAL OF MINUTES:

The Board meeting minutes of November 10, 13 and 24, 2003, were approved on a motion by Legislator Dibble, seconded by Legislator Truax and carried.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Correspondence from the Committee of 44 was filed in the Clerk of the Board's Office on December 11, 2003, indicating that they propose and support a reduction in the number of County legislators from 15 to nine, with one to be elected from each of five legislative districts and four to be elected at-large. They further support the election of a County Executive with veto power over legislative actions. The legislature would be able to override an executive veto by a two-thirds vote.

2. Notice was made of a special Board meeting to be held on Monday, December 29, 2003 at 2:00 p.m. The Ways and Means Committee meeting scheduled for 1:00 p.m. on that day will be moved to after the Board meeting.

3. Correspondence was received from the family of William Crandall thanking the Board for their expressions of sympathy following the death of Legislator Crandall's father.

APPOINTMENTS:

The Clerk of the Board announced Chairman Sherman's appointment of David Sirianni as Chairman of the Local Conditional Release Commission, and Margaret Cherre and John Margeson as members thereof, each for a term of four years, commencing immediately and expiring December 8, 2007.

The Clerk of the Board announced Chairman Sherman's appointment of Kenneth Nielsen of Houghton, New York, to serve on the Law Library Board of Trustees for a term of two years, commencing October 2, 2003.

INTRODUCTION OF LEGISLATION:

Legislator Russo introduced Local Law Intro. No. 3-2003, Print No. 1, entitled "A Local Law Authorizing a Separate Listing in Each Real Property Tax Statement, Showing the Medicaid Portion or Other New York State Imposed Mandates Affecting County Taxes," a copy of said Local Law having been placed on each legislator's desk.

RESOLUTIONS:

Resolution Intro. Numbers 301-03 through 304-03 were taken from the floor prior to the pre-filed Resolutions due to the need to approve these items before consideration of Resolution Intro. No. 279 (Adoption of the 2004 County Final Budget).

Resolution Intro. No. 301-03 (Resolution Amending Superintendent of Public Works' Rules and Regulations for the Maintenance and Operation of Allegany County's Solid Waste Management and Resource Recovery) was not pre-filed and was considered from the floor on a motion made by Legislator Crandall, seconded by Legislator Bennett and carried.

A motion was made by Legislator Dibble to amend Resolution Intro. No. 301-03 (Resolution Amending Superintendent of Public Works' Rules and Regulations for the Maintenance and Operation of Allegany County's Solid Waste Management and Resource Recovery) by changing the amount on 1.b. line 4 from $60 to $30 and the amount on line 15 from $50 to $25. The motion failed as it was not seconded.

RESOLUTION NO. 276-03

RESOLUTION AMENDING SUPERINTENDENT OF PUBLIC WORKS' RULES AND REGULATIONS FOR THE MAINTENANCE AND OPERATION OF ALLEGANY COUNTY'S SOLID WASTE MANAGEMENT AND RESOURCE RECOVERY

Offered by: Ways and Means Committee

RESOLVED:

1. Section 3 (b) of the Superintendent of Public Works' Rules and Regulations for the Maintenance and Operation of Allegany County's Solid Waste Management and Resource Recovery is amended to read as follows:

(b) The Superintendent shall issue a permit consistent with these rules and regulations and County of Allegany Local Law No. 2 of 2000. Upon proper completion by the person of the form set forth as Appendix A below and payment of the annual permit fee of $60.00, a permit, in the form set forth in Appendix A below, shall be validated by the Superintendent and issued to the person. In addition, a permit tag with the issued permit number and date of permit expiration shown thereon together with such other data shown thereon as the Superintendent deems necessary, shall be issued with each permit. Each person may obtain no more than one permit tag. In the event a permit tag is mutilated, lost or stolen a person may obtain a replacement tag upon payment of a fee of $25.00. All valid permits heretofor issued to expire on December 31, 2007 shall expire on December 31, 2003. The holders of all permits issued to expire on December 31, 2007 shall have until April 1, 2004 to purchase a new permit, which will expire on December 31, 2004. The holders of all such permits originally issued to expire on December 31, 2007 shall only be required to pay $50.00 for a permit expiring on December 31, 2004. All permits issued after January 1, 2004 shall expire on December 31, of the year in which they are issued. Notwithstanding the foregoing, a permit shall be valid only so long as the holder of such permit disposes of solid waste generated within the County of Allegany or generated outside the County of Allegany when such solid waste can be disposed of at a County Facility pursuant to authorization of the Board of Legislators under section three of County of Allegany Local Law No. 2 of 2000, and acceptable for disposal pursuant to these rules and regulations. Permits and permit tags issued hereunder shall not be transferable.

2. The title of Section 4 and Sections 4(1) and (2) of the Superintendent of Public Works' Rules and Regulations for the Maintenance and Operation of Allegany County's Solid Waste Management and Resource Recovery are amended to read as follows:

SECTION 4. PERMITTING OF COLLECTORS AND CITIES, TOWNS, VILLAGES AND IMPROVEMENT DISTRICTS WHICH COLLECT OR DISPOSE OF SOLID WASTE

(1) Effective January 1, 2004, any collector or city, town, village, or improvement district which collects solid waste in the County must possess a valid permit issued by the County.

(2) Any collector who wishes to collect solid waste must make application to the Superintendent for a permit on application forms to be provided by the Department of Public Works. Any collector who disposes of 1,000 or more tons of solid waste per year at the Allegany County Landfill shall pay an annual permit fee of $2,500.00. Such permits when issued shall be valid until December 31, of the year in which the permit was issued. Any collector who disposes of less than 1,000 tons of solid waste per year at the Allegany County Landfill and any city, town, village or improvement district, which collects or disposes of solid waste shall pay an annual permit fee of $500.00. Such permits when issued shall be valid until December 31, of the year in which the permit is issued.

3. Section 5(a)(8) of the Superintendent of Public Works' Rules and Regulations for the Maintenance and Operation of Allegany County's Solid Waste Management and Resource Recovery is amended to read as follows:

(8) All construction and demolition debris, with the exception of such construction and demolition debris can be disposed of in a plastic bag not exceeding 55 gallons in size, must be disposed of at the Allegany County Landfill.

Moved by: Mr. Crandall — Adopted: Roll Call
Seconded by: Mr. Bennett — 9 Ayes, 4 Noes, 2 Absent
Voting No: Bennett, Dibble, Russo, Sobeck

Resolution Intro. No. 302-03 (Resolution Setting Date of Public Hearing on a Local Law Authorizing a Separate Listing in Each Real Property Tax Statement, Showing the Medicaid Portion or Other New York State Imposed Mandates Affecting County Taxes) was not pre-filed and was considered from the floor on a motion made by Legislator Truax, seconded by Legislator Graffrath and carried.

RESOLUTION NO. 277-03

RESOLUTION SETTING DATE OF PUBLIC HEARING ON A LOCAL LAW AUTHORIZING A SEPARATE LISTING IN EACH REAL PROPERTY TAX STATEMENT, SHOWING THE MEDICAID PORTION OR OTHER NEW YORK STATE IMPOSED MANDATES AFFECTING COUNTY TAXES

Offered by: Legislator Daniel Russo

WHEREAS, on this 18th day of December, 2003, a local law (Intro. No. 3-2003, Print No. 1) was introduced authorizing a separate listing in each real property tax statement showing the Medicaid portion or other New York State imposed mandates affecting County taxes, and

WHEREAS, it will be necessary to set a date for public hearing on said proposed local law, now, therefore, be it

RESOLVED:

1. That a public hearing shall be held on December 29, 2003, at 2:00 P.M. in the County Legislators' Chambers, Room 221, County

Office Building, Belmont, New York, before the Allegany County Board of Legislators, in relation to proposed Local Law Intro. No. 3-2003, Print No. 1.

2. That the Clerk of the Board of Legislators is directed to prepare, with the assistance of the County Attorney, a notice of said public hearing, to cause the publication of a copy of said notice in each of the two newspapers which have been officially designated by this Board to publish "notices," and to affix a copy of said notice on the County bulletin board in the County Courthouse at Belmont, New York; both publication and posting to be made at least five days before the public hearing.

Moved by: Mr. Russo
Seconded by: Mr. Graffrath

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

Resolution Intro. No. 303-03 (Amendment of 2004 County Tentative Budget) was not pre-filed and was considered from the floor on a motion made by Legislator Crandall, seconded by Legislator Bennett and carried.

RESOLUTION NO. 278-03

AMENDMENT OF 2004 COUNTY TENTATIVE BUDGET

Offered by: Ways and Means Committee

RESOLVED:

1. That the 2004 County Tentative Budget dated September 24, 2003, is amended as follows:

APPROPRIATIONS - GENERAL FUND:

Account No.	Account	Amendment
A6010.1	Social Services Admin.	Change from $3,606,292 to $3,576,880
A6010.2	Social Services Admin.	Change from $8,770 to $62,770
A6010.4	Social Services Admin.	Change from $1,768,496 to $1,807,216
A6070.4	Services for Recipients	Change from $594,900 to $568,900
A8730.4	Soil & Water Conservation	Change from $90,000 to $81,000
A8751.4	Ag. & Livest. - Coop. Ext.	Change from $210,000 to $189,000

REVENUES - GENERAL FUND:

A01.1150.00	OTB Surtax	Change from $0 to $50,000
A10.3601.00	DSS Medical Assistance	Change from $300,407 to $286,554
A11.4610.00	DSS Administration	Change from $2,523,377 to $2,486,083

COUNTY ROAD FUND:

D03.2306.00	FEMA Town Share	Change from $20,000 to $24,500
D10.3589.00	FEMA State	Change from $0 to $13,699
D11.4589.00	FEMA Federal	Change from $0 to $41,097
D599.00	Appropriate 2002 Fund Bal.	Change from $0 to $250,000

ROAD MACHINERY FUND:

DM07.2665.00	Sale of Equipment	Change from $2,500 to $19,500
DM699.00	Appropriate 2002 Fund Bal.	Change from $0 to $50,000

Moved by: Mr. Crandall
Seconded by: Mr. Bennett

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

Resolution Intro. No. 304-03 (Amendment of 2004 County Tentative Budget) was not pre-filed and was considered from the floor on a motion made by Legislator Crandall, seconded by Legislator Bennett and carried.

RESOLUTION NO. 279-03

AMENDMENT OF 2004 COUNTY TENTATIVE BUDGET

Offered by: Ways and Means Committee

RESOLVED:

1. That the 2004 County Tentative Budget dated September 24, 2003, is amended as follows:

The net sum of $452,695 is deleted from the 2004 County Tentative Budget. The County Budget Officer and County Treasurer shall designate the accounts to be changed in order to reflect the deletion of such sum.

Moved by: Mr. Crandall
Seconded by: Mr. Bennett

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

(Memo: The amendments approved in the preceding Resolution No. 279-03 are the result of recommendations made at the December 17, 2003 meeting of the Committee of the Whole. The amendments indicated in Resolution No. 278-03 resulted from recommendations made prior to that date.)

A motion was made by Legislator Bennett, seconded by Legislator Reynolds and carried to consider Resolution Intro. Numbers 289-03 through 295-03, dealing with elimination of positions, prior to Resolution Intro. No. 279-03 (Adoption of 2004 County Final Budget).

RESOLUTION NO. 280-03

ABOLISHING ONE POSITION OF ACCOUNT CLERK TYPIST IN THE OFFICE OF THE CLERK OF THE BOARD OF LEGISLATORS

Offered by: Ways and Means Committee

RESOLVED:

1. That one position of Account Clerk Typist is abolished in the office of the Clerk of the Board of Legislators.

2. This resolution shall take effect January 1, 2004.

Moved by: Mr. Crandall
Seconded by: Mr. Bennett

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 281-03

ABOLISHING ONE POSITION OF ACCOUNT CLERK TYPIST IN THE HEALTH DEPARTMENT

Offered by: Ways and Means Committee

RESOLVED:

1. That one position of Account Clerk Typist is abolished in the Health Department.

2. This resolution shall take effect January 1, 2004.

Moved by: Mr. Crandall
Seconded by: Mr. Bennett

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 282-03

ABOLISHING ONE POSITION OF LABORER, ONE POSITION OF MOTOR EQUIPMENT OPERATOR AND ONE POSITION OF TRANSFER STATION OPERATOR IN THE DEPARTMENT OF PUBLIC WORKS

Offered by: Ways and Means Committee

RESOLVED:

1. That one position of Laborer, one position of Motor Equipment Operator and one position of Transfer Station Operator are abolished in the Department of Public Works.

2. This resolution shall take effect January 1, 2004.

Moved by: Mr. Crandall
Seconded by: Mr. Bennett

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 283-03

ABOLISHING ONE POSITION OF MOTOR VEHICLE CASHIER EXAMINER AND ONE POSITION OF INDEX CLERK IN THE COUNTY CLERK'S OFFICE

Offered by: Ways and Means Committee

RESOLVED:

1. That one position of Motor Vehicle Cashier Examiner and one position of Index Clerk are abolished in the County Clerk's Office.

2. This resolution shall take effect January 1, 2004.

Moved by: Mr. Crandall
Seconded by: Mr. Bennett

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 284-03

ABOLISHING ONE POSITION OF TYPIST IN THE PROBATION DEPARTMENT

Offered by: Ways and Means Committee

RESOLVED:

1. That one position of Typist is abolished in the Probation Department.

2. This resolution shall take effect January 1, 2004.

Moved by: Mr. Crandall
Seconded by: Mr. Bennett

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 285-03

ABOLISHING ONE POSITION OF SECRETARY TO THE UNDERSHERIFF IN THE SHERIFF'S OFFICE

Offered by: Ways and Means Committee

RESOLVED:

1. That one position of Secretary to the Undersheriff is abolished in the Sheriff's Office.

2. This resolution shall take effect January 1, 2004.

Moved by: Mr. Crandall
Seconded by: Mr. Bennett

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 286-03

ABOLISHING ONE POSITION OF COMMUNITY SERVICES AIDE, ONE POSITION OF COMMUNITY SERVICES WORKER, ONE POSITION OF GRADE B SUPERVISOR, TWO POSITIONS OF JOB TRAK SUPERVISOR AND ONE POSITION OF SENIOR TYPIST IN THE DEPARTMENT OF SOCIAL SERVICES

Offered by: Ways and Means Committee

RESOLVED:

1. That one position of Community Services Aide, one position of Community Services Worker, one position of Grade B Supervisor, two positions of Job Trak Supervisor and one position of Senior Typist are abolished in the Department of Social Services.

2. This resolution shall take effect January 1, 2004.

Moved by: Mr. Crandall
Seconded by: Mr. Bennett

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

Prior to consideration of Resolution Intro. No. 279-03 (Adoption of 2004 County Final Budget), the following statement from the Board of Legislators was read by the Clerk of the Board:

2004 BUDGET STATEMENT FROM ALLEGANY COUNTY BOARD OF LEGISLATORS

When the 2004 tentative budget was released at the end of September showing an increase of 55 percent, each Legislator here knew we had our work cut out for us. Since that time we have had many work sessions, meetings and discussions to deal with this budget.

We feel that due to unfunded mandates, Allegany County and all counties in New York State are being financially strangled. Three items alone that we had no control over rose by $2.3 million. These are: ***Medicaid, State Retirement and Employee Health Insurance.***

$11.6 million of our local tax share or 60 percent of each property tax bill is for mandated programs.

Over the past couple of months we have made cuts to the 2004 budget and scaled back local government to a point that we feel services will suffer. Twenty-five positions have been abolished. Many public works projects have been put on hold. Daily operating

expenses in every department are being reduced.

Allegany County is not alone. All across New York State counties are struggling with the same problems. Allegany County was recently singled out in our local papers, appearing to be the only county facing such tax increases. To the contrary, a four-year average shows Allegany County is actually **less** than many of our neighboring counties. During this period while other counties were raising their taxes at a faster rate, Allegany County taxes were kept low. For example, at this same time last year Allegany County taxes were increased 6.6 percent which was **half** of the state wide average of 12.2 percent, with 28 counties at 10 percent or more and 15 counties between a 15 percent and 27 percent increase.

We would like to thank the people for the concerns that were printed in the papers and discussed on the radio stations, those who wrote letters and called, and those who came to our public hearing. Many questions were raised and many good constructive comments were made. Each legislator feels that these discussions helped them to better understand the concerns of the people of Allegany County and we hope that it has helped people to realize the effect that mandated programs have on County taxes in New York State.

Our budget is a concern that will not be shelved and is by no means over. Our 2005 budget process will begin in January and will be worked on throughout next year.

A 24 percent tax increase forced on Allegany County is unacceptable. We **will not** support a tax increase that is so heavily mandated.

Allegany County Legislators

Resolution Intro. No. 279-03 (Adoption of 2004 County Final Budget) was DEFEATED on a roll call vote of 0 Ayes, 13 Noes, 2 Absent.

Legislator Crandall distributed copies of a Fact Sheet compiled by the Board of Legislators that is directed to County taxpayers and explains where County revenues come from, how County money is spent, and mandated programs.

A motion was made by Legislator Dibble, seconded by Legislator Truax and carried to withdraw Resolution Intro. Numbers 280-03 and 281-03 as their wording related to Board *approval* of the budget. Replacement Resolutions were distributed.

Replacement Resolution Intro. No. 280-03 (Resolution Making Appropriations for the Conduct of the County Government for the Fiscal Year 2004) was not pre-filed and was considered from the floor on a motion made by Legislator Heineman, seconded by Legislator Bennett and carried.

RESOLUTION NO. 287-03

RESOLUTION MAKING APPROPRIATIONS FOR THE CONDUCT OF THE COUNTY GOVERNMENT FOR THE FISCAL YEAR 2004

Offered by: Ways and Means Committee

WHEREAS, a budget for County fiscal year 2004 has been deemed adopted pursuant to the provisions of County Law Section 361, now, therefore, be it

RESOLVED:

1. That the several amounts specified in the 2004 County Tentative Budget with such changes, alterations and revisions as shall have been made by resolution of this Board, which pursuant to County Law Section 361 constitute the 2004 County Budget, be and they are appropriated for the objects and purposes specified.

2. This resolution shall take effect on January 1, 2004.

Moved by: Mr. Crandall
Seconded by: Mr. Bennett

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

Replacement Resolution Intro. No. 281-03 (Resolution Levying County Taxes) was not pre-filed and was considered from the floor on a motion made by Legislator Crandall, seconded by Legislator Bennett and carried.

RESOLUTION NO. 288-03

RESOLUTION LEVYING COUNTY TAXES

Offered by: Ways and Means Committee

Pursuant to County Law § 361 and Real Property Tax Law § 900

WHEREAS, this Board has not adopted a final budget for the fiscal year 2004, and

WHEREAS, pursuant to County Law Section 361, when no final budget for the ensuing fiscal year has been adopted by December 20 of the preceding year, the tentative budget, with such changes, alterations and revisions as shall have been made by resolution of the Board of Legislators, and the appropriation resolution, with such amendments as may be necessary to make it conform to such budget, shall be deemed to have been passed by the Board of Legislators as of December 20 and shall constitute the budget for such ensuing fiscal year, and

WHEREAS, this Board, by Resolution No. 287-03, made appropriations for the conduct of the County Government for the fiscal year 2004, and

WHEREAS, in order to meet such appropriations it will be necessary to levy taxes, now, therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators levies County taxes in the amount of $18,363,765 upon all the taxable real property in the County liable therefor.

2. This resolution shall take effect on December 20, 2003.

Moved by: Mr. Crandall
Seconded by: Mr. Bennett

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 289-03

RESOLUTION APPROVING THE FINAL ASSESSMENT ROLLS WITH TAXES EXTENDED THEREON; AUTHORIZING AND DIRECTING THE PREPARATION AND EXECUTION OF TAX WARRANTS AND CAUSING DELIVERY OF TAX ROLLS TO COLLECTING OFFICERS

Offered by: Ways and Means Committee

Pursuant to Real Property Tax Law §§ 900 and 904

WHEREAS, upon the final assessment rolls of the several Towns the several taxes have been duly extended as provided by law, now, therefore, be it

RESOLVED:

1. That the final assessment rolls of the several Towns with the taxes so extended thereon are approved.

2. That the taxes so extended opposite the assessment of each parcel of real property in such rolls are determined to be the taxes thereon.

3. That there be annexed to each such roll a tax warrant in the form prepared by the Clerk of this Board to contain the respective amounts heretofore authorized to be levied upon the taxable property in each such roll and to bear the seal of the County Board of Legislators.

4. That the Chairman and Clerk of this Board shall sign each such warrant.

5. That the Clerk of this Board shall cause the delivery of each assessment roll together with the applicable tax warrant, i.e. the tax roll, or a certified copy thereof, to the tax collecting officer entitled thereto not later than December 31, 2003.

Moved by: Mr. Crandall
Seconded by: Mr. Bennett

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 290-03

A RESOLUTION IN RELATION TO THE COMPENSATION OF COUNTY OFFICERS AND EMPLOYEES

Offered by: Personnel Committee

RESOLVED:

1. That commencing January 1, 2004, each unit employee occupying a position set forth in the "County Unit Salary Plan" shall receive the salary or rate of compensation for the step of the Grade of the position occupied that is set forth in "Appendix A-5" or in "Appendix B-5" of Agreement approved by Resolution No. 78-2002, and which salary or rate of compensation such unit employee is entitled to receive commencing January 1, 2004, pursuant to said Agreement and pursuant to the "County Unit Salary Plan"; the increment recommendations from the department heads for each such

unit employee under their jurisdiction receiving such recommendation being approved.

2. That commencing January 1, 2004, each unit employee occupying a position set forth in Agreement between the County of Allegany and the New York State Nurses Association, which Agreement was approved by Resolution No. 252-2001, shall receive the salary or rate of compensation for the step of the Grade of the position occupied that is set forth in "Schedule A" of said Agreement, and which salary or rate of compensation such unit employee is entitled to receive commencing January 1, 2004, pursuant to said Agreement and pursuant to the "County Unit Salary Plan"; the increment recommendation from the Public Health Director for each such unit employee under his jurisdiction receiving such recommendation being approved.

3. That commencing January 1, 2004, each unit employee occupying a position set forth in Agreement between the County of Allegany and the Allegany County Deputy Sheriff's Association, which Agreement was approved by Resolution No. 64-2000, shall receive the salary or rate of compensation for the step of the Grade of the position occupied that is set forth in "Appendix A" of said Agreement, and which salary or rate of compensation such unit employee is entitled to receive commencing January 1, 2004, pursuant to said Agreement and pursuant to the "County Unit Salary Plan"; the increment recommendation from the Sheriff for each such unit employee under his jurisdiction receiving such recommendation being approved.

4. That commencing January 1, 2004, each non-unit employee occupying a position set forth in the "County Non-Unit Salary Plan" shall receive the salary for the step of the Grade of the position occupied that is set forth in section 6 of Resolution No. 297-75, as last amended by Resolution No. 319-2002, and which salary such non-unit employee is entitled to receive commencing January 1, 2004; the increment recommendations from the department heads for each such non-unit employee under their jurisdiction receiving such recommendation being approved.

5. That the Personnel Officer is directed to prepare and deliver a list of the names and pay of the employees affected by sections one, two, three and four of this resolution to the County officers who are responsible for preparing the payrolls of such employees.

6. That commencing January 1, 2004, the base salaries, none of which include any earned longevity increment, of the incumbents of the titled positions herein set forth shall be the amount set forth opposite such position, to wit:

Title	Base Salary
County Legislators (15)	8,500
Chairman of the Board	8,500
Majority Leader	300
Minority Leader	300
Budget Officer	2,000
Deputy Budget Officer	2,000
County Administrator	75,000
Clerk of the Board	43,000
District Attorney	119,800
Assistant District Attorney (1st)	28,800
Assistant District Attorney (2nd)	26,325
Assistant District Attorney (3rd)	26,325
Assistant District Attorney (5th)	22,700

District Attorney Investigator	20,000
Crime Victims Coordinator	21,720
Public Defender	37,400
Assistant Public Defender (1st)	32,950
Assistant Public Defender (2nd)	26,340
Assistant Public Defender (3rd)	26,340
Coroners	$100 per diem
Coroners' Physician	$50 per diem
Deputy County Auditor	1,100
County Treasurer	52,500
Real Property Tax Agency Director	42,630
County Clerk	48,000
County Attorney	89,000
Assistant County Attorney (1st)	57,800
Assistant County Attorney (2nd)	51,800
Personnel Officer	49,900
Election Commissioners (2)	11,355
Public Works Superintendent	58,000
Seasonal Laborers (Public Works)	$7.00/hour
Director of Information Technology	50,000
Sheriff	58,700
Probation Director II	54,000
STOP DWI Coordinator	10,500
Youth Bureau Program Director	27,300
Fire Coordinator	12,000
Emergency Services Director	35,800
Public Health Director	63,860
Medical Director	18,500
Speech Pathologist	$31.60/hour
Community Services Agency Director	30,000
Intensive Case Coordinator	43,275
Intensive Case Manager (1)	34,700
Intensive Case Manager (2)	34,700
Intensive Case Manager (3)	33,000
Intensive Case Manager (4)	33,000
Social Services Commissioner	59,000
Development Director	65,920
Office For Aging Director	45,000
Office For The Aging:	
Site Managers	$6.50-8.50/hour
Drivers, Aides	$5.15-7.65/hour
Rushford Lake:	
Youth Agencies Director	$400/week
Lifeguards	$8.00/hour
Employment and Training Director III	50,500
JTPA Summer Counselors	$10.75/hour
Executive Secretary, Workers' Compensation	26,060

Moved by: Mr. Dibble
Seconded by: Mr. Palmer

Adopted: Roll Call
12 Ayes, 1 No, 2 Absent
Voting No: Sobeck

RESOLUTION NO. 291-03

RESOLUTION DESIGNATING OFFICIAL NEWSPAPERS FOR THE PUBLICATION OF LOCAL LAWS, NOTICES AND OTHER MATTERS REQUIRED BY LAW TO BE PUBLISHED IN 2004

Offered by: Ways and Means Committee

WHEREAS, in accordance with subdivision 1 of Section 214 of the County Law the members of this Board of Legislators representing respectively each of the two principal political parties into which the people of this State are divided have designated in writing the newspapers set forth below to publish, in 2004, the concurrent

resolutions of the State Legislature, election notices issued by the Secretary of State, and the official canvass:

Concurrent resolutions of the Legislature:

Cuba Patriot & Free Press, Cuba, NY (Republican)
The Alfred Sun, Alfred, NY (Democrat)

Election Notices and Official Canvass:

Wellsville Daily Reporter, Wellsville, NY (Republican)
The Alfred Sun, Alfred, NY (Democrat), and

WHEREAS, subdivision 2 of Section 214 of the County Law requires this Board of Legislators to annually designate at least two newspapers within the County of Allegany as official newspapers for the publication of all local laws, notices and other matters required by law to be published, now, therefore, be it

RESOLVED:

1. That the newspapers listed below are designated as the official newspapers of the County of Allegany for the publication of local laws, notices and other matters required by law to be published in 2004:

Wellsville Daily Reporter, Wellsville, NY
The Alfred Sun, Alfred, NY

Moved by: Mr. Bennett
Seconded by: Mr. Crandall

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 292-03

ADOPTION OF STATE EDUCATION DEPARTMENT ISSUED RECORDS RETENTION AND DISPOSITION SCHEDULE CO-2 FOR USE IN DISPOSING OF LOCAL GOVERNMENT RECORDS

Offered by: Ways and Means Committee

RESOLVED:

1. That Records Retention and Disposition Schedule CO-2, issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all County officers in legally disposing of valueless records listed therein.

2. That only those records within the officer's jurisdiction will be disposed of that are described in Records Retention and Disposition Schedule CO-2 after they have met the minimum retention periods described therein.

3. That only those records within the officer's jurisdiction will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond legal minimum periods.

4. That Resolution No. 68-87 is repealed.

Moved by: Mr. Crandall
Seconded by: Mr. Bennett

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 293-03

RESOLUTION FIXING DATE OF 2004 ORGANIZATION MEETING

Offered by: Ways and Means Committee

RESOLVED:

1. That the Board of Legislators shall meet on Monday, January 5, 2004, at 3:00 P.M. in the Legislators' Chambers in the County Office Building, Belmont, New York, for the purpose of organizing the Board, selecting a Chairman and such other officers or appointees as may be desired, and for the transaction of any other business which could properly come before any regular meeting of the Board.

Moved by: Mr. Crandall
Seconded by: Mr. Bennett

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 294-03

SUSPENDING CERTAIN COUNTY BOARD RULES AFFECTING PROPOSED RESOLUTIONS REQUESTED TO BE SUBMITTED AT ORGANIZATION MEETING ON JANUARY 5, 2004

Offered by: Ways and Means Committee

RESOLVED:

1. That section D. of Rule 170 and sections C., D. and E. of Rule 180 of County Board Rules, are suspended for proposed resolutions which are requested to be submitted at the organization meeting of the County Board of Legislators to be held on January 5, 2004.

Moved by: Mr. Crandall
Seconded by: Mr. Bennett

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 295-03

LEVYING TAXES AND ASSESSMENTS REQUIRED FOR PURPOSES OF ANNUAL BUDGETS OF THE TOWNS OF ALLEGANY COUNTY

Offered by: Ways and Means Committee

Pursuant to Town Law § 115

WHEREAS, there has been presented to the Board of Legislators a duly certified copy of the annual adopted budget of each of the several Towns in the County of Allegany for the fiscal year beginning January 1, 2004, now, therefore, be it

RESOLVED:

1. That there is levied, assessed and raised by tax and assessments upon the real property liable therefor situate in the following Towns outside of any incorporated villages wholly or partially located therein, the General Fund and Highway Fund amounts specified in the annual adopted budgets of such Towns and indicated opposite such Towns, as follows:

	General Fund	Highway Fund
Alfred	13,923.00	98,885.00
Almond	8,218.00	133,609.00
Amity	2,750.00	97,000.00
Andover	14,520.00	112,050.00
Angelica	0.00	41,405.00
Bolivar	16,040.00	171,600.00
Burns	0.00	53,200.00
Cuba	0.00	143,538.00
Wellsville	115,736.00	187,625.00
Wirt	245.00	2,000.00

2. That there is levied, assessed and raised by tax and assessments upon the real property liable therefor situate in the following Towns, the General Fund and Highway Fund amounts specified in the annual adopted budgets of such Towns and indicated opposite such Towns, as follows:

	General Fund	Highway Fund
Alfred	94,033.00	122,456.00
Allen	61,612.00	82,380.00
Alma	166,314.00	258,852.00
Almond	149,452.00	154,981.00
Amity	103,895.00	140,780.00
Andover	141,037.00	104,224.00
Angelica	66,250.00	64,930.00
Belfast	171,637.00	243,196.00
Birdsall	69,064.00	71,990.00
Bolivar	94,107.00	121,200.00
Burns	120,120.00	99,200.00
Caneadea	135,749.00	381,152.00
Centerville	96,800.00	104,000.00
Clarksville	117,865.00	251,565.00
Cuba	458,115.00	242,744.00
Friendship	356,969.00	229,645.00
Genesee	108,652.00	301,879.00
Granger	79,634.00	115,907.00
Grove	93,200.00	172,847.00
Hume	175,000.00	370,000.00
Independence	152,595.00	273,100.00
New Hudson	104,155.00	146,295.00
Rushford	246,874.00	307,105.00
Scio	151,266.00	251,993.00
Ward	96,689.00	102,788.00
Wellsville	466,585.00	337,268.00
West Almond	75,040.00	43,985.00
Willing	144,962.00	185,814.00
Wirt	118,674.00	188,090.46

3. That there is levied, assessed and raised by tax and assessments upon the real property liable therefor in the following fire, fire protection, improvement and other special districts in the following Towns, the amounts specified in the annual adopted budgets of such Towns for such districts and indicated opposite such Towns, as follows:

Alfred	Fire Protection	30,352.00
Allen	Fire Protection	10,000.00
Alma	Fire Protection	39,000.00
	Light	2,000.00
Almond	Fire Protection	23,000.00
Amity	Fire Protection	44,000.00

Andover	Fire Protection	26,000.00
Angelica	Fire Protection	7,463.00
Belfast	Fire Protection	40,279.00
	Light	7,500.00
	Water	33,000.00
Birdsall	Fire Protection	15,150.00
Bolivar	Richburg-Wirt Fire District	4,007.00
	Bolivar Joint Fire District	71,000.00
Burns	Fire Protection	12,442.50
Caneadea	Fire Protection	90,250.00
	Houghton Sewer	49,173.00
	Houghton Water	165,771.00
	Houghton Light	15,000.00
	Caneadea Light	2,500.00
	Oramel Light	650.00
	Lake	21,250.00
Centerville	Fire Protection	15,500.00
Clarksville	Fire Protection	52,000.00
Cuba	Fire Protection	47,986.00
	Sewer District 1	0.00
	Sewer District 3	1,694.00
	Water District 3	0.00
	Water District 4	2,056.00
	Lake	43,930.00
Friendship	Fire Protection 1	12,593.00
	Fire District 2	37,395.00
	Sidewalk	21,979.00
	Light	19,910.00
	Refuse	42,427.00
Genesee	Fire Protection 1	25,000.00
	Fire Protection 2	25,943.00
Granger	Fire Protection	14,500.00
Grove	Fire Protection 1	12,643.00
	Fire Protection 2	2,000.00
	Swain Light	2,500.00
Hume	Fire Protection	52,000.00
	Light District 1 (Hume)	3,375.00
	Light District 2 (R & W)	4,075.00
	Light District 3	9,400.00
	Sidewalk	16,000.00
Independence	Fire Protection	42,000.00
	Light	5,000.00
New Hudson	Fire Protection	34,000.00
	Light	2,000.00
Rushford	Fire Protection	75,200.00
	Lake	103,750.00
	Light	6,300.00
Scio	Fire Protection 1	21,600.00
	Fire Protection 2	43,200.00
	Light	11,900.00
	Water District 1	21,647.00
	Water District 3	13,600.00
Ward	Fire Protection	7,800.00
Wellsville	Fire Protection	82,350.00
	Hillcrest Light	275.00
	Sinclair Sewer	2,500.00
	Bolivar Rd. Sewer	1,650.00
	George St. Water	2,387.00
	Sinclair Water	600.00
	Riverside Water	600.00
	Bolivar Rd. Water	1,967.00
	West Wellsville Water	10,000.00

West Almond	Fire Protection	5,775.00
Willing	Fire Protection	63,524.00
Wirt	Fire Protection	67,803.00

4. That such taxes and assessments, when collected, shall be paid to the Supervisors of the several Towns in the amounts as shown in this resolution, for distribution by them in the manner provided by law.

Moved by: Mr. Crandall — Adopted: Roll Call
Seconded by: Mr. Bennett — 13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 296-03

APPROVING AGREEMENT TO TRANSFER FORMER TAX SALE PROPERTY IN TOWN OF WEST ALMOND TO STATE OF NEW YORK; AUTHORIZING CHAIRMAN TO EXECUTE AGREEMENT

Offered by: Public Works and Ways and Means Committees

RESOLVED:

1. That the Agreement between the County of Allegany and People of the State of New York, acting through the Commissioner of Environmental Conservation, for the transfer of approximately 3.306 acres of former tax sale property in the Town of West Almond to the People of the State of New York is approved; the Chairman of this Board being authorized to execute such Agreement.

Moved by: Mr. Graffrath — Adopted: Roll Call
Seconded by: Mr. Bennett — 13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 297-03

APPROVAL OF BI INCORPORATED EQUIPMENT LEASE AGREEMENT

Offered by: Public Safety Committee

RESOLVED:

1. That BI Incorporated Equipment Lease Agreement No. 051501T1 commencing January 1, 2004 for a 42 month period, is approved contingent upon BI Incorporated of Boulder, Colorado, canceling without charge to Allegany County, all lease/maintenance agreements currently in effect, canceling all lease/maintenance/ repair bills currently outstanding, accepting responsibility for and holding the County harmless for all shipping/handling charges for the return of currently leased equipment, and holding the County harmless from any liability for loss, theft or damage to any currently leased equipment.

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

Moved by: Mr. Bennett — Adopted: Roll Call
Seconded by: Mr. Dibble — 13 Ayes, 0 Noes, 2 Absent

(Memo: The equipment lease agreement approved in preceding Resolution No. 297-03 will enable the Probation Department to provide Electronic Home Monitoring Services.)

RESOLUTION NO. 298-03

APPROVAL OF ALTERNATIVES TO INCARCERATION SERVICE PLAN UPDATES FOR JANUARY 1, 2004, TO DECEMBER 31, 2004, AS SUBMITTED BY COUNTY PROBATION DIRECTOR

Offered by: Public Safety Committee

Pursuant to Executive Law Article 13-A-Alternatives To Incarceration Service Plans

RESOLVED:

1. That the Alternatives To Incarceration Service Plan Updates for January 1, 2004, to December 31, 2004, in relation to the continuation of the County's Pretrial Release Program and Community Service Program, are approved.

2. That the Chairman of this Board is authorized to certify such approval on such Plan Updates.

Moved by: Mr. Bennett
Seconded by: Mr. Dibble

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 299-03

TRANSFERS BETWEEN APPROPRIATION ACCOUNTS

Offered by: Ways and Means Committee

WHEREAS, the Committees of this Board have authorized expenditures and such expenditures may be in excess of appropriations, and

WHEREAS, unexpended, unencumbered balances may exist in accounts, now, therefore, be it

RESOLVED:

1. That the County Treasurer is authorized to make transfers between appropriation accounts upon her books and to expend the same therefrom as she deems necessary for the purpose of balancing the accounts for the end of the 2003 fiscal year.

2. That upon the completion of such transfers the County Treasurer shall file a certification listing such transfers with the Clerk of this Board. Such certification shall be incorporated in the 2003 proceedings of this Board following this resolution.

Moved by: Mr. Crandall
Seconded by: Mr. Bennett

Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

CERTIFICATE OF THE COUNTY TREASURER

I, the undersigned, being the Allegany County Treasurer, do hereby certify that the following 2003 budget line transfers were made and entered into the books of my office pursuant to Resolution No. 299-03.

BUDGET TRANSFERS WITHIN DEPARTMENTS, PER RESOLUTION #299-03:

	TO:		FROM:	
Legislative Board	A1010.101	182	A1010.405	182
County Administrator	A1011.101	3,532		
	A1011.102	287	A1011.105	5,160
	A1011.106	2,840	A1011.409	1,499
Clerk of the Board	A1040.102	442	A1040.105	121
	A1040.104	8	A1040.401	403
	A1040.106	1,006	A1040.407	224
	A1040.107	468	A1040.411	50
	A1040.429	450	A1040.419	1,519
			A1040.424	57
District Attorney	A1165.102	625		
	A1165.105	5,066		
	A1165.106	86		
	A1165.107	781		
	A1165.401	107		
	A1165.407	2,881		
	A1165.409	2,451		
	A1165.429	185	A1165.101	12,182
Public Defender	A1170.101	10,231		
	A1170.407	241	A1170.105	10,472
Medical Examiners	A1185.402	735		
	A1185.408	22		
	A1185.429	5	A1185.101	762
Treasurer	A1325.102	906	A1325.104	2,460
	A1325.106	1,648	A1325.424	94
Assessments	A1355.102	293		
	A1355.103	1,072		
	A1355.106	869		
	A1355.107	548		
	A1355.401	273	A1355.104	1,247
	A1355.403	126	A1355.105	1,934
County Clerk	A1410.407	29		
	A1410.430	2,734	A1410.105	2,763
County Attorney	A1420.106	731	A1420.409	731
Human Resources	A1430.101	2,984	A1430.105	836
			A1430.106	298
			A1430.107	337
			A1430.401	379
			A1430.405	597
			A1430.429	537
Elections	A1450.105	509		
	A1450.414	400	A1450.407	909
Public Works	A1490.101	2,456	A1490.102	1,799
	A1490.103	54	A1490.104	572
	A1490.106	3,431	A1490.105	1,720
	A1490.107	326	A1490.401	736
			A1490.407	823
			A1490.413	617
Buildings	A1620.105	3,636		
	A1620.106	1,678		
	A1620.107	633		
	A1620.202	18		
	A1620.409	30		
	A1620.411	262		
	A1620.412	617		
	A1620.426	14,112		
	A1620.427	457		
	A1620.433	381	A1620.101	21,824

	TO:		FROM:	
Central Srvc Postage	A1673.407	12	A1673.411	12
Central Srvc Computer	A1680.101	19,478	A1680.102	2,439
			A1680.104	2,705
			A1680.105	4,143
			A1680.106	5,357
			A1680.107	1,598
			A1680.201	3,236
Special Ed/PHC	A2960.409	325	A2960.206	325
Sheriff	A3110.104	2,560		
	A3110.105	10,509		
	A3110.106	9,093		
	A3110.201	8,449		
	A3110.208	2,886		
	A3110.401	176		
	A3110.411	1,463		
	A3110.422	1,530		
	A3110.447	21	A3110.101	36,687
E911 Dispatch	A3112.102	4,327	A3112.103	4,155
	A3112.104	9,094	A3112.203	9,075
	A3112.105	5,023	A3112.407	1,845
	A3112.107	1,070	A3112.425	4,439
Traffic Program	A3114.104	123		
	A3114.105	148		
	A3114.107	139		
	A3114.401	185		
	A3114.405	82		
	A3114.407	184		
	A3114.408	5,391		
	A3114.415	657		
	A3114.447	242		
	A3114.448	42		
	A3114.805	128	A3114.101	7,321
Probation	A3140.101	25,952	A3140.102	687
	A3140.105	2,084	A3140.103	15,128
	A3140.448	3,389	A3140.104	4,717
			A3140.106	2,797
			A3140.107	1,097
			A3140.402	4,187
			A3140.407	142
			A3140.408	2,670
STOP DWI	A3141.105	534		
	A3141.106	671		
	A3141.107	10		
	A3141.405	16		
	A3141.407	62		
	A3141.806	356	A3141.101	1,649
Alt to Incarceration	A3142.101	315		
	A3142.105	294		
	A3142.106	1		
	A3142.107	1		
	A3142.802	34		
	A3142.804	72	A3142.104	717
Probation/Intensive Sup	A3143.802	52		
	A3143.803	84		
	A3143.804	79	A3143.401	215
Jail	A3150.105	3,245	A3150.102	2,879
	A3150.107	3,177	A3150.104	37,907
	A3150.423	166	A3150.201	500
	A3150.425	2,990	A3150.205	270
	A3150.447	36,319	A3150.210	699
			A3150.212	2,500
			A3150.215	1,142

	TO:		FROM:	
Fire	A3410.101	2,072		
	A3410.104	1,185		
	A3410.402	1,455		
	A3410.415	314	A3410.411	5,026
Emergency Services	A3640.101	2,007		
	A3640.105	1,176		
	A3640.401	15		
	A3640.413	84		
	A3640.415	1,118	A3640.447	4,400
Health	A4010.102	3,765	A4010.106	4,290
	A4010.103	15,697	A4010.201	138
	A4010.105	9,752	A4010.402	1,926
	A4010.107	373	A4010.403	2,497
	A4010.404	844	A4010.405	1,537
	A4010.422	303	A4010.408	10,917
	A4010.463	3,484	A4010.409	6,175
			A4010.413	1,378
			A4010.414	217
			A4010.415	910
			A4010.416	1,233
			A4010.460	3,000
Health/Nurses	A4011.103	2,330		
	A4011.104	16,467		
	A4011.404	6,053		
	A4011.408	9,731		
	A4011.409	21,846		
	A4011.422	557		
	A4011.456	65,799		
	A4011.459	16,786		
	A4011.463	6,028	A4011.101	145,597
Family Planning	A4035.402	16		
	A4035.409	6,472		
	A4035.416	27	A4035.201	2,359
	A4035.456	449	A4035.403	2,000
	A4035.458	914	A4035.408	3,519
Long Term Health	A4040.102	2,404	A4040.106	3,922
	A4040.103	3,526	A4040.402	200
	A4040.104	6,613	A4040.403	300
	A4040.105	982	A4040.404	2,689
	A4040.107	25	A4040.405	408
	A4040.422	500	A4040.407	402
	A4040.457A	4,566	A4040.408	1,244
	A4040.457B	1,298	A4040.416	378
	A4040.460	8,133	A4040.457	1,806
			A4040.458	875
			A4040.461	12,637
			A4040.461B	2,174
			A4040.464	1,012
Water Quality	A4050.402	14	A4050.405	14
Health-IHAP	A4052.409	108	A4052.414	108
Cancer Screening	A4071.409	9,372	A4071.201	2,000
	A4071.416	27	A4071.401	456
			A4071.402	1,124
			A4071.405	759
			A4071.407	250
			A4071.408	1,631
			A4071.419	3,179
Bioterrorism	A4189.409	4,723	A4189.201	4,723
WIC	A4190.201	769		
	A4190.206	321	A4190.409	1,090

	TO:		FROM:	
Mental Health	A4310.101	2,364		
	A4310.102	933		
	A4310.201	1,065		
	A4310.412	837		
	A4310.419	10		
	A4310.427	206		
	A4310.458	3,064		
	A4310.459	279		
	A4310.460	9,077		
	A4310.462	1,390		
	A4310.463	845		
	A4310.802	111		
	A4310.804	148	A4310.456	18,264
	A4310.805	21	A4310.409	2,086
Mental Hlth-Youth ICM	A4312.102	78		
	A4312.201	2,035		
	A4312.409	5,000		
	A4312.457	4,824	A4312.101	12,178
	A4312.806	282	A4312.402	41
Mental Hlth-Reinvest.	A4315.457	5,292		
	A4315.458	580		
	A4315.459	218		
	A4315.460	33,580		
	A4315.461	336		
	A4315.462	808		
	A4315.463	1,332	A4315.456	42,146
Mental Hlth-ICM	A4316.102	1,347		
	A4316.802	1		
	A4316.803	10		
	A4316.804	3		
	A4316.805	1	A4316.458	1,362
Social Services-Adm	A6010.106	2,573		
	A6010.409	7,392		
	A6010.476	132,889		
	A6010.479	21,455		
	A6010.480	73,144	A6010.478	252,817
	A6010.482	22,097	A6010.201	6,733
Social Services-CAP	A6011.102	3,144		
	A6011.103	248		
	A6011.105	8,243		
	A6011.106	3,409	A6011.101	14,796
	A6011.107	1,247	A6011.104	1,495
Development	A6430.102	1,268		
	A6430.105	3,617		
	A6430.106	3,335		
	A6430.107	608		
	A6430.478	1,000	A6430.101	9,828
Veterans' Services	A6510.101	2,630		
	A6510.402	30	A6510.102	2,660
Consumer Affairs	A6610.422	146	A6610.106	146
OFA-Nutrition	A6772.102	412		
	A6772.106	654		
	A6772.107	16		
	A6772.802	42		
	A6772.806	120	A6772.404	1,244
OFA-Support Services	A6773.101	3,798	A6773.102	624
	A6773.105	899	A6773.103	1,300
	A6773.106	583	A6773.104	1,276
	A6773.107	278	A6773.401	250
	A6773.427	62	A6773.402	501

	TO:		FROM:	
OFA-Supp Srvcs (cont)	A6773.428	208	A6773.403	150
	A6773.475	46	A6773.407	108
	A6773.802	49	A6773.413	264
	A6773.803	185	A6773.419	270
	A6773.805	7	A6773.421	300
			A6773.424	384
			A6773.474	171
			A6773.201	39
			A6773.405	66
			A6773.416	76
			A6773.806	95
			A6773.415	51
			A6773.804	92
			A6773.806	98
OFA-Sr Employ Prog	A6774.802	4		
	A6774.803	91	A6774.402	95
OFA-State LTCOP	A6775.402	16		
	A6775.802	4		
	A6775.803	13	A6775.405	33
OFA-Comm Serv Elderly	A6776.101	2,610		
	A6776.107	13		
	A6776.401	420		
	A6776.407	74	A6776.402	3,117
OFA-Heap	A6777.106	972	A6777.101	798
	A6777.806	1	A6777.103	175
OFA-EISEP	A6778.107	76		
	A6778.806	277	A6778.409	353
OFA-SNAP	A6779.101	2,604		
	A6779.106	496		
	A6779.802	58		
	A6779.803	108		
	A6779.805	11		
	A6779.806	152	A6779.474	3,429
OFA-VII Elder Abuse	A6781.102	3		
	A6781.104	107		
	A6781.105	31		
	A6781.802	10		
	A6781.803	35	A6781.405	186
OFA-HIICA	A6782.106	6	A6782.107	6
OFA-Weatherization	A6784.104	102		
	A6784.407	30		
	A6784.802	55		
	A6784.803	210		
	A6784.804	31		
	A6784.805	3		
	A6784.806	1	A6784.408	432
OFA-III Family Caregvr	A6786.105	7	A6786.102	197
	A6786.106	152		
	A6786.802	38		
Tourism	A6989.476	771	A6989.478	771
Youth	A7310.106	440		
	A7310.419	50	A7310.402	490
Historian	A7510.102	155	A7510.101	1,525
	A7510.104	2,962	A7510.106	1,689
	A7510.105	239	A7510.484	142
Solid Waste	A8160.102	1,209		
	A8160.103	451		
	A8160.105	5,770		
	A8160.107	2,688		
	A8160.401	576		

	TO:		FROM:	
Solid Waste (cont)	A8160.407	10		
	A8160.413	120		
	A8160.422	9,009		
	A8160.492	7,739	A8160.408	14,995
	A8160.497	4,302	A8160.411	16,879
County Reforestation	A8710.427	29	A8710.424	29
SUBTOTAL A		**894,836**		**894,836**
WIA Title I Adm	CD1 6400.102	383		
	CD1 6400.105	890		
	CD1 6400.106	382		
	CD1 6400.107	14	CD1 6400.101	1,571
	CD1 6400.414	157	CD1 6400.104	283
	CD1 6400.416	49	CD1 6400.402	21
WIA Adult Youth	CD1 6402.102	859		
	CD1 6402.104	1,403		
	CD1 6402.105	4,180		
	CD1 6402.106	161	CD1 6402.101	6,603
ACDSS Employ Srvc	CD1 64031.04	210		
	CD1 6403.106	322	CD1 6403.101	417
	CD1 6403.474	900	CD1 6403.102	173
	CD1 6403.803	346	CD1 6403.105	822
	CD1 6403.804	285	CD1 6403.107	651
WIA Title I Dislocated	CD1 6406.102	656		
	CD1 6406.105	716		
	CD1 6406.106	1,246		
	CD1 6406.107	876	CD1 6406.101	3,494
Welfare to Work	CD1 6408.102	362		
	CD1 6408.105	1,876		
	CD1 6408.106	351		
	CD1 6408.107	210	CD1 6408.101	2,484
	CD1 6408.803	139	CD1 6408.476	454
WIA Youth	CD1 6410.102	1,381		
	CD1 6410.104	1,346		
	CD1 6410.105	3,451		
	CD1 6410.106	1,657		
	CD1 6410.107	415	CD1 6410.101	8,250
WIA Youth	CD1 6412.474	51	CD1 6412.474	51
SUBTOTAL CD1		**25,274**		**25,274**
Traffic Control	D3310.101	472		
	D3310.105	246		
	D3310.408	2,013	D3310.465	2,731
Engineering	D5020.101	2,094		
	D5020.103	787		
	D5020.104	14	D5020.465	2,895
Maint. Roads/Bridges	D5110.101	21,068		
	D5110.103	318		
	D5110.402	37		
	D5110.408	2,194	D5110.106	20,601
	D5110.422	5,837	D5110.102	4,007
	D5110.465	435	D5110.105	5,281
Snow Removal	D5142.408	28,753		
	D5142.465	6,293	D5142.466	35,046
SUBTOTAL D		**70,561**		**70,561**
Road Machinery	DM5130.101	4,334		
	DM5130.103	900		
	DM5130.107	1,655		

	TO:		FROM:	
Road Machinery (cont)	DM5130.427	696	DM5130.105	7,585
SUBTOTAL DM		**7,585**		**7,585**
Self Insurance Adm	S1710.101	1,449		
	S1710.102	296		
	S1710.105	810		
	S1710.106	270		
	S1710.107	11		
	S1710.402	308		
	S1710.416	46		
	S1710.802	219		
	S1710.803	318		
	S1710.804	108	S1710.406	3,373
	S1710.805	10	S1710.407	472
SUBTOTAL S		**3,845**		**3,845**
GRAND TOTAL WITHIN DEPARTMENT TRANSFERS		**1,002,101**		**1,002,101**

BUDGET TRANSFERS INTERDEPARTMENTAL WITHIN THE SAME FUND, PER RESOLUTION #299-03:

	TO:		FROM:
Clerk of the Board	A1040.101	1,297	
Assigned Council	A1171.430	20,244	
Grand Jury	A1190.402	291	
	A1190.429	185	
Treasurer	A1325.101	6,564	
	A1325.401	3,004	
	A1325.409	3,731	
Assessment	A1355.101	4,985	
Tax Sale Redemptions	A1362.424	3,237	
Architectural Service	A1621.429	9,500	
Accounting & Auditing	A1671.429	7,000	
Community Colleges	A2495.421	8,145	
Special Ed/PHC	A2960.421	172,967	
	A2960.438	16,295	
	A2960.440	2,909	
	A2960.442	144,612	
E911 Dispatch	A3112.101	38,580	
	A3112.106	1,849	
Jail	A3150.101	199,422	
	A3150.103	116,071	
	A3150.106	14,291	
Other Correction	A3170.447	113,000	
Health	A4010.101	78,854	
	A4010.104	37,337	
Long Term Care	A4010.101	19,099	
	A4040.456	68,046	
PHCP	A4046.456	726	
Water Quality	A4050.409	947	
	A4050.456	3,334	
Council Alc & Subst	A4220.456	7,724	
Mental Health Adm	A4311.457	162	
Mental Health CSS	A4314.456	3,250	
	A4314.457	559	
	A4314.459	858	
	A4314.460	325	
	A4314.461	650	
	A4314.462	412	

	TO:			FROM:	
Mental Health ICM	A4316.457	5,242			
Bus Transportation	A5630.465	312,783			
Day Care Block Grant	A6055.475	56,701			
Services for Recipients	A6070.474	44,307			
Emerg Aid for Adults	A6142.474	6,566			
Consumer Affairs	A6610.101	2,183			
	A6610.104	1,319			
OFA-Sr Employ	A6774.101	1,645			
OFA-VII Elder Abuse	A6781.101	390			
OFA-Weatherization	A6784.101	2,953			
Youth Bureau	A7310.101	3,864	Workers' Comp	A9040.804	70,425
Historian	A7510.103	983	State Retirement	A9010.802	179,153
Cty Reforestation	A8710.409	3,886	Other Recreation	A7185.483	25,747
Conservation	A8730.493	2,300	Solid Waste	A8160.106	2,300
Social Security	A9030.803	53,855	Economic Development	A6430.474	24,120
Disability Insurance	A9055.805	21,310	State Fuel Crisis	A6141.474	1,329,004
SUBTOTAL A		**1,630,749**			**1,630,749**
Expert or Prof Serv	CS1937.435	1,202	Unemployment Ins	CS9050.807	1,202
SUBTOTAL CS		**1,202**			**1,202**
Risk Retn In Lieu Ins	CSH9064.806	14,400			
Risk Retn Adm	CSH1710.429	135,600	Risk Retn Excess Ins	CSH1722.429	150,000
SUBTOTAL CSH		**150,000**			**150,000**
Disability Ins	D9055.805	25	Engineering	D5020.401	25
SUBTOTAL D		**25**			**25**
Disability Ins	DM9055.805	40	Road Machinery	DM5130.465	40
SUBTOTAL DM		**40**			**40**
Self Ins-Adm	S1710.430	11,841	Self Ins-Adm	S1710.201	1,425
				S1710.401	17
				S1710.407	96
				S1710.411	182
				S1710.413	86
				S1710.419	102
				S1710.421	200
				S1710.432	982
				S1710.806	621
			Benefits and Awards	S1720.409	1,225
				S1720.430	6,129
				S1720.431	776
SUBTOTAL S		**11,841**			**11,841**
Debt Service	V9710.600	9,360	Debt Service	V9710.700	9,360
SUBTOTAL V		**9,360**			**9,360**
GRAND TOTAL INTER-DEPARTMENTAL TRANSFERS		**1,803,217**			**1,803,217**

Dated: December 31, 2003 Terri L. Ross, Allegany County Treasurer

AUDITS:

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

A motion was made by Legislator Crandall, seconded by Legislator Bennett and adopted on a roll call vote of 13 Ayes, 0 Noes, 2 Absent, that the audit of claims be approved for payment as recommended by the County Administrator.

The meeting was adjourned on a motion made by Legislator Dibble, seconded by Legislator Burdick and carried.

December 29, 2003

This special meeting of the Board of Legislators was called to order at 2:45 p.m. by Chairman Sherman.

Pledge of allegiance to the flag.

The invocation was given by Legislator Dibble.

Roll Call: All present except Legislator Truax.

PUBLIC HEARING:

Chairman Sherman closed the regular meeting to hold a public hearing on Local Law Intro. No. 3-2003, Print No. 1, entitled "A Local Law Authorizing a Separate Listing in Each Real Property Tax Statement, Showing the Medicaid Portion or Other New York State Imposed Mandates Affecting County Taxes." No one desired to offer comment; therefore, the public hearing was declared closed and the meeting reconvened in regular session.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Certificates of Withdrawal of Delinquent Tax Liens were filed on December 24, 2003 by the County Treasurer in the Clerk of the Board's Office for property in the Town of New Hudson pursuant to Article 11 of the Real Property Tax Law of the State of New York.

2. Announcement was made of the Organization Meeting of the Board of Legislators to be held on Monday, January 5, 2004 at 3:00 p.m. in the Legislative Chambers.

RESOLUTIONS:

RESOLUTION NO. 300-03

ADOPTION OF LOCAL LAW INTRO. NO. 3-2003, PRINT NO. 1, AUTHORIZING A SEPARATE LISTING IN EACH REAL PROPERTY TAX STATEMENT, SHOWING THE MEDICAID PORTION OR OTHER NEW YORK STATE IMPOSED MANDATES AFFECTING COUNTY TAXES

Offered by: Ways and Means Committee

RESOLVED:

1. That proposed Local Law, Intro. No. 3-2003, Print No. 1, is adopted without any change in language, to wit:

Intro. No. 3-2003 Print No. 1

Pursuant to Section 922(a) (xiii) of the Real Property Tax Law and Section 10 of the Municipal Home Rule Law

A LOCAL LAW AUTHORIZING A SEPARATE LISTING IN EACH REAL PROPERTY TAX STATEMENT, SHOWING THE MEDICAID PORTION OR OTHER NEW YORK STATE IMPOSED MANDATES AFFECTING COUNTY TAXES

BE IT ENACTED by the Board of Legislators of the County of Allegany, State of New York, as follows:

Section 1. Legislative Intent. It is hereby determined that New York State imposed Medicaid and other mandated costs have become an undue burden upon counties and that the taxpayers of Allegany County should be informed of the amount of local property tax dollars that are required to cover these mandates.

Section 2. Mandate Information. In addition to the information set forth in Section 922 of the Real Property Tax Law, the real property tax statement may separately list the amount attributed to Medicaid, as well as other New York State imposed mandates, in the County portion of the statement.

Section 3. Effective Date. This local law shall take effect immediately.

Moved by: Mr. Russo
Seconded by: Mr. Sobeck

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

Resolution Intro. No. 306-03 (Approval of Memorandum of Understanding Between the County of Allegany, the Allegany County Sheriff and the New York State Police Establishing Jurisdictional Protocol for Emergency Calls for Service within Allegany County) was not pre-filed and was considered from the floor on a motion made by Legislator Bennett, seconded by Legislator Nielsen and carried.

RESOLUTION NO. 301-03

APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF ALLEGANY, THE ALLEGANY COUNTY SHERIFF AND THE NEW YORK STATE POLICE ESTABLISHING JURISDICTIONAL PROTOCOL FOR EMERGENCY CALLS FOR SERVICE WITHIN ALLEGANY COUNTY

Offered by: Public Safety Committee

RESOLVED:

1. That the Memorandum of Understanding between the County of Allegany, the Allegany County Sheriff and the New York State Police establishing a jurisdictional protocol for emergency calls for service within Allegany County is approved.

2. That the Chairman of this Board is authorized to execute the Memorandum and the execution of the Memorandum by the Allegany County Sheriff is ratified.

Moved by: Mr. Bennett
Seconded by: Mr. Dibble

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

Resolution Intro. No. 307-03 (Approval of Memorandum of Five-Year Agreement Between County of Allegany and Allegany County Deputy Sheriff's Association; Implementing 2003 Compensation Notwithstanding Provisions of Resolution No. 290-03) was not pre-filed and was considered from the floor on a motion made by Legislator Heineman, seconded by Legislator Palmer and carried.

RESOLUTION NO. 302-03

APPROVAL OF MEMORANDUM OF FIVE-YEAR AGREEMENT BETWEEN COUNTY OF ALLEGANY AND ALLEGANY COUNTY DEPUTY SHERIFF'S ASSOCIATION; IMPLEMENTING 2003 COMPENSATION NOTWITHSTANDING PROVISIONS OF RESOLUTION NO. 290-03

Offered by: Personnel Committee

RESOLVED:

1. That the Memorandum of Agreement between the County of Allegany and the Allegany County Deputy Sheriff's Association, covering the period January 1, 2003 to December 31, 2007, is approved.

2. That notwithstanding the provisions of section 3. of Resolution No. 290-03 to the contrary, retroactive to and from January 1, 2003, each unit employee occupying a position set forth in Memorandum of Agreement between the County of Allegany and the Allegany County Deputy Sheriff's Association approved by this resolution, shall receive the salary or rate of compensation for the step of the Grade of the position occupied that is set forth in the salary schedules annexed to the Memorandum of Agreement for the period January 1, 2003 through December 31, 2003, and being the salary or rate of compensation such unit employee was entitled to receive commencing January 1, 2003, pursuant to such Memorandum of Agreement and pursuant to the County Unit Salary Plan; and further, the increment recommendation from the Sheriff for each such unit employee under his jurisdiction receiving such recommendation is approved.

3. That the Chairman of this Board is authorized to execute the Agreement upon its preparation and approval by the County Attorney's Office.

Moved by: Mr. Reynolds — Adopted: Roll Call
Seconded by: Mr. Palmer — 9 Ayes, 5 Noes, 1 Absent
Voting No: Crandall, Graffrath, Regan, Russo, Sobeck

Resolution Intro. No. 308-03 (Repealing Resolution 260-03) was not pre-filed and was considered from the floor on a motion made by Legislator Bennett, seconded by Legislator Nielsen and carried.

RESOLUTION NO. 303-03

REPEALING RESOLUTION 260-03

Offered by: Personnel and Ways and Means Committees

RESOLVED:

1. That Resolution No. 260-03 which abolished three positions of Deputy Sheriff in the Office of the Sheriff is repealed.

2. This resolution shall take effect immediately.

Moved by: Mr. Burdick — Adopted: Roll Call
Seconded by: Mr. Dibble — 10 Ayes, 4 Noes, 1 Absent
Voting No: Graffrath, Regan, Russo, Sobeck

AUDITS:

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

A motion was made by Legislator Nielsen, seconded by Legislator Dibble and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims be approved for payment as recommended by the County Administrator.

The meeting was adjourned on a motion made by Legislator Dibble, seconded by Legislator Nielsen and carried.

CERTIFICATE OF JOURNAL

LEGISLATIVE CHAMBERS
BELMONT, NEW YORK
STATE OF NEW YORK
COUNTY OF ALLEGANY SS:

Pursuant to the provisions of law, we do hereby certify that this Journal was printed by authority of the Board of Legislators of Allegany County and the foregoing contains a true record of the Proceedings of said Board and the whole thereof, at all Regular and Special Sessions held during the year 2003.

EDGAR SHERMAN, Chairman

BRENDA A. RIGBY, Clerk

COUNTY TREASURER
2003 ANNUAL REPORT

Pursuant to Resolution No. 123-85 of the Board of Legislators and requirements of the Governmental Accounting Standards Board (GASB) Statement 34, the following titled portions of each Allegany County Treasurer's annual report shall be the only portions printed in the annual printed volume of "Proceedings of the Board of Legislators of Allegany County, New York," to wit:

a. Statement of Net Assets, Schedule 1
b. Statement of Activities, Schedule 2
c. Balance Sheet, Governmental Funds, Schedule 3
d. Reconciliation of the Balance Sheet of Governmental Funds to the Statement of Net Assets, Schedule 4
e. Statement of Revenues, Expenditures and Changes in Fund Balances – Governmental Fund Types, Schedule 5
f. Reconciliation of Statement of Revenues, Expenditures and Changes in Fund Balances of Governmental Funds to the Statement of Activities, Schedule 6
g. Combined Statement of Revenues, Expenditures and Changes in Fund Balances – Budget and Actual (Non-GAAP Budgetary Basis) – General Fund, Schedule 7
h. Notes to Financial Statements
i. Management's Discussion and Analysis

Each annual report of the Allegany County Treasurer, in its entirety, is on file in the Office of the Clerk of the Board of Legislators.

COUNTY OF ALLEGANY, STATE OF NEW YORK Schedule 1

STATEMENT OF NET ASSETS
DECEMBER 31, 2003

	Primary Government	Component Unit
	Governmental Activities	Soil and Water Conservation District
Assets:		
Current assets:		
Cash and cash equivalents	$ 5,222,039	$ 111,358
Taxes receivable (net of allowance)	5,223,854	1,932
Other receivables	2,630,123	1,716
State and federal receivables	5,997,060	
Due from other governments	644,159	
Inventories	636,749	
Total current assets	20,353,984	115,006
Non-current assets:		
Capital assets (net of accumulated depreciation)		168,472
Land	297,761	
Buildings and improvements	2,113,987	
Improvements other than buildings	7,350	
Machinery and equipment	5,314,529	
Infrastructure	2,285,900	
Construction in progress	406,442	
Total non-current assets	10,425,969	168,472
Total assets	$ 30,779,953	$ 283,478
Liabilities:		
Current liabilities:		
Accounts payable	$ 4,402,178	$ 543
Accrued liabilities	2,678,780	61,973
Accrued interest payable	23,835	
Revenue anticipation notes payable	6,300,000	
Bond anticipation notes payable	1,620,000	
Tax anticipation notes payable	990,000	
Due to other governments	3,787,346	
Due to external party	113,616	
Non-current liabilities:		
Due within one year	1,195,940	
Due within more than one year	11,650,538	
Total liabilities	32,762,233	62,516
Net Assets (Deficit):		
Invested in capital assets, net of related debt	3,685,969	
Restricted for:		
Landfill closure costs	2,069,514	
LLRW Siting	532,072	
Other purposes	2,014,267	
Unrestricted	(10,284,102)	220,962
Total net assets	$ (1,982,280)	$ 220,962

See notes to financial statements.

COUNTY OF ALLEGANY, STATE OF NEW YORK

Schedule 2

STATEMENT OF ACTIVITIES
YEAR ENDED DECEMBER 31, 2003

		Program Revenues			Net (Expense) Revenue and Changes in Net Assets	
					Primary Government	Component Unit
Function/Program	Expense	Charges for Service	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	Soil and Water Conservation District
Primary Government:						
Governmental activities:						
General government support	$ 8,363,839	$ 2,409,519	$ 510,128	$ -	$ (5,444,192)	$ -
Education	2,185,061	234,642	803,271		(1,147,148)	
Public safety	7,575,618	494,795	526,263		(6,554,560)	
Health	8,292,122	3,019,680	3,622,816		(1,649,626)	
Transportation	10,436,066	977,856	609,316	1,933,970	(6,914,924)	
Economic assistance and opportunity	32,317,383	1,996,509	15,178,746	1,233,341	(13,908,787)	
Culture and recreation	532,234		99,458		(432,776)	
Home and community services	2,721,128	308,217	76,343	2,675,625	339,056	
Interest and fiscal charges on debt	302,540				(302,540)	
Total primary government	$ 72,725,992	$ 9,441,218	$ 21,426,341	$ 5,842,936	(36,015,497)	-
Component unit:						
Soil and Water Conserfation District	$ 322,864	$ 3,045	$ 196,107	$ -	-	(123,712)
General Revenues:						
Real property taxes and tax items					16,050,093	-
Non-property taxes					13,973,000	
Use of money and property					137,406	14,585
Sale of property and compensation for loss					1,305,710	18,228
Miscellaneous					1,039,672	116,685
State aid for general purposes					77,384	
Total general revenues and transfers					32,583,265	149,498
Change in Net Assets					(3,432,232)	25,786
Net Assets - Beginning					1,449,952	195,176
Net Assets - Ending					$ (1,982,280)	$ 220,962

See notes to financial statements.

COUNTY OF ALLEGANY, STATE OF NEW YORK Schedule 3

BALANCE SHEET
GOVERNMENTAL FUNDS
DECEMBER 31, 2003

	General	Capital Projects	Other Governmental Funds	Total Governmental Funds
Assets:				
Cash and cash equivalents	$ 4,131,440	$ 13,236	$ 267,575	$ 4,412,251
Taxes receivable (net of allowance)	5,200,412	9,144	14,298	5,223,854
Other receivables	2,321,879		307,311	2,629,190
State and federal receivables	4,225,711	1,687,937	83,412	5,997,060
Due from other funds	1,108,358	85,000	829,811	2,023,169
Due from other governments	49,435			49,435
Inventories	17,801		618,948	636,749
Total assets	$ 17,055,036	$ 1,795,317	$ 2,121,355	$ 20,971,708
Liabilities and fund equity:				
Liabilities:				
Accounts payable	$ 3,077,504	$ 512,809	$ 522,659	$ 4,112,972
Accrued liabilities	274,069		33,053	307,122
Revenue anticipation notes payable	6,300,000			6,300,000
Bond anticipation notes payable		1,620,000		1,620,000
Tax anticipation notes payable	990,000			990,000
Due to other funds	1,661,789	964,745	405,088	3,031,622
Due to other governments	3,787,346			3,787,346
Deferred revenues	2,077,866		328,997	2,406,863
Total liabilities	18,168,574	3,097,554	1,289,797	22,555,925
Fund balances:				
Reserved for encumbrances	46,218		59,491	105,709
Reserved for inventory	20,000		621,000	641,000
Reserved for landfill closure costs	2,069,514			2,069,514
Reserved for repairs	209,179		47,373	256,552
Reserved for DWI	164,230			164,230
Reserved for LLRW Siting	532,072			532,072
Reserved for records management	56,353			56,353
Reserved for E911	122,710			122,710
Reserved for Canine Accelerant	895			895
Reserved for OFA	8,780			8,780
Reserved for Health Car Seats	438			438
Reserved for Handicapped Parking	115			115
Unreserved:				
Designated for subsequent years expenditures			300,000	300,000
Designated for capital projects		1,578,280		1,578,280
Undesignated	(4,344,042)	(2,880,517)	(196,306)	(7,420,865)
Total fund equity	(1,113,538)	(1,302,237)	831,558	(1,584,217)
TOTAL LIABILITIES AND FUND EQUITY	$ 17,055,036	$ 1,795,317	$ 2,121,355	$ 20,971,708

See notes to financial statements.

COUNTY OF ALLEGANY, STATE OF NEW YORK Schedule 4

RECONCILIATION OF THE BALANCE SHEET OF GOVERNMENTAL FUNDS
TO THE STATEMENT OF NET ASSETS
DECEMBER 31, 2003

Amounts reported for governmental activities in the statement of net assets are different because:	
Total fund balance—governmental funds (Schedule 3)	$ (1,584,217)
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the funds. The cost of the assets is $23,575,256 and the accumulated depreciation is $13,149,287.	10,425,969
To recognize interest accrual on long term debt.	(23,835)
Deferred revenues relating to real property taxes and certain social service programs which are not available for fund purposes	2,406,863
Internal service funds are used by management to charge the costs of management information systems and other internal services in addition to health insurance and workers' compensation. The assets and liabilities of the internal service funds are included in the governmental statement of net assets.	(360,582)
Long-term liabilities, including bonds payable, due to NYSERS, liability for landfill closure costs, and compensated absences are not due and payable in the current period and therefore are not reported in the funds.	(12,846,478)
Total net assets—governmental activities (Schedule 1)	$ (1,982,280)

See notes to financial statements.

COUNTY OF ALLEGANY, NEW YORK Schedule 5

STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES - GOVERNMENTAL FUND TYPES
YEAR ENDED DECEMBER 31, 2003

	General	Capital Projects	Other Governmental Funds	Total Governmental Funds
Revenues:				
Real property taxes	$ 14,714,245	$ -	$ -	$ 14,714,245
Real property tax items	1,136,690			1,136,690
Non property tax items	13,973,000			13,973,000
Departmental income	5,831,667			5,831,667
Intergovernmental charges	397,336	33,016	116,391	546,743
Use of money and property	116,957		12,810	129,767
Licenses and permits	3,855			3,855
Fines and forfeitures	144,488			144,488
Sale of property & compensation for loss	1,051,407		11,348	1,062,755
Miscellaneous	1,020,942		(3,116)	1,017,826
State aid	10,691,294	774,386	1,571,473	13,037,153
Federal aid	11,203,353	1,901,239	1,595,838	14,700,430
Interfund revenues	931,574		1,148,398	2,079,972
Total revenues	61,216,808	2,708,641	4,453,142	68,378,591
Expenditures:				
Current:				
General government support	5,013,506	-	-	5,013,506
Education	2,184,547			2,184,547
Public safety	5,579,599		184,501	5,764,100
Health	7,297,654			7,297,654
Transportation	822,782	277,666	7,166,585	8,267,033
Economic assistance and opportunity	28,501,413		1,428,114	29,929,527
Culture and recreation	494,026			494,026
Home and community services	1,671,493		180,144	1,851,637
Employee benefits	6,702,168		288,064	6,990,232
Capital outlay		3,814,219		3,814,219
Debt service:				
Principal			660,000	660,000
Interest			305,940	305,940
Total expenditures	58,267,188	4,091,885	10,213,348	72,572,421
Excess (deficiency) of revenues over (under) expenditures	2,949,620	(1,383,244)	(5,760,206)	(4,193,830)
Other financing sources (uses):				
Operating transfers in	81,898	70,000	5,882,054	6,033,952
Operating transfers out	(5,862,054)	(51,898)	(120,000)	(6,033,952)
Total other financing sources and uses	(5,780,156)	18,102	5,762,054	
Net change in fund balances	(2,830,536)	(1,365,142)	1,848	(4,193,830)
Fund balance, January 1	1,716,998	62,905	829,710	2,609,613
Fund balance, December 31	$ (1,113,538)	$ (1,302,237)	$ 831,558	$ (1,584,217)

See notes to financial statements.

COUNTY OF ALLEGANY, STATE OF NEW YORK Schedule 6

RECONCILIATION OF STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES
YEAR ENDED DECEMBER 31, 2003

Amounts reported for governmental activities in the statement of activities are different because:

Net change in fund balances-total governmental funds (Schedule 5)		$(4,193,830)
Governmental funds report capital outlays as expenditures. However, in the statement of activities, assets with an initial, individual cost of more than $5,000 are capitalized, and the cost is allocated over their estimated useful lives and reported as depreciation expense. This is the amount by which capital outlays exceeded depreciation in the current period, net of related losses on the disposal of capital assets ($338,832).		
Capital outlays, net	3,475,387	
Depreciation expense	2,482,317	993,070
The governmental funds report the repayment of bond principal as an expenditure. Interest is recognized as an expenditure in the governmental funds when it is due. In the statement of activities, interest expense is recognized as it accrues, regardless of when it is due. The net effect of these differences in the treatment of general obligation bonds and related items is as follows:		
Repayment of serial bonds	660,000	
Change in accrued interest on long term obligations	3,400	663,400
Some expenses reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds. These include compensated absences (vacation and sick leave), amounts due to the New York State Employee Retirement System, and landfill closure costs.		(363,649)
Property tax revenues and certain social service revenues in the statement of activities that do not provide current financial resources are not reported as revenues in the funds.		(169,918)
Internal service funds are used by management to charge the costs of management information systems and other internal services in addition to health insurance and workers' compensation. The net expense of certain activities of internal service funds is reported within the governmental activities.		(361,305)
Change in net assets of governmental activities (Schedule 2)		$(3,432,232)

See notes to financial statements.

COUNTY OF ALLEGANY, STATE OF NEW YORK Schedule 7

COMBINED STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL (NON-GAAP BUDGETARY BASIS) - GENERAL FUND
YEAR ENDED DECEMBER 31, 2003

	BUDGETED AMOUNTS		Actual (Including Encumbrances)	Variance with Final Budget - Positive (Negative)
	Original	Final		
REVENUES:				
Real property taxes	14,994,686	14,994,686	14,714,245	(280,441)
Real property tax items	970,000	970,000	1,136,690	166,690
Non-property taxes	14,335,000	14,335,000	13,973,000	(362,000)
Departmental income	5,924,789	5,968,058	5,831,667	(136,391)
Federal aid	13,459,138	13,981,411	11,203,353	(2,778,058)
State aid	10,606,760	10,899,585	10,691,294	(208,291)
Intergovernmental revenues	299,000	299,000	397,336	98,336
Use of money and property	251,500	251,500	116,957	(134,543)
Sale of property and compensation for loss	906,150	908,985	1,051,407	142,422
Licenses and permits	4,600	4,600	3,855	(745)
Fines and forfeitures	9,500	9,500	144,488	134,988
Interfund revenues	951,555	958,057	931,574	(26,483)
Miscellaneous revenues	930,176	931,926	1,020,942	89,016
Total revenues	63,642,854	64,512,308	61,216,808	(3,295,500)
Appropriation of prior year's unreserved fund and appropriated reserves	1,647,598	1,647,598	-	(1,647,598)

EXPENDITURES:				
Current:				
General government	5,402,788	5,382,169	5,017,202	364,967
Public Safety	5,149,856	5,711,685	5,607,255	104,430
Transportation	510,000	822,782	822,782	0
Health	7,541,992	7,760,986	7,312,520	448,466
Economic Assistance and opportunity	31,578,819	30,336,600	28,501,413	1,835,187
Culture and recreation	418,135	528,928	494,026	34,902
Education	1,840,200	2,185,128	2,184,547	581
Home and community services	1,765,224	1,729,270	1,671,493	57,777
Employee benefits	1,943,003	6,702,171	6,702,168	3
Total expenditures	56,150,017	61,159,719	58,313,406	2,846,313
Excess (deficiency) of revenues over expenditures	9,140,435	3,352,589	2,903,402	(6,141,813)
OTHER FINANCING SOURCES (USES):				
Proceeds from obligations				
Operating transfers in	-	30,000	81,898	51,898
Operating transfers out	(9,140,435)	(3,382,589)	(5,862,054)	2,479,465
Total other financing sources (uses)	(9,140,435)	(3,352,589)	(5,780,156)	2,531,363
NET CHANGES IN FUND BALANCES	-	-	(2,876,754)	(3,610,450)
FUND BALANCE -				
Beginning of year, January 1	1,661,269	1,661,269	1,716,998	-
End of year, December 31	1,661,269	1,661,269	(1,159,756)	(3,610,450)

See notes to financial statements.

COUNTY OF ALLEGANY
STATE OF NEW YORK

NOTES TO FINANCIAL STATEMENTS
YEAR ENDED DECEMBER 31, 2003

1. BACKGROUND AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The basic financial statements of the County of Allegany, New York (the "County") have been prepared in conformity with accounting principles generally accepted in the United States of America ("GAAP") as applied to government units. The Governmental Accounting Standards Board ("GASB") is the accepted standard setting body for establishing governmental accounting and financial reporting principles. The more significant of the County's accounting policies are described below.

A. ***Background***—The County is a municipal corporation established in 1806, which performs local governmental functions within its jurisdiction including: law enforcement services; economic assistance; health and nursing services; and maintenance of County roads. The County is governed by County Law, general laws of the State of New York (the "State") and various local laws and ordinances. The County Legislature, which is the legislative body responsible for the overall operation of the County, consists of fifteen legislators. The Chairman of the Legislature serves as the Chief Executive Officer, and the County Treasurer serves as the Chief Fiscal Officer of the County. The County Administrator, appointed by the legislature, is responsible for the overall administration of the County government.

The County provides mandated social service programs such as Medicaid, Temporary Assistance for Needy Families and Safety Net. The County also provides services and facilities in the areas of culture, recreation, education, police, youth, health, senior services, roads, and sanitary sewerage. These general government programs and services are financed by various taxes, state and federal aid and departmental revenue (which is primarily comprised of service fees and various types of program-related charges). Additionally, the County also operates two nursing homes.

B. ***Financial Reporting Entity***—The accompanying basic financial statements include all of the funds and account groups of the County. Organizations, functions, and activities of the County have been included in the reporting entity to the extent that the County's elected officials exercise oversight responsibility over such organizations, functions, and activities. The oversight responsibility is derived from the governmental unit's power and includes, but is not limited to, financial interdependency, selection of governing authority, designation of management, ability to significantly influence operations and accountability for fiscal matters.

The financial reporting entity consists of (a) the primary government, (b) organizations for which the primary government is financially accountable, and (c) other organizations for which the nature and significance of their relationship with the primary government are such that exclusion would cause the reporting entity's financial statements to be misleading or incomplete.

Based on the foregoing criteria and the significant factors presented below, the following organizations, functions or activities are included in the reporting entity:

Separate boards have been established by the Legislature to manage the operations of the Public Health and Mental Health departments. These boards are administratively and financially dependent on the County and, accordingly, their financial activities are blended with the general fund within the accompanying financial statements.

The following organization is included within the reporting entity and is discretely presented within the accompanying financial statements as a component unit:

The Allegany County Soil and Water Conservation District ("SWCD") was established in accordance with the Soil and Water Conservation Districts Law, to provide for the conservation of the County's soil and water resources. Members of the SWCD's board of directors are appointed by the Legislature, and administrative costs of the SWCD are funded primarily through County appropriations. The SWCD does derive other revenues and perform other activities outside the County's general oversight responsibilities. The directors of the SWCD have sole responsibility for management of the SWCD and full accountability for fiscal matters.

Although the following organization's functions or activities are related to the County, it is not included in the reporting entity because of the reasons noted:

The Allegany County Industrial Development Agency ("IDA") is a Public Benefit Corporation created by state legislation to promote the economic welfare, opportunities, and prosperity of the County's inhabitants. Members of the IDA are appointed by the Legislature but the Legislature exercises no oversight responsibility. IDA board members have complete responsibility for management of the IDA and full accountability for fiscal matters. IDA revenues are generated by bonds secured by the assets acquired for the related project. The County is not liable for any IDA indebtedness.

C. ***Government-Wide and Fund Financial Statements***—The government-wide financial statements (statement of net assets and the statement of governmental activities) report information on all the nonfiduciary activities of the County. Interfund activity has been removed from these statements. *Governmental activities*, which normally are supported by taxes and intergovernmental revenues, are reported separately from *business-type activities*, which rely to a significant extent on fees and charges for support. Likewise, the primary government is reported separately from certain legally separate component units for which the primary government is financially accountable.

The statement of governmental activities demonstrates the degree to which the direct expenses of a given function are offset by program revenues. *Direct expenses* are those that are clearly identifiable with a specific function. Indirect expenses have been included as part of the program expenses reported for the various functional activities. *Program revenues* include 1) charges to those who purchase, use or directly benefit from goods, services, or privileges provided by a given function and 2) operating grants and contributions that are restricted to meeting the operational or capital requirements of a particular function. Items not properly included among program revenues are reported instead as *general revenues*.

Separate financial statements are provided for governmental funds, proprietary funds and fiduciary funds even though the fiduciary funds are excluded from the government-wide financial statements.

D. ***Measurement Focus, Basis of Accounting, and Financial Statement Presentation***—The government-wide and fiduciary fund financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting*. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of the related cash flows. Grants and similar items are recognized as revenues as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund statements are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting*. Revenues are recognized when the underlying exchange transaction has occurred and the resources are available. For this purpose, the County considers revenues to be available if the County has collected the revenues in the current period or expects to collect them soon enough after the end of the period to use them to pay liabilities of the current period. For this purpose the County considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences, are recorded only when payment is due.

Property taxes, sales taxes, licenses and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. Revenues from Federal, State or other grants designated for payment of specific County expenditures, are recognized when the related expenditures are incurred. Long-term historical payment patterns from Federal and New York State sources are considered in determining whether such payments are susceptible to accrual.

The County considers the following governmental funds as major funds:

General Fund—This fund is the principal operating fund of the County and is used to account for all financial resources except those required to be accounted for in other funds.

Capital Projects Fund—The capital projects fund is used to account for and report financial resources to be used for the acquisition, construction or renovation of major capital facilities or equipment within the County.

Additionally, the County reports the following fund types:

Internal Service Fund—This fund is a major fund used to account for the financing of goods or services provided by one department to other departments on a cost-reimbursement basis. The County uses the internal service fund to account for its risk management activities. The County is self-insured for certain risks including workers' compensation, unemployment and medical benefits. The County does not maintain an Internal Service Fund for the recording of charges made by servicing departments, such as data processing and central services. These charges are reported as revenue in the departments that provide the service.

Fiduciary Fund

Agency Fund—This fund is used to account for assets held by the County as an agent for individuals, private organizations, other governmental units, and/or other funds.

As a general rule the effect of interfund activity has been eliminated from the government-wide financial statements.

E. ***Budgets and Budgetary Accounting***—The County's annual procedures in establishing the budgetary data reflected in the basic financial statements are as follows:

- General Budget Process—No later than November 15, the budget officer submits a tentative budget to the Clerk of the Board of Legislators for the fiscal year commencing the following January 1. The tentative budget includes proposed expenditures and the proposed means of financing them. Public hearings are conducted to obtain taxpayers' comments. All revisions that alter appropriations of any department or fund must be approved by the Board of Legislators. The County Legislature must act on the tentative budget by December 20. If the County Legislature does not act, the tentative budget with any Board approved revisions is automatically adopted. Budgetary controls are established for the capital projects fund through resolutions authorizing individual projects which remain in effect for the life of the project. During the year the Board has, by resolution, authorized additional appropriations and increased existing appropriations. The additional funds were provided from any unencumbered balances in appropriations, the contingency funds, or from anticipated revenues and appropriated cash surplus. All unused, unencumbered appropriations lapse at the end of the fiscal year.

- Budgetary Principles—The budget is developed on the basis of principles that are generally consistent with GAAP, except that encumbrances are treated as budgetary expenditures in the year of occurrence of the commitment to purchase. Open encumbrances authorized by appropriation from the previous year's budget, after review and approval by the County Treasurer, are added to the current year's budget approved by the County Legislature. Budgetary comparisons presented in this report are on the budgetary basis and represent the budget as modified. The preparation of financial statements in conformity with GAAP requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenditures during the reporting period. Actual results could differ from those estimates. This results in the following reconciliation of fund balances computed on a GAAP basis and a budgetary basis:

	General Fund
GAAP Basis:	
Fund balances, December 31, 2003	$ (1,113,538)
Deduct outstanding encumbrances	46,218
Budgetary Basis:	
Fund balances, December 31, 2003	$ (1,159,756)

F. ***Encumbrances***—Encumbrances represent commitments related to unperformed contracts for goods and services. Encumbrance accounting, under which purchase orders, contracts and other commitments for the expenditure of monies are recorded in order to reserve that portion of the applicable appropriation, is employed as an extension of budgetary control in the governmental funds. Encumbrances outstanding at year-end are reported as reservations of fund balances since they do not constitute expenditures or liabilities.

G. ***Cash and Investments***—The County investments policies are governed by State law. Using State guidelines the County adopted its own written investments policy. County monies must be deposited in FDIC-insured commercial banks or trust companies located within the State. The County Treasurer is authorized to use demand accounts and certificates of deposit. Investments are stated at fair value. Cash includes amounts in demand deposits.

Collateral is required for demand deposits and certificates of deposit not covered by federal deposit insurance. Obligations which may be pledged as collateral are obligations of the United States and its agencies and obligations of New York State and its municipalities and school districts.

In 1993, the County purchased an Allegany County Industrial Development Agency taxable Industrial Development revenue bond in the amount of $500,000 with Solid Waste reserve funds. This investment is recorded at cost which approximates market. Principal on this investment is receivable in equal annual installments through April 1, 2017. Interest is receivable annually at a rate of 3%.

H. ***Inventories***—Inventories are stated at the lower of cost or market using the first-in, first-out method.

I. ***Capital Assets*** - Capital assets, which include property, buildings, equipment and infrastructure assets (e.g. roads, bridges, drainage systems and similar items) are reported in the governmental activities column in the government-wide financial statements. Capital assets are defined by the County as assets with an initial individual cost of more $1,500 for computers and $5,000 for all other capital assets and an estimated useful life in excess of two years. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the date of donation.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized.

Major outlays for capital assets and improvements are capitalized as projects are incurred.

Property, plant, and equipment of the County is depreciated using the straight line method over the following estimated useful lives:

Assets	Years
Buildings	40
Building Improvements	20
Land Improvements	20
Infrastructure:	
Dams and Drainage Systems	100
Water and Sewer Systems	40
Traffic Control Systems	40
Airports (runways, buildings)	40
Bridges and Culverts	30
Roads	10
Machinery and Equipment:	
Office Equipment and Furniture	10
Heavy Equipment	10
Other	5
Vehicles	5
Computers	3

J. ***Property Tax Revenue Recognition***—The Countywide property tax is levied by the County Legislature effective January 1 of the year the taxes are recognizable as revenue. Taxes become a lien on the related property on January 1 of the year for which they are levied. In the fund financial statements, property tax is only recognized as revenue in the year for which the levy is made and to the extent that such taxes are received within the reporting period or sixty days thereafter.

Delinquent property taxes not collected at year-end (excluding collections in the 60-day subsequent period) are recorded as deferred revenue in the fund financial statements.

The towns and special districts receive the full amount of their levies annually out of the first amounts collected on the combined bills. The County assumes the enforcement responsibility for all taxes levied in the towns.

Unpaid village and school district taxes are turned over to the County for enforcement and are re-levied with the County taxes in the subsequent year.

K. ***Compensated Absences***—Pursuant to contractual agreements, vacation and sick time compensation are earned and accumulated by County employees in varying amounts. In the event of termination, employees are paid for accumulated vacation and sick time. The liability for vacation and sick time applicable to governmental fund operations is included in non-current liabilities as reported in the entity-wide statement of net assets.

L. ***Pensions***—The majority of County employees are members of the New York State Employees' Retirement System (the "System"). The County is billed annually by the System for its share of the costs.

M. ***Post-employment Health Care Benefits***—In addition to providing pension benefits, the County provides certain health care benefits for retired employees. Employees may become eligible for those benefits if they reach normal retirement age while working for the County. Similar benefits for active employees are provided. The County recognized the cost of providing health care benefits to its active and retired employees by paying the actual costs of these claims as they occur from the Internal Service Fund. The cost of providing these benefits to 21 retirees was $55,902 for the year ended December 31, 2003.

N. ***Fund Balance Reserves***—The County's fund balance reserves represent those portions of fund balance that are not appropriable for future expenditures or are legally segregated for a specific future use.

O. ***Estimates***—The preparation of the financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of revenues, expenditures, assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and during the reported period. Actual results could differ from those estimates.

P. ***Future Impacts of Accounting Pronouncements***—The County has not completed the process of evaluating the impact that will result from adopting GASB Statement No. 39, *Determining Whether Certain Organizations are Component Units*, effective for the year ending December 31, 2004, GASB Statement No. 40, *Deposit and Investment Risk Disclosures,* and GASB Statement No. 42, *Accounting and Financial Reporting for Impairment of Capital Assets and for Insurance Recoveries*, effective for the year ending December 31, 2005, GASB Statement No. 43, *Financial Reporting for Postemployment Benefit Plans Other than Pension Plans*, effective for the year ending December 31, 2006, and GASB Statement No. 45, *Accounting and Financial Reporting by Employers for Postemployment Benefits Other than Pension Plans*, effective for the year ending December 31, 2007. The County is therefore unable to disclose the impact that adopting GASB Statements No. 39, No. 40, No. 42, No. 43, and No. 45 will have on its financial position and results of operations when such statements are adopted.

2. CHANGES IN ACCOUNTING PRINCIPLES AND RESTATEMENT OF PRIOR YEAR FUND EQUITY

For the fiscal year ended December 31, 2003, the County has implemented GASB Statement No. 34, *Basic Financial Statements – and Management's Discussion and Analysis – for State and Local Governments;* GASB Statement No. 37, *Basic Financial Statements – and Management's Discussion and Analysis – for State and Local Governments: Omnibus;* GASB Statement No. 38, *Certain Financial Note Disclosures;* and, GASB Statement No. 41, *Budgetary Comparison Schedules – Perspective Differences.*

GASB Statement No. 34 creates new basic financial statements for reporting the County's financial activities. The financial statements now include government-wide financial statements prepared on the accrual basis of accounting and fund financial statements which present information for individual major funds, rather than by fund type.

The beginning net asset amount for governmental programs reflects the change in fund balance for governmental funds at December 31, 2002 caused by the conversion to the accrual basis of accounting.

Transition of Fund Balance—The transition from the December 31, 2002 governmental fund balance on the governmental fund statements using the current financial resources and the modified accrual basis of accounting to the December 31, 2002 government-wide net assets under the full accrual basis of accounting is presented as follows:

	Governmental Activities
FUND BALANCE—December 31, 2002	$ 2,609,613
GASB 34 Adjustments:	
Internal Service Fund (fund balance applicable to governmental activities)	723
Capital assets	20,099,869
Accumulated depreciation	(10,666,970)
Deferred tax revenues	2,576,781
Long-term obligations	(13,142,829)
Accrued interest payable	(27,235)
NET ASSETS—December 31, 2002	$ 1,449,952

3. CASH AND INVESTMENTS

The County investment policies are governed by State law. Using State guidelines the County adopted its own written investment policy. County monies must be deposited in FDIC-insured commercial banks or trust companies located within the State. The County Treasurer is authorized to use demand accounts and certificates of deposit. Permissible investments include obligations of the U.S. Treasury and U.S. government agencies, and obligations of New York State or its localities.

Collateral is required for demand deposits and certificates of deposit not covered by federal deposit insurance. Obligations which may be pledged as collateral are obligations of the United States and its agencies and obligations of New York State and its municipalities and school districts.

The detail of cash at December 31, 2003 is as follows:

	Fiduciary Funds	Primary Government
Cash and cash equivalents	$ 756,390	$ 5,222,039

The amounts on deposit and the related collateral as of December 31, 2003, on an entity-wide basis, are as follows:

	Carrying Amount	Bank Balance
Deposits	$ 5,978,429	$ 5,619,446
Insured—FDIC		400,000
Uninsured, but collateralized securities held by third party financial institution pledged to or held for the County		10,870,176
Excess collateral		5,650,730
Total		$ 5,219,446

4. CAPITAL ASSETS

Capital asset activity for fiscal year ending December 31, 2003 was as follows:

	Primary Government			
	Beginning Balance	Additions/ Transfers	Retirements/ Transfers	Ending Balance
Governmental Activities:				
Capital assets, not being depreciated:				
Land	$ 217,761	$ 80,000	$ -	$ 297,761
Construction in progress		406,442		406,442
Total capital assets not being depreciated	217,761	486,442		704,203
Capital assets, being depreciated:				
Buildings and building improvements	6,727,755		175,108	6,552,647
Infrastructure		2,285,900		2,285,900
Equipment	13,154,353	1,041,877	163,724	14,032,506
Total capital assets being depreciated	19,882,108	3,327,777	338,832	22,871,053
Less: Accumulated depreciation for:				
Buildings and building improvements	3,594,769	836,541		4,431,310
Equipment	7,072,201	1,645,776		8,717,977
Total accumulated depreciation	10,666,970	2,482,317		13,149,287
Governmental activities capital assets—net	$ 9,432,899	$1,331,902	$ 338,832	$10,425,969

As described in Note 2, the County implemented GASB Statement No. 34. This Statement requires infrastructure to be reported in capital assets but allows additional time to retroactively apply the capitalization requirement. The County has opted to follow the transitional reporting requirements. Accordingly the County has only included infrastructure acquired in 2003 in capital assets at December 31, 2003 and will retroactively report the remaining infrastructure by the required phase in reporting date of December 31, 2007.

Depreciation expense for 2003 was charged to functions of the primary government as follows:

Government activities:	
General government support	$ 608,416
Public safety	111,952
Health	92,094
Transportation	1,082,538
Economic assistance and opportunity	58,583
Culture and recreation	2,234
Education	496
Home and community services	526,003
	$ 2,482,317

The County's discretely presented component unit, SWCD, includes capital assets of $168,472 at December 31, 2003.

5. NOTES PAYABLE AND LONG-TERM OBLIGATIONS

Notes Payable—During 2003, the County issued $1,620,000 Bond Anticipation Notes, $6,300,000 Revenue Anticipation Notes, and $990,000 Tax Anticipation Notes. The notes were issued to finance cash flow needs of the County. Governmental fund notes payable, including interest rates, issue dates, and maturity dates are as follows:

Description	Date of Issue/ Maturity	Interest Rate	Original Issue Amount	Balance 1-1-03	Additions	Balance 12-31-03
Governmental funds:						
General Fund:						
2003 Revenue Anticipation Note	10/28/03 / 10/28/04	1.29 %	2,000,000	$ -	$ 2,000,000	$ 2,000,000
2003 Revenue Anticipation Note	11/14/03 / 10/28/04	1.17 %	4,300,000		4,300,000	4,300,000
2003 Tax Anticipation Note	12/23/03 / 12/23/04	1.16 %	990,000		990,000	990,000
Capital Projects Fund:						
2003 Bond Anticipation Note	4/30/03 / 4/30/04	1.19 %	1,620,000	-	1,620,000	1,620,000
Total Governmental Activities				$ -	$ 8,910,000	$ 8,910,000

Bond Indebtedness—Bonded indebtedness of the County recorded in the government-wide statement of net assets, including interest rates, issue dates, and maturity dates are as follows:

Description	Year Issue/ Maturity	Interest Rate	Original Issue Amount	Balance 1-1-03	Payments	Balance 12-31-03
Governmental funds:						
General Fund:						
1989 General Purpose	1989/2004	6.80 %	5,000,000	$ 175,000	$ 100,000	$ 75,000
1998 General Purpose	1998/2013	3.90 %	4,700,000	3,545,000	310,000	3,235,000
2001 General Purpose	2001/2016	4.15 %	3,930,000	3,680,000	250,000	3,430,000
Total Governmental Activities				$ 7,400,000	$ 660,000	$ 6,740,000

The annual repayment of principal on bonded debt is as follows:

2004	$ 660,000
2005	635,000
2006	565,000
2007	580,000
2008	555,000
2009-2013	2,845,000
2014-2018	900,000
Total	$ 6,740,000

Summary of Changes in General Long-Term Debt—The following is a summary of changes in general long-term liabilities:

	Balance 1-1-03	Increases/ Accretions	Decreases/ Payments	Balance 12-31-03
Serial bonds	$ 7,400,000	$ -	$ (660,000)	$ 6,740,000
Due to NYSERS	276,137		(84,445)	191,692
Landfill closure costs	4,157,966	413,683	-	4,571,649
Compensated absences	1,308,726	69,825	(35,414)	1,343,137
	$13,142,829	$ 483,508	$ (779,859)	$12,846,478

Payment of compensated absences and landfill closure costs are dependent upon many factors, therefore, timing of future payments is not readily determinable.

6. RETIREMENT PLANS

Plan Description—The County participates in the New York State and Local Employees' Retirement System ("ERS"). This is a cost-sharing multiple-employer retirement system. The System provides retirement benefits as well as death and disability benefits. Obligations of employers and employees to contribute and benefits to employees are governed by the New York State Retirement and Social Security Law ("NYSRSSL"). As set forth in the NYSRSSL, the Comptroller of the State of New York (the "Comptroller") serves as sole trustee and administrative head of the System. The Comptroller shall adopt and may amend rules and regulations for the administration and transaction of the business of the System and for the custody and control of their funds. The System issues a publicly available financial report that includes financial statements and required supplementary information. That report may be obtained by writing to the New York State and Local Retirement Systems, 110 State Street, Albany, NY 12244.

Funding Policy—The System is noncontributory except for employees who joined the System after July 27, 1976 who contribute 3% of their salary. Under the authority of the NYSRSSL, the Comptroller shall certify annually the rates expressed as proportions of payroll of members, which shall be used in computing the contributions required to be made by employees to the pension accumulation fund.

The County of Allegany is required to contribute at an actuarially determined rate. The required contributions for the current year and two preceding years were:

	ERS
2003	$ 1,238,882
2002	468,011
2001	407,229

The County's contributions made to the System were equal to 100% of the contributions required for each year.

Since 1989, the System's billings have been based on Chapter 62 of the Laws of 1989 of the State of New York. This legislation required participating employers to make payments on a current basis, while amortizing existing unpaid amounts relating to the System's fiscal years ending March 31, 1988 and 1989 (which otherwise were to have been paid on June 30, 1989 and 1990, respectfully) over a 17-year period, with an 8.75% interest factor added. Local governments were given the option to prepay this liability. (The total unpaid liability at the end of the fiscal year was $218,264.)

7. SELF-INSURANCE

As its predominant participant, the County maintains its Workers' Compensation program within its Internal Service Fund. Certain local towns and villages also participate. The objective of this fund is to provide worker's compensation benefits at a moderate cost as a result of pooling the loss experience of its participants. Premiums charged to participants are based on assessed land values and expected claim expenditures. The County records this liability in the Internal Service Fund. The total claims liability of $2,371,658 is derived based on the requirements of GASB Statement No. 10, *Accounting and Financial Reporting for Risk Financing and Related Insurance Issues*, which requires that a liability for claims be reported if information prior to the

issuance of the financial statements indicates that it is probable that a liability has been incurred at the date of the financial statements and the amount of the loss can be reasonably estimated. Changes in the total liability in 2003 and 2002 were:

	Beginning of Fiscal Year Liability	Claims and Changes in Estimates	Claims Payments	Balance at Fiscal Year-End
2002	$ 2,371,172	$ 506,228	$ 505,996	$ 2,371,404
2003	2,371,404	443,694	443,440	2,371,658

The County assumes the liability for some risk including, but not limited to, general and personal injury liability, and unemployment claims. Judgments and claims are recorded at the time a liability has been incurred and an award has been made. The County's risk relating to general liability is limited, under an insurance policy, to $100,000 per incident with an aggregate of $375,000. Additional amounts are provided in excess of $1,000,000 per incident and $3,000,000 in aggregate. No amounts in excess of aggregate were paid in 2003.

The County is self-insured for the cost of hospital, medical and prescription drugs for its employees, board members and retirees at no cost to the insured. The County maintains excess insurance coverage for significant long-term claims. The County accounts for this activity in an internal service fund. The County's liability for unpaid medical claims was $250,000 at December 31, 2003 and 2002.

8. INTERFUND RECEIVABLES AND PAYABLES

The following schedule summarizes individual fund interfund receivables and payables at December 31, 2003:

Fund	Interfund Receivables	Interfund Payables
General	$ 1,108,358	$ 1,661,789
Capital Projects	85,000	964,745
Internal Service	955,349	60,512
Fiduciary	113,616	
Other Governmental	829,811	405,088
Total	$ 3,092,134	$ 3,092,134

9. RESERVED FUND BALANCE

The following details the components of the reserved fund balance at December 31, 2003:

	General Fund	Other Governmental Funds
Reserved for encumbrances	$ 46,218	$ 59,491
Reserved for repairs	209,179	47,373
Reserved for STOP—D.W.I.	164,230	
Reserved for inventory of materials and supplies	20,000	621,000
Reserved for Office of the Aging	8,780	
Reserved for health	438	
Reserved for landfill closure costs	2,069,514	
Reserved for ban of nuclear waste site dump	532,072	
Reserved for 911 Services	122,710	
Reserved for canine accelerant	895	
Reserved for record management	56,353	
Reserved for handicapped parking	115	
Total	$ 3,230,504	$ 727,864

10. LANDFILL CLOSURE COSTS

State and Federal laws and regulations require the County to place a final cover on the Allegany County Sanitary Landfill when it stops accepting waste and to perform certain maintenance and monitoring functions at the site for thirty years after closure. Although closure and postclosure care costs will be paid only near or after the date that the landfill stops accepting waste, the County reports a portion of these closure and post-closure care costs in its non-current liabilities on the government-wide statement of net assets based on landfill capacity used as of each balance sheet date. The $4,571,649 reported as landfill closure and postclosure care liability at December 31, 2003, represents 40% of the estimated closure costs and 58% of the estimated postclosure costs of the remaining cells based on the use of the estimated capacity of the landfill.

The County will recognize the remaining estimated cost of closure and post closure care of $4,745,695 as the remaining capacity is filled. The County expects to close the remaining cells of the landfill in the year 2012. Actual cost may be higher due to inflation, changes in technology, or changes in regulations. Such costs will be recognized as an expenditure in the general or capital projects fund when they require the use of available and measurable resources.

The County has reserved $2,069,514 of the general fund balance as of December 31, 2003 for these purposes, and the remaining balance will be funded through the use of bonds, when necessary.

11. AGENCY FUND

The trust and agency fund is used to account for assets held by the County as a trustee, custodian or agent for individuals, private organizations, other governmental units, and/or other funds. The following is a summary of changes in assets and liabilities for the year ended December 31, 2003.

	Balance January 1, 2003	Additions	Deductions	Balance December 31, 2003
Assets:				
Cash and cash equivalents	$ 360,019	$ 3,278,716	$ (2,882,345)	$ 756,390
Due from other funds	375,000	784,513	(1,045,897)	113,616
Total	$ 735,019	$ 4,063,229	$ (3,928,242)	$ 870,006
Liabilities—				
Agency liabilities	$ 735,019	$ 2,315,163	$ (2,180,176)	$ 870,006

12. CONTINGENCIES

The County is involved in litigation arising in the ordinary course of its operations. The County believes that its ultimate liability, if any, in connection with these matters will not have a material effect on the County's financial condition or results of operations.

Also in the normal course of operations the County receives grant funds from various Federal and State agencies. These grant programs are subject to audit by agents of the granting authority, the purpose of which is to ensure compliance with conditions precedent to the granting of funds. Any disallowed expenditures resulting from such audits could become a liability of the governmental funds. While the amount of any expenditures which may be disallowed cannot be determined at this time, management expects any amounts to be immaterial.

13. DEFICITS AND MANAGEMENTS PLANS

The accompanying financial statements have been prepared on a going concern basis, which contemplates the realization of assets and the satisfaction of liabilities in the normal course of business. As shown in the governmental funds balance sheet as of December 31, 2003, total governmental funds undesignated fund balance deficits are $6,922,865. The share of the deficit attributable to the general fund and capital projects fund was $3,846,042 and $2,880,517, respectively. Total governmental funds experienced a deficiency of revenues under expenditures of $3,695,830 as of December 31, 2003, and liabilities exceeded assets in governmental funds by $615,538. These factors among others may cast doubt as to whether the County will be able to continue as a going concern for a reasonable period of time.

The County's continuation as a going concern is dependent upon its ability to generate sufficient cash flow to meet its obligations on a timely basis, to obtain additional financing or refinancing as necessary, and ultimately to attain successful operations. The County is continuing its efforts to remedy its deficits and stabilize financial position through a combination of increases in real property tax, other non-property taxes, and certain charges and fees.

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MANAGEMENT'S DISCUSSION AND ANALYSIS

This section of County of Allegany, New York's (the "County") annual financial report presents its discussion and analysis of financial performance during the year ended December 31, 2003. Please read it in conjunction with the financial statements.

FINANCIAL HIGHLIGHTS

- The County's total net assets reflect a decrease over the year ended December 31, 2002. Our net assets of our governmental activities decreased by approximately $3.4 million primarily due to the recognition of depreciation on capital assets offset by the inclusion of infrastructure, pursuant to the adoption of *Governmental Accounting Standards Board* ("GASB") Statement No. 34.
- During the year, the County's General Fund had expenditures that were $2.9 million more than the $61.2 million generated in tax and other revenues for governmental programs (before special items). This compares to 2002 when expenditures exceeded revenues by $7.3 million.
- In the County's Internal Service Fund, expenses exceeded revenues by $369,000 for the year 2003.
- Expenditures increased by 6% as a result of increased personal services, Medicaid and the substantial increase in the County's contribution to the NYS Retirement System.
- The Undesignated Fund Balance for the General Fund reached a deficit balance of $4.3 million as of the close of the 2003 fiscal year. This represents an additional deficit balance of $1.4 million over year-end 2002 Undesignated Fund Balance for the General Fund.
- Our overall net change to General Fund Balance (designated and undesignated) was a decrease of $2.8 million with an ending deficit balance of $1.1 million. In 2002, our overall net change was a decrease of $6.7 million.
- The County created a Finance Committee in 2003 to implement efforts to maintain our spending within the limits set by the County Legislature. The County was able to considerably reduce the variance from revenues to expenses primarily through a hiring and overtime freeze and continued staff/program restructuring efforts.
- The County continues to look for revenue sources to continue to offer all services and programs. In 2003, the County implemented a 4% Occupancy Tax, an Automobile Use Tax and increased the Mortgage Tax Rate by a quarter of a percent. Each department has also revamped fees associated with services they provide. Many other revenue sources are being considered for the 2004 and future budget years in lieu of a property tax increase.

OVERVIEW OF THE FINANCIAL STATEMENTS

This annual report consists of three parts: management's discussion and analysis (this section), the basic financial statements, and required supplementary information. The basic financial statements include two kinds of statements that present different views of the County:

- The two statements are *entity-wide financial statements* that provide both *short-term* and *long-term* information about the County's overall financial status.
- The remaining statements are *fund financial statements* that focus on *individual* parts of the County, reporting the operation in *more detail* than the entity-wide statements.

    1. The *governmental fund statements* tell how *general government* services such as public safety, public works, and general administration, were financed in the *short-term* as well as what remains for future spending.

2. The *proprietary fund statements* offer *short-term* and *long-term* financial information about the activities that the County operates *like businesses*.
3. The *fiduciary funds statements* provide information about the financial relationships in which the County acts solely as a *trustee* or *agent* for the benefit of others, including the employees of the County.

The financial statements also include notes that provide additional information about the financial statements and the balances reported. The statements also include a section of required supplementary information that further explains and supports the financial statements with a comparison of the County's budget for the year.

ENTITY-WIDE STATEMENTS

The entity-wide statements report information about the County as a whole using accounting methods similar to those used by private-sector companies. The Statement of Net Assets includes all of the County's assets and liabilities. All of the current year's revenues and expenses are accounted for in the Statement of Activities regardless of when cash is received or paid.

The two entity-wide statements report the County's net assets and how they have changed. Net assets, the difference between the assets and liabilities, are one way to measure the financial health or position of the County.

- Over time, increases and decreases in net assets are an indicator of whether the financial position is improving or deteriorating, respectively.
- For assessment of the overall health of the County, additional non-financial factors such as changes in the County's property tax base and the condition of roads, buildings, and other facilities should be considered.

The entity-wide financial statements are divided into three categories:

- *Governmental activities* – Most basic services, such as public safety, health and social services, and general administration are included in this category. Property taxes, sales and use taxes, and state and federal grants finance most of these activities.
- *Business-type activities* – Fees are charged to customers to help cover the cost of certain services, such as workers' compensation and medical insurance. The County is self-insured for both these services but charges municipalities and individuals who are provided these services.
- *Component unit* – although legally separate, the component unit is important because the County is financially accountable for this entity. The County has one component unit, Allegany County Soil and Water Conservation, that is reported as a discretely presented component unit.

Net assets of the governmental activities differ from the governmental fund balances because governmental fund level statements only report transactions using or providing current financial resources. Also, capital assets are reported as expenditures when financial resources (money) are expended to purchase or build said assets. Likewise, the financial resources that may have been borrowed are considered revenue when they are received. The principal and interest payments are both considered expenditures when paid. Depreciation is not calculated if it does not provide or reduce current financial resources. Finally, capital assets and long-term debt are both accounted for in account groups and do not affect the fund balances.

Entity-wide statements are reported utilizing an economic resources measurement focus and full accrual basis of accounting that involves the following steps to format the Statement of Net Assets:

- Capitalize current outlays for capital assets;
- Report long-term debt as a liability;
- Depreciate capital assets and allocate the depreciation to the proper program/activities;
- Calculate revenues and expenses using the economic resources measurement focus and the accrual basis of accounting; and
- Allocate net asset balances as follows:
    - Net Assets invested in capital assets, net of related debt;
    - Restricted Net Assets are those with constraints placed on their use by external sources (creditors, grantors, contributors, or laws or regulations of governments) or imposed by law through constitutional provisions or enabling legislation; and
    - Unrestricted Net Assets are net assets that do not meet any of the above restrictions.

FUND FINANCIAL STATEMENTS

The fund financial statements provide more detailed information about the County's most significant funds, not the County as a whole. Funds are accounting devices that the County uses to keep track of specific revenue sources and spending on particular programs. The laws of the State of New York have established the funds.

The County has three kinds of funds:

- *Governmental funds* – Most of the basic services are included in governmental funds, which generally focus on (1) how *cash and other financial assets* that can readily be converted to cash flow in and out and (2) the balances left at year-end that are available for spending. Consequently, the governmental fund statements provide a detailed *short-term* view that helps determine whether there are more or fewer financial resources that can be spent in the near future to finance the programs of the County. The governmental fund statements focus primarily on the sources, uses, and balances of current financial resources and often have a budgetary orientation. Because this information does not encompass the additional long-term focus of the entity-wide statements, a separate reconciliation provides additional information that explains the relationship (or differences) between them. The governmental funds consist of the general fund, special revenue funds, and capital project funds. Required statements are the Balance Sheet and the Statement of Revenues, Expenditures, and Changes in Fund Balances.
- *Proprietary funds* – The proprietary funds generally report services for which customers are charged a fee. Like entity-wide statements, proprietary funds provide both long-term and short-term financial information. The County uses internal service funds (a type of proprietary fund) to report activities that provide services to its other programs and activities. The County currently has three internal service funds. These funds are used to account for the County's risk management activities, workers' compensation, unemployment and medical insurance. For reporting purposes, these funds are combined into one internal service fund. Required statements are the Statement of Net Assets, the Statement of Revenues, Expenses, and Changes in Net Assets, and the Statement of Cash Flows.

- *Fiduciary funds* – The County is the trustee or *fiduciary* for assets that belong to others. The County is responsible for ensuring that the assets reported in these funds are used only for their intended purposes and by those to whom the assets belong. The County excludes these activities from the entity-wide financial statements because it cannot use these assets to finance its operations. Fiduciary fund reporting focuses on net assets and changes in net assets. This report should be used to support the County's own programs and is developed using the economic resources measurement focus and the accrual basis of accounting, except for the recognition of certain liabilities of defined benefit pension plans and certain post employment healthcare plans. Required statements are the Statement of Fiduciary Net Assets and the Statement of Changes in Fiduciary Net Assets. Since the County has only agency funds, no Statement of Changes in Fiduciary Net Assets has been presented.

FINANCIAL ANALYSIS OF THE COUNTY AS A WHOLE

Net assets may serve over time as a useful indicator of a government's financial position. The following table reflects the condensed Government-Wide Statement of Net Assets. Since this is the first year the County has reported on a government-wide basis, as required by the implementation of GASB No. 34 reporting standards, audited data is not available to compare to the previous year.

Table A-1: Condensed Statement of Net Assets (in millions)

	Governmental Activities
	2003
Current and other assets	$20.4
Capital assets	10.4
Total Assets	30.8
Current liabilities	20.0
Long-term liabilities	12.8
Total Liabilities	32.8
Net assets:	
Investment in capital assets, net of related debt	3.7
Restricted	4.6
Unrestricted	(10.3)
Total Net Assets	($2.0)

CHANGES IN NET ASSETS

The County's year 2003 revenues totaled $69.3 million (See Table A-2). Taxes and operating grants and contributions accounted for most of the County's revenue by contributing 43 percent and 31 percent, respectively, of every dollar raised. The remainder came from charges for services and other miscellaneous sources.

The total of all programs and services totaled $72.7 million for the year 2003. Fifty-eight percent of these expenses are predominantly related to transportation and economic assistance and opportunity. The County's administrative and finance activities accounted for sixteen percent of the total costs.

Net assets decreased by $3.4 million.

Unrestricted net assets for governmental activities– the part of net assets that can be used to finance day-to-day operations without constraints established by debt covenants, enabling legislation, or other legal requirements, changed from a $3.2 million deficit at December 31, 2002 to a $10.3 million deficit at the end of this year.

The deficit in unrestricted governmental net assets has arisen over the course of several years. Primarily during the last three years, local sales tax revenues, Medicare reimbursement, and state grants have fallen short of the amount originally anticipated. Increased costs associated with employee benefits, such as medical insurance and NYS Retirement contributions, along with the County's share of Medicaid on the continual rise also contributed to this increased deficit. Historically, the County chose to draw down accumulated cash balances by passing budgets with little or no increase in real property taxes.

Table A-2: Changes in Net Assets (in millions)

	Governmental Activities
	2003
Revenues:	
Program Revenues	
Charges for services	$ 9.4
Operating grants	21.4
Capital grants	5.8
General Revenues	
Property taxes	16.1
Other taxes	14.0
Investment earnings	.1
Other	2.5
Total Revenues	69.3
Expenses:	
Governmental Activities:	
General government	8.3
Education	2.2
Public safety	7.6
Health	8.3
Transportation	10.4
Economic assistance and opportunity	32.3
Culture and recreation	.5
Home and community services	2.7
Interest	.3
Total Expenses	72.7
Decrease in Net Assets	$(3.4)

GOVERNMENTAL ACTIVITIES

Revenues for the County's governmental activities totaled $69.3 million while expenses equaled $72.7 million. Therefore, the decrease in net assets for governmental activities was $3.4 million for 2003.

The County Board of Legislature implemented three major actions during 2003 in an attempt to avoid the level of deficit reported in 2002 and also increased property taxes by approximately 21.5%. All three of the new actions involved increasing already existing fees and implementing two new revenue streams. The thought behind these new revenues was to offset the already taxed real property owner and to stay within our constitutional tax limit.

- The County raised its Mortgage Tax Rate by an additional .25%. This was to be implemented and was expected to bring in $150,000 for 2003. It was not in place by January 1, 2003, therefore resulting in a much lower increase in revenue of $29,000.
- The County also implemented a 4% Occupancy Tax, expected to bring in $125,000. This began in October 2003 and gained the County only $24,000.
- Also implemented for the first time in 2003, was an Automobile Use Tax. This was expected to bring the County additional revenues of $180,000. It also received a late start, but brought in $128,000 for 2003.

Revenues for the County's internal service funds totaled $5.2 million while expenses equaled $5.6 million. The unanticipated increase in expenses is partially attributed to two settlements reached in 2003 for workers' compensation claims. The major activity in the internal service fund is for our self-insurance plan for employees. This attributed to $4.5 million dollars of expenses. The general fund does not treat this expense as an interfund transfer but rather as an expense to the general fund for employee benefits offset by revenue and contractual expense to the internal service fund.

Table A-3 presents the cost of nine major County governmental activities: general government, education, public safety, health, transportation, economic assistance & opportunity, culture & recreation, home & community services and interest. The table also shows each activity's net cost (total cost less fees generated by the activities and intergovernmental aid provided for specific programs.) The net cost shows the financial burden placed on the County's taxpayers by each of these functions.

Table A-3: Net Cost of Governmental Activities (in millions)

Category	Total Cost 2003	Net Cost (Revenue) 2003
General government	$ 8.3	$ 5.4
Education	2.2	1.1
Public Safety	7.6	6.6
Health	8.3	1.7
Transportation	10.4	6.9
Economic assistance and opportunity	32.3	13.9
Culture and recreation	.5	.4
Home and community services	2.7	(.3)
Interest	.3	.3
Total	$72.7	$36.0

- The cost of these nine governmental activities for 2003 totaled $72.7 million.
- The users of these programs contributed $9.4 million to the cost of the program.
- The federal and state governments subsidized certain programs with grants and contributions amounting to $27.2 million.

- The remainder of the County's net costs ($36.0 million) was financed by real property taxes and tax items ($16.1 million), sales tax and other non-property taxes ($14.0 million) and other miscellaneous revenues.

FINANCIAL ANALYSIS OF THE COUNTY'S FUNDS

Variances between years for the governmental fund financial statements are not the same as variances between years for the governmental activities on the entity-wide financial statements. The County's governmental fund financial statements are presented on the current financial resources measurement focus and the modified accrual basis of accounting. Based on this presentation, these statements do not include long-term debt liabilities for the funds projects and capital assets purchased by the funds. The governmental statements will include the proceeds received from the issuance of debt, the current payments for capital assets, and the current payments for debt.

The County's governmental fund financial statements had significant variances in the general fund and the capital projects fund. The general fund decreased by $2.8 million due to revenues such as sales tax and Medicare reimbursements falling short of projections and increased costs associated with employee benefits and the County's share of the state mandated Medicaid program.

The capital projects fund reflected a decrease in fund balance due to the fact that funding was not secured for all projects, including a new project for a new Jail and Public Safety Complex. No budget was set up for this project as we were in preliminary construction design. It is anticipated that bond anticipation notes will be issued for this project beginning in the last quarter of 2004.

BUDGETARY HIGHLIGHTS

Over the course of the year, the County Legislature revised the budget several times. These budget amendments fall into three categories:

- Amendments and supplemental appropriations approved shortly after the beginning of the year to reflect the actual beginning account balances (correcting the estimated amounts in the budget adopted for 2002).
- Changes made to accounts for significant events.
- Increases in appropriations to prevent budget overruns.

CAPITAL ASSET AND DEBT ADMINISTRATION

Capital Assets

By the end of 2003, the County had invested $10.4 million in a broad range of capital assets, including land, infrastructure, buildings, equipment, vehicles and motor equipment net of related accumulated depreciation. As a requirement of GASB No. 34, this is the first year that infrastructure has appeared as fixed assets. The County recognized any new infrastructure for 2003 and will phase in the remaining roads and culverts by the required reporting date of December 31, 2007.

Table A-4: Capital Assets, net of depreciation (in millions)

	Governmental Activities
Land and improvements	$ .3
Buildings and improvements	2.0
Improvements other than buildings	.1
Machinery and Equipment	5.3
Infrastructure	2.3
Construction in progress	.4
Total	$10.4

Long Term Debt

At year-end, the County had $12.9 million in general obligation and other long-term debt outstanding. More detailed information about the County's long-term liabilities is presented in the notes to the financial statements. The only other borrowing in 2003 was short-term in the amount of $ 7.3 million.

Table A-5: Outstanding Long-Term Debt (in millions)

	Governmental Activities
General obligation bonds	$ 6.7
Other long-term debt	6.2
Total	$12.9

Refer to the Notes to the financial statements for more detailed information about capital assets and long-term debt.

FACTORS BEARING ON THE FUTURE OF COUNTY AND NEXT YEARS' BUDGETS

The County's elected and appointed officials considered many factors when preparing and later adopting a budget for fiscal year 2003, most of all the impact on the local taxpayer. One of the biggest factors in the County is the economy. Over the past several years, unemployment has risen, while businesses have left the area or reduced their staff in order to maintain their operations. This has a double impact when considering the level of income in Allegany County. Most County citizens are eligible for some form of aid through Social Services. This has contributed to the County's cost of Medicaid and other programs available to the citizens of the County. New York State has burdened counties with the expenditure of significant amounts of local resources for unfunded mandates. The growth of these programs has placed strain on county budgets for New York State counties. The State-run Medical Assistance Program (Medicaid) has caused significant local cost increases. While the County has little control of these expenditures, the program continues to put financial stress on local finances. Property taxes have increased by minimal amounts over the last five years in the County in an effort to keep our residents in the County and continue to provide services to these residents. The County has attempted to absorb these unfunded mandates but is finding it more and more difficult. Our County tax dollars are funding State-controlled programs, and we are being forced to review our local County programs for cuts. In order to meet unexpected budget overruns and revenue shortfalls our undesignated fund balance has "dried up" and currently has a deficit balance. The County, in 2003 and for the future, is faced with increasing costs in its retirement contribution due to the unpredictable market and its effect on the New York State Retirement System. Our ever-increasing medical insurance costs also have placed a burden on our County budget.

The County is also in the process of building a Jail and Public Safety Complex. This has been imposed on the County as a result of our prisoner population and the size of our current jail. The State has awarded variances to operate but has indicated that they will not last forever. The Board of Legislators has chosen to move forward with the process and in 2004 will begin the construction phase of the Complex. This will require a major capital project, and bonds will be issued to cover these costs in the estimated amount of $27 million.

We believe that the County has taken great strides in the 2004 budget preparation and feel that the actions taken will ultimately reduce our deficit fund balance. The Board of Legislators, Finance Committee and Budget Officer are combining their efforts to stabilize Allegany County's financial position and continue to serve the taxpayers of our County.

CONTACTING THE COUNTY'S FINANCIAL MANAGEMENT

This financial report is designed to provide citizens, taxpayers, customers, and investors and creditors, with a general overview of the finances of the County and to demonstrate our accountability with the money we receive. If you have any questions about this report or need additional financial information, please contact:

Allegany County Treasurer
7 Court Street
Belmont, NY 14813
(585) 268-9290

OFFICE FOR THE AGING
2003 ANNUAL REPORT

The Allegany County Office for the Aging (ACOFA) is the identified focal point through which aging programs are funded and integrated. The ACOFA plans, coordinates and advocates the development of comprehensive and coordinated service delivery systems for all elderly, and provides limited funds for services directed at those elderly with the greatest economic or social need. Eighteen percent of Allegany County's population is over age 60. The Office for the Aging is committed to helping Allegany County residents over age 60 remain productive, independent, and maintain personal integrity.

	2003	**2002**	**2001**
The budget total for the ACOFA	$1,223,034	$1,237,930	$1,132,777
The County share of that total was	$316,952	$326,096	$279,681
Contributions to the agency were	$221,154	$198,522	$190,483

SERVICES	**2003**	**2002**	**2001**
NUTRITION			
Total meals served	116,079	120,045	113,490
Meals-on-wheels	91,810	94,776	89,701
Congregate meals	24,269	25,269	23,789
EISEP IN-HOME SERVICES			
Homemaker/Personal Care	2,401 hrs.	2,098 hrs.	4,925 hrs.
Housekeeper/Chore	5,055 hrs.	5,269 hrs.	3,449 hrs.
Case Management	1,112 hrs.	1,062 hrs.	1,076 hrs.
TRANSPORTATION	3,169 rides	3,726 rides	3,660 rides
LEGAL	161 hrs.	64 hrs.	260 hrs.
HEAP	984 apps.	1,024 apps.	1,076 apps.
IN-HOME CONTACT & SUPPORT	4,258 contacts	4,308 contacts	3,909 contacts
INFORMATION & ASSISTANCE	10,538 contacts	10,486 contacts	7,256 contacts
HEALTH PROMOTION	171 programs	298 programs	342 programs
CAREGIVER SERVICES	190 contacts	714 contacts	53 contacts

OTHER ACTIVITIES:

Three Caregiver Support Groups monthly, Stay Well Exercise Program, Senior Forum, Senior Picnic, Long Term Care Ombudsman, Silver Linings Newsletter, Training Programs, Nutrition Education, Blizzard Boxes, Farmer's Market Coupon Distribution, Fair Booth, Tax Preparation Clinics.

A full text of the activities of the Office for the Aging is on file in the Office of the Clerk of the Board of Legislators, Allegany County Office Building, Belmont, New York.

Respectfully submitted,
Kimberley Toot, Director

COMMUNITY SERVICES
2003 ANNUAL REPORT

The Allegany County Office of Community Services consists of two major divisions. The first is the Local Governmental Unit (LGU) that receives money from the New York State Agencies and contracts for services with local providers. The second part of Community Services provides services within the County and also regulatory oversight of other mental hygiene programs.

The Office is under the direction of the Community Services Board (CSB). This Board is comprised of fifteen members appointed by the Legislature (two of whom are County Legislators). The Board is organized with three sub-committees, one for each of the disability groups: Mental Retardation Developmental Disability (MRDD); Chemical Dependence (OASAS); and Mental Health (OMH). These sub-committees work with the CSB and the Director of Community Services (DCS) to provide local planning that ensures the most efficacious delivery of services to Allegany County residents. The Human Services Committee of the County Legislature reviews all proposals, programs and policies.

As the executive officer of the CSB, the DCS is responsible to recommend policy positions to the Board and to implement existing policies. The Director also engages in contract management with direct contract agencies and must assure the contractual, budgetary, and regulatory compliance of these agencies. The Office is also responsible to receive and process monthly expenditures and reimbursement claims from the contract agencies and to complete the quarterly state aid claim process.

This office is also responsible for assuring coordinated service planning for all individuals receiving services under the mental hygiene law. This includes, but is not limited to, the new initiatives of Assisted Outpatient Treatment (AOT, also known as "Kendra's Law"), Single Point of Access (SPOA), and Evidence Based Practices.

During 2003, Allegany County maintained contracts with the following agencies: ACCORD; Allegany Council on Alcoholism and Substance Abuse; Allegany County ARC; Allegany County Mental Health Association; ARA; Finger Lakes Parent Network; Housing Options Made Easy; and Steuben Churchpeople Against Poverty. In addition, the CSB authorized financial support to: Pathways, Inc. for a children's day treatment program; Literacy Volunteers for providing education; and the Allegany County Sheriff's Department for medications. Allegany County also hired a Consumer Services Representative to act as an Ombudsman for residents.

Allegany County provides direct services in the areas of Intensive Case Management, SPOA, and chemical dependence evaluations for the Department of Social Services. These services continue to save the County money and provide care and treatment for high risk individuals.

The Community Services Department maintains a very collaborative and cooperative relationship with other County Departments and Human Service Agencies in the County. In the area of Mental Hygiene, Allegany County residents continue to receive outstanding services from dedicated providers.

Robert W. Anderson, Ph.D., Director
Allegany County Community Services

CORNELL COOPERATIVE EXTENSION
2003 ANNUAL REPORT

Cornell Cooperative Extension of Allegany County maintained, and in many cases expanded, programming efforts during a year of fiscal challenges. Sharing more program staff with Cattaraugus, Wyoming, and Chautauqua Counties has enabled Extension to provide excellent, well-attended programs for the residents of Allegany County.

Keeping the initiatives of Cornell in the forefront, successful programming was provided in the areas of Nutrition, Health and Safety; Environmental and Natural Resource Enhancement; Children, Youth and Family Well-being; and Agricultural and Food Systems Sustainability. Readership of the Cornell Cooperative Extension quarterly newspaper increased Extension enrollment by an additional 25 percent over 2002's increase.

Under the umbrella of Nutrition, Health and Safety, over 7,200 individuals from all economic backgrounds completed Healthy, Wealthy, and Wise programs on issues of daily living skills, parenting, budgeting, long term care, retirement, decision making, food security, food affordability, food safety and nutrition education. A strong emphasis was placed on obesity, particularly childhood obesity, and related health risks. Staff in this program area provided programs that resulted in developing a volunteer staff in the area of food preservation and financial management. Eight Master Food Preservers completed 100 hours of training, earning their certification and credentials to teach all aspects of food preservation. Cornell Cooperative Extension now has 14 Master Food Preservers. In 2003, all 12 classes in the Food Preservation series were filled to capacity, with waiting lists for each one. Financial management classes began developing a volunteer team of "Money Mentors" and "Wealth Coaches" who will work with groups and/or individuals.

The Environmental and Natural Resource Enhancement program area enlisted an additional five Master Gardeners to add to the previously trained 18 volunteer Master Gardeners to assist in the expansion of the horticultural resources in the County.

The Children, Youth and Family well-being initiative encompasses human development, youth development and the 4-H program. Twenty Allegany County youth participated in tractor safety training. The 550 Allegany County youth enrolled in the 4-H program experienced a variety of activities that promote positive youth development. 4-H award trips provided programming on government and legislative issues, career exploration and education opportunities. Staff continued to provide educational activities at after school programs as well as in the daily classroom. 1,350 Allegany County youth participated in "Cooking with Clowns," a three-week program that promotes healthy eating and exercise.

The Agricultural and Food Systems Sustainability initiative provided programming that assisted the farming community on many topics. Of particular interest to consumers in 2003 was the Grass-Based Poultry Production program. This program, supported by a $9,310 SARE Grant, addressed the lack of poultry processing facilities by assembling a portable demonstration lab for processing poultry. 2,165 meat birds were processed by 11 farmers who anticipate raising 4,285 birds and using the portable processor in 2004. Enrollment in Cooperative Extension's Rural Landowner Conference remained solid with 500 participants taking part in a full day of workshop options. Other 2003 program topics included Maple School, Farm Business Management, Tax School, Integrated Pest Management, and Marketing.

Respectfully submitted,
Dianne Baker, Regional Director

CORONERS
2003 ANNUAL REPORT

CORONERS:

L. Herbert Williams
21 N. Genesee Street
Fillmore, NY 14735

Ted Crowell
296 N. Main Street
Wellsville, NY 14895

Rex McIntosh
24 Genesee Street
Cuba, NY 14727

David Schwert
P.O. Box 4
Houghton, NY 14744

The above listed coroners investigated a total of 32 deaths in 2003 and were compensated $9,500.

Funeral homes charges totaled $2,768.

Coroners were also compensated for miscellaneous expenses such as mileage, telephone, and supplies totaling $7,287.52.

The following physicians assisted the coroners in signing death certificates and were compensated $150:

Strong Health (Dr. Jordan)
Richard Cudahy, MD

The Health Department contracts with Monroe County Health Department to perform autopsies. The Examiner's Office performed 32 autopsies in 2003 and was reimbursed $23,288.

Gary Ogden, MD
Public Health Director

COUNTY ADMINISTRATOR
2003 ANNUAL REPORT

The major issues facing the County in 2003 in which I had significant participation were preparation of the 2004 County Budget and the process of laying the groundwork for a new Public Safety Complex.

At the appointment of Chairman Edgar Sherman, I participated in an ad hoc committee comprised of public officials and private citizens whose charge was to investigate the overall physical space needs of County government and forward a recommended solution to the Ways and Means Committee.

In May 2003, the ad hoc committee recommended that the County pursue construction of a new County jail and to investigate the potential use of the former Belmont Central School as administrative office space.

Thereafter, a Request for Proposals was prepared and disseminated which led to the hiring of a Buffalo, New York based construction management company (Ciminelli-Cowper Company) and the firm of L. Robert Kimball & Associates, who were retained to perform the design of a new public safety complex. Since that time, the Public Safety Complex Planning Committee has met with the Construction Manager and Architect once every three weeks to initiate the design process of the facility.

More so than in any other year since being appointed Budget Officer in 1992, the task of preparing the 2004 County Budget was arduous. The Tentative Budget, released at the end of September, called for a 55 percent increase in County property taxes. Approximately 50 percent of this increase was created by only four budgetary areas: increased Medicaid costs, increases in the cost to insure County employees, lack of prior year budgetary fund balances and extraordinary increases in contributed employee retirement costs.

The budgeting process, which is normally completed by the end of November, culminated in failed passage of a budget on December 18, 2003, which carried a 22.4 percent property tax increase.

The early part of 2003 brought with it the unexpected need to negotiate the terms and conditions of the County's contract with Progressive Coach USA as it pertains to providing transportation services for Medicaid recipients after it was learned the County never received a specific waiver it had sought from the Federal government in 1999. This matter led to the re-issuance of a Request for Proposal to provide both Medicaid and public transportation services and was all but resolved by year's end.

With the ever-increasing burden to the County to absorb upward-spiraling local costs for Medicaid, I, along with Chairman Sherman, became active in a Southern Tier specific effort to lobby for Medicaid reform which was spear headed by the Honorable Thomas Santulli, Chemung County Executive.

Throughout the entirety of 2003, I remained active as a result of my membership on the Cattaraugus-Allegany Workforce Investment Board, Southern Tier West and the Southern Tier Rail Authority.

Respectfully submitted,
John E. Margeson, County Administrator

COUNTY ATTORNEY
2003 ANNUAL REPORT

Once again, the Allegany County Attorney's Office continued to see substantial increases in the volume of work handled by the Office in 2003. The Office provided legal representation to the County Board of Legislators and all other County offices and departments. This involved the rendering of formal and informal opinions, legal research, attendance at conferences, attendance at Board and Committee meetings, individual and group consultations as well as preparation for and appearances in Supreme, County and Family Court actions and proceedings.

Many conferences were held with County officers and employees and a significant amount of legal research work was performed for their respective benefit. In addition, laws affecting County operations were examined and appropriate legal advice rendered as a result. The County officials to whom these varied services were rendered were primarily as follows: Clerk of the Board, Commissioners of Elections, County Legislators, County Administrator, County Board of Health, County Clerk, County Historian, County Public Works Superintendent, County Treasurer, County Youth Director, Director of Community Services Agency, Director of County Soil and Water Conservation District, Director of Information Technology, Director of Development, Director of Office for the Aging, Director of Office of Emergency Services, Director of Real Property Tax Service Agency, Director of Veterans' Service Agency, Director of Weights and Measures, Employment and Training Director, Executive Secretary of Mutual Self-Insurance Plan, Fire Coordinator, Personnel Officer, Probation Director, Public Health Director, Sheriff, Social Services Commissioner, and STOP DWI Coordinator.

A wide variety of other work was undertaken for the Board of Legislators and County departments and offices. For example, the following legislation, instruments and documents were prepared and/or approved:

a. 303 passed Resolutions, and four Local Laws, all of which can be found in the 2003 Allegany County Legislators' Proceedings.
b. 170 Agreements were prepared for the various County departments.
c. Preparation of 54 tax deeds; extensive examination of 570 title searches to determine the persons or entities to receive notice in regard to foreclosure proceedings against real property for non-payment of taxes. This included the preparation of Petitions and Notices of Foreclosure and Tax Enforcement notifications pursuant to the Uniform Delinquent Tax Enforcement Act.
d. Preparation of 336 confessions of judgments concerning welfare fraud.
e. Preparation of 343 child support satisfactions of judgment.
f. Preparation of five discharges of mortgages and collection of $23,813.46.

The following extensive Family Court work was performed:

a. Preparation/prosecution of 61 juvenile delinquency proceedings.

b. Preparation/prosecution of 137 Persons In Need of Supervision proceedings.
c. Preparation/prosecution of 331 neglect and child abuse proceedings.

Support Collection is one of the areas for which the County Attorney's Office provides legal oversight, with day-to-day representation contracted out to private counsel on behalf of the Commissioner of Social Services. The Allegany County Support Collection Unit collected a total of $5,566,631.00 for calendar year 2003. Of that amount collected, $410,315.00 will reimburse public assistance grants. The number of paternity cases established in calendar year 2003 was 232.

In addition to the receipt of $231,400.00 in anticipated revenues, the County Attorney's Office received unanticipated revenues of $73,151.84 for legal services rendered to the Social Services Department, Health Department, Public Works Department and STOP DWI Office. Thus, total 2003 revenues were $304,551.84, an increase of approximately $57,020.59 from 2002.

The specifics of matters handled by the County Attorney's Office cannot be revealed due to the law requiring that communications between attorney and client remain confidential.

Respectfully submitted,
Daniel J. Guiney, Allegany County Attorney

COUNTY CLERK
2003 ANNUAL REPORT

I herewith submit my report as County Clerk for the fiscal year beginning January 1, 2003, to and including December 31, 2003.

RECEIPTS

Recording Deeds (2056)		$ 25,326.50
Recording Mortgages (1998)		75,931.50
Recording Other Papers		43,083.00
Docketing Transcripts		2,250.00
Voluntary Surrenders of Registrations		3,790.00
Copies and Exemplifications of Papers and Records		21,539.75
Filing Papers		63,717.00
Automobile Registrations and Operator's Licenses, etc.		130,110.57
Record Management & Cultural Education Fund		8,129.00
Auto Use Tax		127,430.32
Additional Mortgage Tax		28,629.50
All Other Services, Including:		
Mortgage Clerk Hire	$ 300.00	
Fees for Collecting Sales Tax	5,049.00	
1/2 Interest on Sales Tax Fees	65.37	
Fees for Collecting Transfer Tax	2,553.00	
Misc. (Passports, Census Records, etc.)	11,811.50	
	$ 19,778.87	19,778.87
Total		$549,716.01

All of the above fees have been paid to the County Treasurer. Receipts are on file.

MORTGAGE TAX

Mortgage Tax Collected		$751,120.50
Paid to County Treasurer (basic tax)	$493,565.17	
Paid to County Treasurer (add'l tax)	28,629.50	
*Clerk Hire	300.00	
Paid to New York State Mortgage Agency	228,625.83	
	$751,120.50	$751,120.50

TRANSFER TAX

Total Transfer Tax Collected		$218,178.00
*Paid to County Treasurer	$ 2,553.00	
Paid to NYS Tax Commission	215,625.00	
	$ 218,178.00	$218,178.00

EQUALIZATION & ASSESSMENT FORMS

Total Equalization & Assessment Fees Collected		$ 84,175.00
**Paid to County Treasurer	$ 14,112.00	
Paid to NYS Equal. & Assessment	70,063.00	
	$ 84,175.00	$ 84,175.00

RECORD MANAGEMENT & CULTURAL EDUCATION FUND

Total Record Management & Cultural Education Fund		$ 162,599.00
Paid to County Treasurer	$ 8,129.00	
Paid to NYS Tax Commission	154,470.00	
	$ 162,599.00	$ 162,599.00

MOTOR VEHICLE DEPARTMENT

Total Motor Vehicle Fees Collected	$1,074,176.49
Auto Use Tax	127,430.32
New York State Sales Tax Collected	367,126.34
Interest Collected on Sales & Use Tax	130.81
Total	$1,568,863.96

Paid to County Treasurer:

Registration and License Fees	$ 130,110.57
Voluntary Surrenders of Registrations	3,790.00
Auto Use Tax	127,430.32
*Fees for Collecting Sales Tax	5,049.00
*1/2 Interest Collected	65.37
Total	$ 266,445.26

Deposited in NYS Dept. of Motor Vehicle Account	$ 940,275.92
Remitted to NYS Sales Tax Bureau	362,077.34
1/2 Interest Collected & Remitted to NYS Sales Tax Bureau	65.44
Total	$1,302,418.70

CLERK OF COURT

Clerk of Court Monies Collected		$ 191,910.00
**Paid to County Treasurer	$ 10,645.00	
Paid to NYS Tax Commission	$ 181,265.00	
Total	$ 191,910.00	

NOTARY PUBLIC

Total Notary Public Monies Collected		$ 5,460.00
**Paid to County Treasurer	$ 1,820.00	
Paid to NYS Dept. of State	3,640.00	
	$ 5,460.00	$ 5,460.00

Services rendered without fee from January 1, 2003, through December 31, 2003:

County of Allegany	$ 64,251.10
State of New York	14,800.95
	$ 79,052.05

*Included in Receipts under "All Other Services".
**Included in Receipts under "Filing Papers".

Dated: January 31, 2004

Respectfully submitted,
Robert L. Christman, Clerk of Allegany County

COUNTY HISTORIAN
2003 ANNUAL REPORT

The year 2003 once again presented major changes for Allegany County as a result of September 11, 2001. The devastating effects of the financial loss were being felt in the County with budget shortages and potential loss of personnel. The major change in County government personnel, however, was the election of a new County Clerk, Mr. Robert Christman, who replaced the venerable Joseph Presutti. Major change in personnel in our Towns included the retirement of two long-serving justices: Clair Harding in Angelica and William MacCrea in Alfred. Of note on a New York State level as well, is the retirement of John Hasper of Belfast, former Chair of the County Board of Legislators, who served as the Deputy Secretary of State. The service of these people to our County is duly noted and greatly appreciated.

Of the many local news items of interest for 2003, the story that has been closely watched and debated involves the Adelphia Cable Corporation and its founder, Wellsville native John Rigas. The story first broke in 2002 but its saga continues. On a positive note, planning started for the County Bicentennial Celebration in 2006.

Life did go on as usual in the Historian's office with almost 600 visitors for 2003. The number of genealogy requests via the U.S. Mail has dropped again but the number of e-mail requests has increased. Field visitations to local museums and historical societies numbered 27 and I presented 103 slide programs ranging from local and regional history to nature and our National Parks.

Lastly, the office was once again capably staffed by our Green Thumb, now called Experience Works, employee, Mr. Frank O'Brien from Scio. His faithful dedication to the job of recording births, marriages and deaths from the microfilms of our County's old weekly newspapers provides a valuable research tool and service for our guests.

Respectfully submitted,
Craig R. Braack, County Historian

OFFICE OF DEVELOPMENT AND INDUSTRIAL DEVELOPMENT AGENCY 2003 ANNUAL REPORT

The Office of Development and Industrial Development Agency combined during the past year to continue our focus of business retention, expansion, and attraction.

Business Assistance/Revolving Loan Fund – During the course of the past year, our office received over 250 inquiries for assistance. In addition, the Development Office successfully received an additional $260,000 New York State Small Cities Grant to further enhance the County's Revolving Loan Fund. At year-end, there were 18 loans outstanding, totaling over $289,000 in the small business marketplace.

Business/Education Initiatives – Further emphasis was placed with on-going activities at Alfred University, Alfred State College, and Houghton College in regard to business development. In addition, the Business Education Community Coalition (BECC) is taking steps to become a more formal entity.

Infrastructure Development – With the revised structure regarding Planning and our offices' relationship with the various towns and villages, the County Planning Board has undertaken an aggressive direction to review and encourage infrastructure investment at critical areas within the County.

Marketing Initiative – Allegany County was recognized by the NYS Economic Development Council with statewide awards for marketing excellence with our "Allegany County…By Choice" initiatives. The program highlights unique individuals within our community, in addition to our exceptional educational institution.

Crossroads Commerce and Visitor's Center – At the conclusion of the year the ACIDA announced the creation of the Crossroads Commerce and Conference Center that will provide space for an accessible and highly visible Tourism Visitor's Center. It also provides a state-of-the-art conference area and premium office and professional space for new and expanding service sector companies.

Respectfully submitted,
John E. Foels, Director of Development and
IDA Executive Director

DISTRICT ATTORNEY
2003 ANNUAL REPORT

The District Attorney hereby submits this summary of his annual report in the condensed format required by previous Board resolution. The full text of the activities of the office will be filed in the Office of the Clerk of the Board of Legislators, Allegany County Office Building, Belmont, New York, and is also available from this office upon request.

Terrence M. Parker continued to serve as District Attorney, completing his sixth full year as District Attorney, and 20 years in the office. Norleen Enders and Ronnelle Drozdowski of Belfast, NY, served as the Confidential Secretaries to the District Attorney for the year. Keith A. Slep and Michael Regan of Wellsville, and David Gilbert of Rushford, continued their service as part-time Assistant District Attorneys. John Cappellini of Cuba left the office mid-year and no replacement prosecutor was obtained. Due to current budget constraints, one Assistant District Attorney position was eliminated by the legislature, leaving us short handed. There is an additional assistant position that is, at present, unfilled. This unfilled position was created as a grant-funded one, and unless full funding is found to fund the position, will remain unfilled.

Retired Sr. Investigator Dennis Vespucci of Clarksville, formerly of the State Police, continued his service as a Part-Time Investigator. His efforts have enhanced the prosecution services of the office, and he continues to be a priceless asset. His position is entirely grant-funded, and has no cost to County taxpayers.

Paul Wright of Wellsville served as an unpaid K-9 Investigator, and participated in numerous narcotics, DWI and other details throughout the County, in a cooperative use of our resources. His K-9 partner specializes in drug detection. At the end of the year, the Public Safety Committee authorized an additional K-9 Investigator under the same conditions, and Officer James Galatio of Cuba, and his K-9 partner, Dutchess, will be joining the office for weapons and explosive detection duties, to be called on as needed by law enforcement agencies throughout Allegany County.

Mrs. Shannon Ozzella also continued to serve as Crime Victims Services Coordinator for 2003, through another grant. As in past years, the majority of the costs of this office are paid from outside funding sources, not County taxes.

During the 2003 calendar year, 2,194 new files were opened in our office to be added to those carried over from 2002. The caseload remained nearly stable from the previous year, (a change of only 65 cases or 2 percent) while still representing a large increase over prior years. Of the 2,194 new files opened, 904 were misdemeanors, 336 were investigations or miscellaneous or initially regarded as a felony level arrest, 826 were violations and 128 were violations of probation.

A Special Prosecutor was needed and appointed to handle only 16 files in 2003.

Looking ahead to next year, the 2004 calendar year will prove to be a difficult one, financially. No new initiatives requiring additional expenditures will be implemented in the coming year, however some policy changes will be required as a result of new legislation.

In conclusion, I invite anyone with an interest to examine the expanded report on file with the Clerk of the Board of Legislators, or to request a copy from our office.

And, in keeping with the 30-year tradition begun by my predecessor in 1974, I offer the following proverb, four quotes and one Chinese saying for your consideration and reflection:

"You are permitted in time of great danger to walk with the devil until you have crossed the bridge."

Bulgarian Proverb

"Not everything that can be counted counts, and not everything that counts can be counted."

Albert Einstein, 1879-1955

"Have a heart that never hardens, and a temper that never tires, and a touch that never hurts."

Charles Dickens, 1812-1870

"Resolve to perform what you ought. Perform without fail what you resolve."

Benjamin Franklin, 1706-1790

"Do or do not. There is no try."

Yoda

"Knowing others is intelligence; knowing yourself is true wisdom. Mastering others is strength; mastering yourself is true power. If you realize you have enough, you are truly rich."

Tao Te Ching

Respectfully submitted,
Terrence M. Parker, District Attorney

DOG FUND
2003 ANNUAL REPORT

This report is filed pursuant to Section 111 of the Agriculture and Markets Law and covers the moneys remitted and the moneys expended by me under the provisions of Article 7 of the Agriculture and Markets Law for the period January 1, 2003 to December 31, 2003.

RECEIPTS

Total balance on hand January 1, 2003	$ 9,605.68	
Dog license fees received	12,837.63	
Tag fees received	156.00	
Total amount available for the year ending December 31, 2003		$ 22,599.31

DISBURSEMENTS

Paid 36% of dog license fees to Dept. of Ag & Markets	4,621.55	
Paid tag fees to Dept. of Ag & Markets	156.00	
Paid claims for damages done by dogs	7,375.00	
Paid to towns and cities 75% of total surplus for last reporting period	7,204.26	
Total disbursement during the year ending December 31, 2003		19,356.81
Total surplus for the year ending December 31, 2003		$ 3,242.50

75 percent of the above surplus amounting to $2,431.88 to be apportioned to cities and towns ratably to the remittance each made. Attached is a list showing the remittance each made and the amount apportioned.

Terri L. Ross
Allegany County Treasurer

DOG FUND (CONTINUED)
STATEMENT OF AMOUNTS REMITTED AND APPORTIONED
JANUARY 1, 2003 TO DECEMBER 31, 2003

Remitting Municipality	Amount Remitted	75% of Surplus Apportioned
9504 Alfred	$ 86.92	$ 16.45
9505 Allen	166.82	31.60
9506 Alma	191.56	36.29
9507 Almond	151.56	28.71
9508 Amity	1,062.17	201.21
9509 Andover	634.46	120.19
9510 Angelica	371.30	70.34
9511 Belfast	447.67	84.80
9512 Birdsall	32.90	6.23
9513 Bolivar	488.84	92.60
9514 Burns	379.49	71.89
9515 Caneadea	495.84	93.93
9516 Centerville	135.09	25.59
9517 Clarksville	245.56	46.52
9518 Cuba	1,053.94	199.65
9519 Friendship	857.71	162.48
9520 Genesee	489.95	92.81
9521 Granger	331.33	62.77
9522 Grove	299.64	56.76
9523 Hume	743.81	140.90
9524 Independence	159.78	30.27
9525 New Hudson	172.71	32.72
9526 Rushford	375.95	71.22
9527 Scio	394.78	74.78
9528 Ward	309.00	58.54
9529 Wellsville	1,883.49	356.80
9530 West Almond	111.59	21.14
9531 Willing	424.19	80.36
9532 Wirt	339.58	64.33
Totals	$ 12,837.63	$ 2,431.88

BOARD OF ELECTIONS
2003 ANNUAL REPORT

In 2003, we handled a multitude of voter registrations, requests, absentee ballots, petitions, certificates of nomination from caucuses, two primaries and a general election, inspector training classes, the mailing for NCOA and mail check. Two Election Commissioner's conferences were attended.

The Democrat Commissioner's term expired on December 31, 2002. As a result of a Law Suit against the County Legislature, Diane Martin was appointed as the Democrat Commissioner on February 24, 2003. Catherine Lorow was appointed Democrat Deputy on March 19, 2003. Joanne Rahr, Democrat Clerk, resigned in October and was replaced by Patricia Sweeney in November.

ELECTIONS 2003:

PETITIONS AND CAUCUSES: We received 79 Republican designating petitions for County Clerk, State Committee People, Delegates and Alternate Delegates to the 8th Judicial District Convention and Town offices in 12 towns. Twenty-one independent nominating petitions were filed for Town offices. Thirty-nine Certificates of Nomination were filed for Town offices.

PRIMARY ELECTION, SEPTEMBER 9, 2003: Primaries were held as follows: Republican – County Clerk and four Town offices (turn out – 26 percent). Absentee ballots sent – 219; returned – 165; counted – 151. Affidavit ballots received – 21; counted – 15; voided – 6.

GENERAL ELECTION, NOVEMBER 4, 2003: Two State Proposals, One Town Proposal, Two Supreme Court Judges, County Clerk, Four Coroners and Town offices in all 29 Towns. Voter turn out was 40 percent. Absentee ballots issued – 485; returned – 411; counted – 396; voided – 15. Affidavit ballots received – 63; counted – 34; voided – 29.

CAMPAIGN FINANCE: We received a total of 49 filings.

ELECTION INSPECTORS: Five training sessions were held for inspectors. Eighty-two inspectors and alternates were trained and certified.

VOTER REGISTRATION, ENROLLMENT AND LIST MAINTENANCE: We received 3,167 voter registrations in 2003. At the close of registration on October 11, there were 28,922 voters who were eligible to cast ballots in the General Election. Over the course of the year, we mailed out over 5,000 different types of mailings as mandated by NCOA and NVRA to keep voter records current. NCOA flagged 778 voters in May and 1822 mail check cards were returned to the office in September. Subsequent investigations were done on all targeted voters and the appropriate correspondence was sent to each, giving them the opportunity to correct any errors the post office or our office may have made.

REQUESTS: We processed in excess of 6,100 requests from other County departments, governmental agencies, the media, political candidates, and other organizations during 2003.

BUDGET: Our budget for 2003 was $142,855.28. At the end of the year there was a balance of $17,397.82, which was turned back to the County. The 2004 budget was submitted to the Board of Legislator's in July with an addendum budget of $440,607.00 to cover the cost of implementing the HAVA requirements for new voting machines and training. Included on the addendum was a revenue sheet of a possible one-time reimbursement of $387,425.00 from the State and Federal Governments.

James Gallman, Commissioner Diane Martin, Commissioner

OFFICE OF EMERGENCY SERVICES
2003 ANNUAL REPORT

It seems that federal disaster declarations are becoming the major topic of this office's annual activities report. Since I started working for the County in 1980, the County has received nine federal declarations because of various natural or man-made events. The current total of federal and state financial assistance since 1980 is approximately eighteen million dollars.

Regarding the current July-August flooding event, forty-one municipal and private-non-profit applicants have been approved to receive disaster assistance. The most recent figure is approximately six million dollars. The private sector claims to date total $384,749.00.

Because of the concern for this recurring damage, there has been a need to address the development of a mitigation program to identify all potential risks.

As required on an annual basis, the County's Emergency Operations Procedures Manual as well as the Comprehensive Emergency Management Plan were reviewed and updated where needed. A "Domestic Preparedness" annex was developed.

Assistance was given to some local municipalities in the development of their own disaster plans. Although not a requirement, local municipalities are beginning to understand the benefits of doing so.

Working with the County Health Department, bioterrorism issues have been addressed. Weapons of Mass Destruction incident response equipment was acquired through a program by the Division of Criminal Justice Services.

Coordination on response and preparedness planning was also done with the Red Cross.

A disaster drill was conducted involving industry and Jones Memorial Hospital in Wellsville to test local response and other capabilities of various agencies.

As the only "Course Sponsor" in the County for Emergency Medical Services training, this office continues to offer courses for our first responders from Certified First Responder to Advanced EMT – Critical Care level.

Respectfully submitted,
John C. Tucker, Director

EMPLOYMENT AND TRAINING ONE STOP CENTER
2003 ANNUAL REPORT

The Employment and Training Center is the resource utilized by job seekers for career and employment services, and employers for job matching, pre-assessment and screening assistance. Customers seeking services remained steady in 2003 totaling 7,383. Center staff made 2,454 referrals to job openings and 591 individuals were referred to partner agencies for other services.

Local businesses benefited from services that included the processing of applications, testing for math/reading skill levels, on-the-job training subsidies, and assistance with tax credit certifications. Fifty-two (52) on-the-job training contracts were written which resulted in $99,868 in direct savings to participating employers for costs associated with the training of new employees.

Funding available through the Workforce Investment Act assisted 121 county residents in specific occupational skills training programs linked to current demand occupations. Eligible adult and dislocated workers received training for certifications leading to careers as RN's, LPN's, Nurse Aides, Radiologists, Accountants and Computer Technicians, to name a few. Seventy-nine percent (79 percent) of those who completed training in 2003 found employment at an average wage of $8.95 per hour.

Services to low-income at-risk youth included counseling, work experience, exposure to post secondary educational opportunities, occupational skills training and supportive services. Seventy-four (74) youth ages 14-21 benefited from those activities through the Summer Youth Employment Program. In partnership with ACCORD, Southern Tier Traveling Teacher, and Literacy Volunteers, the year around program served an additional 72 youth, with an emphasis on dropout prevention, career exploration, mentoring, job seeking skills and work experience.

The Center continues to have a strong relationship with the Department of Social Services. A total of 997 applicants were assessed for employability. Four hundred ninety-four (494) public assistance recipients participated in workshops involving job readiness training, individualized job search, resume development and job retention skills. This resulted in welfare grant savings generated through employment, sanctions, and case closings for 151 individuals.

Other long-term public assistance recipients and non-custodial parents received services through our Welfare to Work Program. The goals of the program are to have the participants gain employment, retain employment, increase their wages and increase their support payments. This year 43 were served, 24 obtained employment, 22 were retained for six months or more, and 13 received pay raises.

In summary, all program activities involved 813 area residents who benefited directly from services such as tuition assistance, wage subsidies, supportive services, workshops and counseling services at an average cost of $1,772 per person.

Respectfully submitted,
Jerry L. Garmong, Director

FIRE COORDINATOR
2003 ANNUAL REPORT

During the year 2003, Allegany County Fire Department volunteers responded to 245 fire calls, 617 accidents, 195 false alarms, 189 tree/lines down, 18 carbon monoxide calls, five lost persons, and 28 hazardous material incidents. Fire and independent ambulances were dispatched from Allegany County for 3,494 ambulance calls with County agencies providing 259 ALS interfaces and 959 from outside ALS agencies. Mercy Flight gave assistance 20 times.

Our Fire Investigation Team now includes four (4) Senior Investigators and four (4) Regular Investigators. Fifty-seven incidents were investigated and a copy of those incidents is attached to the complete report, which is on file in the Office of the Clerk of the Board of Legislators, Allegany County Office Building, Belmont, New York.

The County Fire Service organizations have started the process to obtain another arson dog. We hope to fund this project from other than tax dollars.

A backup generator was installed at the Alfred tower and we hope to install one at the Cuba tower in 2004.

Our three NYS Certified Instructors conducted many classes in 2003 with a total of 6,214 person hours.

Copies of the 911 dispatch report and report of NYS training completed in 2003 are attached to the complete report on file with the Clerk of the Board of Legislators.

Respectfully submitted,
Paul W. Gallmann, Allegany County Fire Coordinator

DEPARTMENT OF HEALTH
2003 ANNUAL REPORT

Reviewing the last year's events, I am impressed by the increasing demands placed upon the individuals who produce programming within Public Health Departments in the face of ongoing reduction of State and Local funding. For our agency, in particular, cost containment at the Federal Level adds to the specter of diminishing resources through a drop in reimbursement in the form of a prospective payment system within Medicare. The demands placed upon this and all agencies who work in the interest of the public's health continue to be defined by continually emerging infectious illness, bioterrorism, an aging population, an increasing number of uninsured, rising drug prices, and a general increase in the proportion of the population suffering from chronic diseases, mental illness, obesity and other disorders resulting from poor lifestyle choices.

The American healthcare system is nearing a critical crossroads, one that virtually every other industrialized democracy has already traversed. The need is clearly surfacing to make access to quality healthcare an inalienable right of every citizen. Ten years ago experts in policy exclaimed that we could not get there from here. More and more, it seems like we have nowhere else to go. The cost of the local share of Medicaid alone haunts every elected and appointed official. Along with the payment of that cost goes the little part of the great American Dream we have carved out for ourselves in Allegany County.

The following pages *(included with the complete report on file in the Clerk of the Board of Legislators Office)* summarize the efforts of your Department of Health to meet the needs of the citizens of this County. We include for the first time, quality indicators for Homecare seen against State and National standards. The Early Intervention Program, Homecare Division, Environmental Health Division, and Family Planning have all excelled in recent NYSDOH surveys and the Board of Health has received unsolicited commendation from the American Lung Association. Several of us now attend as Directors of Rural Health Networks, members of State policy committees, or participate in regional task force activity. Working with the Human Services Committee, our work force was trimmed eight percent prior to the onset of a very difficult 2004 budgeting process, while maintaining a high level of productivity. We continue to expand our relationships with all members of the Public Health Service System and enjoy the respect of the community we serve.

Should this report give rise to any questions, please feel free to call.

Yours truly,
Gary Ogden, M.D., C.M., Public Health Director

(A complete copy of the Public Health Annual Report is on file in the Office of the Clerk of the Board of Legislators, Allegany County Office Building, Belmont, New York.)

HUMAN RESOURCES / CIVIL SERVICE
2003 ANNUAL REPORT

Overview

Human Resources/Civil Service is responsible for employee benefit administration, labor relations, recruitment and hiring for Allegany County's workforce of full and part time employees numbering 546 persons. Recruitment is under the merit system requirements of NYS Civil Service Law. In addition to the County government, the office administers the Civil Service Law, including a competitive examination program, without cost to the Towns, Villages and School Districts within Allegany County for an additional 1,056 municipal employees.

Four employees carry out the responsibilities of the department each averaging more than 20 years of experience in human resources/civil service administration.

- Joyce Brewer, Human Resource Assistant, 25 years with Allegany County
- Julie Hoshal, Human Resource Assistant, 24 years with Allegany County
- Bernard Morris, Personnel Officer, 3 years with Allegany County
- Ellen Ruckle, Human Resource Specialist, 30 years with Allegany County

2003 Summary

Notable highlights during the year were:

- Human Resources/Civil Service devoted considerable staff time and office resources assisting departments impacted by abolished positions applying the provisions of Civil Service Law and labor contracts to identify, then assisting employees being laid off.
- A positive labor climate continues; for the year there was one arbitration, one PERB Improper Practice Charge and one mediated disciplinary settlement among our three union contracts covering approximately 370 employees. The decisions in all three were favorable to the County.
- Human Resource Specialist Ellen Ruckle reached the 30-year career mark in April; a total 18 employees have 30 years, or more with Allegany County. Human Resource Assistant Joyce Brewer achieved the 25-year career benchmark.
- Administered 29 different title civil service examinations to 258 candidates on fourteen Saturdays.
- Concluded negotiations with Council 82 Local 3989 for a successor labor contract for full-time union employees in the Sheriffs' Department. Employees ratified the five-year agreement by a two-to-one margin. The contract was subsequently adopted by the Legislature in December.
- Began negotiations in the fall with the New York State Nurses Association for a successor labor contract for Nurses in our Health Department, which expired at year-end 2003.
- Concluded solicitation of competitive proposals from health insurance carriers for renewal of our employee health insurance plan resulting in a substantial reduction in administrative fees required to operate the plan.

Bernard J. Morris SPHR
Allegany County Personnel Officer

INFORMATION TECHNOLOGY
2003 ANNUAL REPORT

The Information Technology Department once again submitted a grant to the Local Government Records Management Improvement Fund for $50,000. In July we were awarded $50,000 to proceed with our disaster-recovery plan for the County's electronic records. By the end of the year the site had been prepared and the equipment had been purchased. The project will be completed by the end of June of two thousand four.

The Department of Information Technology continues to service over 500 pieces of equipment throughout the County with a staff of four people. The technicians had a total of 38.25 hours overtime for the year which is due to being on call for the departments, which require our services twenty-four hours a day. The department continues to provide technical support to all the offices and departments. The support involves the purchase of new computers, setting them up and installing the necessary software needed for the employees to do their job. The technicians troubleshoot all computers, servers, printers and connectivity for all departments located at the Belmont facilities as well as facilities located in Wellsville, Friendship and Alfred.

Respectfully submitted,
Deborah M. Button, Director

PARKS AND REFORESTATION
2003 ANNUAL REPORT

- The Department of Public Works has assumed the ownership of the equipment and responsibility for performance of the routine maintenance duties pertaining to this department. Mowing and trimming occurred on a regular schedule at the Rushford Swim Area, Seneca Oil Spring, County Cemetery and County Road 48 fueling station.

- A timber sale on the Griffin Lot was marked by Consulting Forester Paul Kretser. The sale was coordinated by the Soil and Water Conservation District and the 88.7 thousand board foot sale brought in $71,140 in revenues to the County. Three sites were identified and are being cruised for organization of the timber sale in 2004.

- Flooding in the early summer months severely damaged two Reforestation access roads and filled in a drainage way that protects the athletic fields at the new Genesee Valley Central School. Application was made to FEMA for funding to repair the sites. The FEMA mitigation proposal for the Sanitarium Lot involves the installation of stabilizing grade sills which will help reduce the sediment damages.

- The well at the Rushford Swim area is seasonally artesian. The resulting flooding of the in-ground well house and stagnant pooling around the wellhead was a threat to public safety. The District designed an extension of the casing and hired a well installer to extend the casing and install a pitless adapter. The void around the wellhead was filled and capped and a proper well seal installed.

- The white oak bridge decking materials are sufficiently air dried for replacement of the bridge deck at Seneca Oil Spring in Cuba. A referral was made to Public Works Committee from Resource Management to organize the labor force necessary to replace the decking. The stumps remain where the dead Elm trees were cut at the facility and stump grinding would be appropriate. The rock rip rap protection of the pedestrian bridge has functioned well during the summer flooding.

Respectfully submitted,
Frederick Sinclair

PLANNING SERVICES
2003 ANNUAL REPORT

During 2003, Allegany County continued utilizing three contracts to undertake the duties previously performed by the County Planner. The County Soil & Water Conservation District performed Agricultural District duties. The Southern Tier West Regional Planning and Development Board provided regional planning services on request. Allegany Environment & Planning Services, Inc.'s Kier Dirlam undertook all other duties associated with the former County Planner position. As of November 2003, AEP ceased providing these services. As of this writing, the County does not plan to refill the position of Planning Specialist through contract. It did create a Planner position in late 2003; however, there isn't a budget allocation of funds to cover the salary or office needs for this position in 2004. It is expected that the soonest this position would be filled would be in 2005. **Allegany Environment & Planning Services, Inc**. efforts included the following activities:

Studies/Surveys/Projects: The following are some of the projects that we were involved with during 2003: EPA funded Septic System inventory of records from 1978 through 2002. All paper information was input into a database as well as GIS mapping for the Towns of Andover, Alfred, Ward, West Almond, Almond and Birdsall and the Villages of Andover, Almond and Alfred. Agriculture Farmland Protection Plan received a grant for this project, which will continue into 2004. Heavily involved in the Friendship Empire Zone development plans and politics; worked to increase availability of infrastructure within the County with a focus on the Town of Amity and Village of Canaseraga. A number of transportation issues were worked on through the year including the Belmont Bridge replacement and the condition of I-86.

Community Assistance was provided to the communities of Alfred, Allen, Almond, Amity, Angelica, Belmont, Birdsall, Bolivar, Burns, Canaseraga, Clarksville, Granger, Grove, Hume, and Wellsville with Planning issues.

GIS: The primary effort this year was on the EPA funded Septic System project. Map work was performed on the Village of Alfred Zoning Map, Alfred Comprehensive Plan development maps, Bike Trail maps. Assisted with Pictometry and made presentations on this technology.

General Items: Responding to requests for information on Flood Plains and designations; providing maps for various uses including grant applications; reviewing grant applications and reviewing proposed local laws as requested. Met with various agency and legislative groups; website updates for Development & Planning; an On-line Newsletter was updated; Census Bureau requests were fulfilled as well as providing Census 2000 data on request; grants information was collected, collated and distributed for use by various departments.

Respectfully submitted,
H. Kier Dirlam, Planning Specialist

PLANNING BOARD
2003 ANNUAL REPORT

The Allegany County Planning Board continued to expand its role with various municipalities by aiding and reviewing several matters relative to planning and land use. Many review and comment procedures were conducted throughout the year including:

- The issue of County beautification through enforcement of Junk laws should be approached in a positive manner. It is possible to set up a County-wide refuse district that allows the County to enforce an ordinance County-wide.
- The issue of specifications for new Town roads. The State sets standard guidelines for a State road. The County has its standard for its roads. Towns tend to take one of these or adopt one of their own. The Planning office was charged with offering the standards produced by Cornell Local Roads Program to the Towns.
- The Village and Town of Wellsville Comprehensive Plans were reviewed and approved with comments.
- The Village of Belmont's amended zoning law was reviewed and approved with comments.
- The application for the Town of Belfast Water Improvements that addresses two new water sources was reviewed for SEQR status.
- The Allegany County Planning Board By-Laws were in need of revisions in order to conform to the new changes in New York State Municipal law. Work on these revisions proceeded through the year.
- Supported funds allocated for maintenance of I-86 in the new federal TEA-21 Legislation.
- Discussed and made provisions for County Planner activities due to the Planning Specialist leaving as of November and the County providing no plans to hire a full time Planning person for 2004.
- Reviewed and considered the inventory of all planning records of the County due to no personnel in the Planning position and considered applying for State Archives funding to do a thorough archive activity of the numerous records in storage.
- Support was offered for various projects and efforts involving housing rehabilitation grants, parks, recreation and historical, farmland enhancement planning, economic development and others.

Ronald A. Stuck, Chairman
Allegany County Planning Board

PROBATION
2003 ANNUAL REPORT

Intake - The principal purpose of the Intake Unit is to divert cases from the attention of the Family Court. Areas of jurisdiction include Custody, Visitation, Support, Juvenile Delinquency and Persons In Need of Supervision. The unit served a total of 828 cases.

Investigations - A total of 397 investigations were prepared for the County, Justice and Family Courts in 2003.

Supervision - At year's end, 423 individuals were on probation supervision in Allegany County. The criminal courts accounted for 341 cases; there were 82 active Family Court supervision cases.

Collections - The total collections for the year were $133,605.52. This total includes restitution to crime victims.

Staff Development – Twenty-one training credit hours per year per professional staff member are mandated. In 2003, the average number per officer was 26.

Pre-Trial Release (ROR/RUS) - A total of 162 inmates were released via program intervention in 2003.

Community Service Sentencing Program – Thirty-eight "jailbound" offenders were received by the Community Service Program in 2003. Those put to work accounted for 1,224 hours of community service work completed.

Adult Intensive Supervision Program - As of December 31, 2003, six "high risk" jail/prison bound offenders were being managed successfully in the community on the County's ISP.

Adult Sex Offender Treatment Program - Three evaluations/assessments were prepared in 2003, 26 investigations were completed and, at the close of the year, 29 offenders were in group treatment.

Electronic Home Monitoring – Seventy-three clients referred to EHM in 2003. 7,340 jail days potentially saved along with a potential 1,450 out-of-home placement days for PINS and JD's. Offender fees collected in 2003 amounted to $12,490.00.

Local Conditional Release (Parole) - Three applications were received in 2003 by the Commission. All were denied.

Probation Eligible Diversion Program - Program designed by probation to impact state prison population. Potential revenue to County is $20,100.00.

Juvenile Intensive Supervision Program - Keep high risk PINS and JD's in the community and out of costly placement situations. As of December 31, 2003, five active cases in the County.

Juvenile Sex Offender Treatment Program – In 2003, three juvenile sex offender specific investigations were prepared for the Court.

Juvenile Arson Prevention Program - Early intervention/education program. There were two referrals to this program in 2003.

Respectfully submitted,
David A. Sirianni, Director of Probation

PUBLIC DEFENDER
2003 ANNUAL REPORT

The Public Defender's Office has had a very good year in 2003.

Assistant J. Thomas Fuoco, Esq., from Angelica, New York, provided representation to clients in Family Court facing issues of neglect, abuse, custody, visitation, foster care and family offenses. Mr. Fuoco resigned at the end of the year and he will be missed by clients and colleagues as he pursues private practice. Assistants Barbara J. Kelley, from Bolivar, New York, and Patricia K. Fogarty, from Belmont, New York, and Public Defender Beth E. Farwell, from Wellsville, New York, covered the criminal defense cases in all Justice Courts, County Courts and Parole Hearings.

The Public Defender's Office opened 926 total cases in 2003. There were 216 Family Court matters. There were 138 Felony criminal matters and 406 Misdemeanor cases. There were 114 files involving Parole Violations, Probation Violations or other matters. Twenty cases were referred to the Assigned Counsel Administration Program due to conflicts.

The Public Defenders remain committed to protecting the rights of our clients and providing the zealous advocacy our clients deserve in our Justice and County Courts.

Respectfully submitted,
Beth E. Farwell, Allegany County Public Defender

DEPARTMENT OF PUBLIC WORKS
2003 ANNUAL REPORT

Between July 21, 2003 and August 13, 2003 the County was hit by several devastating storms, which caused severe flooding and power outages across the County. The Department of Public Works was especially hard hit in the Nile area, where one County bridge collapsed. The Department rendered assistance to the State, several Towns and constructed a detour in the Nile area. We are continuing to repair our facilities, which will not be completed until late in the summer of 2004.

CHIPS aid in the amount of $1,518,847.20 was received from New York State. 61.53 miles of road were Hot Mixed paved or had Bituminous Seal Coat applied. Storm drain work on CR09 in the hamlet of Scio was done by County forces.

Public Works started/completed three bridges/culverts on the County Road System and two on the Town Highway System. County crews assisted several Towns with repair work necessary due to this summer's flooding.

Construction on the Alton Sylor Memorial Bridge in Angelica was completed. Engineering and design work began on the CR46, East Hill Road Historic Bridge in the Town of Caneadea. The County bridge crew will rehabilitate the structure in 2004. Engineering was also started on BR23-11, on CR7B in the Town of Rushford.

The Bridge Maintenance Crew worked on eighty-one different structures during the year.

Pavement marking crews completed 345.57 miles of centerline striping, 468.22 miles of edgeline striping and 76.80 miles of index marking and spot checking centerlines.

The 2003 Snow and Ice contracts with Towns amounted to: $822,292.40 for municipal contracts and $779,726.30 for sand/salt and hauling.

The Phase I Closure project that was initiated at the Allegany County Landfill in August of 2002 was 90 percent complete and will be done during the summer of 2004. A total of 4,269 tons were recycled and the County landfilled 38,114.72 tons of solid waste.

I would like to thank my staff for their dedication and all our employees for a job well done. Also, I would like to thank the Board of Legislators, especially the Public Works Committee whose support and interest in this department has been invaluable.

Respectfully submitted,
David S. Roeske, Superintendent

REAL PROPERTY TAX SERVICE AGENCY
2003 ANNUAL REPORT

In compliance with Section 1532 R.P.T.L.

County Reporting:	Allegany
Reporting Period:	Calendar Year 2003
Major Functions:	Maintenance of Assessment Rolls, Tax Rolls, And Tax Maps & Assessor Training

MAINTENANCE OF ASSESSMENT ROLLS AND TAX ROLLS:

The production of Assessment Rolls, Tax Rolls, Tax Bills, Cross Reference Listings, Change of Assessment Notices and Special Reports were all processed by Allegany County. This includes the 19 School Districts, 29 Towns and 10 Villages that have assessable property in Allegany County. There were 28 Towns with the Real Property System on their own computers and are responsible for their own processing in 2003. We provided program and technical support, for the Real Property System, for these Towns.

TAX MAP MAINTENANCE:

Tax maps were maintained for all 29 Towns in the County. Copies of new deeds, land contract sales, and property transfer reports (RP-5217) were delivered weekly by the County Clerk's Office. Split offs of property sales are plotted on the maps and map overlays and new tax map index cards are generated. The overlays and a copy of the index cards are sent to the assessors along with copies of the deeds and property transfer report. There were 2,129 transfers in Allegany County in 2003. Revenue from the sale of tax maps was $6,850.00. All tax maps have been digitized and the NYSORPS has approved and certified them for use.

DIRECTOR'S ACTIVITIES:

This year our office has been working on a project with our Western Regional office to be able to provide to the assessors the ability to use our tax maps to enhance the V4 RPS system as a layer of the GIS incorporated in the V4 system. This project will enable the assessors to overlay the actual tax map on their town and link it to the assessment information. We will be beginning to improve on this by also working to incorporate the use of the Pictometry photos along with the tax map parcels. I still remain the Western Regional Coordinator/Treasurer for our association and have attended both conferences this year in Albany and Alexander Bay. These conferences allow me to maintain my certification and costs are reimbursed by the NYS ORPS. I would like to thank my staff for their hard work, especially this year, and also the Board of Legislatures for their continued support.

Respectfully submitted,
Steven G. Presutti, Director

SHERIFF
2003 ANNUAL REPORT

In January 2003, responding to a call for budget reduction issued by the Board of Legislators in autumn 2002, I implemented an agency restructuring that resulted in the elimination of four positions: two Senior Account Clerk positions and two Lieutenant positions. Two new positions were authorized and filled: Accountant and Jail Administrator. In the spring, the NYS Commission of Corrections (COC) approved two variances allowing nine additional inmates in our jail. There were two reasons for the COC's action: progress by the Board of Legislators on construction of a new jail, and the appointment of a Jail Administrator.

During the past year 734 inmates were detained by this facility, an increase of nine percent over 2002. No inmates were housed for other counties, 12 inmates were sentenced and transported to a State facility. $43,622 was received from New York State for housing parolees and State-ready prisoners, the most revenue that can be collected for inmates that is permitted by State. The highest single day population was 62 inmates, 56 males and six females. There was a slight reduction in the average daily population in 2003 (fifty inmates) as compared to 2002 (fifty-one inmates). Factors contributing to this include effective Alternatives to Incarceration programs and our implementation of credit card bail payments that facilitates the release of inmates who otherwise might stay in jail. The total number of meals served was 43,429, an 11 percent increase over 2002. The average cost per meal was $1.31, nine cents per meal less than the prior year. Jail medical expenses were reduced by 27 percent from 2002. In 2003 there were 1,082 transports/escorts recorded.

Civil Deputies served 1,726 civil processes in 2003. These include 794 Family Court Summonses, 415 Summonses, 292 Property or Income Executions, 78 Eviction Proceedings, 145 Subpoenas, and 2 Civil Arrests. The Sheriff's Office collected Undertakings, Fines, Bail, Fees, and Monies for Judgment Creditors in the amount of $549,773.58.

The Sheriff's Office engaged in selective enforcement activity, community policing and assists to other agencies resulting in 213 arrests, 206 traffic tickets and 63 accident investigations. The Communication Center handled 15,868 calls for police, fire, or EMS service. Public Safety Dispatchers logged about 98,000 radio transmissions and received 12,184 emergency 911 calls in 2003, twenty-one percent more than 2002. This increase is due to more cellular 911 calls. Allegany County is one of 11 counties in New York currently receiving Phase 2 Wireless 911. Phase 2 provides caller phone number and approximate location on incoming cellular 911 calls. Court Security Officers screened 31,585 visitors to County Court in 2003, a 12 percent increase over 2002. On average, 126 visitors passed through the Magnetometer each day, resulting in the confiscation of 380 prohibited items (sharps, noxious sprays, et al) during the year.

Randal J. Belmont, Sheriff

SOCIAL SERVICES
2003 ANNUAL REPORT

In 2003 the Department of Social Services saw a very slight (.4 percent) decrease in people receiving public assistance, with increases of 10 percent and 19 percent in individuals receiving food stamps and Medicaid, respectively. Overall, we served an average of 1,393 individuals more per month in these three benefit programs in 2003 than we had in 2002.

Social Services programs required an increase of approximately $1.5 million in local share in 2003. Primary categories of local share cost increases were Medicaid, administration, and child welfare. Controlling Medicaid costs will continue to be a focus across New York State and the country in the coming years.

Although Department activities cost Allegany County taxpayers $11.2 million in 2003, that tells only a small portion of the story. We brought a total of $59.5 million into the County in Federal, State, and non-governmental revenues. We also assisted custodial parents to receive $5.6 million in child support payments. Therefore, $76.3 million was circulated in the local economy through our efforts.

In addition to serving approximately 11,500 people per month through public assistance, food stamps, and Medicaid, we touched many more lives through our HEAP, child support, children & family services, and childcare programs. Our caseloads in these four areas were approximately 7,000, 3,600, 1,000, and 300, respectively. This means that of the roughly 50,000 people in Allegany County, almost one-half of them received some service from the Department of Social Services in 2003.

We expended an average of less than $500 in County tax dollars per person to serve these 23,000+ individuals. Since many folks receive more than one service and have multiple contacts with us during the year, our costs are economical. Realizing that we brought more than $2,500 in non-County revenues into the area for each person served, our economic impact was positive overall. Without our ability to generate State and Federal revenues, most of which are spent locally, many Allegany County service providers, medical professionals, not-for-profit agencies, and profit-making businesses would have to close their doors.

With a dual mission of strengthening families and reducing poverty, the Department must always balance the sometimes conflicting needs of providing important services and assistance and minimizing expenditures. Not an easy task in the best of times, this is a particular challenge when the economy is weak.

Respectfully submitted,
Margaret A. Cherre, Commissioner

SOIL AND WATER CONSERVATION DISTRICT
2003 ANNUAL REPORT

CONSERVATION PLANNING:

- A $12,500 grant from Ag & Markets was received for Farm Protection planning.
- The window for yearly addition to Ag Districts is set for October.
- Five CAFO plans were completed on large farm operations.
- 111 Compliance inventory and evaluations were performed.
- Nine Wetland Reserve Program applications were approved for construction.
- 25 farmers entered 89 parcels of land covering 7,249 acres for Ag exemption.
- The Pine St. Dry Detention basin design was completed.
- $10,000 grant was received for Hanover Creek storm water management.

WATER RESOURCES MANAGEMENT:

- The NYS EPF Round IX and EQIP project in Rushford Lake is underway.
- EQIP projects were completed on seven farms in the Upper Genesee Basin.
- FL-LOWPA projects were constructed on 17 farms.

TECHNICAL ASSISTANCE:

- An 88.7 mbf County sale of timber from the Griffin lot brought in $71,140.
- The wellhead at the Rushford Swim area was brought up to code.
- Application was made to FEMA for repairs to Reforestation areas.
- 925 customers received services, 142 were first-time contacts.
- Resource Mgt. Systems planned on 8,146 acres and implemented on 6,674 acres.
- There were 12 municipalities, 25 businesses, and 25 farms assisted.
- Nutrient management applied to 2,000 acres and prescribed grazing on 740 acres.
- Wildlife habitat improvement applied on 2,159 acres.
- Farm based projects included six alternative water supplies, nine fencing systems, four roof runoff management systems, four grass filter areas, two sileage leachate control systems, 600 feet of access road, 1,000 feet of cattle laneway, two diversions, a milk waste treatment system, manure transfer system and three waste utilization systems. Fourteen AMA cost shared projects were also completed on 12 farms.
- Engineering assistance made available to Villages of Wellsville and Angelica.
- Feasibility of Methane digestion and generation of electricity being studied.
- Prescribed Grazing Management continues to grow.

CONSERVATION EDUCATION:

- Two college students did 12-week summer internships with the District.
- Work started on the trail system for the 24-acre Outdoor Education Center.
- A $2,500 National Wild Turkey Federation grant was received for the establishment of a Wild Turkey learning station.

Respectfully submitted,
Frederick Sinclair

STOP DWI PROGRAM
2003 ANNUAL REPORT

In 2003, the Allegany County STOP DWI Program completed 19 years as a community based resource totally funded by drunk driver funds. The 2003 budget of $142,098 was expended to provide a variety of services to the community to battle drunk driving. Funding from the agency aided in increased enforcement, prosecution, and supervision of offenders as well as improving education efforts and public information. The agency relies on positive partnerships with law enforcement, the District Attorney's office, town and village officials and not-for-profit organizations.

During the year, eight municipalities participated in unannounced DWI patrols. A total of 281 alcohol-related arrests were made in 2003. Five agencies participated in two county-wide "blanket" patrols.

The STOP DWI office continues to provide funding to the District Attorney's office to assist prosecutions of DWI arrests. The Probation Department received $21,000 for the year 2003 to be applied toward salaries for a Probation Officer and an Account Clerk to assist in the collection of fines, preparation of pre-sentence investigations, and supervision of those convicted of DWI offenses.

The Victim Impact Panel, collaboratively administered by this agency, MADD, Probation, and the Allegany Council on Alcoholism, continued to be a viable tool for offender accountability and a method of Restorative Justice for victims of DWI crimes. In 2003, four Victim Panels were held with 182 defendants attending.

The STOP DWI Program continued to provide prevention and education services to youth and adults in the County. The agency supported the local SADD chapters by sponsoring the Awards Breakfast in May and the Leadership Training Conference in October. Donations were made for school-based drug and alcohol-free parties and to assist schools in purchasing products that can be used to educate students about the hazards of drinking and driving. The very successful initiative, Teen New Year's Eve Event 2003, was sponsored by STOP DWI for a third year with grants from ACASA and Reality Check and with volunteers from Trapping Brook House as well as clerical assistance from the Youth for Christ staff. This year, over 150 youths enjoyed the safe and fun-filled activities, which are an alternative to the traditional celebrations.

STOP DWI is grateful for the efforts of local and State legislators who have lobbied to increase sanctions for repeat offenders and for tighter controls on alcohol sales to minors (e.g. the "Keg" law). This agency also recognizes the efforts of our local Probation Department, which is now recommending to the Courts some of the strictest conditions for DWI offender supervision to be found in New York State.

In 2003, these coordinated efforts paid off: There were no DWI deaths in the County. We will continue our efforts so 2004 may see the same results.

Deborah Aumick, Coordinator
Allegany County STOP DWI Program

TOURISM
2003 ANNUAL REPORT

In 2003, the Tourism Office produced 150,000 copies of the Allegany County Travel & Outdoor Guide as our primary vehicle to promote the County as a travel and recreation destination. The guides were distributed at travel shows; AAA's; New York State Parks and Information Centers; I-90 in Rochester and other tourism promotion agencies throughout New York State, the Northeastern United States and Canada. We are in over 200 locations in Erie and Monroe Counties. In the 2003 guide we continued with three covers designed for seasons and types of requests and an Allegany County by Choice advertisement on the back cover.

We launched our Allegany County *"more than a destination...an experience"* advertising campaign. Initial response to the campaign looks promising.

The Allegany County/I Love New York cooperative ad program had its best year ever, bringing in $12,000 more than anticipated.

Despite the rainy summer, we had record attendance at many of our major events.

Finally, we applied for and received notice of our Matching Funds Grant for 2004. We were awarded $100,952.00, which will allow us to continue to promote the Allegany County experience.

Respectfully submitted,
Jesse Case, Tourism Specialist

TRAFFIC SAFETY BOARD
2003 ANNUAL REPORT

The Allegany County Traffic Safety Board enjoyed a very good year. Once again, we had a very successful booth at the Allegany County Fair, which we shared with the New York State Police and the Allegany County STOP DWI Program. The booth featured the ever-popular Treasure Chest with daily prizes donated by area businesses. Literally hundreds of prizes were given out for the entire week at the Fair. Two 15-speed bicycles were the grand prizes donated by the Allegany County Town Highway Superintendent's Association. The Traffic Safety Board again would like to thank all of the area businesses that donated prizes for our Fair booth.

Another traditional accomplishment was the purchase and distribution of Reflectorized Halloween Safety Bags. These were again distributed to participating school students in Pre-K, Kindergarten, and First and Second Grades throughout the County with the help of the local SADD Clubs.

The Traffic Safety Board continued to implement the ATraffic Safety Strategic Plan≅ established six years ago. This Program has sponsored the distribution of literally thousands of safety promotional items such as child safety seat checks, traffic safety literature and public service announcements, just to name a few. The Sheriff=s Office radar trailer continues to be used as an effective educational enforcement tool throughout the County, especially near our school zones and highway work zones.

The Board once again supported the Allegany Buckles up Children (ABC) Coalition, which sponsored 22 child safety seat check stations around the County. Of the 290 seats checked, only a small percentage were installed and used correctly. For the entire year, 176 child safety seats were distributed. A very special "thanks" goes out to all of the certified technicians and people who volunteer their time to insure the safety of our young vehicle passengers.

Finally, the Traffic Safety Board continues to work with and review research data from the Traffic Safety Program to prioritize and establish an interactive network to address safety concerns within the County.

Respectfully submitted,
Guy R. James, Secretary

TRAFFIC SAFETY PROGRAM
2003 ANNUAL REPORT

The Allegany County Traffic Safety Program is completely funded by the National Highway Traffic Safety Administration with a grant from the Governor's Traffic Safety Committee. There are three elements: "Ride Smart 3," a general traffic safety program; "Allegany Buckles Up Children (ABC) Coalition," a child passenger safety coalition; and "Buckle Up New York!" (BUNY), a zero-tolerance seat belt enforcement program in cooperation with the New York State Police.

The highlight of Ride Smart 3 in 2003 was the Party in the Parking Lot, which drew more than 450 people to Belmont for activities and programs that were fun and promoted safety, especially in motor and non-motorized vehicles. Other highlights of the year included the Smart Thinking Tour (presented to 665 ninth- to twelfth-graders in Scio, Belfast, Wellsville, Whitesville and Andover), additional school programs provided to 1,360 (mostly elementary) students in seven schools in five districts, and community programs for 100+ adults. The extreme (multi-sport) helmet program provided helmets at cost to individuals and groups. More than 300 helmets or helmet/protective gear packages were distributed. In good weather, the "Prize Patrol" gave prizes (a juice box, a packet of crackers and a ticket for being smart) to people, mostly kids, who were sighted wearing helmets while biking, scooting or skating. Several people had Prize Patrol boxes in their vehicles. If they observed people wearing helmets, and they had time to stop, then the tickets were issued -- there were no dedicated prize patrols. Several police departments joined in the project with the Sheriff's Office and are expected to continue in the spring and summer.

At the County Fair, the Traffic Safety Program supplied materials and staffing. Throughout the year, the TSP continued to supply handouts for the public and news releases on topics of local interest, new laws, or traffic safety concerns; write annual grant applications for re-funding; assist police departments with grant applications; and maintain grant fiscal accounts and comply with reporting requirements.

The Traffic Safety Program added a new task in 2003. It now coordinates the AARP Safe Driver Program (formerly 55 Alive) in Allegany County. Four courses were offered in November and December. The centralized and uniform scheduling, registration and publicity has already paid off with fuller classes, fewer cancellations, and finally serving the public in the northern part of the County. The Houghton class filled so quickly that a second class had to be scheduled.

The ABC Coalition checked 290 child safety seats at 22 checks (including 11 events, eight checks at the permanent stations, three roadside BUNY checks and 77 individual checks. Nearly 200 seats were distributed to the public, including 122 without charge to low-income households. The Traffic Safety Program coordinated the coalition, purchased and distributed car seats, and scheduled the 19 checks and many of the individual appointments.

Kath Buffington, Traffic Safety Program Coordinator

VETERANS' SERVICE AGENCY
2003 ANNUAL REPORT

January 1, 2003 – December 31, 2003
TOTAL CONTACTS: 2,305
TOTAL SERVICES: 3,060

The estimated Veteran population of Allegany County is as follows:
WWI – 0; WWII – 625; KOREAN CONFLICT – 664; VIETNAM – 1,315;
POST VIETNAM – 504; OTHER PEACETIME – 526; PERSIAN GULF – 1,241;
TOTAL VETERAN POPULATION – 4,875

The County Veterans Necrology Report for 2003 is as follows:
WWI – 0; WWII – 70; KOREAN CONFLICT – 35; VIETNAM – 33;
PEACETIME – 12; PERSIAN GULF – 0; TOTAL VETERAN DEATHS – 150

During 2003 this Agency ordered 85 bronze plaques, four granite stones, and zero marble stones for Veterans' gravesites.

This Agency provides the following services:

Veteran Administration home loans information, service connected compensation claims, New York State tax exemptions from real property, burial, educational, pension benefits, completion of Annual Income Reports, and to assist with any inquiries and settlements of Veterans' Life Insurance.

To provide these services a total of 1,818 letters and telephone calls were sent and received, and 376 personal visits from Veterans and various service organizations. Approximately 75 percent of letters going out were for Veteran claims. There were 30 out-of-office contacts including eight home visits to Veterans or widows too disabled to make an office visit. The Director also made calls to Nursing Homes in the area.

Monetary benefits realized by Veterans of the County and their families are as follows: COMPENSATION & PENSION - $4,961,552; EDUCATION - $285,312; TOTAL BENEFITS - $5,246,864.

Among the major accomplishments of this office include a project with the Wellsville American Red Cross of the collection of quality of life items for our troops in Afghanistan and the shipping of 21 boxes to that part of the world. Our office secured from the NYS Division of Veterans' Affairs two grants totaling $3,720. Working with one of our Veteran's Organizations, namely the Cuba AmVets, we secured an outside sign as well as flags for our Veterans' Clinic.

Respectfully submitted,
H. Scott Spillane, Director

WEIGHTS AND MEASURES
2003 ANNUAL REPORT

The year 2003 began with the annual reports to the County and State being filed by my predecessor. Once I received my new inspection stickers (good for four years), I began the process of learning my responsibilities by applying the laws and regulations as explained to me by the State Specialist.

Testing this year covered 200 establishments with 223 inspections made. The 41 commercial gas stations including two marinas and one airport were tested, inspected and approved. This year 108 gas and diesel samples were taken under the NYS Octane Testing Program with one failure (corrected). All 13 pharmacies and two hospital pharmacies were tested, inspected and approved. All twenty active truck scales were tested with one failure. Twelve bulk tanks were checked and or recalibrated. There were six businesses closed and twelve new openings under my jurisdiction this year. Device test summary as follows:

DEVICE	CORRECT	INCORRECT	TOTAL
Scales	419	5	424
Liquid Measures	519	4	523
Weights	151	0	151
Miscellaneous	6	0	6
Non-Commercial	23	1	24
Total Tests	1118	10	1128

PACKAGES IN LOTS MEASURED	PACKAGES MEASURED	LOTS PASSED	LOTS FAILED
4215	351	60	0

Several complaints during the year could not be substantiated because of insufficient information. I ran a letter to the editor to clarify needs of a complaint. All violations found during testing and inspecting were explained and corrected at that time or in a period of time allowed by the Director. This department has followed up on all calls for assistance and will continue to do so.

Respectfully submitted,
Gilbert Green, Director

MUTUAL SELF-INSURANCE PLAN (WORKERS' COMPENSATION) 2003 ANNUAL REPORT

The Allegany County Mutual Self-Insurance Plan is the Workers' Compensation insurance carrier for all County, Town, Village, Private Industry Council and Soil & Water Conservation District employees. In addition, all active Allegany County Volunteer Firefighters, and Volunteer Ambulance Corps workers are covered. Approximately 2,500 people are insured by the Plan.

COMPARISON OF LOST TIME COMPENSATION CLAIMS

	2003	2002	FAVORABLE (UNFAVORABLE)
Town	2	4	2
County	3	1	(2)
Volunteer Firefighter	1	3	2
Volunteer Ambulance	0	0	-
TOTAL	6	8	2

The total of all claims for the year 2003 at 137 was lower by five percent compared to the 144 for 2002. Lost time claims are the lowest in two decades. Continued safety training efforts and an experienced, safety-conscious work force are the major reasons for our positive results.

COMPARISON OF PHYSICALS TAKEN

	2003	2002	INCREASE (DECREASE)
Pre-employment	178	240	(62)
Firefighter & Ambulance	85	120	(35)
TOTAL	263	360	(97)

All employees including part-time, temporary seasonal, summer help, and Job Trak must have a pre-employment physical. In addition, all Volunteer Firefighter and Ambulance Corps members are required, under the Local Law, to have a physical before acting in the line of duty. The lower physical count in 2003 reflects the poor County economic climate and fewer new volunteers.

COMPARISON OF HEARING RESULTS

	2003	2002	INCREASE (DECREASE)
Continued	39	32	7
Closed	29	16	13
TOTAL	68	48	20

Allegany County employee hearings are now held in Hornell, Olean, Buffalo, and Rochester. More frequent meetings with Workers' Compensation Conciliators and continued court leniency toward claimant lack of preparedness have increasingly delayed timely case decisions.

Safety awards were presented at luncheons for the Villages, Towns and County Public Works Department employees. This marked the seventh year of safety awards to Volunteer Fire Companies and Ambulance Corps for 100 percent physical compliance and no lost time claims. Five organizations were recognized at the July County Fire Convention, in Alfred.

Respectfully submitted,
Douglas A. Dillon, Executive Secretary

YOUTH BUREAU
2003 ANNUAL REPORT

During 2003 The Office of Children and Family Services allocated $137,604 to Allegany County for youth programs. Of this money, $31,649 supported eight Special Delinquency Prevention Programs; $39,256 was granted to 27 municipalities including Allegany County for the operation of recreation programs; $18,720 was used to offset administrative costs of running the Youth Bureau; $34,894 was allocated to 11 Youth Service programs directed toward Youth Development; and $13,085 was used to fund five County programs using Youth Initiative monies.

The Youth Bureau continues to actively collaborate with governmental, civic and not-for-profit agencies throughout Allegany County in order to meet the needs of all County youth. For example, as a participant in Communities that Care & a member of the Children & Youth Unified Services, this agency continues to work with others to address identified gaps in services to our County youth and families. Similarly, the Bureau has contributed statistical information to the Data Partnership whose goal is to establish a single database on the Internet, which can be accessed by all Allegany County agencies for grant-writing and reporting purposes. In 2003 the Youth Bureau was also privileged to assist the Allegany County Health Department with the Friendship House and to co-sponsor a Mother/Daughter Retreat with the Rural Health Network.

The Bureau continues to work with other agencies to provide assistance to troubled youth so that they may successfully remain in the community. Specifically, funding for these "high risk" youth is granted to programs such as Juvenile Stop Shoplifting, STEP & 1st STEP (an adventure based/experiential program) and the Summer Youth Employment Program.

On November 1, 2003 the Youth Bureau took over the administration of the Allegany County Youth Court. This program involves actual court hearings for juvenile and first-time Youthful Offenders who have been arrested and charged with criminal acts. Youths themselves serve as Court personnel after undergoing 20 hours of training. All defendants must serve as jurors as part of their sanctions. This enables offenders to become part of the solution instead of simply part of the problem.

In 2003, the Youth Bureau continued its outreach to area schools to find ways to better serve our youth. The Director is a team member of the Genesee Valley School's "Building Communities of Character" initiative and participated in Wellsville School District's "Call to Action". The Bureau participated again in Allegany County's Business, Education and Community Coalition to foster the Youth Career Day.

The Youth Bureau continues to work closely with the various towns and villages that administer youth recreation programs. These contacts are valuable for monitoring and evaluation purposes, and also for networking and sharing information between and among youth organizations.

The Allegany County Youth Bureau is committed to encouraging the development of innovative youth programs, which are based upon the principles of Youth Development.

The Youth Bureau wishes to extend thanks to the members of the Youth Board, the Youth Court Board, the Resource Management Committee and the Board of Legislators for their continued support and assistance.

Deborah Aumick, Director

MORTGAGE TAX APPORTIONMENT TABLE

TO: THE TREASURER OF ALLEGANY COUNTY, NEW YORK

Pursuant to the authority conferred by the Tax Law of the State of New York, the Board of Legislators of Allegany County, New York, does hereby order and direct that there be paid by you to the proper officers of the several tax districts entitled thereto, the mortgage tax moneys now in your hands and belonging to the several towns and villages of the county for the period October 1, 2002 through March 31, 2003.

TOWN	AMOUNT OF TAX	PAYABLE TO TOWN	PAYABLE TO VILLAGE	NAME OF VILLAGE
Alfred	9,685.50	7,686.78	1,998.72	Alfred
Allen	1,904.52	1,904.52		
Alma	3,547.52	3,547.52		
Almond	8,793.42	8,016.45	776.97	Almond
Amity	7,338.49	6,087.26	1,251.23	Belmont
Andover	5,800.41	4,674.46	1,125.95	Andover
Angelica	6,006.60	4,894.51	1,112.09	Angelica
Belfast	6,424.29	6,424.29		
Birdsall	877.14	877.14		
Bolivar	14,804.56	11,570.41	3,006.73	(Bolivar)
			227.42	(Richburg)
Burns	5,762.60	4,983.53	779.07	Canaseraga
Caneadea	14,991.25	14,991.25		
Centerville	2,912.29	2,912.29		
Clarksville	6,029.53	6,029.53		
Cuba	20,736.83	17,191.23	3,545.60	Cuba
Friendship	5,840.62	5,840.62		
Genesee	9,431.65	9,431.65		
Granger	2,212.23	2,212.23		
Grove	3,004.25	3,004.25		
Hume	43,471.22	43,471.22		
Independence	2,932.00	2,932.00		
New Hudson	1,043.56	1,043.56		
Rushford	14,804.55	14,804.55		
Scio	7,012.27	7,012.27		
Ward	1,294.44	1,294.44		
Wellsville	29,360.73	21,250.71	8,110.02	Wellsville
West Almond	1,454.90	1,454.90		
Willing	4,276.71	4,276.71		
Wirt	2,863.89	2,643.43	220.46	Wirt
	244,617.97	222,463.71	22,154.26	

Resolution No. 109-03
Dated: May 12, 2003

Brenda A. Rigby, Clerk of the Board
Allegany County Board of Legislators

MORTGAGE TAX APPORTIONMENT TABLE

TO: THE TREASURER OF ALLEGANY COUNTY, NEW YORK

Pursuant to the authority conferred by the Tax Law of the State of New York, the Board of Legislators of Allegany County, New York, does hereby order and direct that there be paid by you to the proper officers of the several tax districts entitled thereto, the mortgage tax moneys now in your hands and belonging to the several towns and villages of the county for the period April 1, 2003 through September 30, 2003.

TOWN	AMOUNT OF TAX	PAYABLE TO TOWN	PAYABLE TO VILLAGE	NAME OF VILLAGE
Alfred	11,187.09	8,878.50	2,308.59	Alfred
Allen	1,616.78	1,616.78		
Alma	2,126.09	2,126.09		
Almond	13,333.25	12,155.15	1,178.10	Almond
Amity	18,529.20	15,369.93	3,159.27	Belmont
Andover	5,325.07	4,291.39	1,033.68	Andover
Angelica	7,213.70	5,878.13	1,335.57	Angelica
Belfast	4,975.40	4,975.40		
Birdsall	352.64	352.64		
Bolivar	9,520.37	7,440.58	1,933.54	(Bolivar)
			146.25	(Richburg)
Burns	5,177.99	4,477.95	700.04	Canaseraga
Caneadea	13,529.44	13,529.44		
Centerville	7,085.34	7,085.34		
Clarksville	3,563.18	3,563.18		
Cuba	28,384.40	23,531.22	4,853.18	Cuba
Friendship	12,483.96	12,483.96		
Genesee	9,644.89	9,644.89		
Granger	2,189.58	2,189.58		
Grove	4,003.09	4,003.09		
Hume	11,401.62	11,401.62		
Independence	4,319.11	4,319.11		
New Hudson	5,216.53	5,216.53		
Rushford	15,783.66	15,783.66		
Scio	6,719.64	6,719.64		
Ward	5,050.36	5,050.36		
Wellsville	30,568.22	22,124.67	8,443.55	Wellsville
West Almond	1,044.58	1,044.58		
Willing	8,693.19	8,693.19		
Wirt	3,102.56	2,863.73	238.83	Wirt
	252,140.93	226,810.33	25,330.60	

Resolution No. 228-03
Dated: November 10, 2003

Brenda A. Rigby, Clerk of the Board
Allegany County Board of Legislators

2004 BUDGET FOR MUTUAL SELF-INSURANCE PLAN (WORKERS' COMPENSATION)

Pursuant to the provisions of Section 67, Subd. 1 of the Workers' Compensation Law of the State of New York and to Allegany County Local Law No. 3 of 2002, establishing and continuing a Mutual Self-Insurance Plan, we hereby submit the following estimate of the amounts necessary for the operation of the Plan for the calendar year 2004.

S1710.100	PERSONAL SERVICES		
S1710.101	Regular	$ 49,515	
S1710.102	Holiday	2,410	
S1710.105	Vacation	4,760	
S1710.106	Sick	2,370	
S1710.107	Personal	1,090	$ 60,145
S1710.201	EQUIPMENT	$ 1,800	$ 1,800
S1710.400	CONTRACTUAL EXPENSE		
S1710.401	Postage/UPS	$ 1,700	
S1710.402	Administrative Mileage/Exp.	2,500	
S1710.406	Employers' Excess. Liab.	34,000	
S1710.407	Office Supplies	1,100	
	Dues, Books, Fees, Bonds	400	
S1710.409	State Assessments	70,000	
	Medical Evaluations	12,500	
	Attorney Fees	26,000	
	Physical Exams	7,000	
S1710.411	Equipment Repair	400	
S1710.413	Equipment Rental	1,000	
S1710.416	Telephone	1,200	
S1710.419	Copying & Printing	400	
S1710.421	Education	100	
S1710.432	Safety Program	7,500	$ 165,800
S1710.801	EMPLOYEE BENEFITS		
S1710.802	Retirement	$ 1,100	
S1710.803	FICA	4,600	
S1710.804	Workers' Compensation	1,400	
S1710.805	Disability	200	
S1710.806	North American	8,600	$ 15,900
S1720.406	CLAIMANT INDEMNITY	$ 295,000	$ 295,000
S1720.409	FEES (ATTORNEY)	$ 12,000	$ 12,000
S1720.430	CLAIMANT MEDICAL	$ 190,000	$ 190,000
S1720.431	CLAIMANT MILEAGE/MED.	$ 7,000	$ 7,000
TOTAL 2004 BUDGET			$ 747,645

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S510	REVENUE		
	Fund Bal/Int on Res/Contr Res	$ 0	
	Apportionment by Assessment	7,480	
	Apportionment by Experience	149,530	
	Apportionment by Payroll	587,535	
	Private Industry Council	3,100	$ 747,645
TOTAL 2004 REVENUE			$ 747,645

APPORTIONMENT OF COSTS OF MUTUAL SELF-INSURANCE PLAN (WORKERS' COMPENSATION)

We, the duly appointed Personnel Committee of the Allegany County Board of Legislators, do hereby certify that, pursuant to Local Law No. 3 of 2002, and Sections 66 and 67 of the Workers' Compensation Law, the amounts set forth below constitute the share due from each of the participants of the Allegany County Mutual Self-Insurance Plan as provided by budget for its operation during the calendar year 2004.

ALLEGANY COUNTY: $ 406,918

TOWN OF:		VILLAGE OF:	
Alfred	$ 7,817	Alfred	$ 15,213
Allen	4,142	Almond	133
Alma	4,649	Andover	4,509
Almond	5,346	Angelica	7,383
Amity	6,382	Belmont	3,897
Andover	6,408	Bolivar	3,436
Angelica	4,780	Canaseraga	1,672
Belfast	12,995	Cuba	9,331
Birdsall	12,625	Richburg	1,184
Bolivar	21,234	Wellsville	24,806
Burns	5,488		
Caneadea	16,148		$ 71,564
Centerville	4,109		
Clarksville	5,546		
Cuba	23,923		
Friendship	15,104		
Genesee	9,437		
Granger	3,686		
Grove	5,379		
Hume	8,998		
Independence	14,595		
New Hudson	4,276		
Rushford	14,047		
Scio	8,432		
Ward	3,289		
Wellsville	19,410		
West Almond	2,877		
Willing	8,118		
Wirt	6,823		
	$ 266,063		

ALLEGANY COUNTY MUTUAL SELF-INSURANCE PLAN
Douglas A. Dillon, Executive Secretary

PERSONNEL COMMITTEE OF THE ALLEGANY COUNTY BOARD OF LEGISLATORS
APPROVED BUDGET AND APPORTIONMENT AUGUST 4, 2003
Robert Heineman, Chairman
Edmund C. Burdick
Curtis Crandall
William G. Dibble
Kenneth Nielsen
Daniel Russo

LEGISLATORS COMPENSATION TABLE FOR 2003

	COMMITTEE WORK				REGULAR/SPECIAL SESSIONS					
LEGISLATORS	MTGS.	MILES	MILEAGE	OTHER EXPENSE	MTGS.	MILES	MILEAGE	TOTAL MILEAGE & EXPENSES	SALARY	GRAND TOTAL
BENNETT, Rodney K.	148	3,222	1,159.92	15.00	26	1,040	374.40	1,549.32	8,800.00	10,349.32
BURDICK, Edmund C.	131	4,902	1,764.72	236.56	27	1,188	427.68	2,428.96	8,500.00	10,928.96
CRANDALL, Curt	144	2,927	1,053.72	0.00	26	780	280.80	1,334.52	8,500.00	9,834.52
DIBBLE, William G.	188	5,540	1,994.40	18.00	26	1,560	561.60	2,574.00	8,500.00	11,074.00
GRAFFRATH, James A.	119	1,778	640.08	0.00	24	576	207.36	847.44	8,500.00	9,347.44
HEINEMAN, Robert	58	1,062	382.32	0.00	27	600	216.00	598.32	8,500.00	9,098.32
MYERS, Susan F.	231	3,698	1,331.28	220.83	26	442	159.12	1,711.23	8,500.00	10,211.23
NIELSEN, Kenneth	94	1,877	675.72	15.00	22	700	252.00	942.72	8,500.00	9,442.72
PALMER, James G.	83	782	281.52	13.50	25	510	183.60	478.62	8,500.00	8,978.62
REGAN, Patrick	30	400	144.00	93.30	23	570	205.20	442.50	8,500.00	8,942.50
REYNOLDS, Brent	62	1,869	672.84	0.00	26	780	280.80	953.64	8,500.00	9,453.64
RUSSO, Daniel	141	2,197	790.92	12.00	27	648	233.28	1,036.20	8,500.00	9,536.20
SHERMAN, Edgar	244	7,724	2,780.64	63.35	26	1,352	486.72	3,330.71	17,000.00	20,330.71
SOBECK, Robert	86	914	329.04	0.00	26	520	187.20	516.24	8,500.00	9,016.24
TRUAX, Ronald B.	114	2,931	1,055.16	61.68	24	821	295.56	1,412.40	8,500.00	9,912.40
			15,056.28	749.22			4,351.32	20,156.82	136,300.00	156,456.82

I hereby certify that the Board of Legislators of Allegany County was in session 27 days for the period commencing January 1, 2003 and ending December 31, 2003. The above constitutes a complete statement of all compensation paid and expenses reimbursed to each member during said period. The above compensation for Edgar Sherman includes $8,500 as Chairman of the Board, and compensation for Rodney K. Bennett includes $300 as Majority Leader, pursuant to Resolution No. 318-02 adopted December 23, 2002.

Brenda A. Rigby, Clerk of the Board
Allegany County Board of Legislators

SPECIAL DISTRICT VALUATIONS 2004

WATER	
Belfast	14,235,294
Caneadea	
Houghton Water	61,013,949
Cuba	
WD481	154,900
WD483	5,166,100
WD484	16,250,000
Independence	
WD601	5,329,950
Scio	
WD661	13,835,211
WD663	3,576,486
Wellsville	
Sinclair	4,370,100
Riverside	4,180,500
East State Street	304,980
Bolivar Road	7,526,91
George Street	416,358
West	5,088,188
HYDRANT	
Alfred	6,228,624
SIDEWALK	
Friendship	14,750,593
Hume	11,347,155
REFUSE	
Friendship	12,756,442

LIGHT	
Alma	1,824,944
Belfast	13,731,974
Caneadea	2,617,543
Oramel	989,043
Houghton	16,758,991
Friendship	14,068,193
Grove	
Swain	35,500
Hume	
LD581	3,233,449
LD582	2,369,500
LD583	11,347,155
Independence	5,879,476
New Hudson	2,072,232
Rushford	5,768,326
Scio	13,835,211
Wellsville	
Hillcrest	2,005,000
SEWER	
Caneadea	
Houghton	59,357,731
Cuba	
SD481	249,200
SD482	154,900
SD483	5,166,100
Hume	11,537,055
Wellsville	
Airport	4,351,348
State Street	304,980
Bolivar Road	7,490,391
Sinclair	4,642,700
LAKE DISTRICT	
Caneadea	8,363,400
Cuba	20,455,751
Rushford	41,000,250

FIRE	
Belfast	37,778,304
Bolivar 1	44,289,692
Bolivar 2	1,323,924
Caneadea	57,362,496
Centerville	26,205,385
Clarksville	30,889,484
Friendship	13,796,485
Grove 1	17,771,487
Grove 2	11,067,984
Richburg-Wirt	30,115,536
Rushford	74,511,429
Scio 1	14,739,477
Scio 2	28,825,832
FIRE PROTECTION	
Alfred	47,517,291
Allen	21,183,420
Alma	27,739,218
Almond	40,418,826
Amity	32,260,221
Andover	30,020,516
Angelica	27,285,495
Birdsall	18,495,330
Burns	25,712,951
Cuba	76,269,723
Friendship	28,145,012
Genesee	
Fire 1	20,727,102
Fire 2	23,362,820
Granger	19,667,026
Hume	82,964,175
Independence	44,572,578
New Hudson	24,434,534
Ward	17,841,630
Wellsville	104,779,961
West Almond	18,623,518
Willing	64,803,333

2004 EQUALIZATION AND APPORTIONMENT TABLE

Town	Total Assessed Value	Total Exempt Value	Total Taxable Value Used For Tax Rate	Taxable Value Used For Apportionment Inc Vets & Clergy Exempt	Equal Rate	Equalized True Value For Apportionment	County Taxable Equalized Value	Town % of County Budget	Total County Levy by Town	Tax Rate for County Levy	Vets & Clergy	Town
ALFRED	327,242,206	247,073,297	80,168,909	80,732,575	100.00%	80,732,575	80,168,909	5.72327986%	1,051,009.66	13.109941	563,666	ALFRED
ALLEN	21,443,820	764,256	20,679,564	20,836,860	100.00%	20,836,860	20,679,564	1.47716311%	271,262.76	13.117431	157,296	ALLEN
ALMA	28,808,118	1,779,619	27,028,499	27,506,660	100.00%	27,506,660	27,028,499	1.94999742%	358,092.94	13.248717	478,161	ALMA
ALMOND	80,661,320	36,286,733	44,374,587	45,109,079	88.38%	51,039,917	50,208,856	3.61831307%	664,458.51	14.973852	734,492	ALMOND
AMITY	91,677,131	44,293,158	47,383,973	48,108,828	87.00%	55,297,503	54,464,337	3.92014113%	719,885.50	15.192595	724,855	AMITY
ANDOVER	56,464,103	7,307,751	49,156,352	50,175,540	100.00%	50,175,540	49,156,352	3.55703578%	653,205.69	13.288327	1,019,188	ANDOVER
ANGELICA	54,892,115	13,495,070	41,397,045	42,180,948	92.16%	45,769,258	44,918,669	3.24466638%	595,842.91	14.393368	783,903	ANGELICA
BELFAST	44,748,604	8,121,353	36,627,251	37,132,220	100.00%	37,132,220	36,627,251	2.63237097%	483,402.42	13.197890	504,969	BELFAST
BIRDSALL	19,319,220	6,868,340	12,450,880	12,514,486	100.00%	12,514,486	12,450,880	0.88717480%	162,918.69	13.084914	63,606	BIRDSALL
BOLIVAR	53,090,456	8,763,991	44,326,465	45,362,009	100.00%	45,362,009	44,326,465	3.21579576%	590,541.18	13.322542	1,035,544	BOLIVAR
BURNS	39,071,064	7,250,085	31,820,979	32,326,063	100.00%	32,326,063	31,820,979	2.29165371%	420,833.90	13.225046	505,084	BURNS
CANEADEA	117,271,304	63,140,447	54,130,857	54,683,814	93.25%	58,642,160	58,049,176	4.15724993%	763,427.61	14.103372	552,957	CANEADEA
CENTERVILLE	27,038,185	4,971,998	22,066,187	22,224,682	100.00%	22,224,682	22,066,187	1.57554834%	289,330.00	13.111916	158,495	CENTERVILLE
CLARKSVILLE	32,550,689	2,417,009	30,133,680	30,616,516	93.00%	32,920,985	32,401,806	2.33382882%	428,578.84	14.222585	482,836	CLARKSVILLE
CUBA	163,358,347	57,014,008	106,344,339	110,439,192	96.00%	115,040,825	110,775,353	8.15545444%	1,497,648.49	14.083011	1,652,204	CUBA
FRIENDSHIP	49,039,297	9,391,482	39,647,815	40,455,717	100.00%	40,455,717	39,647,815	2.86797975%	526,669.06	13.283684	807,902	FRIENDSHIP
GENESEE	45,871,877	2,431,212	43,440,665	44,059,389	95.00%	46,378,304	45,727,016	3.28784279%	603,771.72	13.898768	618,724	GENESEE
GRANGER	20,618,226	2,150,487	18,467,739	18,628,872	87.08%	21,392,825	21,207,785	1.51657648%	278,500.54	15.080381	161,133	GRANGER
GROVE	29,329,371	1,169,173	28,160,198	28,324,248	100.00%	28,324,248	28,160,198	2.00795773%	368,736.64	13.094249	164,050	GROVE
HUME	92,184,605	44,985,084	47,199,521	48,089,064	100.00%	48,089,064	47,199,521	3.40912168%	626,043.09	13.263759	889,543	HUME
INDEPENDENCE	52,022,356	6,620,160	45,402,196	45,730,783	100.00%	45,730,783	45,402,196	3.24193883%	595,342.03	13.112626	328,587	INDEPENDENCE
NEW HUDSON	27,049,244	5,019,934	22,029,310	22,337,683	100.00%	22,337,683	22,029,310	1.58355919%	290,801.09	13.200644	308,373	NEW HUDSON
RUSHFORD	86,270,624	14,044,021	72,226,603	72,918,742	93.25%	78,197,042	77,454,802	5.54353132%	1,018,001.06	14.094544	692,139	RUSHFORD
SCIO	49,897,541	7,430,696	42,466,845	43,308,305	95.00%	45,587,689	44,701,942	3.23179466%	593,479.18	13.975118	841,460	SCIO
WARD	18,394,630	2,902,662	15,491,968	15,622,718	100.00%	15,622,718	15,491,968	1.10752305%	203,382.93	13.128282	130,750	WARD
WELLSVILLE	295,009,965	81,213,825	213,796,140	218,010,823	100.00%	218,010,823	213,796,140	15.45518587%	2,838,154.01	13.275048	4,214,683	WELLSVILLE
WEST ALMOND	19,154,918	4,790,138	14,364,780	14,522,055	85.66%	16,953,134	16,769,531	1.20183870%	220,702.83	15.364164	157,275	WEST ALMOND
WILLING	66,348,962	2,600,754	63,748,208	64,475,891	100.00%	64,475,891	63,748,208	4.57081381%	839,373.51	13.167013	727,683	WILLING
WIRT	32,541,636	3,180,276	29,361,360	29,923,974	94.93%	31,522,147	30,929,485	2.23466263%	410,368.19	13.976471	562,614	WIRT
TOTALS	2,041,369,934	697,477,019	1,343,892,915	1,366,357,736		1,410,599,813	1,387,409,200	100.00%	18,363,765			

County Eq. Rate	96.863598%	Full Value Tax Rate	13.236012		
Est. Rev. to be Raised	$18,363,765	County Taxable Value Tax Rate		13.664604	

2004 TOWN AND COUNTY TAXES, AS SPREAD

TOWNS	COUNTY RATE	MEDICAID	TOWN AND FORESTLAND RATE	COUNTY AND TOWN OUTSIDE RATE	TOWN INSIDE RATE	COUNTY AND TOWN INSIDE
ALFRED	6.756207	6.353734	5.218549	18.32849	2.817038	15.926979
ALLEN	6.760067	6.357364	7.104733	20.222164		
ALMA	6.827726	6.420992	16.003008	29.251726		
ALMOND	7.716774	7.257079	10.044925	25.018778	6.504716	21.478569
AMITY	7.829469	7.363060	8.482465	23.674994	5.316962	20.509491
ANDOVER	6.848139	6.440189	9.308180	22.596508	5.160123	18.448451
ANGELICA	7.417621	6.975747	4.806622	19.199999	3.264029	17.657397
BELFAST	6.801532	6.396358	11.567664	24.765554		
BIRDSALL	6.743310	6.341605	8.423267	21.508182		
BOLIVAR	6.865771	6.456771	12.920768	26.243310	5.401470	18.724012
BURNS	6.815526	6.409519	9.114291	22.339336	6.902449	20.127494
CANEADEA	7.268172	6.835200	9.645644	23.749016		
CENTERVILLE	6.757225	6.354691	10.392506	23.504422		
CLARKSVILLE	7.329608	6.892977	12.608180	26.830765		
CUBA	7.257679	6.825332	8.880851	22.963862	6.841338	20.924349
FRIENDSHIP	6.845746	6.437939	14.802363	28.086048		
GENESEE	7.162729	6.736039	9.702090	23.600858		
GRANGER	7.771673	7.308708	10.502930	25.583311		
GROVE	6.748120	6.346129	9.608973	22.703222		
HUME	6.835478	6.428282	11.779902	25.043662		
INDEPENDENCE	6.757591	6.355035	9.717129	22.829755		
NEW HUDSON	6.802951	6.397693	10.917569	24.118213		
RUSHFORD	7.263622	6.830922	7.818207	21.912751		
SCIO	7.202076	6.773042	9.754415	23.729533		
WARD	6.765659	6.362623	11.640312	24.768594		
WELLSVILLE	6.841295	6.433753	7.138881	20.413932	3.958960	17.234008
WEST ALMOND	7.917921	7.446243	6.746524	22.110688		
WILLING	6.785619	6.381394	5.350872	18.517885		
WIRT	7.202773	6.773698	10.853936	24.830407	10.763882	24.740353

ALLEGANY COUNTY 2004 TAX RATES – TOWN AND COUNTY SPECIAL DISTRICTS

TOWNS	FIRE PROTECTION	FIRE DISTRICT	FIRE #1	FIRE #2	LIGHT DISTRICT	WATER DISTRICT	HYDRANT DISTRICT
ALFRED	.638757						
ALLEN	.481509						
ALMA	1.405952				1.095924		
ALMOND	.569042						
AMITY	1.363909						
ANDOVER	.866074						
ANGELICA	.273515						
BELFAST	1.066194				.546171	2.318182	
BIRDSALL	.819126						
BOLIVAR							
BURNS	.483900						
CANEADEA		1.573328					
CENTERVILLE	.591481						
CLARKSVILLE	1.683421						
CUBA	0.629164						
FRIENDSHIP			1.328655	.912769			
GENESEE			1.200359	1.110440			
GRANGER	.737275						
GROVE			.711420	.180701	70.422535		
HUME	.626777						
INDEPENDENCE	.942283				.850416		
NEW HUDSON	1.391473				.965143		
RUSHFORD	1.009241				1.092171		
SCIO			1.465452	1.498656	.860124		
WARD	.437180						
WELLSVILLE	.785933				.137157		
WEST ALMOND	.310092						
WILLING	.980258						
WIRT	2.251429						

BOLIVAR	RATE	CANEADEA	RATE	CUBA	RATE	FRIENDSHIP	RATE
FD381	1.603082	Houghton Light	.895042	Lake	2.147562	Sidewalk	1.490042
FD761	3.026609	Houghton Water	2.716936	SD481		LD501	1.415249
		Houghton Sewer	.828418	SD483	.327907	RD501	3.325927
		Oramel Light	.657201	WD483			
		Caneadea Light	.955094	WD484	.126523		
		Lake	2.540833				

HUME	RATE	RUSHFORD	RATE	SCIO	RATE	WELLSVILLE	RATE
LD581HumeLight	1.043777	Lake	2.530472	WD661	1.564631	SD701SinclairSewer	.538480
LD582R&WLight	1.719772			WD663	3.802615	SD702BolivarRdSewer	.220282
LD583HumeLight	.828401					WD701SinclairWater	.137297
SW581Sidewalk	1.410045					WD702RiversideWater	.143524
						WD704BolivarRdWater	.261347
						WD706GeorgeStWater	5.733047
						WD707W.Wlsv Water	1.965336

SALARIES OF TOWN OFFICERS – 2004

TOWN	SUPERVISOR	HIGHWAY SUPER.	TOWN CLERK	JUSTICES	COUNCILMEN	ASSESSORS	COLLECTORS
ALFRED	3,376	37,174	26,681	5,967	1,125	10,861	600
ALLEN	3,500	26,880	2,500	1,200	390	4,750	900
ALMA	3,720	39,260	9,000	2,880	1,200	c	a
ALMOND	3,300	39,640	8,846	7,685	1,000	8,593	a
AMITY	2,000	41,600	9,650	5,450	500	9,550	a
ANDOVER	5,500	41,400	8,000	4,900	1,100	11,000	2,250
ANGELICA	3,850	45,201	1,000	6,400	1,000	8,300	a
BELFAST	5,025	36,000	7,700	5,000	925	9,000	1,000
BIRDSALL	3,000	30,600	2,900	1,500	500	4,300	600
BOLIVAR	4,000	37,180	10,192	3,600	700	12,000	a
BURNS	4,000	33,000	7,000	4,000	1,000	8,200	a
CANEADEA	2,600	36,800	11,511	6,500	1,000	b	a
CENTERVILLE	3,600	27,000	1,800	900	700	5,000	500
CLARKSVILLE	6,000	35,700	6,200	3,000	1,113	6,000	1,750
CUBA	9,270	39,312	9,888	4,500	1,800	14,650	a
FRIENDSHIP	5,200	39,945	12,864	5,500	2,400	8,343	a
GENESEE	5,000	31,000	6,000	4,500	750	8,900	1,400
GRANGER	3,500	26,000	3,000	1,400	600	3,800	500
GROVE	2,800	33,115	2,500	2,500	600	5,400	1,000
HUME	6,050	37,450	13,400	9,100	1,800	e	2,060
INDEPENDENCE	4,200	40,755	8,700	4,000	910	6,265	1,400
NEW HUDSON	3,600	30,500	4,000	2,000	500	5,600	2,100
RUSHFORD	4,400	36,100	6,400	5,200	875	d	a
SCIO	5,728	34,250	6,000	3,150	840	5,310	1,530
WARD	11,000	31,000	3,100	1,600	600	3,250	a
WELLSVILLE	8,500	42,436	27,978	6,184	3,000	27,978	8,000
WEST ALMOND	800	31,345	1,320	1,600	325	2,700	700
WILLING	4,200	40,800	5,400	5,200	1,225	5,800	1,400
WIRT	3,800	30,000	9,464	3,800	1,200	9,400	a

a:Salary for Town Clerk and Tax Collector are combined
b:Town contracted out $12,996 for assessment services
c:Town contracted out $9,105 for assessment services
d:Town contracted out $16,350 for assessment services
e:Town contracted out $15,000 for assessment services

SUMMARY OF THE TOWN BUDGETS FOR THE YEAR 2004

	Expenditures	Estimated Revenues	Unexpended Balance	Amount to be Raised by Tax
		ALFRED		
General Fund	179,004.00	53,505.00	31,466.00	94,033.00
General Outside Village	34,484.00	16,850.00	3,711.00	13,923.00
Highway- Townwide	147,257.00	23,847.00	954.00	122,456.00
Highway- Outside Village	139,068.00	34,090.00	6,093.00	98,885.00
Fire Protection	30,352.00	-	-	30,352.00
Total	530,165.00	128,292.00	42,224.00	359,649.00
		ALLEN		
General Fund	77,999.00	7,387.00	9,000.00	61,612.00
Highway- Townwide	198,300.00	86,920.00	29,000.00	82,380.00
Fire Protection	10,200.00	-	-	10,200.00
Total	286,499.00	94,307.00	38,000.00	154,192.00
		ALMA		
General Fund	185,279.00	13,965.00	5,000.00	166,314.00
Highway- Townwide	361,293.00	97,441.00	5,000.00	258,852.00
Light District	2,000.00			2,000.00
Fire Protection	39,000.00			39,000.00
Total	587,572.00	111,406.00	10,000.00	466,166.00
		ALMOND		
General Fund	180,743.00	31,291.00	-	149,452.00
General Outside Village	8,918.00	700.00	-	8,218.00
Highway- Townwide	200,217.00	45,236.00	-	154,981.00
Highway- Outside Village	221,042.00	87,433.00	-	133,609.00
Fire Protection	23,000.00	-	-	23,000.00
Total	633,920.00	164,660.00	-	469,260.00
		AMITY		
General Fund	208,470.00	59,575.00	45,000.00	103,895.00
General Outside Village	5,450.00	2,700.00	-	2,750.00
Highway- Townwide	194,000.00	23,220.00	30,000.00	140,780.00
Highway- Outside Village	186,500.00	49,500.00	40,000.00	97,000.00
Fire Protection	44,000.00	-	-	44,000.00
Total	638,420.00	134,995.00	115,000.00	388,425.00

	Expenditures	Estimated Revenues	Unexpended Balance	Amount to be Raised by Tax
		ANDOVER		
General Fund	167,937.00	26,900.00	-	141,037.00
General Outside Village	17,050.00	2,530.00	-	14,520.00
Highway- Townwide	202,150.00	97,926.00	-	104,224.00
Highway- Outside Village	207,100.00	95,050.00	-	112,050.00
Fire District	26,000.00	-	-	26,000.00
Total	620,237.00	222,406.00	-	397,831.00
		ANGELICA		
General Fund	330,021.00	231,399.00	32,372.00	66,250.00
General Outside Village	9,925.00	9,925.00	-	-
Highway- Townwide	300,343.00	235,413.00		64,930.00
Highway- Outside Village	229,580.00	145,900.00	42,275.00	41,405.00
Fire District	27,088.00	19,625.00		7,463.00
Total	896,957.00	642,262.00	74,647.00	180,048.00
		BELFAST		
General Fund	236,665.00	38,028.00	27,000.00	171,637.00
Highway - Townwide	369,300.00	107,104.00	19,000.00	243,196.00
Water District	1,529,293.00	1,350,824.00	145,469.00	33,000.00
Fire District	43,705.00	3,426.00	-	40,279.00
Light District	7,500.00	-	-	7,500.00
Total	2,186,463.00	1,499,382.00	191,469.00	495,612.00
		BIRDSALL		
General Fund	87,665.00	5,601.00	13,000.00	69,064.00
Highway- Townwide	210,950.00	105,960.00	33,000.00	71,990.00
Fire Protection	15,150.00	-	-	15,150.00
Total	313,765.00	111,561.00	46,000.00	156,204.00
		BOLIVAR		
General Fund	193,957.00	53,000.00	46,850.00	94,107.00
General Outside Village	19,240.00	3,200.00	-	16,040.00
Highway- Townwide	127,300.00	1,100.00	5,000.00	121,200.00
Highway- Outside Village	212,700.00	41,100.00	-	171,600.00
Bolivar Joint Fire District	71,000.00	-	-	71,000.00
Richburg-Wirt Fire Protection	4,007.00	-	-	4,007.00
Total	628,204.00	98,400.00	51,850.00	477,954.00

	Expenditures	Estimated Revenues	Unexpended Balance	Amount to be Raised by Tax
		BURNS		
General Fund	159,820.00	16,200.00	23,500.00	120,120.00
General Outside Village	3,450.00	3,450.00	-	-
Highway - Townwide	162,700.00	53,500.00	10,000.00	99,200.00
Highway- Outside Village	96,200.00	43,000.00	-	53,200.00
Fire Protection	12,442.50	-	-	12,442.50
Total	434,612.50	116,150.00	33,500.00	284,962.50
		CANEADEA		
General Fund	211,988.00	51,239.00	25,000.00	135,749.00
Highway - Townwide	637,757.00	86,605.00	170,000.00	381,152.00
Houghton Water District	329,471.00	40,700.00	123,000.00	165,771.00
Houghton Sewer District	190,673.00	126,500.00	15,000.00	49,173.00
Houghton Light District	15,000.00	-	-	15,000.00
Caneadea Light District	2,500.00	-	-	2,500.00
Oramel Light District	650.00	-	-	650.00
Fire District	90,250.00	-	-	90,250.00
Caneadea Lake District	21,250.00	-	-	21,250.00
Total	1,499,539.00	305,044.00	333,000.00	861,495.00
		CENTERVILLE		
General Fund	128,050.00	11,250.00	20,000.00	96,800.00
Highway - Townwide	252,500.00	88,500.00	-	164,000.00
Fire Protection	15,500.00	-	-	15,500.00
Total	396,050.00	99,750.00	20,000.00	276,300.00
		CLARKSVILLE		
General Fund	147,765.00	21,900.00	8,000.00	117,865.00
Highway - Townwide	296,565.00	44,000.00	1,000.00	251,565.00
Fire Protection	52,000.00	-	-	52,000.00
Total	496,330.00	65,900.00	9,000.00	421,430.00
		CUBA		
General Fund	726,878.00	182,499.00	86,264.00	458,115.00
General Outside Village	19,800.00	7,142.00	18,195.00	-
Highway - Townwide	295,768.00	43,987.00	9,037.00	242,744.00
Highway - Outside Village	282,481.00	130,466.00	8,477.00	143,538.00
Fire District	47,986.00	-	-	47,986.00
Sewer District # 1	300.00	-	2,392.00	-
Sewer District # 3	3,000.00	-	1,306.00	1,694.00
Water District # 3	1,500.00	-	3,132.00	-
Water District # 4	2,500.00	-	444.00	2,056.00
Cuba Lake District	43,930.00	-	-	43,930.00
Total	1,424,143.00	364,094.00	129,247.00	940,063.00

	Expenditures	Estimated Revenues	Unexpended Balance	Amount to be Raised by Tax
FRIENDSHIP				
General Fund	515,443.00	138,474.00	20,000.00	356,969.00
Highway - Townwide	381,369.00	141,724.00	10,000.00	229,645.00
Fire District	93,488.00	55,895.00	25,000.00	12,593.00
Fire Protection	37,395.00	-	-	37,395.00
Sidewalk District	37,059.00	80.00	15,000.00	21,979.00
Light District	19,950.00	40.00	-	19,910.00
Refuse District	110,363.00	67,936.00	-	42,427.00
Water District	180,418.00	180,418.00	-	-
Sewer District	172,248.00	172,248.00	-	-
Total	1,547,733.00	756,815.00	70,000.00	720,918.00
GENESEE				
General Fund	154,039.00	45,387.00	-	108,652.00
Highway - Townwide	405,590.00	103,711.00	-	301,879.00
Fire District # 1- Bolivar	25,000.00	-	-	25,000.00
Fire District # 2- Portville	25,943.00	-	-	25,943.00
Total	610,572.00	149,098.00	-	461,474.00
GRANGER				
General Fund	95,009.00	10,875.00	4,500.00	79,634.00
Highway - Townwide	221,243.00	91,836.00	13,500.00	115,907.00
Fire Protection	14,500.00	-	-	14,500.00
Total	330,752.00	102,711.00	18,000.00	210,041.00
GROVE				
General Fund	110,805.00	7,600.00	10,005.00	93,200.00
Highway - Townwide	382,920.00	175,500.00	34,573.00	172,847.00
Light District	2,500.00	-	-	2,500.00
Fire District # 1	12,643.00	-	-	12,643.00
Fire District # 2	2,400.00	-	400.00	2,000.00
Total	511,268.00	183,100.00	44,978.00	283,190.00
HUME				
General Fund	349,740.00	96,500.00	78,240.00	175,000.00
Highway - Townwide	654,416.00	151,000.00	133,416.00	370,000.00
Fire Protection	54,150.00	100.00	2,050.00	52,000.00
Hume Light # 1	3,800.00	10.00	415.00	3,375.00
R & W Light # 2	4,100.00	25.00		4,075.00
Hume Light # 3	10,200.00	50.00	750.00	9,400.00
Hume Sidewalk District	30,661.00	175.00	14,486.00	16,000.00
Hume Sewer District	134,110.00	102,260.00	31,850.00	-
Water District (I & II)	134,160.00	115,900.00	18,260.00	-
Total	1,375,337.00	466,020.00	279,467.00	629,850.00

	Expenditures	Estimated Revenues	Unexpended Balance	Amount to be Raised by Tax
		INDEPENDENCE		
General Fund	199,820.00	17,225.00	30,000.00	152,595.00
Highway - Townwide	396,600.00	103,500.00	20,000.00	273,100.00
Light District	8,000.00	-	3,000.00	5,000.00
Water District	37,150.00	31,300.00	5,850.00	-
Fire District	42,000.00	-	-	42,000.00
Total	683,570.00	152,025.00	58,850.00	472,695.00
		NEW HUDSON		
General Fund	117,095.00	7,940.00	5,000.00	104,155.00
Highway - Townwide	223,755.00	68,460.00	9,000.00	146,295.00
Fire District	34,000.00	-	-	34,000.00
Light District	2,000.00	-	-	2,000.00
Total	376,850.00	76,400.00	14,000.00	286,450.00
		RUSHFORD		
General Fund	392,424.00	131,150.00	14,400.00	246,874.00
Highway - Townwide	469,605.00	114,500.00	48,000.00	307,105.00
Lake District	103,750.00	-	-	103,750.00
Fire District	75,200.00	-	-	75,200.00
Light District	6,300.00	-	-	6,300.00
Total	1,047,279.00	245,650.00	62,400.00	739,229.00
		SCIO		
General Fund	201,554.00	45,288.00	5,000.00	151,266.00
Highway - Townwide	356,793.00	99,800.00	5,000.00	251,993.00
Water District # 1	108,847.00	87,200.00	-	21,647.00
Water District # 3	13,600.00	-	-	13,600.00
Light District	14,000.00	100.00	2,000.00	11,900.00
Fire District # 1	21,600.00	-	-	21,600.00
Fire District # 2	43,200.00	-	-	43,200.00
Total	759,594.00	232,388.00	12,000.00	515,206.00
		WARD		
General Fund	115,188.00	8,499.00	10,000.00	96,689.00
Highway - Townwide	173,713.00	55,925.00	15,000.00	102,788.00
Fire Protection	7,800.00	-	-	7,800.00
Total	296,701.00	64,424.00	25,000.00	207,277.00

	Expenditures	Estimated Revenues	Unexpended Balance	Amount to be Raised by Tax
		WELLSVILLE		
General Fund	767,684.00	235,099.00	66,000.00	466,585.00
General Outside Village	191,690.00	25,954.00	50,000.00	115,736.00
Enterprise - Airport	65,226.00	65,226.00	-	-
Highway - Townwide	493,971.00	156,703.00		337,268.00
Highway - Outside Village	382,005.00	169,380.00	25,000.00	187,625.00
West Wellsville Water	10,000.00			10,000.00
Fire Protection	82,350.00	-	-	82,350.00
Hillcrest Light	275.00	-	-	275.00
Sinclair Water	600.00	-	-	600.00
Riverside Water	600.00	-	-	600.00
Bolivar Road Water	1,967.00	-	-	1,967.00
George Street Water	2,387.00	-	-	2,387.00
Sinclair Sewer	2,500.00	-	-	2,500.00
Bolivar Road Sewer	1,650.00	-	-	1,650.00
Airport Sewer	21,829.00	21,829.00	-	-
Total	2,024,734.00	674,191.00	141,000.00	1,209,543.00
		WEST ALMOND		
General Fund	103,065.00	10,025.00	18,000.00	75,040.00
Highway - Townwide	182,950.00	96,500.00	42,465.00	43,985.00
Fire Protection	5,775.00	-	-	5,775.00
Total	291,790.00	106,525.00	60,465.00	124,800.00
		WILLING		
General Fund	249,762.00	59,800.00	45,000.00	144,962.00
Highway - Townwide	299,864.00	84,050.00	30,000.00	185,814.00
Fire Protection	63,524.00			63,524.00
Total	613,150.00	143,850.00	75,000.00	394,300.00
		WIRT		
General Fund	139,029.00	20,355.00	-	118,674.00
General Outside Village	4,280.00	4,035.00	-	245.00
Highway - Townwide	262,440.46	74,350.00	-	188,090.46
Highway - Outside Village	49,935.00	47,935.00	-	2,000.00
Fire Protection	67,803.00	-	-	67,803.00
Total	523,487.46	146,675.00		376,812.46

ALLEGANY COUNTY APPROPRIATION AND TAX BUDGET FOR 2004

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EXHIBIT A - SUMMARY OF BUDGET - BY FUNDS

APPROPRIATIONS		TOTAL	GENERAL FUND	W.I.A. GRANT FUND	RISK RETEN. FUND	RISK RETEN. HEALTH FUND	COUNTY ROAD FUND	ROAD MACH. FUND	SELF INS. FUND	DEBT SERVICE FUND
General Government Support		5,686,694	5,353,194		333,500					
Education		1,809,450	1,809,450							
Public Safety		5,028,653	5,028,653							
Health		7,124,981	7,124,981							
Bus Transportation		520,000	520,000							
Economic Asst. & Opportunity:		32,464,355	32,464,355							
Social Services	30,932,084									
Economic Development	202,571									
Veterans Service	67,306									
Consumer Affairs	35,005									
Prog. For Aging	1,227,389									
Culture & Recreation		413,008	413,008							
Home & Community Services		1,512,681	1,512,681							
Undistributed:										
Employee Benefits		11,948,200	7,430,000			4,230,000	246,100	42,100		
Inter-Fund Transfers:										
County Road Fund		4,458,470	4,458,470							
Road Machinery Fund		213,757	213,757							
W.I.A. Grant Fund		25,000	25,000							
Capital Fund		0	0							
Debt Service Fund		822,000	822,000							
Risk Retention - Health Fund		0								
Risk Retention - Insurance Fund		233,500	233,500							
W.I.A. Grant Fund		1,195,013		1,195,013						
Transportation (Highway)		7,426,155					6,697,998	728,157		
Debt Service		960,000								960,000
Self Insurance Fund		747,645							747,645	
TOTAL APPROPRIATIONS:		82,589,562	67,409,049	1,195,013	333,500	4,230,000	6,944,098	770,257	747,645	960,000

2004 ALLEGANY COUNTY BUDGET

LESS:									
Estimated Revenues Other Than Real Property Taxes:									
Other Real Ppty. Tax Items	1,054,419	1,054,419							
Non-Property Taxes	14,381,000	14,381,000							
Departmental Income	6,505,584	6,505,584							
Intergovernmental Charges	1,220,943	423,373				49,925		747,645	
Use of Money & Property	94,000	77,000				10,000	7,000		
Licenses & Permits	4,600	4,600							
Fines & Forfeitures	8,500	8,500							
Ppty. Sales & Comp. For Loss	889,350	864,150				5,700	19,500		
Miscellaneous	535,043	323,543			210,000	1,500			
State Aid	12,352,084	10,767,178	9,000			1,575,906			
Federal Aid	14,477,866	13,585,967	850,802			41,097			
Inter-Fund Revenues	6,449,681	949,970	310,211		4,020,000	551,500	480,000		138,000
Inter-Fund Transfers	5,752,727		25,000	233,500		4,458,470	213,757		822,000
TOTAL ESTIMATED REVENUES:	63,725,797	48,945,284	1,195,013	233,500	4,230,000	6,694,098	720,257	747,645	960,000
APPROPRIATED RESERVE:	200,000	100,000		100,000					
APPROPRIATED FUND BALANCE:	300,000					250,000	50,000		
	64,225,797	49,045,284	1,195,013	333,500	4,230,000	6,944,098	770,257	747,645	960,000
BALANCE TO BE RAISED BY REAL PROPERTY TAXES:	18,363,765		3,369,079	increase in levy		2.42	increase in tax rate		
AVERAGE FULL VALUE TAX RATE:	13.664798510		22.46	% increase in tax levy		21.51%	increase in tax rate		
TAXABLE EQUALIZED VALUE:	1,343,873,822								

SCHEDULE 1-A

APPROPRIATIONS - GENERAL FUND

GENERAL GOVERNMENT SUPPORT

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
LEGISLATIVE						
A1010 Legislative Board						
A1010.1	Personnel Services	135,781	136,600	136,600	136,600	136,600
A1010.2	Equipment	0	0	0	0	0
A1010.4	Contractual Expenses	23,763	27,360	27,050	27,050	19,550
	Total Legislative Board	159,544	163,960	163,650	163,650	156,150
A1011 County Administrator						
A1011.1	Personnel Services	99,743	108,666	114,191	113,691	112,191
A1011.2	Equipment	0	0	0	0	0
A1011.4	Contractual Expenses	38,509	57,600	18,750	18,750	6,250
	Total County Administrator	138,252	166,266	132,941	132,441	118,441
A1040 Clerk, Legislative Board						
A1040.1	Personnel Services	138,708	148,260	154,773	154,273	128,773
A1040.2	Equipment	0	0	0	0	0
A1040.4	Contractual Expenses	24,580	20,896	17,400	17,400	16,600
	Total Clerk, Legislative Board	163,288	169,156	172,173	171,673	145,373
Total LEGISLATIVE		461,084	499,382	468,764	467,764	419,964
JUDICIAL						
A1162 Unified Court Cost						
A1162.4	Contractual Expenses	0	475	400	400	400
	Total Unified Court Cost	0	475	400	400	400

2004 ALLEGANY COUNTY BUDGET

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
A1165 District Attorney						
A1165.1	Personnel Services	309,629	347,357	355,338	355,338	330,838
A1165.2	Equipment	14,961	26,714	500	300	300
A1165.4	Contractual Expenses	53,686	60,830	77,750	60,400	53,600
	Total District Attorney	378,276	434,901	433,588	416,038	384,738
A1170 Public Defender						
A1170.1	Personnel Services	118,033	149,200	140,991	140,991	138,391
A1170.2	Equipment	219	0	0	0	0
A1170.4	Contractual Expenses	26,174	32,020	33,720	32,620	31,820
	Total Public Defender	144,426	181,220	174,711	173,611	170,211
A1171 Assigned Counsel						
A1171.4	Contractual Expenses	130,223	113,500	267,500	185,000	185,000
	Total Assigned Counsel	130,223	113,500	267,500	185,000	185,000
A1180 Justices & Constables						
A1180.4	Contractual Expenses	2,340	1,800	1,800	1,800	1,800
	Total Justices & Constables	2,340	1,800	1,800	1,800	1,800
A1185 Medical Examiners & Coroners						
A1185.1	Personnel Services	14,300	12,000	12,000	12,000	12,000
A1185.2	Equipment	0	150	50	50	50
A1185.4	Contractual Expenses	37,212	33,900	35,800	35,300	35,300
	Total Medical Exam. & Coroners	51,512	46,050	47,850	47,350	47,350
A1190 Grand Jury						
A1190.4	Contractual Expenses	5,467	5,180	5,180	5,180	5,180
	Total Grand Jury	5,467	5,180	5,180	5,180	5,180
TOTAL JUDICIAL		712,244	783,126	931,029	829,379	794,679
FINANCE						
A1320 Auditor						
A1320.1	Personnel Services	889	1,100	1,100	1,100	1,100
	Total Auditor	889	1,100	1,100	1,100	1,100

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
A1325 Treasurer						
A1325.1	Personnel Services	282,796	285,240	298,252	297,752	295,552
A1325.2	Equipment	1,072	500	250	250	0
A1325.4	Contractual Expenses	56,333	58,531	78,259	78,259	71,059
	Total Treasurer	340,201	344,271	376,761	376,261	366,611
A1340 Budget						
A1340.1	Personnel Services	3,846	4,000	4,000	4,000	4,000
	Total Budget	3,846	4,000	4,000	4,000	4,000
A1355 Assessments						
A1355.1	Personnel Services	213,204	223,712	233,347	232,347	217,777
A1355.2	Equipment	0	600	3,500	500	0
A1355.4	Contractual Expenses	36,991	38,100	43,150	42,400	40,850
	Total Assessments	250,195	262,412	279,997	275,247	258,627
A1362 Tax Sale & Redemption						
A1362.4	Contractual Expenses	15,330	9,500	15,000	15,000	15,000
	Total Tax Sale & Redemption	15,330	9,500	15,000	15,000	15,000
TOTAL FINANCE		610,461	621,283	676,858	671,608	645,338
STAFF						
A1410 County Clerk						
A1410.1	Personnel Services	547,074	576,664	587,122	586,622	527,122
A1410.2	Equipment	0	1,150	1,000	1,000	0
A1410.4	Contractual Expenses	54,006	55,050	57,050	57,050	54,950
	Total County Clerk	601,080	632,864	645,172	644,672	582,072
A1420 County Attorney						
A1420.1	Personnel Services	271,832	271,600	288,006	283,006	253,606
A1420.2	Equipment	0	0	2,400	2,400	650
A1420.4	Contractual Expenses	60,085	74,480	76,250	75,350	71,750
	Total County Attorney	331,917	346,080	366,656	360,756	326,006

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
A1430 Human Resources						
A1430.1	Personnel Services	162,131	165,910	165,959	165,959	165,959
A1430.2	Equipment	0	0	0	0	0
A1430.4	Contractual Expenses	20,160	20,350	18,750	18,750	14,468
	Total Human Resources	182,291	186,260	184,709	184,709	180,427
A1450 Elections						
A1450.1	Personnel Services	99,290	91,135	94,294	93,794	93,794
A1450.2	Equipment	3,318	0	0	0	0
A1450.4	Contractual Expenses	45,416	50,720	54,500	53,500	49,100
	Total Elections	148,024	141,855	148,794	147,294	142,894
A1490 Public Works Administration						
A1490.1	Personnel Services	263,778	274,488	283,801	282,801	279,801
A1490.2	Equipment	0	0	0	0	0
A1490.4	Contractual Expenses	17,014	18,550	18,175	16,625	14,025
	Total Public Works Administration	280,792	293,038	301,976	299,426	293,826
TOTAL STAFF		1,544,104	1,600,097	1,647,307	1,636,857	1,525,225
SHARED SERVICES						
A1610 Central Service Telephone						
A1610.2	Equipment	10,989	0	0	0	0
A1610.4	Contractual Expenses	98,114	121,400	119,200	119,200	119,200
	Total Central Service Telephone	109,103	121,400	119,200	119,200	119,200
A1620 Buildings						
A1620.1	Personnel Services	359,242	386,827	420,240	377,543	362,543
A1620.2	Equipment	11,677	5,350	6,450	5,500	3,100
A1620.4	Contractual Expenses	496,394	485,037	575,550	505,700	459,950
	Total Buildings	867,313	877,214	1,002,240	888,743	825,593
A1621 Architectural Services						
A1621.4	Contractual Expenses	15,000	0	0	0	0
	Total Architectural Services	15,000	0	0	0	0

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
A1670 Central Service Copying						
A1670.4	Contractual Expenses	24,316	24,700	25,500	25,500	25,500
	Total Central Service Copying	24,316	24,700	25,500	25,500	25,500
A1671 Accounting & Auditing						
A1671.4	Contractual Expenses	16,100	43,000	53,000	53,000	53,000
	Total Accounting & Auditing	16,100	43,000	53,000	53,000	53,000
A1672 Central Service U.P.S.						
A1672.4	Contractual Expenses	3,582	4,000	3,800	3,800	3,800
	Total Central Service U.P.S.	3,582	4,000	3,800	3,800	3,800
A1673 Central Service Postage						
A1673.2	Equipment	0	0	0	0	0
A1673.4	Contractual Expenses	12,117	33,500	30,550	30,550	30,550
	Total Central Service Postage	12,117	33,500	30,550	30,550	30,550
A1680 Central Service Computer						
A1680.1	Personnel Services	140,656	160,812	171,895	171,895	170,395
A1680.2	Equipment	33,119	57,700	57,700	57,700	43,500
A1680.4	Contractual Expenses	133,225	73,200	73,200	73,200	64,015
	Total Central Service Computer	307,000	291,712	302,795	302,795	277,910
TOTAL SHARED SERVICES		1,354,531	1,395,526	1,537,085	1,423,588	1,335,553
SPECIAL ITEMS						
A1910 Unallocated Insurance						
A1910.4	Contractual Expenses	312,667	399,441	425,530	425,530	425,530
	Total Unallocated Insurance	312,667	399,441	425,530	425,530	425,530
A1920 Municipal Association Dues						
A1920.4	Contractual Expenses	4,598	4,757	4,735	4,735	4,735
	Total Municipal Association Dues	4,598	4,757	4,735	4,735	4,735

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
A1930 Judgements						
A1930.4	Contractual Expenses	0	570	570	570	570
	Total Judgements	0	570	570	570	570
A1950 Taxes on Municipal Property						
A1950.4	Contractual Expenses	973	1,600	1,600	1,600	1,600
	Total Taxes on Municipal Property	973	1,600	1,600	1,600	1,600
A1990 Contingent						
A1990.4	Contractual Expenses	1,952	83,053	200,000	200,000	200,000
	Total Contingent	1,952	83,053	200,000	200,000	200,000
TOTAL SPECIAL ITEMS		320,190	489,421	632,435	632,435	632,435
TOTAL GENERAL GOVERNMENT SUPPORT		5,002,614	5,388,835	5,893,478	5,661,631	5,353,194

EDUCATION

COMMUNITY COLLEGES						
A2495 Contribution to Community Colleges						
A2495.4	Contractual Expenses	523,291	522,500	522,500	522,500	522,500
	Total Contrib. to Community Colleges	523,291	522,500	522,500	522,500	522,500
SPECIAL EDUCATION PHC						
A2960 Special Education PHC						
A2960.2	Equipment	-160	1,000	1,000	1,000	200
A2960.4	Contractual Expenses	1,643,585	1,316,500	1,507,500	1,368,500	1,286,750
	Total Special Education PHC	1,643,425	1,317,500	1,508,500	1,369,500	1,286,950
TOTAL EDUCATION		2,166,716	1,840,000	2,031,000	1,892,000	1,809,450

PUBLIC SAFETY

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
LAW ENFORCEMENT						
A3110 Sheriff						
A3110.1	Personnel Services	553,060	779,852	806,985	786,752	718,566
A3110.2	Equipment	73,525	55,840	190,000	85,000	15,000
A3110.4	Contractual Expenses	131,287	127,950	133,835	131,835	92,335
	Total Sheriff	757,872	963,642	1,130,820	1,003,587	825,901
A3111 Sheriff - Drug Program						
A3111.2	Equipment	0	0	0	0	0
A3111.4	Contractual Expenses	1,992	10,000	11,000	10,000	8,500
	Total Sheriff - Drug Program	1,992	10,000	11,000	10,000	8,500
A3112 E911 Dispatch						
A3112.1	Personnel Services	271,830	217,192	252,387	252,387	252,387
A3112.2	Equipment	0	13,450	1,500	1,500	500
A3112.4	Contractual Expenses	560	9,550	9,550	9,550	1,550
	Total E911 Dispatch	272,390	240,192	263,437	263,437	254,437
A3114 Traffic Safety Program						
A3114.1	Personnel Services	12,681	35,692	37,124	37,124	37,124
A3114.2	Equipment	0	0	2,000	2,000	2,000
A3114.4	Contractual Expenses	33,505	32,014	35,568	35,568	34,508
A3114.8	Employee Benefits	131	11,801	0	0	0
	Total Traffic Safety Program	46,317	79,507	74,692	74,692	73,632
A3140 Probation						
A3140.1	Personnel Services	587,629	623,149	669,992	669,992	611,569
A3140.2	Equipment	1,621	540	0	0	0
A3140.4	Contractual Expenses	101,955	100,870	102,403	100,853	92,753
	Total Probation	691,205	724,559	772,395	770,845	704,322

2004 ALLEGANY COUNTY BUDGET

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
A3141 STOP-DWI Program						
A3141.1	Personnel Services	19,841	22,468	26,464	26,464	26,464
A3141.2	Equipment	1,293	2,500	2,500	2,500	2,500
A3141.4	Contractual Expenses	84,918	97,050	94,192	94,050	93,550
A3141.8	Employee Benefits	21,908	20,080	20,954	20,954	20,954
	Total STOP-DWI Program	127,960	142,098	144,110	143,968	143,468
A3142 Alternatives to Incarceration						
A3142.1	Personnel Services	29,818	31,685	32,714	32,714	32,714
A3142.4	Contractual Expenses	2,511	2,680	2,680	2,680	2,440
A3142.8	Employee Benefits	9,527	11,295	11,564	11,564	11,564
	Total Alternatives to Incarceration	41,856	45,660	46,958	46,958	46,718
A3143 Probation - Intensive Supervision						
A3143.1	Personnel Services	17,472	23,655	23,655	23,655	23,655
A3143.4	Contractual Expenses	3,135	3,950	3,950	3,950	3,850
A3143.8	Employee Benefits	8,498	10,426	10,426	10,426	10,426
	Total Probation - Intensive Supervision	29,105	38,031	38,031	38,031	37,931
A3150 Jail						
A3150.1	Personnel Services	2,820,489	2,251,571	2,574,805	2,347,205	2,230,925
A3150.2	Equipment	4,986	9,800	16,550	10,250	5,250
A3150.4	Contractual Expenses	211,556	168,500	224,880	204,380	203,880
	Total Jail	3,037,031	2,429,871	2,816,235	2,561,835	2,440,055
A3170 Other Correction Agencies						
A3170.4	Contractual Expenses	421,960	190,000	260,000	175,000	175,000
	Total Other Correction Agencies	421,960	190,000	260,000	175,000	175,000
TOTAL LAW ENFORCEMENT		5,427,688	4,863,560	5,557,678	5,088,353	4,709,964

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
TRAFFIC CONTROL						
A3310 Traffic Control						
A3310.4	Contractual Expenses	2,276	2,375	2,375	2,375	2,125
	Total Traffic Control	2,276	2,375	2,375	2,375	2,125
TOTAL TRAFFIC CONTROL		2,276	2,375	2,375	2,375	2,125
FIRE PREVENTION AND CONTROL						
A3410 Fire						
A3410.1	Personnel Services	32,755	35,555	39,824	40,844	39,844
A3410.2	Equipment	49,281	50,150	30,000	30,000	20,000
A3410.4	Contractual Expenses	31,063	36,359	36,675	36,675	35,675
	Total Fire	113,099	122,064	106,499	107,519	95,519
A3510 Fire E-911						
A3510.2	Equipment	27,996	0	0	0	0
A3510.4	Contractual Expenses	38,791	47,500	72,000	72,000	72,000
	Total Fire E-911	66,787	47,500	72,000	72,000	72,000
TOTAL FIRE PREVENTION AND CONTROL		179,886	169,564	178,499	179,519	167,519
EMERGENCY SERVICES						
A3640 Emergency Services						
A3640.1	Personnel Services	70,123	71,812	74,265	74,265	73,065
A3640.2	Equipment	37,987	1,300	0	0	0
A3640.4	Contractual Expenses	77,012	80,045	79,445	79,445	75,980
	Total Emergency Services	185,122	153,157	153,710	153,710	149,045
TOTAL EMERGENCY SERVICES		185,122	153,157	153,710	153,710	149,045
TOTAL PUBLIC SAFETY		5,794,972	5,188,656	5,892,262	5,423,957	5,028,653

2004 ALLEGANY COUNTY BUDGET

HEALTH

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
PUBLIC HEALTH						
A4010 County Health Department						
A4010.1	Personnel Services	1,134,375	1,079,788	1,110,312	1,100,312	1,020,512
A4010.2	Equipment	1,263	9,201	38,000	38,000	1,500
A4010.4	Contractual Expenses	231,224	250,525	334,450	313,400	274,150
	Total County Health Department	1,366,862	1,339,514	1,482,762	1,451,712	1,296,162
A4011 Health - Nurses						
A4011.1	Personnel Services	703,098	938,423	864,406	834,496	834,496
A4011.2	Equipment	22,201	28,100	76,812	74,000	39,452
A4011.4	Contractual Expenses	790,755	802,660	698,750	686,050	682,708
	Total Health - Nurses	1,516,054	1,769,183	1,639,968	1,594,546	1,556,656
A4035 Family Planning Clinic						
A4035.2	Equipment	30,380	6,261	0	0	0
A4035.4	Contractual Expenses	108,213	135,667	138,800	128,300	95,300
A4035.8	Employee Benefits	17,365	23,887	23,887	23,887	23,887
	Total Family Planning Clinic	155,958	165,815	162,687	152,187	119,187
A4037 Public Health - Lead						
A4037.4	Contractual Expenses	700	7,422	4,850	4,850	1,150
	Total Public Health - Lead	700	7,422	4,850	4,850	1,150
A4040 Long Term Health Care						
A4040.1	Personnel Services	177,388	164,014	162,713	162,713	159,713
A4040.2	Equipment	18,434	5,000	43,790	43,790	1,500
A4040.4	Contractual Expenses	672,495	661,900	615,850	598,350	594,250
	Total Long Term Health Care	868,317	830,914	822,353	804,853	755,463
A4043 Rabies Clinics						
A4043.4	Contractual Expenses	0	16,650	16,650	16,650	16,650
	Total Rabies Clinics	0	16,650	16,650	16,650	16,650

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
A4046 Physically Handicapped Children Program						
A4046.4	Contractual Expenses	19,557	30,000	22,500	22,500	20,000
	Total P.H. Children Program	19,557	30,000	22,500	22,500	20,000
A4047 Community Health Assessment						
A4047.4	Contractual Expenses	0	8,000	5,000	5,000	1,000
	Total Comm. Health Assessment	0	8,000	5,000	5,000	1,000
A4050 Water Quality Management						
A4050.2	Equipment	460	13,760	0	0	0
A4050.4	Contractual Expenses	33,072	25,055	72,900	72,900	72,400
	Total Water Quality Management	33,532	38,815	72,900	72,900	72,400
A4051 Tobacco Awareness						
A4051.4	Contractual Expenses	13,827	21,135	24,800	24,800	18,472
	Total Tobacco Awareness	13,827	21,135	24,800	24,800	18,472
A4052 Health Department - IHAP						
A4052.2	Equipment	636	4,000	3,750	3,750	1,500
A4052.4	Contractual Expenses	32,057	38,200	37,525	37,525	33,375
	Total Health Department - IHAP	32,693	42,200	41,275	41,275	34,875
A4053 Hep-B Vaccine						
A4053.4	Contractual Expenses	4,850	7,500	6,000	6,000	6,000
	Total Hep-B Vaccine	4,850	7,500	6,000	6,000	6,000
A4054 Rabies - Dom. Animal Damage						
A4054.4	Contractual Expenses	0	250	250	250	250
	Total Rabies - Dom. Animal Damage	0	250	250	250	250
A4056 Immunization Under 24 Mo.						
A4056.2	Equipment	500	800	800	800	0
A4056.4	Contractual Expenses	1,337	2,818	2,818	2,818	2,418
A4056.8	Employee Benefits	5,453	0	0	0	0
	Total Immunization Under 24 Mo.	7,290	3,618	3,618	3,618	2,418

2004 ALLEGANY COUNTY BUDGET

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
A4060 Health Dept. - E.I.P.						
A4060.4	Contractual Expenses	288,468	427,294	456,000	456,000	381,000
	Total Health Dept. - E.I.P.	288,468	427,294	456,000	456,000	381,000
A4070 TB Care & Treatment						
A4070.4	Contractual Expenses	0	5,000	5,000	5,000	5,000
	Total TB Care & Treatment	0	5,000	5,000	5,000	5,000
A4071 Cancer Screening						
A4071.2	Equipment	1,736	2,000	0	0	0
A4071.4	Contractual Expenses	34,491	57,600	64,250	64,250	59,250
A4071.8	Employee Benefits	5,558	6,422	6,422	6,422	6,422
	Total Cancer Screening	41,785	66,022	70,672	70,672	65,672
A4083 Healthy Heart						
A4083.4	Contractual Expenses	762	1,000	2,500	2,500	1,750
	Total Healthy Heart	762	1,000	2,500	2,500	1,750
A4189 Bio-Terrorism Preparedness						
A4189.2	Equipment	0	20,000	20,000	20,000	20,000
A4189.4	Contractual Expenses	33,603	49,500	49,500	49,500	49,000
	Total Bio-Terrorism Preparedness	33,603	69,500	69,500	69,500	69,000
A4190 WIC						
A4190.2	Equipment	5,156	5,600	12,100	12,100	5,100
A4190.4	Contractual Expenses	188,083	218,587	212,087	212,087	208,087
	Total WIC	193,239	224,187	224,187	224,187	213,187
TOTAL PUBLIC HEALTH		4,577,497	5,074,019	5,133,472	5,029,000	4,636,292
NARCOTIC ADDICTION CONTROL						
A4220 Council on Alcoholism & Substance Abuse						
A4220.4	Contractual Expenses	257,794	257,794	265,518	265,518	265,518
	Total Council on Alch. & Subs. Abuse	257,794	257,794	265,518	265,518	265,518
TOTAL NARCOTIC ADDICTION CONTROL		257,794	257,794	265,518	265,518	265,518

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
MENTAL HEALTH						
A4310 Mental Health Administration						
A4310.1	Personnel Services	128,333	131,371	134,928	134,928	133,478
A4310.2	Equipment	3,155	6,000	4,414	4,414	4,414
A4310.4	Contractual Expenses	1,097,447	1,097,826	1,112,484	1,112,484	1,107,484
A4310.8	Employee Benefits	26,220	29,121	28,186	28,186	28,186
	Total Mental Health Adm.	1,255,155	1,264,318	1,280,012	1,280,012	1,273,562
A4311 Mental Health - Adult ICM						
A4311.4	Contractual Expenses	12,189	12,180	12,576	12,576	12,576
	Total Mental Health - Adult ICM	12,189	12,180	12,576	12,576	12,576
A4312 Mental Health - Youth ICM						
A4312.1	Personnel Services	98,645	105,038	97,644	97,644	97,644
A4312.2	Equipment	6,150	32,500	29,558	29,558	29,558
A4312.4	Contractual Expenses	56,380	62,512	62,512	62,512	59,512
A4312.8	Employee Benefits	20,379	22,102	19,053	19,053	19,053
	Total Mental Health - Youth ICM	181,554	222,152	208,767	208,767	205,767
A4314 Mental Health CSS						
A4314.4	Contractual Expenses	200,328	187,300	193,388	193,388	193,388
	Total Mental Health CSS	200,328	187,300	193,388	193,388	193,388
A4315 Mental Health Reinvestment						
A4315.4	Contractual Expenses	466,979	462,147	477,317	477,317	477,317
	Total Mental Health Reinvestment	466,979	462,147	477,317	477,317	477,317
A4316 Mental Health ICM						
A4316.1	Personnel Services	22,582	31,827	33,990	33,990	33,990
A4316.4	Contractual Expenses	12,044	12,180	12,577	12,577	12,577
A4316.8	Employee Benefits	4,039	3,739	3,994	3,994	3,994
	Total Mental Health ICM	38,665	47,746	50,561	50,561	50,561

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
A4390 Mental Hygiene Law Exp.						
A4390.4	Contractual Expenses	25,139	9,500	10,000	10,000	10,000
	Total Mental Hygiene Law Exp.	25,139	9,500	10,000	10,000	10,000
TOTAL MENTAL HEALTH		2,180,009	2,205,343	2,232,621	2,232,621	2,223,171
TOTAL HEALTH		7,015,300	7,537,156	7,631,611	7,527,139	7,124,981

BUS TRANSPORTATION

BUS TRANSPORTATION						
A5630 Bus Transportation						
A5630.4	Contractual Expenses	712,846	510,000	520,000	520,000	520,000
	Total Bus Transportation	712,846	510,000	520,000	520,000	520,000
TOTAL BUS TRANSPORTATION		712,846	510,000	520,000	520,000	520,000

ECONOMIC ASSISTANCE AND OPPORTUNITY

SOCIAL SERVICES (Non-Program)						
A6010 Social Services Administration						
A6010.1	Personnel Services	3,440,907	3,653,518	3,759,865	3,749,865	3,575,062
A6010.2	Equipment	27,972	39,963	55,020	22,270	62,770
A6010.4	Contractual Expenses	1,830,034	2,001,033	1,814,036	1,806,036	1,743,916
	Total Social Services Admin.	5,298,913	5,694,514	5,628,921	5,578,171	5,381,748
A6011 Social Services - CAP						
A6011.1	Personnel Services	233,579	241,788	248,891	248,891	248,891
A6011.2	Equipment	0	600	868	868	868
A6011.4	Contractual Expenses	18,864	22,100	21,500	21,500	21,200
	Total Social Services - CAP	252,443	264,488	271,259	271,259	270,959

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
A6055 Day Care Block Grant						
A6055.4	Contractual Expenses	986,235	907,040	873,320	873,320	873,320
	Total Day Care Block Grant	986,235	907,040	873,320	873,320	873,320
A6070 Services for Recipients						
A6070.4	Contractual Expenses	399,458	467,757	594,900	594,900	568,900
	Total Services for Recipients	399,458	467,757	594,900	594,900	568,900
TOTAL SOCIAL SERVICES (NON-PROGRAM)		6,937,049	7,333,799	7,368,400	7,317,650	7,094,927
SOCIAL SERVICES PROGRAMS						
A6101 Medical Assistance						
A6101.4	Contractual Expenses	7,749,196	9,114,334	10,278,241	9,725,000	9,712,000
	Total Medical Assistance	7,749,196	9,114,334	10,278,241	9,725,000	9,712,000
A6106 Adult Family Special Needs Homes						
A6106.4	Contractual Expenses	0	1,650	1,650	1,650	1,650
	Total Adult Fam. Spec. Needs Homes	0	1,650	1,650	1,650	1,650
A6109 Aid to Dependent Children						
A6109.4	Contractual Expenses	2,730,274	3,433,495	3,725,250	3,525,000	3,525,000
	Total Aid to Dependent Children	2,730,274	3,433,495	3,725,250	3,525,000	3,525,000
A6119 Child Care						
A6119.4	Contractual Expenses	2,532,709	2,900,000	2,486,556	2,486,556	2,486,556
	Total Child Care	2,532,709	2,900,000	2,486,556	2,486,556	2,486,556
A6129 State Training School						
A6129.4	Contractual Expenses	50,366	135,000	92,450	92,450	92,450
	Total State Training School	50,366	135,000	92,450	92,450	92,450
A6140 Home Relief						
A6140.4	Contractual Expenses	702,722	1,025,000	1,063,151	1,063,151	1,031,951
	Total Home Relief	702,722	1,025,000	1,063,151	1,063,151	1,031,951

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
A6141 State Fuel Crisis Assistance						
A6141.4	Contractual Expenses	1,901,745	2,700,000	2,700,000	2,700,000	2,700,000
	Total State Fuel Crisis Asst.	1,901,745	2,700,000	2,700,000	2,700,000	2,700,000
A6142 Emergency Aid for Adults						
A6142.4	Contractual Expenses	19,062	18,500	35,000	35,000	35,000
	Total Emergency Aid for Adults	19,062	18,500	35,000	35,000	35,000
A6150 Food Stamp Cash Out						
A6150.4	Contractual Expenses	3,332,554	3,323,575	4,252,550	4,252,550	4,252,550
	Total Food Stamp Cash Out	3,332,554	3,323,575	4,252,550	4,252,550	4,252,550
TOTAL SOCIAL SERVICES PROGRAMS		19,018,628	22,651,554	24,634,848	23,881,357	23,837,157
TOTAL SOCIAL SERVICES		25,955,677	29,985,353	32,003,248	31,199,007	30,932,084
OFFICE OF DEVELOPMENT						
A6430 Office of Development						
A6430.1	Personnel Services	95,883	104,008	110,926	103,426	101,446
A6430.2	Equipment	796	0	0	0	0
A6430.4	Contractual Expenses	199,547	192,700	190,200	157,400	101,125
	Total Office of Development	296,226	296,708	301,126	260,826	202,571
TOTAL OFFICE OF DEVELOPMENT		296,226	296,708	301,126	260,826	202,571
VETERANS SERVICE						
A6510 Veterans Service						
A6510.1	Personnel Services	64,010	65,764	64,506	64,506	64,506
A6510.2	Equipment	0	0	0	0	0
A6510.4	Contractual Expenses	2,699	3,130	2,800	3,300	2,800
	Total Veterans Service	66,709	68,894	67,306	67,806	67,306
TOTAL VETERANS SERVICE		66,709	68,894	67,306	67,806	67,306

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
CONSUMER AFFAIRS						
A6610 Consumer Affairs						
A6610.1	Personnel Services	36,581	30,642	32,095	32,095	32,095
A6610.2	Equipment	523	100	100	300	300
A6610.4	Contractual Expenses	2,419	3,160	3,130	3,130	2,610
	Total Consumer Affairs	39,523	33,902	35,325	35,525	35,005
TOTAL CONSUMER AFFAIRS		39,523	33,902	35,325	35,525	35,005
OFFICE FOR THE AGING PROGRAMS						
A6772 Nutrition						
A6772.1	Personnel Services	110,760	115,447	119,604	119,604	119,104
A6772.2	Equipment	3,233	24,143	17,500	17,500	0
A6772.4	Contractual Expenses	258,459	238,303	255,066	260,016	254,716
A6772.8	Employee Benefits	16,741	17,193	17,902	17,902	17,902
	Total Nutrition	389,193	395,086	410,072	415,022	391,722
A6773 OFA - Supportive Services						
A6773.1	Personnel Services	86,292	86,440	92,737	92,737	92,737
A6773.2	Equipment	1,500	1,500	1,000	1,000	1,000
A6773.4	Contractual Expenses	29,536	33,740	32,540	32,540	30,990
A6773.8	Employee Benefits	17,836	18,337	19,704	19,704	19,704
	Total OFA - Supportive Services	135,164	140,017	145,981	145,981	144,431
A6774 Sr. Employment Program						
A6774.1	Personnel Services	24,435	24,812	25,219	25,219	25,219
A6774.2	Equipment	0	850	0	0	0
A6774.4	Contractual Expenses	3,377	2,292	3,142	3,142	2,392
A6774.8	Employee Benefits	2,468	2,445	2,455	2,455	2,455
	Total Sr. Employment Program	30,280	30,399	30,816	30,816	30,066
A6775 State LTCOP (Long Term Care Ombudsman Program)						
A6775.1	Personnel Services	3,010	2,895	3,446	3,446	3,446
A6775.4	Contractual Expenses	517	764	352	352	332
A6775.8	Employee Benefits	390	341	333	402	402
	Total State LTCOP	3,917	4,000	4,131	4,200	4,180

2004 ALLEGANY COUNTY BUDGET

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
A6776 OFA - Community Service for Elderly						
A6776.1	Personnel Services	45,879	46,209	50,242	50,242	50,242
A6776.4	Contractual Expenses	45,360	44,330	41,026	41,526	40,776
A6776.8	Employee Benefits	13,455	14,545	15,813	15,813	15,813
	Total OFA - Comm. Service for Elderly	104,694	105,084	107,081	107,581	106,831
A6777 OFA - H.E.A.P.						
A6777.1	Personnel Services	14,736	13,462	16,330	16,330	16,330
A6777.4	Contractual Expenses	987	1,560	1,110	1,110	1,060
A6777.8	Employee Benefits	4,892	4,649	5,264	5,264	5,264
	Total OFA - H.E.A.P.	20,615	19,671	22,704	22,704	22,654
A6778 OFA - E.I.S.E.P.						
A6778.1	Personnel Services	52,936	52,470	54,370	54,370	54,370
A6778.4	Contractual Expenses	127,356	139,825	125,000	125,000	124,800
A6778.8	Employee Benefits	10,862	8,554	8,913	8,913	8,913
	Total OFA - E.I.S.E.P.	191,154	200,849	188,283	188,283	188,083
A6779 OFA - S.N.A.P.						
A6779.1	Personnel Services	57,921	57,222	58,357	58,357	58,357
A6779.2	Equipment	17,500	0	0	0	0
A6779.4	Contractual Expenses	166,487	168,440	165,170	165,170	170,070
A6779.8	Employee Benefits	11,574	10,788	11,240	11,243	11,243
	Total OFA - S.N.A.P	253,482	236,450	234,767	234,770	239,670
A6780 OFA - Operation Restore Trust						
A6780.1	Personnel Services	2,254	1,287	0	0	0
A6780.4	Contractual Expenses	4,701	2,562	0	0	0
A6780.8	Employee Benefits	335	152	0	0	0
	Total OFA - Operation Restore Trust	7,290	4,001	0	0	0

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
A6781 OFA - Title VII Elder Abuse						
A6781.1	Personnel Services	6,199	6,111	6,203	6,203	6,203
A6781.4	Contractual Expenses	1,424	1,568	1,474	1,474	1,284
A6781.8	Employee Benefits	801	720	723	723	723
	Total OFA - Title VII Elder Abuse	8,424	8,399	8,400	8,400	8,210
A6782 OFA - H.I.I.C.A.						
A6782.1	Personnel Services	2,230	1,887	1,721	1,721	1,721
A6782.2	Equipment	1,000	0	0	0	0
A6782.4	Contractual Expenses	0	242	428	428	380
A6782.8	Employee Benefits	259	223	201	201	201
	Total OFA - H.I.I.C.A.	3,489	2,352	2,350	2,350	2,302
A6783 OFA - Title III-D						
A6783.1	Personnel Services	1,486	1,294	1,379	1,379	1,379
A6783.4	Contractual Expenses	5,418	5,363	5,280	5,280	5,280
A6783.8	Employee Benefits	176	153	161	161	161
	Total OFA - Title III-D	7,080	6,810	6,820	6,820	6,820
A6784 OFA - Weatherization						
A6784.1	Personnel Services	11,532	14,958	16,330	16,330	16,330
A6784.4	Contractual Expenses	7,359	7,188	5,107	5,107	5,007
A6784.8	Employee Benefits	4,740	4,826	5,264	5,264	5,264
	Total OFA - Weatherization	23,631	26,972	26,701	26,701	26,601
A6785 OFA - C.S.I.						
A6785.4	Contractual Expenses	2,686	4,550	4,544	4,544	4,544
	Total OFA - C.S.I.	2,686	4,550	4,544	4,544	4,544

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
A6786 OFA - III-E Family Caregiver						
A6786.1	Personnel Services	14,825	18,824	22,675	22,675	22,675
A6786.2	Equipment	134	400	400	400	400
A6786.4	Contractual Expenses	23,531	36,180	26,340	26,340	25,840
A6786.8	Employee Benefits	1,459	1,920	2,360	2,360	2,360
	Total OFA - III-E Family Caregiver	39,949	57,324	51,775	51,775	51,275
TOTAL OFFICE FOR THE AGING PROGRAMS		1,221,048	1,241,964	1,244,425	1,249,947	1,227,389
TOTAL ECONOMIC ASSISTANCE & OPPORTUNITY		27,579,183	31,626,821	33,651,430	32,813,111	32,464,355

CULTURE AND RECREATION

TOURISM & CULTURE						
A6989 Tourism & Culture						
A6989.4	Contractual Expenses	273,510	253,295	254,342	253,795	253,395
	Total Tourism & Culture	273,510	253,295	254,342	253,795	253,395
Total TOURISM & CULTURE		273,510	253,295	254,342	253,795	253,395
BEACH AND POOL						
A7180 Beach and Pool						
A7180.1	Personnel Services	22,373	25,000	30,000	26,000	26,000
A7180.4	Contractual Expenses	3,856	4,975	0	5,075	4,975
	Total Beach and Pool	26,229	29,975	30,000	31,075	30,975
TOTAL BEACH AND POOL		26,229	29,975	30,000	31,075	30,975
OTHER RECREATION						
A7185 Other Recreation						
A7185.4	Contractual Expenses	96,409	49,000	49,000	49,000	49,000
	Total Other Recreation	96,409	49,000	49,000	49,000	49,000
TOTAL OTHER RECREATION		96,409	49,000	49,000	49,000	49,000

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
YOUTH PROGRAMS						
A7310 Youth Bureau						
A7310.1	Personnel Services	30,760	30,701	30,700	30,700	30,700
A7310.4	Contractual Expenses	3,816	5,500	5,100	5,100	4,200
	Total Youth Bureau	34,576	36,201	35,800	35,800	34,900
A7312 Youth Bureau Advisory Committee						
A7312.4	Contractual Expenses	26,321	29,977	8,100	8,100	8,100
	Total Youth Bureau Advisory Comm.	26,321	29,977	8,100	8,100	8,100
A7313 Delinquency Prevention						
A7313.4	Contractual Expenses	13,417	17,100	0	0	0
	Total Delinquency Prevention	13,417	17,100	0	0	0
A7317 Nature Education/Recreation						
A7317.4	Contractual Expenses	9,585	9,585	0	0	0
	Total Nature Education/Recreation	9,585	9,585	0	0	0
A7318 Youth Programs						
A7318.4	Contractual Expenses	19,787	21,549	0	0	0
	Total Youth Programs	19,787	21,549	0	0	0
A7320 MH Youth Compeer						
A7320.4	Contractual Expenses	16,585	9,627	0	0	0
	Total MH Youth Compeer	16,585	9,627	0	0	0
A7321 Youth Court - ACCORD						
A7321.4	Contractual Expenses	14,744	27,000	0	0	0
	Total Youth Court - ACCORD	14,744	27,000	0	0	0
TOTAL YOUTH PROGRAMS		135,015	151,039	43,900	43,900	43,000

2004 ALLEGANY COUNTY BUDGET

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
HISTORIAN						
A7510 Historian						
A7510.1	Personnel Services	38,229	37,124	34,783	34,783	34,783
A7510.2	Equipment	0	0	0	0	0
A7510.4	Contractual Expenses	2,526	2,395	2,200	2,200	1,855
	Total Historian	40,755	39,519	36,983	36,983	36,638
TOTAL HISTORIAN		40,755	39,519	36,983	36,983	36,638
TOTAL CULTURE AND RECREATION		571,918	522,828	414,225	414,753	413,008

HOME AND COMMUNITY SERVICE

PLANNING						
A8020 Planning						
A8020.2	Equipment	294	2,200	0	0	0
A8020.4	Contractual Expenses	64,510	94,765	75,958	63,200	19,700
	Total Planning	64,804	96,965	75,958	63,200	19,700
TOTAL PLANNING		64,804	96,965	75,958	63,200	19,700
SOLID WASTE						
A8160 Solid Waste						
A8160.1	Personnel Services	687,634	716,712	759,394	736,181	711,181
A8160.2	Equipment	357,826	4,500	22,500	4,000	4,000
A8160.4	Contractual Expenses	630,893	517,756	657,200	489,700	479,200
	Total Solid Waste	1,676,353	1,238,968	1,439,094	1,229,881	1,194,381
TOTAL SOLID WASTE		1,676,353	1,238,968	1,439,094	1,229,881	1,194,381

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
GENERAL NATURAL RESOURCES						
A8710 County Reforestation						
A8710.1	Personnel Services	25,926	1,902	0	0	0
A8710.2	Equipment	0	0	0	0	0
A8710.4	Contractual Expenses	23,641	24,950	0	0	10,000
	Total County Reforestation	49,567	26,852	0	0	10,000
A8720 Wildlife Habitat & Stream Improvement						
A8720.4	Contractual Expenses	2,300	2,300	0	2,300	2,300
	Total Wildlife Habitat & Stream Impvmt.	2,300	2,300	0	2,300	2,300
A8730 Conservation						
A8730.492	Soil & Water Conservation	95,680	94,000	96,373	90,000	81,000
A8730.493	Conservation Education	2,300	0	2,400	2,300	2,300
	Total Conservation	97,980	94,000	98,773	92,300	83,300
A8751 Agriculture & Livestock - Coop. Ext.						
A8751.4	Contractual Expenses	234,000	223,000	223,000	210,000	189,000
	Total Agriculture & Livestock - Coop. Ext.	234,000	223,000	223,000	210,000	189,000
A8752 Agricultural Society						
A8752.4	Contractual Expenses	7,000	6,500	7,000	6,500	6,500
	Total Agricultural Society	7,000	6,500	7,000	6,500	6,500
	TOTAL GENERAL NATURAL RESOURCES	390,847	352,652	328,773	311,100	291,100
BLIND AND VISUALLY HANDICAPPED						
A8823 Blind and Visually Handicapped						
A8823.4	Contractual Expenses	8,000	7,500	9,000	7,500	7,500
	Total Blind & Visually Handicapped	8,000	7,500	9,000	7,500	7,500
	TOTAL BLIND AND VISUALLY HANDICAPPED	8,000	7,500	9,000	7,500	7,500
	TOTAL HOME AND COMMUNITY SERVICES	2,140,004	1,696,085	1,852,825	1,611,681	1,512,681

2004 ALLEGANY COUNTY BUDGET

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
	UNDISTRIBUTED					
EMPLOYEE BENEFITS						
A9010 State Retirement						
A9010.8	Employee Benefits	387,623	1,319,526	1,300,000	1,500,000	1,821,000
	Total State Retirement	387,623	1,319,526	1,300,000	1,500,000	1,821,000
A9030 Social Security						
A9030.8	Employee Benefits	992,262	1,060,000	1,325,000	1,150,000	1,150,000
	Total Social Security	992,262	1,060,000	1,325,000	1,150,000	1,150,000
A9040 Worker's Compensation						
A9040.8	Employee Benefits	124,926	388,003	367,000	367,000	367,000
	Total Worker's Compensation	124,926	388,003	367,000	367,000	367,000
A9055 Disability Insurance						
A9055.8	Employee Benefits	63,732	45,000	72,000	72,000	72,000
	Total Disability Insurance	63,732	45,000	72,000	72,000	72,000
A9060 Hospital & Medical Insurance						
A9060.8	Employee Benefits	0	3,469,720	4,300,000	4,230,000	4,020,000
	Total Hospital & Medical Insurance	0	3,469,720	4,300,000	4,230,000	4,020,000
	TOTAL EMPLOYEE BENEFITS	1,568,543	6,282,249	7,364,000	7,319,000	7,430,000
INTER-FUND TRANSFERS						
A9522 Inter-Fund Trans. County Road Fund						
A9522.9	Inter-Fund Transfer	5,456,515	4,496,495	0	5,649,766	4,458,470
	Total I/F County Road Fund	5,456,515	4,496,495	0	5,649,766	4,458,470
A9523 Inter-Fund Trans. Road Machinery Fund						
A9523.9	Inter-Fund Transfer	872,750	454,619	0	744,944	213,757
	Total I/F Road Machinery Fund	872,750	454,619	0	744,944	213,757

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
A9560 Other Inter-Fund Transfers						
A9560.9 03	W.I.A. Grant Fund	19,600	25,000	0	25,000	25,000
A9560.9 04	Capital Fund	1,250,000	20,000	0	0	0
A9560.9 05	Debt Service Fund	1,004,495	815,300	0	960,000	822,000
A9560.9 10	Risk Insurance Fund	0	0	0	303,500	233,500
A9560.9 12	Risk Retention - Health Fund	5,129,704	0	0	0	0
	Total Other Inter-Fund Transfers	7,403,799	860,300	0	1,288,500	1,080,500
TOTAL INTER-FUND TRANSFERS		13,733,064	5,811,414	0	7,683,210	5,752,727
TOTAL UNDISTRIBUTED		15,301,607	12,093,663	7,364,000	15,002,210	13,182,727
GRAND TOTAL GENERAL FUND		66,285,160	66,404,044	65,250,831	70,866,482	67,409,049

SCHEDULE 1-CD1

APPROPRIATIONS - WORKFORCE INVESTMENT ACT (W. I. A.) GRANT FUND

WIA GRANT FUND						
CD16400 WIA Title I Administration						
CD16400.1	Personnel Services	49,692	57,619	58,000	58,000	58,000
CD16400.2	Equipment	9,738	5,000	3,000	3,000	3,000
CD16400.4	Contractual Expenses	10,156	21,000	13,575	13,575	13,575
CD16400.8	Employee Benefits	13,489	18,280	18,560	18,560	18,560
	Total WIA Title I Administration	83,075	101,899	93,135	93,135	93,135
CD16401 WIA Adult/Youth Support						
CD16401.1	Personnel Services	20,115	0	0	0	0
CD16401.4	Contractual Expenses	22,100	27,000	20,000	20,000	20,000
CD16401.8	Employee Benefits	2,405	0	0	0	0
	Total WIA Adult/Youth Support	44,620	27,000	20,000	20,000	20,000

2004 ALLEGANY COUNTY BUDGET

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
CD16402 WIA Adult/Youth Program						
CD16402.1	Personnel Services	166,449	129,000	140,000	140,000	140,000
CD16402.2	Equipment	0	3,000	2,000	2,000	2,000
CD16402.4	Contractual Expenses	124,512	128,040	90,730	90,730	90,730
CD16402.8	Employee Benefits	49,078	38,695	44,530	44,530	44,530
	Total WIA Adult/Youth Program	340,039	298,735	277,260	277,260	277,260
CD16403 ACDSS Employment Service						
CD16403.1	Personnel Services	191,102	194,801	200,898	200,898	200,898
CD16403.2	Equipment	400	1,500	1,500	1,500	1,500
CD16403.4	Contractual Expenses	27,549	33,900	33,525	33,525	33,525
CD16403.8	Employee Benefits	55,651	63,990	64,288	64,288	64,288
	Total ACDSS Employment Service	274,702	294,191	300,211	300,211	300,211
CD16404 NY Welfare Block Grant CASP II						
CD16404.1	Personnel Services	20,180	14,745	7,575	7,575	7,575
CD16404.4	Contractual Expenses	441	500	0	0	0
CD16404.8	Employee Benefits	5,744	4,645	2,425	2,425	2,425
	Total NY Welfare Block Grant CASP II	26,365	19,890	10,000	10,000	10,000
CD16405 NY Welfare Block Grant DSS W/E Participant						
CD16405.1	Personnel Services	2,987	0	0	0	0
CD16405.4	Contractual Expenses	0	200	0	0	0
CD16405.8	Employee Benefits	334	610	0	0	0
	Total NYWBG DSS W/E Participant	3,321	810	0	0	0
CD16406 WIA Title I Dislocated Worker						
CD16406.1	Personnel Services	95,776	99,310	100,000	100,000	100,000
CD16406.2	Equipment	0	3,000	2,000	2,000	2,000
CD16406.4	Contractual Expenses	84,977	84,145	56,410	56,410	56,410
CD16406.8	Employee Benefits	26,264	29,820	32,000	32,000	32,000
	Total WIA Title I Dislocated Worker	207,017	216,275	190,410	190,410	190,410
CD16407 Dislocated Worker Support						
CD16407.4	Contractual Expenses	8,585	12,500	10,500	10,500	10,500
	Total Dislocated Worker Support	8,585	12,500	10,500	10,500	10,500

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
CD16408 Welfare to Work						
CD16408.1	Personnel Services	35,204	22,000	24,000	24,000	24,000
CD16408.2	Equipment	0	2,000	2,000	2,000	2,000
CD16408.4	Contractual Expenses	8,972	18,000	10,220	10,220	10,220
CD16408.8	Employee Benefits	10,468	7,175	7,680	7,680	7,680
	Total Welfare to Work	54,644	49,175	43,900	43,900	43,900
CD16409 Welfare to Work Participants						
CD16409.1	Personnel Services	0	1,000	4,000	4,000	4,000
CD16409.8	Employee Benefits	0	720	550	550	550
	Total Welfare to Work Participants	0	1,720	4,550	4,550	4,550
CD16410 WIA Youth						
CD16410.1	Personnel Services	0	68,000	56,869	56,869	56,869
CD16410.2	Equipment	0	3,000	2,000	2,000	2,000
CD16410.4	Contractual Expenses	0	33,100	22,995	22,995	22,995
CD16410.8	Employee Benefits	0	20,300	18,198	18,198	18,198
	Total WIA Youth	0	124,400	100,062	100,062	100,062
CD16411 WIA Youth						
CD16411.1	Personnel Services	0	30,000	20,000	20,000	20,000
CD16411.4	Contractual Expenses	0	3,000	2,000	2,000	2,000
CD16411.8	Employee Benefits	0	5,300	3,530	3,530	3,530
	Total WIA Youth	0	38,300	25,530	25,530	25,530
CD16412 WIA Youth - RFP						
CD16412.1	Personnel Services	0	30,122	25,000	25,000	25,000
CD16412.2	Equipment	0	8,000	1,000	1,000	1,000
CD16412.4	Contractual Expenses	0	10,500	8,600	8,600	8,600
CD16412.8	Employee Benefits	0	9,500	8,000	8,000	8,000
	Total WIA Youth - RFP	0	58,122	42,600	42,600	42,600

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
CD16413 WIA Youth - RFP						
CD16413.1	Personnel Services	0	4,800	2,000	2,000	2,000
CD16413.4	Contractual Expenses	0	4,500	2,000	2,000	2,000
CD16413.8	Employee Benefits	0	850	400	400	400
	Total WIA Youth - RFP	0	10,150	4,400	4,400	4,400
CD16794 TANF Summer Youth Employment Program (SYEP)						
CD16794.1	Personnel Services	42,421	20,300	20,300	20,300	20,300
CD16794.4	Contractual Expenses	29,769	22,700	22,000	22,000	22,000
CD16794.8	Employee Benefits	9,420	5,040	3,495	3,495	3,495
	Total TANF SYEP	81,610	48,040	45,795	45,795	45,795
CD16795 TANF Summer Youth Employment Program (SYEP)						
CD16795.1	Personnel Services	25,362	24,000	24,000	24,000	24,000
CD16795.8	Employee Benefits	3,225	2,660	2,660	2,660	2,660
	Total TANF SYEP	28,587	26,660	26,660	26,660	26,660
TOTAL WIA GRANT FUND		1,152,565	1,327,867	1,195,013	1,195,013	1,195,013

SCHEDULE 1-CS

APPROPRIATIONS - RISK RETENTION FUND

RISK RETENTION FUND						
CS1930 Judgements						
CS1930.4	Contractual Expenses	0	9,500	0	9,500	9,500
	Total Judgements	0	9,500	0	9,500	9,500
CS1931 Uninsured Property Loss						
CS1931.4	Contractual Expenses	29,019	14,584	0	14,000	14,000
	Total Uninsured Property Loss	29,019	14,584	0	14,000	14,000
CS1932 Actions Approved by Courts						
CS1932.4	Contractual Expenses	0	14,000	0	14,000	14,000
	Total Actions Approved by Courts	0	14,000	0	14,000	14,000

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
CS1933 Claims Approved by Supreme Court						
CS1933.4	Contractual Expenses	37,188	125,000	0	125,000	125,000
	Total Claims Appr. by Supreme Court	37,188	125,000	0	125,000	125,000
CS1934 Claims Less 25,000 Legislature Approval						
CS1934.4	Contractual Expenses	23,080	33,000	0	33,000	33,000
	Total Claims Less 25,000 Leg. Appr.	23,080	33,000	0	33,000	33,000
CS1935 Claims 5,000-15,000 Committee Approval						
CS1935.4	Contractual Expenses	0	38,000	0	38,000	38,000
	Total Claims 5,000-15,000 Comm. Appr.	0	38,000	0	38,000	38,000
CS1936 Claims 5000 and Less Chairman Approval						
CS1936.4	Contractual Expenses	3,055	23,000	0	23,000	23,000
	Total Claims 5,000 & Less Chair. Appr.	3,055	23,000	0	23,000	23,000
CS1937 Expert or Professional Services						
CS1937.4	Contractual Expenses	42,857	47,000	0	47,000	47,000
	Total Expert or Professional Services	42,857	47,000	0	47,000	47,000
CS9050 Unemployment Insurance						
CS9050.8	Employee Benefits	10,031	30,000	0	0	30,000
	Total Unemployment Insurance	10,031	30,000	0	0	30,000
TOTAL RISK RETENTION FUND		145,230	334,084	0	303,500	333,500

SCHEDULE 1-CSH

APPROPRIATIONS - RISK RETENTION - HEALTH FUND

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
RISK RETENTION – HEALTH						
CSH1710 Administration						
CSH1710.4	Contractual Expenses	0	150,000	0	120,000	120,000
	Total Administration	0	150,000	0	120,000	120,000
CSH1722 Excess Insurance						
CSH1722.4	Contractual Expenses	0	150,000	0	150,000	150,000
	Total Excess Insurance	0	150,000	0	150,000	150,000
CSH9061 Risk Retention – Medical						
CSH9061.8	Employee Benefits	3,464,453	2,600,000	0	2,700,000	2,700,000
	Total Risk Retention – Medical	3,464,453	2,600,000	0	2,700,000	2,700,000
CSH9063 Risk Retention – Prescription						
CSH9063.8	Employee Benefits	742,437	950,000	0	1,200,000	1,200,000
	Total Risk Retention – Prescription	742,437	950,000	0	1,200,000	1,200,000
CSH9064 Risk Retention - In Lieu of Insurance						
CSH9064.8	Employee Benefits	47,692	25,000	0	60,000	60,000
	Total Risk Retention - In Lieu of Insur.	47,692	25,000	0	60,000	60,000
TOTAL RISK RETENTION - HEALTH FUND		4,254,582	3,875,000	0	4,230,000	4,230,000

SCHEDULE 1 - D

APPROPRIATIONS - COUNTY ROAD FUND

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
TRAFFIC CONTROL						
D3310 Traffic Control						
D3310.1	Personnel Services	32,410	33,746	34,998	34,998	33,998
D3310.2	Equipment	0	1,500	1,500	1,000	1,000
D3310.4	Contractual Expenses	174,006	161,630	161,630	159,630	159,630
	Total Traffic Control	206,416	196,876	198,128	195,628	194,628
TOTAL TRAFFIC CONTROL		206,416	196,876	198,128	195,628	194,628
ENGINEERING						
D5020 Engineering						
D5020.1	Personnel Services	164,075	168,778	196,403	161,835	159,835
D5020.2	Equipment	14,187	5,600	15,000	4,000	4,000
D5020.4	Contractual Expenses	29,496	22,300	30,900	20,950	18,450
	Total Engineering	207,758	196,678	242,303	186,785	182,285
TOTAL ENGINEERING		207,758	196,678	242,303	186,785	182,285
SNOW REMOVAL & MAINTENANCE ROADS & BRIDGES						
D5110 Maintenance Roads & Bridges						
D5110.1	Personnel Services	1,991,929	1,962,991	2,066,329	1,999,903	1,924,903
D5110.2	Equipment	2,140	2,500	2,500	2,000	2,000
D5110.4	Contractual Expenses	1,133,393	1,187,050	1,481,550	1,429,050	1,327,550
	Total Maintenance Roads & Bridges	3,127,462	3,152,541	3,550,379	3,430,953	3,254,453
D5112 Road Construction						
D5112.2	Equipment (Construction Projects)	1,230,245	1,562,207	0	1,587,632	1,449,632
	Total Road Construction	1,230,245	1,562,207	0	1,587,632	1,449,632
D5142 Snow Removal						
D5142.4	Contractual Expenses	1,319,137	1,482,408	1,549,000	1,529,000	1,479,000
	Total Snow Removal	1,319,137	1,482,408	1,549,000	1,529,000	1,479,000

2004 ALLEGANY COUNTY BUDGET

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
TOTAL SNOW REMOVAL/MAINT. ROADS & BRIDGES		5,676,844	6,197,156	5,099,379	6,547,585	6,183,085
TOTAL COUNTY ROAD		6,091,018	6,590,710	5,539,810	6,929,998	6,559,998
UNDISTRIBUTED						
EMPLOYEE BENEFITS						
D9010 State Retirement						
D9010.8	Employee Benefits	60,000	60,000	60,000	60,000	60,000
	Total State Retirement	60,000	60,000	60,000	60,000	60,000
D9030 Social Security						
D9030.8	Employee Benefits	140,000	140,000	140,000	140,000	140,000
	Total Social Security	140,000	140,000	140,000	140,000	140,000
D9040 Worker's Compensation						
D9040.8	Employee Benefits	35,000	35,000	35,000	35,000	35,000
	Total Worker's Compensation	35,000	35,000	35,000	35,000	35,000
D9055 Disability Insurance						
D9055.8	Employee Benefits	10,842	11,000	11,100	11,100	11,100
	Total Disability Insurance	10,842	11,000	11,100	11,100	11,100
TOTAL EMPLOYEE BENEFITS		245,842	246,000	246,100	246,100	246,100
INTER-FUND TRANSFERS						
D9553 Inter-Fund Transfers						
D9553.904	Inter-Fund Transfer - Capital	1,055,300	47,500	650,000	650,000	138,000
	Total Inter-Fund Transfers	1,055,300	47,500	650,000	650,000	138,000
TOTAL INTER-FUND TRANSFERS		1,055,300	47,500	650,000	650,000	138,000
TOTAL UNDISTRIBUTED		1,301,142	293,500	896,100	896,100	384,100
GRAND TOTAL COUNTY ROAD FUND		7,392,160	6,884,210	6,435,910	7,826,098	6,944,098

SCHEDULE 1-DM

APPROPRIATIONS - ROAD MACHINERY FUND

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
ROAD MACHINERY						
DM5130 Road Machinery						
DM5130.1	Personnel Services	379,428	384,159	393,757	449,944	390,757
DM5130.2	Equipment	394,129	20,000	415,000	317,000	17,500
DM5130.4	Contractual Expenses	311,724	352,960	350,500	320,400	319,900
	Total Road Machinery	1,085,281	757,119	1,159,257	1,087,344	728,157
TOTAL ROAD MACHINERY		1,085,281	757,119	1,159,257	1,087,344	728,157

UNDISTRIBUTED

EMPLOYEE BENEFITS						
DM9010 State Retirement						
DM9010.8	Employee Benefits	10,000	10,000	10,000	10,000	10,000
	Total State Retirement	10,000	10,000	10,000	10,000	10,000
DM9030 Social Security						
DM9030.8	Employee Benefits	25,000	25,000	25,000	25,000	25,000
	Total Social Security	25,000	25,000	25,000	25,000	25,000
DM9040 Worker's Compensation						
DM9040.8	Employee Benefits	5,200	5,200	5,200	5,200	5,200
	Total Worker's Compensation	5,200	5,200	5,200	5,200	5,200
DM9055 Disability Insurance						
DM9055.8	Employee Benefits	1,754	1,800	1,900	1,900	1,900
	Total Disability Insurance	1,754	1,800	1,900	1,900	1,900
TOTAL EMPLOYEE BENEFITS		41,954	42,000	42,100	42,100	42,100

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
INTER-FUND TRANSFERS						
DM9553 Inter-Fund Transfers						
DM9553.904	Inter-Fund Transfer – Capital	210,000	90,000	105,000	105,000	0
	Total Inter-Fund Transfers	210,000	90,000	105,000	105,000	0
TOTAL INTER-FUND TRANSFERS		210,000	90,000	105,000	105,000	0
TOTAL UNDISTRIBUTED		251,954	132,000	147,100	147,100	42,100
GRAND TOTAL ROAD MACHINERY FUND		1,337,235	889,119	1,306,357	1,234,444	770,257

SCHEDULE 1-S

APPROPRIATIONS - SELF INSURANCE FUND

SELF INSURANCE PLAN						
S1710 Administration						
S1710.1	Personnel Services	59,037	56,300	60,145	60,145	60,145
S1710.2	Equipment	1,234	1,425	1,800	1,800	1,800
S1710.4	Contractual Expenses	159,656	165,300	165,800	165,800	165,800
S1710.8	Employee Benefits	13,728	14,600	15,900	15,900	15,900
	Total Administration	233,655	237,625	243,645	243,645	243,645
S1720 Benefits and Awards						
S1720.4	Contractual Expenses	527,488	482,500	504,000	504,000	504,000
	Total Benefits and Awards	527,488	482,500	504,000	504,000	504,000
TOTAL SELF INSURANCE FUND		761,143	720,125	747,645	747,645	747,645

SCHEDULE 1-V

APPROPRIATIONS - DEBT SERVICE FUND

		ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
DEBT SERVICE FUND						
V9710 Debt Service Serial Bond						
V9710.6	Debt Service – Bonds	750,000	650,000	660,000	660,000	660,000
	Total Principal	750,000	650,000	660,000	660,000	660,000
V9710.7	Debt Service – Interest	408,981	315,300	300,000	300,000	300,000
	Total Interest	408,981	315,300	300,000	300,000	300,000
TOTAL DEBT SERVICE FUND		1,158,981	965,300	960,000	960,000	960,000

2004 ALLEGANY COUNTY BUDGET

SCHEDULE 2 - A

REVENUES - GENERAL FUND

			ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
REAL PROPERTY TAX ITEMS, NON-PROPERTY TAXES AND DEPARTMENTAL INCOME							
Real Property Tax Items							
1340	A1001.00	Real Property Tax	14,038,246	14,994,686	0	0	0
1340	A1051.00	Sale of Tax Acquired Property	152,448	130,000	0	150,000	174,419
1340	A1081.00	Payment in Lieu of Taxes	142,349	80,000	0	120,000	120,000
1340	A1090.00	Interest and Penalties	747,692	760,000	0	760,000	760,000
		Total Real Property Tax Items	15,080,735	15,964,686	0	1,030,000	1,054,419
Non-Property Taxes							
1340	A1110.00	Sales & Use Tax	13,050,007	14,000,000	0	14,000,000	14,000,000
1340	A1113.00	Tax on Hotel Room Occupancy	0	125,000	0	125,000	125,000
1340	A1136.00	Automobile Use Tax	0	180,000	120,000	200,000	200,000
1340	A1150.00	OTB Surtax	0	0	0	0	50,000
1340	A1190.00	Interest & Penalties	8,072	30,000	0	6,000	6,000
		Total Non-Property Taxes	13,058,079	14,335,000	120,000	14,331,000	14,381,000
Departmental Income – General							
1325	A1230.00	Treasurer Fees	1,779	4,000	4,000	4,000	4,000
1340	A1235.00	Tax Advertising	4,485	6,000	0	5,000	15,000
1340	A1235.01	Real Property Tax Enforcement	131,512	130,000	0	130,000	134,500
1410	A1255.00	County Clerk Fees	345,179	305,000	320,000	320,000	345,000
1410	A1255.01	County Clerk - Additional Mortgage Tax	0	150,000	150,000	150,000	150,000
1410	A1256.R1	Records Mgmt. & Improvement	4,375	0	0	0	0
7510	A1256.00	Records Mgmt. & Improvement	667	0	0	0	0
1430	A1260.00	Personnel Fees	1,500	800	1,500	1,800	1,800
1355	A1266.08	Tax Department Fees	3,716	2,500	3,500	3,500	3,800
1420	A1266.09	Atty. Fees – Other	75	0	0	0	0
3110	A1266.10	Inmate Fees	29	0	0	0	0
1355	A1266.5217	Sales Net Fees	823	1,000	1,000	1,000	1,000

			ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
1450	A1289.01	Elections Department Fees	292	0	0	0	0
2960	A1320.00	EPHC Medicaid Reimbursement	167,133	125,000	150,000	150,000	150,000
		Total Departmental Income – General	661,565	724,300	630,000	765,300	805,100
Departmental Income - Public Safety							
3110	A1510.00	Sheriff Fees	37,086	32,000	35,000	35,000	35,000
3110	A1510.01	Sheriff Fees - MH	0	30,000	0	0	0
3140	A1580.00	Probation - Restitution Fees	3,087	4,000	4,000	4,000	4,000
3140	A1580.01	Probation - Supervision Adm. Fees	0	250	250	250	3,250
3140	A1580.02	Custody - Visit Investigation Fees	0	250	250	250	250
3140	A1580.03	Electronic Detention Fees	10,674	15,000	10,000	10,000	12,500
3140	A1580.04	Probation - Drug Testing	0	0	5,500	5,500	6,750
3142	A1580.05	Probation - Assessment Fees	2,415	3,500	2,000	2,000	2,000
3510	A1589.R3	Enhanced 911 Wireless	0	0	0	27,725	27,725
3510	A1589.R4	E-911 Municipal Surcharge	92,378	160,771	125,000	125,000	125,000
3640	A1589.02	EMT Student Fees	10,444	2,000	2,000	2,000	2,000
3142	A1589.03	Probation - Alternative to Incar.	1,721	1,000	1,000	1,000	1,000
		Total Public Safety Income	157,805	248,771	185,000	212,725	219,475
Departmental Income - Health							
4010	A1601.00	Environmental Health Permit Fees	36,495	50,000	50,000	50,000	50,000
4035	A1601.01	Family Planning Fees	8,550	6,000	6,000	6,000	6,000
4010	A1601.02	Clinic Fees - Child Care	0	0	3,000	0	0
4035	A1601.03	Family Planning - Private Insur.	1,206	1,000	27,500	3,000	3,000
4010	A1601.04	Maternal Child Health Care	13,000	13,000	50,000	0	0
4046	A1605.00	PHCP - Self Pay	4,107	4,500	4,500	4,500	4,500
4010	A1606.03	Environmental Health Loan Survey	25,485	37,500	0	27,500	27,500
4035	A1606.05	Family Planning - Medicaid	12,753	14,000	50,000	50,000	50,000
4011	A1610.00	Public Health Nursing - Medicaid	260,854	275,000	265,000	265,000	265,000
4011	A1610.01	Public Health Nursing - Medicare	839,620	1,500,000	850,000	1,000,000	1,000,000
4011	A1610.02	Public Health Nursing - Private Insur.	59,442	90,000	60,000	60,000	60,000
4011	A1610.03	Public Health Nursing - Self Pay	4,493	4,500	4,500	4,500	4,500
4010	A1610.04	Flu Vaccine	32,430	25,000	0	50,000	50,000
4040	A1610.10	Long Term Care - Medicaid	737,481	575,000	725,000	725,000	725,000

2004 ALLEGANY COUNTY BUDGET

			ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
4040	A1610.11	Long Term Care - Medicare	305,865	275,000	275,000	275,000	275,000
4040	A1610.12	Long Term Care - Private Insur.	11,479	30,000	12,500	12,500	12,500
4040	A1610.13	Long Term Care - Self Pay	0	12,000	250	250	250
4040	A1610.14	Gifts & Donations	0	100	25	25	25
4052	A1620.02	IHAP Hepatitis B	4,735	15,000	6,000	6,000	6,000
4052	A1620.05	Early Intervention - Medicaid	204,498	300,000	225,000	250,000	250,000
4052	A1620.06	Early Intervention - Private Insurance	42,372	35,000	25,000	25,000	25,000
4310	A1625.00	Contributions - Allegany County ARC	31,264	31,264	28,837	28,837	28,837
4310	A1625.03	ICM Medicaid	141,027	0	148,809	148,809	148,809
		Total Health Income	2,777,156	3,293,864	2,816,921	2,991,921	2,991,921
Departmental Income - Public Works							
1490	A1710.00	DPW Fees	1,408	500	500	500	500
		Total Public Works Income	1,408	500	500	500	500
Departmental Income - Social Services							
6101	A1801.00	DSS - Repay Medical Assistance	327,796	350,000	300,000	350,000	400,000
6109	A1809.00	DSS - Repay Family Assistance	658,391	650,000	493,000	493,000	600,000
6119	A1811.00	DSS - Repay Child Support	62,191	64,500	55,764	55,764	55,764
6119	A1819.00	DSS - Repay Child Care	71,789	89,825	55,560	55,560	55,560
6140	A1840.00	DSS - Repay Safety Net	211,667	143,000	125,260	125,260	125,260
6070	A1870.00	DSS - Repay Services for Recipients	2,280	1,800	2,000	2,000	2,000
		Total Social Services Income	1,334,114	1,299,125	1,031,584	1,081,584	1,238,584
Departmental Income - Office for the Aging							
6772	A1972.00	Nutrition - Title III-C Contributions	104,774	99,688	114,100	114,100	114,100
6773	A1972.01	Supportive Srvcs. - Title III-B Contrib.	7,425	6,400	7,500	7,500	7,500
6772	A1972.03	Nutrition - Long Term Home Hlth. Care	19,152	17,850	19,688	19,688	19,688
6778	A1972.06	E.I.S.E.P. - In-Home Care	14,904	13,500	13,500	13,500	13,500
6779	A1972.07	S.N.A.P. - Long Term Care Reimburse.	9,791	11,550	6,300	6,300	6,300
6776	A1972.09	Community Service for Elderly	6,902	5,000	5,500	5,500	5,500
		Total Office for Aging Income	162,948	153,988	166,588	166,588	166,588

			ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
Departmental Income - Tourism & Culture							
6989	A1989.01	Regional Tourism & Culture	54,729	46,876	47,416	47,416	47,416
6989	A1989.02	Inter-Co. Part/Tourism & Culture	11,249	8,500	8,500	8,500	8,500
6989	A1989.04	Tourism & Culture Advertising	3,573	5,500	5,500	5,500	5,500
		Total Tourism & Culture Income	69,551	60,876	61,416	61,416	61,416
Departmental Income - Solid Waste							
8160	A2130.00	S/W Fees - Contaminated Waste	0	0	0	0	40,000
8160	A2130.03	S/W Fees - Auto Fluff and Scale Fees	92,606	80,000	50,000	50,000	90,000
8160	A2130.04	S/W Permits	22,690	15,000	16,000	16,000	366,000
8160	A2130.05	S/W Fees - Tires	7,084	6,000	6,000	6,000	6,000
8160	A2130.08	S/W Fees - Out-of-County Waste	0	0	20,000	20,000	520,000
		Total Solid Waste Income	122,380	101,000	92,000	92,000	1,022,000
Departmental Income - Public Transportation							
5630	A2300.5630	Public Transportation	156,919	60,000	0	0	0
		Total Public Transportation Income	156,919	60,000	0	0	0
	TOTAL TAX ITEMS AND DEPARTMENTAL INCOME		33,582,660	36,242,110	5,104,009	20,733,034	21,941,003
INTERGOVERNMENTAL CHARGES							
General							
1355	A2210.00	Tax & Assessment Services	77,532	85,000	85,000	85,000	86,000
		Total General	77,532	85,000	85,000	85,000	86,000
Public Safety							
3150	A2260.00	Police Services - State - Court Security	87,395	164,000	230,373	230,373	230,373
3150	A2260.01	Jail Facilities - State	52,548	0	50,000	50,000	50,000
3150	A2260.03	Sheriff - Drug Task Force Grant	27,271	20,000	27,000	27,000	27,000
		Total Public Safety	167,214	184,000	307,373	307,373	307,373
Health							
4010	A2280.00	Health Fees	105	0	0	0	0
		Total Health	105	0	0	0	0

2004 ALLEGANY COUNTY BUDGET

			ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
Home and Community							
8160	A2376.R1	S/W Reserve - Municipal	6,553	0	0	0	0
8160	A2376.02	S/W Fees - Municipal - City of Olean	26,212	30,000	30,000	30,000	30,000
		Total Home and Community	32,765	30,000	30,000	30,000	30,000
	TOTAL INTERGOVERNMENTAL CHARGES		277,616	299,000	422,373	422,373	423,373
MISCELLANEOUS INCOME							
Use of Money and Property							
1340	A2401.R1	Interest & Earnings - Repair Reserve	2,671	0	0	0	0
1340	A2401.R2	Interest & Earnings - S/W Reserve	35,266	0	0	0	0
1340	A2401.00	Interest & Earnings	39,805	170,000	0	15,000	15,000
1340	A2410.00	Rental of Real Property	2,895	14,000	0	4,000	4,000
1340	A2412.00	Maintenance in Lieu of Rent	49,200	45,000	0	40,000	40,000
4310	A2412.01	Rental on Mental Health Facilities	1,100	6,000	0	1,500	1,500
8751	A2412.02	Maintenance - Coop. Ext.	18,472	15,000	0	15,000	15,000
1340	A2450.00	Commissions	3,272	1,500	0	1,500	1,500
		Total Use of Money & Property	152,681	251,500	0	77,000	77,000
Licenses and Permits							
3110	A2545.01	Gunsmith & Gun Dealer Licenses	50	100	100	100	100
3110	A2545.03	Pistol/Revolver Licenses	3,558	4,500	4,500	4,500	4,500
		Total Licenses & Permits	3,608	4,600	4,600	4,600	4,600
Fines and Forfeitures							
1340	A2610.00	Fines/Forfeitures - Bail - Probation	1,000	5,000	0	5,000	5,000
4010	A2610.01	Fines - Public Health	2,860	2,000	3,500	3,500	3,500
3141	A2615.R1	Stop DWI Fines Reserve	133,714	0	0	0	0
1340	A2620.00	Forfeitures of Deposit	0	2,500	0	0	0
		Total Fines and Forfeitures	137,574	9,500	3,500	8,500	8,500

			ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
Sale of Property and Compensation For Loss							
9160	A2650.02	Income from Recyclables	90,851	50,000	90,000	90,000	90,000
8710	A2652.00	Sale of Forest Products	47,700	30,000	0	30,000	60,000
1340	A2655.00	Minor Sales - Other	1,539	1,000	0	1,000	1,000
4010	A2655.01	Minor Sales - Public Health	463	150	150	150	150
1355	A2655.02	Minor Sales - Tax Dept. - Maps, etc.	7,719	5,000	8,000	8,000	8,000
1340	A2660.00	Sale of Real Property	16,101	0	0	0	0
4010	A2665.00	Sale of Equipment	9,265	5,000	5,000	5,000	5,000
1910	A2680.00	Insurance Recovery	2,728	2,835	0	0	0
1010	A2690.00	Tobacco Settlement	976,401	815,000	0	700,000	700,000
		Total Sale of Prop. & Comp. For Loss	1,152,767	908,985	103,150	834,150	864,150
Miscellaneous							
1340	A2701.00	Prior Years Expense	50,788	50,000	0	3,081	3,081
4046	A2701.01	Refund Prior Yr. Exp. - PHCP	817	500	0	0	0
2960	A2701.02	Refund Prior Yr. Exp. - EPHCP	267	500	250	250	250
6010	A2701.03	Refund Prior Yr. Exp. - DSS Admin.	16,049	504	1,200	1,200	9,950
6101	A2701.04	Refund Prior Yr. Exp. - DSS Medicaid	309,025	827,526	278,000	290,000	290,000
6109	A2701.05	Refund Prior Yr. Exp. - DSS Fam. Asst.	0	2,500	2,500	2,500	2,500
6140	A2701.06	Refund Prior Yr. Exp. - DSS Safety Net	0	1,262	1,262	1,262	1,262
6010	A2701.08	Refund Prior Yr. Exp. - DSS Misc.	400	1,000	1,500	1,500	1,500
6010	A2701.09	Prior Years - EPHC Medicaid	0	2,000	500	500	500
4010	A2701.4010	Refund Prior Yr. Exp. - Health	15,346	40,000	10,000	10,000	10,000
6783	A2705.01	Gifts & Donations - Other	60	0	0	0	0
6783	A2705.03	Gifts & Donations - OFA/Title III-D	0	200	200	200	200
6784	A2705.04	OFA - W.R.A.P.	1,380	784	500	500	500
6786	A2705.05	Gifts & Donations - Title III-E	2,113	400	800	800	800
3114	A2705.3114	Gifts & Donations - Traffic Safety	3,641	3,000	3,000	3,000	3,000
3640	A2705.3640	Gifts & Donations - EMS	0	1,750	0	0	0
1340	A2770.00	Other Unclassified Revenue	15,635	0	0	0	0
		Total Miscellaneous	415,521	931,926	299,712	314,793	323,543

2004 ALLEGANY COUNTY BUDGET

			ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
Inter-Fund Revenues							
8160	A2801.R1	S/W Reserve - Allegany	165,988	0	0	0	0
1620	A2801.13	Buildings	0	1,000	0	0	0
1671	A2801.15	Inter-Fund Rev. - Empl. & Trng.	0	2,000	0	2,000	2,000
1620	A2801.18	Housing - Rehab. Audit	644	0	0	0	0
6010	A2801.19	DSS Accounting & Audit	0	10,000	0	10,000	10,000
1620	A2801.20	Maintenance - Health Dept. Outbldgs.	6,282	7,000	500	500	500
1420	A2801.21	Spec. Counsel Mileage	825	825	825	825	825
1420	A2801.22	Spec. Counsel DSS Supp. Collection	39,259	60,000	60,000	60,000	60,000
1420	A2801.24	Attorney Fees - DSS	199,931	195,000	200,000	200,000	204,255
1420	A2801.25	Attorney Fees - DWI	1,406	1,400	1,400	1,400	1,400
1420	A2801.27	Attorney Fees - Health	45,934	35,000	42,000	42,000	45,000
1672	A2801.28	Shared Service - UPS	3,003	3,400	0	0	0
1670	A2801.30	Shared Service - Printing	10,840	13,000	12,000	12,000	12,000
1670	A2801.31	Shared Service - Telephone	0	82,500	0	0	0
3150	A2801.3150	Sheriff - MH Medications	83,230	30,000	30,000	30,000	30,000
1610	A2801.32	Shared Service - Telephone Oper.	71,159	81,500	80,000	80,000	80,000
3110	A2801.33	Sheriff Fee - Mental Health Transport.	12,855	11,000	20,000	20,000	20,000
3140	A2801.34	Probation - Stop DWI Reimbursement	41,375	21,000	21,000	21,000	21,000
1165	A2801.35	DA - Stop DWI Reim., Secretary Salary	60,064	33,100	33,100	33,100	33,100
6779	A2801.36	OFA S.N.A.P.	61,165	64,120	68,890	68,890	68,890
4010	A2801.37	Health Dept. - DSS Early Intervention	107,530	115,000	115,000	115,000	115,000
4011	A2801.38	Inter-Fund Revenue - JISP	0	0	54,463	0	0
1910	A2801.39	Inter-Fund Revenue - Insurance	58,466	68,710	124,000	124,000	124,000
6777	A2801.40	Inter-Fund Revenue - OFA HEAP	20,600	19,000	18,000	18,000	18,000
4010	A2801.46	Information Technology - Public Health	30,000	30,000	30,000	30,000	30,000
6010	A2801.47	Information Technology - DSS	25,000	25,000	25,000	25,000	30,000
3110	A2801.49	Sheriff - DWI	4,185	0	2,000	2,000	2,000
4310	A2801.50	Mental Health - DSS	34,150	42,000	42,000	42,000	42,000
		Total Inter-Fund Revenues	1,083,891	951,555	980,178	937,715	949,970
	TOTAL MISCELLANEOUS INCOME		2,946,042	3,058,066	1,391,140	2,176,758	2,227,763

			ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
STATE AID, ALL CATEGORIES							
State Aid - General							
1340	A3001.00	State Revenue Sharing	104,082	0	0	0	0
1165	A3030.00	District Attorney Salary	61,800	61,800	61,800	61,800	61,800
1165	A3031.00	District Attorney - Domestic Violence	6,950	23,000	0	0	0
1355	A3040.00	Real Property - Star Program	2,983	2,000	2,000	2,000	4,000
3114	A3089.R1	Handicap Parking	18	0	0	0	0
1340	A3089.00	Other Aid	7,560	4,500	0	4,500	4,500
1011	A3089.01	Other Recreation	95,393	47,000	0	49,000	49,000
1490	A3097.00	DPW	50,000	250,000	0	0	0
1620	A3262.00	Court System Maintenance	70,022	70,000	85,000	72,000	72,000
		Total State Aid - General	398,808	458,300	148,800	189,300	191,300
State Aid - Education							
2960	A3277.00	Handicapped Children	802,856	552,000	800,000	800,000	796,031
2960	A3277.01	EPHC-Administration	24,559	25,000	25,000	25,000	25,000
		Total State Aid - Education	827,415	577,000	825,000	825,000	821,031
State Aid - Public Safety							
1165	A3031.01	District Attorney Crime Victim Grant	(3,331)	58,000	27,800	27,800	27,800
1165	A3031.02	District Attorney Aid to Prosecution	100,000	50,000	50,000	50,000	50,000
3640	A3305.00	EMT Emergency Services	84,472	65,000	66,000	66,000	66,000
3410	A3305.3410	Fire Defibrillator	0	15,000	0	0	0
3140	A3310.00	Probation Services	193,512	203,000	159,527	160,000	160,000
3142	A3310.01	Alternative to Incarceration	9,589	10,300	8,800	8,800	8,800
3143	A3310.02	Probation Intensive Supervision	15,500	13,800	12,000	12,000	12,000
3140	A3310.03	Probation Eligible Diversion	41,614	23,700	20,100	20,100	20,100
3144	A3310.04	Juvenile - Block Grant	0	16,800	0	0	0
3110	A3315.00	Navigation Law Enforcement	11,820	4,500	4,500	4,500	4,500
3110	A3316.00	Protective Gear	3,120	0	0	0	0
3110	A3318.00	Traffic Safety Grant	(17,320)	0	0	0	0
3110	A3319.3110	Criminal Alien Assist Program	37,180	0	0	0	0
3110	A3389.00	State Food Program	7,617	5,500	5,500	5,500	5,500

2004 ALLEGANY COUNTY BUDGET

			ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
3110	A3389.01	Transportation of Prisoners	740	20,000	2,000	2,000	2,000
3114	A3389.05	Sheriff - Traffic Safety Program	50,944	76,507	84,188	84,188	84,188
		Total State Aid - Public Safety	535,457	562,107	440,415	440,888	440,888
State Aid - Health							
4010	A3401.00	Public Health Work	841,207	704,000	800,000	800,000	754,452
4071	A3401.01	Cancer Screening	42,692	85,000	77,477	77,477	77,477
4010	A3401.02	I.H.A.P. - Children w/ Special Needs	57,475	60,000	60,000	60,000	60,000
4057	A3401.07	E.I.P. - Early Intervention	38,018	140,000	140,000	140,000	140,000
4044	A3436.01	Osteoporosis Grant	12,963	0	0	0	0
4037	A3437.00	Lead	33,383	40,000	40,000	40,000	40,000
4046	A3446.00	PHC Program	7,501	22,500	10,000	10,000	7,500
4035	A3450.00	Family Planning Clinic	156,834	172,978	172,978	172,978	172,978
4043	A3450.01	Rabies Clinic	15,829	15,000	15,000	15,000	15,000
4070	A3450.03	TB Care & Treatment	0	5,000	5,000	5,000	5,000
4051	A3450.04	Tobacco Awareness	0	27,626	22,500	22,500	19,972
4010	A3450.08	Source Water Assessment Prog.	6,650	6,500	6,500	6,500	6,500
4010	A3450.09	Water Supply Protection	82,500	110,000	110,000	110,000	110,000
4010	A3472.00	Water Quality	278	0	0	0	0
4056	A3473.00	Immunization	29,989	30,400	30,400	30,400	30,400
4083	A3474.01	Healthy Heart	0	1,000	2,500	2,500	2,500
4011	A3474.02	HIV/Partner Notification Grant	23,113	27,032	27,032	27,032	27,032
4220	A3486.00	Substance Abuse	0	235,503	243,227	243,227	243,227
1185	A3489.01	Medical Examiners	6,986	7,000	7,000	7,000	7,000
4010	A3489.02	Respite	0	7,294	5,000	5,000	5,000
4310	A3490.01	Alcoholism	721,128	461,579	465,045	465,045	465,045
4310	A3490.03	ARC-MR & Dev. Disabilities	173,731	173,731	171,304	171,304	171,304
4312	A3490.09	I.C.M. Medicaid	0	163,642	0	0	0
4310	A3490.101A	L.A. Adult	19,612	19,612	19,745	19,745	19,745
4310	A3490.1014	C.S.S.	183,500	183,500	188,858	188,858	188,858
4310	A3490.1037	I.S. Employ.	13,410	26,820	27,692	27,692	27,692
4310	A3490.1078	Supported Housing	14,184	14,184	14,642	14,642	14,642
4310	A3490.1170	Kendra's Law AOT	21,969	0	0	0	0
4310	A3490.1200	Comm. Reinv.	581,476	588,212	605,813	605,813	605,813

			ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
4312	A3490.134B	ICM/C&Y	10,750	13,232	13,849	13,849	13,849
4312	A3490.134C	ICM/Serv$	12,180	12,180	12,576	12,576	12,576
4311	A3490.134E	ICM/Serv$CY	12,180	12,180	12,576	12,576	12,576
4310	A3490.139J	Forensics	26,392	26,392	27,250	27,250	27,250
4310	A3490.140A	HCRA Adult	54,715	0	0	0	0
4310	A3490.140B	HCRA Child	32,428	0	0	0	0
4310	A3490.140F	HCRA Housing	28,676	28,676	29,608	29,608	29,608
4310	A3490.140M	HCRA C & F SCM Srvc.	0	6,088	6,290	6,290	6,290
4310	A3490.1400	MH - Comm. Perf.	21,134	21,134	21,168	21,168	21,168
4310	A3490.140Q	HCRA Adult ICM Managers	0	9,872	10,336	10,336	10,336
4310	A3490.140R	HCRA Adult SCM Managers	0	32,636	33,829	33,829	33,829
4310	A3490.140S	HCRA Adult ICM Services	0	8,780	9,067	9,067	9,067
4310	A3490.140T	HCRA Adult SCM Service	0	6,088	6,290	6,290	6,290
4310	A3490.140U	HCRA C & F SCM Managers	0	26,340	27,327	27,327	27,327
4310	A3490.146C	Coor. CSI Gen.	1,500	3,000	0	0	0
4310	A3490.146L	C&F CSP Gen.	25,984	25,984	26,829	26,829	26,829
4310	A3490.1500	COLA	8,592	8,592	8,871	8,871	8,871
4310	A3490.170A	ADT ICM Kendra's Law	0	3,824	4,002	4,002	4,002
4310	A3490.170B	Trans. Mgmt. - Kendra's	0	3,476	3,590	3,590	3,590
4310	A3490.170K	Kendra's AOT Other	0	11,312	11,680	11,680	11,680
4310	A3490.170L	Kendra's AOT ICM Service	0	3,400	3,510	3,510	3,510
		Total State Aid - Health	3,318,959	3,591,299	3,536,361	3,536,361	3,485,785
State Aid - Social Services							
6101	A3601.00	DSS Medical Assistance	3,653	26,834	72,112	61,750	61,750
6109	A3609.00	DSS Dependent Children	654,803	417,000	519,415	519,415	519,415
6109	A3609.01	Aid to Dependent Children	8,618	0	0	0	0
6010	A3610.00	DSS Administration	1,322,655	1,490,674	1,409,520	1,403,070	1,610,656
6106	A3610.01	DSS Adult & Family Special Needs	0	1,650	1,650	1,650	1,650
6011	A3611.00	DSS C.A.P.	86,701	61,653	70,250	70,250	70,250
6119	A3619.00	Child Care	269,093	279,908	280,020	280,020	280,020
6140	A3640.00	DSS Safety Net	228,586	433,160	454,315	454,315	454,315
6142	A3642.00	Emergency Aid Adults	9,453	9,250	17,500	17,500	17,500
6010	A3661.01	Block Grant EAF	171,254	122,040	207,747	207,747	207,747

2004 ALLEGANY COUNTY BUDGET

			ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
6010	A3661.02	Block Grant CW	337,532	419,510	415,494	415,494	415,494
6010	A3661.03	Block Grant POS	151,118	94,072	146,194	146,194	146,194
6010	A3670.00	DSS - Recipients	0	250,585	182,451	182,451	182,451
		Total State Aid - Social Services	3,243,466	3,606,336	3,776,668	3,759,856	3,967,442
State Aid - Econ. Assistance & Opportunity							
6010	A3665.00	Day Care Block Grant	275,818	183,963	143,644	143,644	143,644
6055	A3665.01	Day Care Block Grant Fed. Sh.	785,166	767,537	681,795	681,795	681,795
6510	A3710.00	Veterans Service Agency	36,033	5,000	5,000	5,000	5,000
6510	A3710.6510	Veterans Grant	3,720	0	0	0	0
6989	A3715.00	Allegany County Tourism & Culture	105,261	101,255	101,258	101,258	101,258
6778	A3772.00	OFA Exp.In-Home Srvcs. for Elderly	100,018	101,400	101,400	101,400	101,400
6779	A3772.01	OFA Supp. Nutrition Asst. Program	137,416	133,300	133,300	133,300	138,300
6776	A3772.03	OFA Comm. Srvc. Elderly	80,236	75,000	75,000	75,000	75,000
6775	A3772.04	OFA State L-T Care Ombudsman Prog.	4,002	4,000	4,200	4,200	4,200
6785	A3772.06	OFA Congregate Srvcs. Initiative Grant	1,714	3,400	3,400	3,400	3,400
8020	A3902.8020	Agri. Farm. Prot. Plan. Grant	0	12,500	0	0	0
		Total State Aid - Econ. Assis. & Oppor.	1,529,384	1,387,355	1,248,997	1,248,997	1,253,997
State Aid - Culture and Recreation							
7510	A3060.00	Records Management	12,000	50,000	50,000	50,000	50,000
7180	A3820.01	Rushford Lake	12,134	12,500	0	15,000	15,000
7311	A3820.02	Special Olympics	500	500	0	0	0
7310	A3820.03	Youth Bureau	18,856	17,850	0	18,000	18,000
7312	A3820.05	Cultural Enrichment	4,000	2,334	0	0	0
7317	A3820.06	Self Reliance Program	(500)	0	0	0	0
7310	A3820.07	Youth Center	6,566	4,835	0	0	0
7312	A3820.08	Youth Swim - Red Cross	0	750	0	0	0
7312	A3820.10	Youth - Government Interns	6,600	7,450	0	3,735	3,735
7312	A3820.13	Youth - Especially for You	519	519	0	0	0
7312	A3820.15	P.A.S.O. Houghton College	6,623	5,674	0	0	0
7312	A3820.42	Youth - Natural Helpers	3,600	3,700	0	0	0
7312	A3820.47	Youth - Peers Helping Peers	3,500	3,500	0	0	0
7312	A3820.85	Youth - Week of Alternatives	9,400	4,700	0	0	0

			ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
7312	A3820.89	Youth - First Step	4,000	4,000	0	0	0
7312	A3820.90	Genesee Valley Outdoor Ed.	1,500	0	0	0	0
7313	A3821.04	Prevention Education/Referral	4,500	4,500	0	0	0
7313	A3821.06	Youth Mentor/Intern Program	2,500	2,500	0	0	0
7313	A3821.07	Youth Compeer	3,000	3,000	0	0	0
7312	A3821.92	Wellsville Middle School	1,911	0	0	0	0
7312	A3821.93	Special Step	2,600	2,600	0	0	0
7312	A3821.94	Special First Step	2,500	4,000	0	0	0
7313	A3822.02	Youth Step/PECE Program	23,055	14,049	0	0	0
7313	A3824.7320	MH - Youth Compeer	14,172	9,627	0	0	0
7313	A3825.7321	Youth Court - ACCORD	17,705	27,000	0	0	0
		Total State Aid - Culture & Recreation	161,241	185,588	50,000	86,735	86,735
State Aid - Home & Community Services							
7312	A3821.10	Juvenile Stop Shoplifting	3,000	500	0	0	0
7312	A3822.03	GED Program	6,399	4,000	0	0	0
7312	A3822.04	National Voc-Tech Honors	0	0	0	0	0
8160	A3989.00	Recycling	(3,280)	0	0	0	0
6610	A3989.01	Weights & Meas. Testing	3,988	2,600	0	0	0
		Total State Aid - Home & Comm.	10,107	7,100	0	0	0
State Aid - Transportation							
5630	A3589.01	Public Transportation	643,595	475,000	520,000	520,000	520,000
		Total State Aid - Transportation	643,595	475,000	520,000	520,000	520,000
	TOTAL STATE AID - ALL CATEGORIES		10,668,432	10,850,085	10,546,241	10,607,137	10,767,178
FEDERAL AID - ALL CATEGORIES							
Federal Aid - Public Safety							
3640	A4305.00	Emergency Services - EMA	20,365	14,400	14,400	14,400	14,400
3140	A4307.00	JAIBG - Probation	13,321	16,537	11,438	11,438	11,438
3110	A4316.3110	Bulletproof Vest Program	6,240	0	0	0	0
3110	A4389.00	COPS More	(97,466)	0	0	0	0
		Total Federal Aid - Public Safety	(57,540)	30,937	25,838	25,838	25,838

2004 ALLEGANY COUNTY BUDGET

			ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
Federal Aid - Health							
4010	A4451.00	Breast Health	5,851	10,625	10,625	10,625	10,625
4190	A4452.00	WIC Grant	186,790	216,817	224,187	224,187	224,187
4010	A4453.00	West Nile Virus Surveillance	2,925	2,500	0	0	0
4189	A4489.4189	Bio-Terrorism Preparedness	38,562	75,000	110,000	110,000	110,000
4310	A4490.00	Mental Health - Medicaid	24,000	24,000	34,000	34,000	34,000
		Total Federal Aid - Health	258,128	328,942	378,812	378,812	378,812
Federal Aid - Transportation							
5630	A4589.01	Public Transportation	0	37,000	0	0	0
		Total Federal Aid - Transportation	0	37,000	0	0	0
Federal Aid - Social Services							
6101	A4601.00	Medical Assist.	246,392	164,718	230,925	210,201	210,201
6109	A4609.00	Dependent Children	1,274,803	1,306,775	1,274,873	1,174,748	1,174,748
6119	A4609.01	ADC - Aid to Dependent Children	976,314	0	0	0	0
6010	A4610.00	DSS Administration	3,198,605	3,063,238	2,629,439	2,609,064	2,526,237
6010	A4611.00	Food Stamp Program	405,212	454,673	348,451	348,451	348,451
6119	A4619.00	Fed. Aid Child Welfare	0	1,182,779	1,038,580	1,038,580	1,038,580
6010	A4640.00	Safety Net	2,201	0	0	0	0
6141	A4641.00	H.E.A.P.	1,895,846	2,700,000	2,700,000	2,700,000	2,700,000
6150	A4650.00	Food Stamp Cash Out	3,332,554	3,323,575	4,252,550	4,252,550	4,252,550
6010	A4661.00	Title IV-B	22,965	35,000	18,000	18,000	18,000
6070	A4670.00	Services for Recipients	(14,557)	471,371	559,370	559,370	574,770
		Total Federal Aid - Social Services	11,340,335	12,702,129	13,052,188	12,910,964	12,843,537
Federal Aid - Economic Assistance & Opportunity							
6772	A4772.00	Nutrition	105,947	106,142	106,200	106,200	106,200
6773	A4772.01	OFA Supp. Srvcs. - Title III-B Grant	59,296	60,000	60,000	60,000	60,000
6774	A4772.02	Sr. Employment Prog. - Title V Grant	27,575	27,200	27,200	27,200	27,200
6772	A4772.03	OFA Cash in Lieu Reimburse. Meals	39,562	36,360	37,350	37,350	37,350
6779	A4772.04	OFA Cash in Lieu Reimburse. Meals	27,293	27,480	26,280	26,280	26,280
6781	A4772.05	Elder Abuse - Title VII Program	8,400	8,400	8,400	8,400	8,400

			ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
6782	A4772.06	OFA Health Ins. Info., Couns., & Asst.	3,350	2,350	2,350	2,350	2,350
6783	A4772.07	OFA TITLE III-D	6,370	5,863	5,800	5,800	5,800
6784	A4772.08	OFA Weatherization	24,912	26,188	26,200	26,200	26,200
6780	A4772.09	OFA - Oper. Restore Trust	5,910	3,000	0	0	0
8020	A4989.8020	EPA	0	10,000	0	0	0
		Total Federal Aid - Econ. Asst. & Opp.	308,615	312,983	299,780	299,780	299,780
Federal Aid - Home & Community Services							
6786	A4772.10	Family Caregiver - Title III-E	30,338	44,040	38,000	38,000	38,000
		Total Federal Aid - Home & Comm.	30,338	44,040	38,000	38,000	38,000
	TOTAL FEDERAL AID - ALL CATEGORIES		11,879,876	13,456,031	13,794,618	13,653,394	13,585,967
INTER-FUND TRANSFERS							
1340	A5031.00	Inter-Fund Transfers	204,109	0	0	0	0
		Total Inter-Fund Transfers	204,109	0	0	0	0
	TOTAL INTER-FUND TRANSFERS		204,109	0	0	0	0
	GRAND TOTAL GENERAL FUND REVENUES		59,558,735	63,905,292	31,258,381	47,592,696	48,945,284

2004 ALLEGANY COUNTY BUDGET

SCHEDULE 2 - CD1

REVENUES - W.I.A. GRANT FUND

			ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
USE OF MONEY AND PROPERTY, MISCELLANEOUS							
6290	CD12401.00	Interest & Earnings	832	0	0	0	0
		Total Use of Money and Property, Misc.	832	0	0	0	0
INTER-FUND REVENUES							
6403	CD12801.6403	I/F - ACDSS Emp. Srvc.	274,906	294,190	300,211	300,211	300,211
6404	CD12801.6404	NY Welfare Block Grant, CASP II	29,685	20,700	10,000	10,000	10,000
		Total Inter-Fund Revenues	304,591	314,890	310,211	310,211	310,211
STATE AID							
State Aid - General							
6400	CD13089.00	Other Aid	4,000	4,000	4,000	4,000	4,000
		Total State Aid – General	4,000	4,000	4,000	4,000	4,000
State Aid - Economic Assistance & Opportunity							
6408	CD13792.6408	Welfare to Work	3,000	3,000	5,000	5,000	5,000
		Total State Aid - Econ. Asst. & Oppor.	3,000	3,000	5,000	5,000	5,000
	TOTAL STATE AID		7,000	7,000	9,000	9,000	9,000
FEDERAL AID							
6400	CD14701.12	TANF SYEP	110,197	74,700	72,455	72,455	72,455
6400	CD14701.6400	WIA Admin.	70,207	68,400	64,135	64,135	64,135
6401	CD14701.6401	WIA Services	44,623	27,000	20,000	20,000	20,000
6402	CD14701.6402	WIA Program	333,414	299,495	277,260	277,260	277,260
6406	CD14701.6406	WIA Worker Program	217,377	228,030	200,910	200,910	200,910
6408	CD14701.6408	Welfare to Work	52,732	47,895	43,450	43,450	43,450
6410	CD14701.6410	WIA - Youth Program	0	124,400	100,062	100,062	100,062
6411	CD14701.6411	WIA Youth & Supportive Srvcs.	0	38,300	25,530	25,530	25,530

			ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
6412	CD14701.6412	Youth RFP	0	68,272	47,000	47,000	47,000
6406	CD14702.6406	Invest.	0	0	0	0	0
		Total Federal Aid	828,550	976,492	850,802	850,802	850,802
INTER-FUND TRANSFER							
6400	CD15031.6400	Inter-Fund Transfer WIA	19,600	25,000	25,000	25,000	25,000
		Total Inter-Fund Transfers	19,600	25,000	25,000	25,000	25,000
	GRAND TOTAL W.I.A. GRANT FUND REVENUES		1,160,573	1,323,382	1,195,013	1,195,013	1,195,013

SCHEDULE 2 - CS

REVENUES - RISK RETENTION FUND

USE OF MONEY AND PROPERTY							
1930	CS2401.01	Interest and Earnings - Res.	4,517	0	0	0	0
9050	CS2401.03	Interest and Earnings - UIB	557	0	0	0	0
		Total Use of Money & Property	5,074	0	0	0	0
SALE OF PROPERTY & COMPENSATION FOR LOSS							
1910	CS2680.00	Insurance Recoveries	0	584	0	0	0
		Total Sale of Prop. & Comp. for Loss	0	584	0	0	0
INTER-FUND TRANSFERS							
1930	CS5031.00	Inter-Fund Transfers	0	0	0	303,500	233,500
		Total Inter-Fund Transfers	0	0	0	303,500	233,500
	GRAND TOTAL RISK RETEN. FUND REVENUES		5,074	584	0	303,500	233,500

2004 ALLEGANY COUNTY BUDGET

SCHEDULE 2 - CSH

REVENUES - RISK RETENTION - HEALTH FUND

			ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
INTERGOVERNMENTAL CHARGES							
1011	CSH2222.00	Participant Assessments	4,299,351	0	0	0	0
		Total Intergovernmental Charges	4,299,351	0	0	0	0
USE OF MONEY AND PROPERTY							
1710	CSH2401.00	Interest and Earnings	732	13,000	0	0	0
		Total Use of Money & Property	732	13,000	0	0	0
MISCELLANEOUS							
1710	CSH2709.00	Employee 15% Contributions	101,050	100,000	0	0	125,000
1710	CSH2709.01	Retiree Contributions	59,140	72,000	0	0	75,000
1710	CSH2709.02	COBRA Contributions	8,401	9,000	0	0	10,000
		Total Miscellaneous	168,591	181,000	0	0	210,000
INTER-FUND REVENUES							
1710	CSH2801.01	Inter-Fund Revenue - Emp. & Trng.	101,197	127,650	0	0	0
1710	CSH2801.11	Inter-Fund Revenue - Work/Comp.	7,114	8,280	0	0	0
1710	CSH2801.16	Inter-Fund Revenue - G.F.	95,509	3,545,070	0	4,230,000	4,020,000
		Total Inter-Fund Revenues	203,820	3,681,000	0	4,230,000	4,020,000
INTER-FUND TRANSFERS							
1710	CSH5031.00	Inter-Fund Transfers	830,353	0	0	0	0
		Total Inter-Fund Transfers	830,353	0	0	0	0
	GRAND TOTAL RISK RETENTION - HEALTH FUND REVENUES		5,502,847	3,875,000	0	4,230,000	4,230,000

SCHEDULE 2 - D

REVENUES - COUNTY ROAD FUND

			ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
TAX ITEMS							
5110	D2306.00	Roads & Bridges - Other Govt.	240	0	0	0	0
		Total Tax Items	240	0	0	0	0
INTERGOVERNMENTAL CHARGES							
5110	D2306.00	Roads & Bridges - Other Govt.	17,813	20,000	20,000	20,000	24,500
5110	D2306.227	Cuba/Stout Rd/Culvert	0	0	13,125	13,125	13,125
5110	D2306.228	Scio/Bill Allen/Culvert	0	0	12,300	12,300	12,300
		Total Intergovernmental Charges	17,813	20,000	45,425	45,425	49,925
USE OF MONEY AND PROPERTY							
5110	D2401.R1	Int. & Earnings - Repair Reserve	3,187	0	0	0	0
5110	D2401.00	Interest & Earnings	7,888	25,000	10,000	10,000	10,000
		Total Use of Money & Property	11,075	25,000	10,000	10,000	10,000
SALE OF PROPERTY & COMPENSATION FOR LOSS							
5110	D2650.00	Sale of Scrap	(1,617)	5,000	5,000	5,000	5,000
5110	D2655.00	Minor Sales – Other	747	600	700	700	700
		Total Sale of Prop. & Comp. for Loss	(870)	5,600	5,700	5,700	5,700
MISCELLANEOUS							
5110	D2701.00	Prior Year Expense	1,590	500	500	500	500
5110	D2770.00	Other Unclassified Revenue	6,631	1,000	1,000	1,000	1,000
		Total Miscellaneous	8,221	1,500	1,500	1,500	1,500
INTER-FUND REVENUES							
5110	D2801.06	I/F from Depts. - Gasoline Reimburse.	39,130	45,000	50,000	50,000	50,000
5110	D2801.09	I/F from Cap. - Town Br. Labor/Mat.	138,087	135,000	94,500	94,500	94,500

			ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
5110	D2801.10	I/F from Cap. - County Br. Labor/Mat.	265,923	215,000	405,000	405,000	405,000
5110	D2801.13	I/F from Bldgs. - Lot Clng./Plowing	1,773	2,000	2,000	2,000	2,000
		Total Inter-Fund Revenues	444,913	397,000	551,500	551,500	551,500
STATE AID							
State Aid – Transportation							
5110	D3501.00	Consolidated Highway	1,230,245	1,562,207	1,562,207	1,562,207	1,562,207
5110	D3589.00	FEMA	0	0	0	0	13,699
		Total State Aid - Transportation	1,230,245	1,562,207	1,562,207	1,562,207	1,575,906
FEDERAL AID							
Federal Aid - Transportation							
5110	D4589.00	FEMA	0	0	0	0	41,097
		Total Federal Aid - Transportation	0	0	0	0	41,097
INTER-FUND TRANSFERS							
5110	D5031.03	Inter-Fund Transfers from General	5,424,640	4,586,495	0	5,649,766	4,458,470
		Total Inter-Fund Transfers	5,424,640	4,586,495	0	5,649,766	4,458,470
		GRAND TOTAL COUNTY RD. FUND REVENUES	7,136,277	6,597,802	2,176,332	7,826,098	6,694,098

SCHEDULE 2 - DM

REVENUES - ROAD MACHINERY FUND

USE OF MONEY AND PROPERTY							
5130	DM2401.00	Interest & Earnings	2,420	7,000	7,000	7,000	7,000
		Total Use of Money & Property	2,420	7,000	7,000	7,000	7,000
SALE OF PROPERTY & COMPENSATION FOR LOSS							
5130	DM2665.00	Equipment	37,855	2,500	2,500	2,500	19,500
		Total Sale of Prop. & Comp. for Loss	37,855	2,500	2,500	2,500	19,500

			ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
INTER-FUND REVENUES							
5130	DM2801.06	I/F from County Rd. - Equip. Rental	335,376	335,000	335,000	335,000	335,000
5130	DM2801.09	I/F from Capital - Equip. Rent, Town Br.	36,286	30,000	40,000	40,000	40,000
5130	DM2801.10	I/F from Capital - Equip. Rent, Co. Br.	56,765	60,000	105,000	105,000	105,000
		Total Inter-Fund Revenues	428,427	425,000	480,000	480,000	480,000
INTER-FUND TRANSFERS							
5130	DM5032.00	I/F Transfers from General Fund	872,750	454,619	0	744,944	213,757
		Total Inter-Fund Transfers	872,750	454,619	0	744,944	213,757
	GRAND TOTAL ROAD MACH. FUND REVENUES		1,341,452	889,119	489,500	1,234,444	720,257

SCHEDULE 2 - S

REVENUES - SELF INSURANCE FUND

INTERGOVERNMENTAL CHARGES							
1710	S2223.00	JTPA Assessments	3,023	3,300	3,100	3,100	3,100
1710	S2222.00	Participants Assessments	709,601	716,825	744,545	744,545	744,545
		Total Intergovernmental Chgs.	712,624	720,125	747,645	747,645	747,645
USE OF MONEY AND PROPERTY							
1710	S2401.R3	Interest & Earnings - WC Reserve	14,524	0	0	0	0
1710	S2401.00	Interest & Earnings	2,616	0	0	0	0
		Total Use of Money and Property	17,140	0	0	0	0
MISCELLANEOUS							
1710	S2701.00	Prior Year Expense	36,895	0	0	0	0
		Total Miscellaneous	36,895	0	0	0	0
	GRAND TOTAL SELF INSUR. FUND REVENUES		766,659	720,125	747,645	747,645	747,645

SCHEDULE 2 - V

REVENUES - DEBT SERVICE FUND

			ACTUAL 2002	BUDGET 2003	DEPT. HEAD REQUEST 2004	BUDGET OFFCR. RECOMMEND. 2004	FINAL BUDGET 2004
USE OF MONEY AND PROPERTY							
9710	V2401.00	Interest and Earnings	6,098	0	0	0	0
		Total Use of Money and Property	6,098	0	0	0	0
INTER-FUND REVENUES							
9710	V2801.00	I/F from Capital	0	0	0	0	138,000
		Total Inter-Fund Revenues	0	0	0	0	138,000
INTER-FUND TRANSFERS							
9710	V5031.00	Inter-Fund Transfers	1,004,495	815,300	0	960,000	822,000
		Total Inter-Fund Transfers	1,004,495	815,300	0	960,000	822,000
	GRAND TOTAL DEBT SERVICE FUND REVENUES		1,010,593	815,300	0	960,000	960,000

Schedule 3
Statement of Special Reserves at September 30, 2003

	Balance 01/01/03	Interest Earnings 09/30/03	Transfers and Other Income	Appropriations or Expended 2003	Cash Balance 09/30/03
GENERAL FUND					
Repair Reserve	$ 208,125.00	$ 908.00			$ 209,033.00
Solid Waste	$ 2,029,331.00	$ 27,206.00	$ 6,185.00		$ 2,062,722.00
DWI	$ 189,766.00		$ 76,504.00	$ (142,098.00)	$ 124,172.00
LLRW Siting	$ 532,072.00				$ 532,072.00
Record Management	$ 49,047.00		$ 5,234.00		$ 54,281.00
E911 Reserve	$ 66,605.00		$ 125,371.00	$ (35.727.00)	$ 156,249.00
Canine Accelerant	$ 895.00				$ 895.00
OFA reserve	$ 8,780.00				$ 8,780.00
Health Car Seats	$ 480.00				$ 480.00
Handicapped Parking	$ 80.00		$ 35.00		$ 115.00
COUNTY ROAD					
Repair Reserve	$ 235,742.00	$ 1,415.00			$ 237,157.00

Schedule 4
Statement of Debt as of October 15, 2003

BONDS						
Fund	**Purpose**	**Date of Issue**	**Interest Rate**	**Outstanding as of 10/15/03**	**Due 2004**	**Date of Maturity**
Debt Service	Solid Waste Highways and Bridges	11/15/89	6.80%	$ 75,000.00	$ 75,000.00	11/15/2004
Debt Service	Buildings, Equipment, Bridges and Solid Waste	10/15/98	3.9%	$ 3,235,000.00	$ 320,000.00	10/15/2013
Debt Service	Landfill Cell 7,8,9 Telephone System	6/15/01	4.3%	$ 3,430,000.00	$ 260,000.00	06/15/2016
BAN						
Fund	**Purpose**	**Date of Issue**	**Interest Rate**	**Outstanding as of 10/15/03**	**Due 2004**	**Date of Maturity**
Capital	Bridges, Equipment, Construction and Maintenance	04/30/03	1.19%	$ 1,620,000.00	$ 1,620,000.00	04/29/2004 renewable to 04/29/2005

Schedule 5
Capital Fund Project - September 30, 2003

Year	Acct #	Title	Authorization Prior Year	Authorization 2003	Total Authorization	Total Expenditures	Total Unexpended Balance
1998	H5256	Wellsville - West State Bridge	$2,967,000.00		$2,967,000.00	$(2,930,682.00)	$ 36,318.00
1999	H8162	Solid Waste 3 Cells	$3,700,000.00		$3,700,000.00	$(3,821,888.00)	$ (121,888.00)
2000	H5266	Angelica -County Road 16 Joncy Bridge	$3,420,000.00		$3,420,000.00	$(2,862,828.00)	$ 557,172.00
2001	H5304	Amity - County Road 48	$ 25,000.00		$ 25,000.00	$ (21,054.00)	$ 3,946.00
2001	H8171	Landfill Closure	$2,500,000.00		$2,500,000.00	$(1,795,235.00)	$ 704,764.00
2001	H1628	District 3 Shop	$ 43,498.00		$ 43,498.000	$ (32,910.00)	$ 10,588.00
2002	H5407	I-386	$ 10,000.00		$ 10,000.00	$ (8,000.00)	$ 2,000.00
2003	H5601	Bonded Equipment		$ 653,255.00	$ 653,255.00	$ (595,046.00)	$ 58,209.00
2003	H5602	Andover – Bridge 06/20		$ 182,000.00	$ 182,000.00		$ 182,000.00
2003	H5603	Independence, Culvert		$ 125,000.00	$ 125,000.00	$ (10,251.00)	$ 114,749.00
2003	H5604	Independence, Cr 19, BR 21-01		$ 315,000.00	$ 315,000.00	$ (200,494.00)	$ 114,506.00
2003	H5605	Rushford, BR 7B, BR 23-02		$ 190,000.00	$ 190,000.00	$ (182,532.00)	$ 7,468.00
2003	H5606	Grove, CR 24, Culvert		$ 125,000.00	$ 125,000.00	$ (9,459.00)	$ 115,541.00
2003	H5607	Rushford, CR 7B, BR 23-11		$ 161,000.00	$ 161,000.00		$ 161,000.00
2003	H5608	Caneadea, CR 46, BR 23-05		$ 661,600.00	$ 661,600.00	$ (3,360.00)	$ 658,240.00
2003	H3197	Law Enforcement Capital - Jail		$ 20,000.00	$ 20,000.00	$ (18,008.00)	$ 1,992.00

Schedule 6
Estimated Cash Surplus at 12/31/03

	Estimated Cash Balance 12/31/02	Estimated Encumbrances	Estimated Unreserved Fund Balance Available for Appropriation	Estimated Unreserved Fund Balance Appropriated by Governing Board
General Fund County Wide	$ 100,000.00	$ (50,000.00)	$ 50,000.00	$ 0.00
County Road Fund	$ 25,000.00	$ (15,000.00)	$ 10,000.00	$ 0.00
Road Machinery Fund	$ 0.00	$ 0.00	$ 0.00	$ 0.00
PIC Fund	$ 0.00	$ 0.00	$ 0.00	$ 0.00
Risk Retention General Insurance	$ 150,000.00	$ 0.00	$ 150,000.00	$ 0.00
Risk Retention Health Insurance	$ 0.00	$ 0.00	$ 0.00	$ 0.00
Debt Service Fund	$ 50,000.00	$ 0.00	$ 50,000.00	$ 0.00

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INDEX - 2003

	RES.	PAGE
"A"		
ACCORD: (Allegany County Community Opportunities & Rural Development, Inc.)		
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