

**COMMITTEE OF THE WHOLE**  
**January 8, 2007**

**APPROVED**

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**Members Present:** Chairman C. Crandall, G. Benson, D. Burdick, W. Dibble, D. Fanton, W. Hall, T. Hopkins, K. Kruger, M. McCormick, T. O'Grady, D. Pullen, B. Reynolds, D. Russo, R. Truax, N. Ungermann

**Planning Board Members Present:** Chairman R. Stuck, W. Brown, D. Foster, L. Gridley, K. (Hill) Barnes, K. Hollis, R. Hollis, C. Jessup

**Others Present:** D. Aumick, A. Finnemore, J. Foels, W. Goetschius, J. Margeson, J. Orosz, B. Riehle, F. Sinclair, W. Tompkins; **Media:** K. Doyle, Olean Times Herald; P. Jannace, Wellsville Daily Reporter

The meeting was called to order at 3:00 p.m. by Chairman Curtis W. Crandall, for the purpose of discussing future planning for Allegany County in a group setting with both Legislators and Planning Board members present. Mr. Crandall noted that the current Board seems receptive to the idea of long-range planning and in moving forward with the creation of a comprehensive plan for Allegany County.

**Planning Board Chairman Ronald Stuck:**

Mr. Stuck distributed information relative to the comprehensive planning process, with his cover letter included below. (Studies and drafts mentioned in Mr. Stuck's letter are attached to the original minutes.)

*"Chairman Crandall arranged this meeting with Legislators and Planning Board members to discuss the possibility of resuming the process of creating a comprehensive plan for Allegany County.*

*In reviewing the collection of efforts by various groups or individuals, I have discovered at least ten attempts in the last decade or so to better our County.*

- *Inspired by the words of Delores Cross, outgoing Chair of the Board of Legislators in 1993, and incoming Chair John Walchli in 1994, in 1995, a Planning Board Sub-Committee attended meetings of nearly all towns and villages to **collect data for planning purposes.***
- *In 1996 and 1997, Planning Board members **surveyed people attending the Allegany County Fair**, and in 1997, a Planning Board Sub-Committee created **'A Study of Potential Recreational and Industrial Development in Allegany County.'***
- *We were told by state officials that tourism was New York State's second largest industry, and that for every dollar invested we could expect three to four dollars in return.*
- *A document was created in 1998 by David Szczerbacki entitled **'Scoping and Preliminary Information Gathering for a Comprehensive Plan.'***
- *Southern Tier West created the **'Regional Strategic Planning Initiative'** in 1998.*
- *In 1999, the Allegany County Office of Development contracted with a not-for-profit to create **'Allegany County HUD Consolidated Plan,'** which was most helpful for those projects identified within it to get funding. This plan should be updated.*

- *In 1999, the Northeastern Allegany County municipal leaders created ‘**Northeast Allegany County Planning Study.**’*
- *In 2001, the Allegany County IDA produced the document ‘**Economic Implementation Program**’ which was a grant application and was well written.*
- *Recently the Committee of 44 created a ‘**Strategic Development Initiative.**’*
- *In 2004, the Allegany County Board of Legislators Committee of the Whole worked on ‘**A Strategic Focus.**’*

*I am sure there are other documents completed on this subject that I have not mentioned.*

*As you can tell from the titles of the most recent documents, these are mostly statements of need as prioritized by various groups. I want to emphasize that these documents could represent goals and objectives of a comprehensive plan, but, with some exception, they lack the development and implementation features of a comprehensive plan.*

*With that in mind, one of the things that I wanted to accomplish today was to make sure everyone understands the definition and scope of a comprehensive plan for Allegany County. Included in the information provided for today’s discussion is:*

***The General Municipal Law Governing Comprehensive Planning for Counties*** – *this helps to explain the concept of a municipal comprehensive plan.*

***‘Comprehensive Planning – an Outline’*** *from the Department of State.*

***‘Scoping and Preliminary Information Gathering for a Comprehensive Plan’*** *by David Szczerbacki – I feel that of all we have available, this is a good guide on how we would expect to proceed with a comprehensive plan.*

*An article from the Daily Oakland Press, ‘**Wi-Fi Oakland: Why so Delayed?,**’ which mentions countywide wireless access.”*

### **Board of Legislators Chairman Curtis W. Crandall:**

At a recent Planning and Development Committee meeting, a suggestion was made that a committee be established to address comprehensive planning for the County. Following a brief brainstorming session, there was a consensus that prior to taking any further action, a joint meeting should be held with the Board of Legislators and Planning Board members to look at the concept of comprehensive planning and to get the process started. The current Legislature seems to be interested, and there is already a lot of information compiled. While the interest and momentum are there, we need to accomplish the goal of a comprehensive plan for Allegany County before the process is prolonged into yet another Legislative Board term with additional new members.

### **Open Discussion:**

Ungermann – The comprehensive plan would be a project that ultimately the Board of Legislators will approve. It will open the door for grant opportunities that would not be accessible without it. Fred Sinclair and Colleen Cavagna do a lot of grant writing for specific programs, and they may be able to find a grant source to help fund municipal comprehensive planning. The Board could utilize this tool; but first, the Board needs to approve moving forward with the process; agree on something to give basic direction – it doesn’t have to be concrete at this point. Another resource would be Stewart Brown’s consulting services. They assisted the

Village of Cuba and obtained grant funds for their comprehensive plan. *Fred Sinclair – There are grants available to assist municipalities in the development of comprehensive plans.*

Mr. Stuck – The next steps would be:

1. Develop a timeline; decide how to stage the process; there is a lot of work involved.
2. Staffing – the County needs a Planner and/or a Planning Department; if a comprehensive plan is not utilized by a Planning Department and kept updated, it's worse than having no plan at all.
3. Budget for professional consulting services; community meetings and public hearings.
4. Approval of the Legislature to allow the Planning Board to develop a steering committee to discuss possibilities and develop the timeframe.

The process involves all towns and villages in the County. A question to be considered would be whether to formulate a centralized plan in a particular area to begin with and bring in the rest of the County at a future date, or just start right out Countywide.

Truax – If the time and effort is put into development of a plan, will we follow it? If not, it's just a waste of time.

Crandall – Because there is no countywide comprehensive plan, we are missing out on available funding. How would all the studies and data accumulated over the years fit within, or be included within, a comprehensive plan? *Stuck - Data could be updated, re-evaluated for relevancy, and used.* It seems there are varying degrees of planning. How far are we willing to go – full-blown with outside consultants, or use what's available? *Stuck - There are a lot of areas that will require outside consultants.*

Kruger – A plan should be formed that's "doable," possibly based on the development at Crossroads, then expanded to the rest of the County. We should use the resources we have, i.e. Fred Sinclair, Colleen Cavagna, and Planning Board members. It should be kept simple and concise, move with what we've got, and expand later.

R. Hollis – In the past, there has been a lack of interest at the town level, but if the Board of Legislators is on board, there may be more enthusiasm.

Stuck – The County's Comprehensive HUD Plan was developed because of the opportunity and available funds. Every major project undertaken received funding. The same would hold true for projects under a comprehensive plan – grant applications would receive priority.

Reynolds – The County should hire a Planner soon. Also, Stewart Brown should be utilized, due to their level of expertise. The grant and plan should be spearheaded under the direction of the Planning Board. *Stuck – Cuba did formulate a comprehensive plan, but Stewart Brown's involvement was to establish a strategic plan based on that comprehensive plan.*

Wendall Brown noted that the Friendship Empire Zone Administrative Board is required to annually submit an Empire Zone Development Plan to Empire State Development. They are questioned on how that plan ties into the County's comprehensive plan. All they have to work with is the HUD plan and that needs to be updated. State and federal funding requirements cite documents including a comprehensive plan which needs to be updated periodically to comply with those requirements.

R. Hollis – Part of a comprehensive plan includes consolidation of town governments and also school districts. *Reynolds – The Board can't mandate that to towns or school districts. Governor Spitzer is looking at the issue of consolidation.*

Jessup – At past town meetings, there was not much feedback, but interest was expressed in jobs, industry, and tourism. We have information that is not that old; more town meetings are not necessary. We need to see some progress and one major problem is the lack of infrastructure such as water and sewer. The County needs to take the initiative. A plan is needed that can be implemented and won't take an excessive amount of time; anything longer than six to nine months would lose momentum.

Stuck – Timing for the process would be closer to one year because of requirements such as forums and public hearings. It would be interesting to have Stewart Brown come in to give ideas and advice. The County could be looked at as a business, with the surrounding counties being our competition. They all have or are working on comprehensive plans, leaving us behind.

Crandall – Regarding the inclusion of towns and villages: some are ahead of the County in the area of comprehensive planning, i.e. Village of Cuba. We need to move things along. Current town and village plans would be included in the County plan. An invitation should be extended to all municipalities to come on board, as the County is ready to move forward.

Ungermann – The process shouldn't cost a lot. We could consolidate all the plans and data already compiled, get direction, see what can be accomplished in six months, put the plan together, vote on it, and then update. *Stuck – There has to be some involvement by the public, i.e. hearings. It's true there is a lot of data, but not enough to do a comprehensive plan. There is still a lot to be done, such as up-to-date mapping. Even if starting small, it impacts other areas. There is a lot of work and detail in comprehensive planning.*

Kruger – Complications have stalled the process in the past. We have to start somewhere: start with a strategic plan instead of a comprehensive plan. Maybe we can't afford to do the comprehensive plan.

Stuck – A steering committee would be able to properly identify the issues and establish where the County should go from here. A strategic plan is short-lived. A comprehensive plan targets issues and then establishes strategic plans for other things that come up. Allegany County is already 25 years behind other counties.

Reynolds – Suggested that the County contact Stewart Brown to send a representative to speak with us, offer advice on direction and a place to start.

Pullen – We have to start. A steering committee should be formed with representatives from the Planning Board and Board of Legislators. Expertise is needed. We have a lot of data, but we need a dollar figure for what it will take to complete the process.

Mr. Fanton questioned what is needed from the towns. *Stuck – Many of the towns and villages already have plans which the County would incorporate into ours. Public hearings would be facilitated by the County on a countywide basis and should survey the audience to gather information on priorities. Pullen – Legislative Board law dictates that district meetings should be held every quarter. These meetings could be coordinated with Legislators and Planning Board representatives to gather input for focus, dreams, and vision for the future.*

Hopkins – Stewart Brown is scheduled to be present at the next Budget Committee meeting regarding the grant writing process. We could speak with them briefly on the comprehensive planning issue and set up a time to have them come back for a more in-depth discussion.

Crandall – There have been no negative comments on the comprehensive planning process. There is a consensus that the County does need a plan as soon as possible, even if what we

arrive at needs future refinement. It seems the process would fall under the Planning Board's domain, rather than the Board of Legislators', but the two entities should work together.

**Motion:**

A motion was made by Truax, seconded by Kruger and carried that the Committee of the Whole recommends the Planning Board establish a steering committee with Board of Legislators representation, and that this steering committee move forward as soon as possible on a comprehensive plan for Allegany County, with Stewart Brown to be brought in as early as possible. The steering committee would be charged to investigate what's actually involved in the process, cost for outside consulting services, additional documentation needed, and cost to complete the process. It was recommended that the number of members appointed to the steering committee be kept at a minimum at least in the initial phase. **Prepare Resolution**

**Adjournment:** Following a motion made by Kruger, seconded by Ungermann and carried, the meeting was adjourned.

Respectfully submitted,  
Adele Finnemore, Journal Clerk

**COMMITTEE OF THE WHOLE**  
**March 5, 2007**

**\*\* NOT APPROVED \*\***

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**Legislative Board Members Present**

D. Burdick, C. Crandall, W. Dibble, D. Fanton, W. Hall, T. Hopkins, K. Kruger, T. O'Grady, D. Pullen,  
B. Reynolds, N. Ungermann-*via conference call*  
(Absent: Benson, McCormick, Russo, Truax)

**Others Present**

D. Guiney, J. Margeson, B. Riehle, E. Ruckle, N. Stocker

**Executive Session**

A motion was made by Dibble, seconded by Reynolds and carried to enter into executive session to discuss matters regarding collective negotiations. Immediately following the executive session a motion was made by Hopkins, seconded by Dibble and carried to come out of executive session and return to the regular meeting.

**Adjournment**

There being no further business to come before the committee, the meeting was adjourned.

Respectfully submitted,  
Brenda Rigby Riehle, Clerk of the Board

**COMMITTEE OF THE WHOLE**  
**March 26, 2007**

**\*\* APPROVED \*\***

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**Members Present:** Chairman C. Crandall, G. Benson, D. Burdick, W. Dibble, D. Fanton, W. Hall, T. Hopkins, K. Kruger, M. McCormick, T. O'Grady, B. Reynolds, R. Truax, N. Ungermann (*Absent: D. Pullen, D. Russo*)

**Others Present:** A. Finnemore, J. Mancuso, J. Margeson, B. Riehle, D. Roeske; **Guest:** Jerry Leone, Regional Engineer with Casella Waste (Operators of the Hyland Landfill); **Media:** K. Doyle, Olean Times Herald; B. Heineman, Alfred Sun; P. Jannace, Wellsville Daily Reporter

The meeting was called to order at 2:45 p.m. by Chairman Curtis W. Crandall.

**Executive Session:**

A motion was made by Reynolds, seconded by Fanton and carried to enter into an executive session to discuss collective negotiation issues. Following discussion, a motion was made by Reynolds, seconded by Truax and carried to close the executive session and return to regular session.

**Casella Waste, Hyland Landfill Methane Gas Presentation:**

Jerry Leone, Regional Engineer for Casella Waste, the operators of the Hyland Landfill in Angelica, addressed the Committee of the Whole regarding the potential use of methane gas and what they are doing at their facility.

Casella has spent a lot of time investigating the capture and use of the methane gas produced at their landfill. Originally they were looking into running the gas off-site to an end user, but were unable to do so; therefore, they began investigating ways to use the gas on-site. Casella is proceeding with installation of a 4.8 megawatt power plant and three reciprocating engines, which will be able to provide power to 6,000 houses. They are currently negotiating with the Town of Angelica and trying to create a relationship with the Village as well. In December, the NYS DEC granted Hyland a permit for expansion that will extend the life of their landfill by 22 years and will increase tonnage capacity to 1,000 tons per day. Casella will be in the midst of construction of a massive earth moving project through the end of year. Power plant construction should begin in August and will hopefully be on line early next year.

Mr. Leone stated that Casella is interested in trying to work with the County regarding methane capture at both landfills: theirs and the County's. He feels the opportunity is ripe to capture gases (carbon dioxide and methane) from the landfills. This would involve installation of equipment at the County landfill, and the process would include the drilling of vertical wells, assessment of production levels and quality of the gas, and determination of the economic feasibility. It may be determined there would be a sufficient amount of gas to warrant installation of a pipeline to Hyland's facility to allow the County to partner with them in the power generation project, but if not, the County may be able to install a small power plant at the landfill for on-site power needs. Currently, Casella is working on a relationship with the Village of Angelica. The Village is pursuing funding through the NY Power Authority and the Clean

Renewable Energy Bond, which has a zero percent interest; so there are options for financing with public moneys for the reimbursement of collection system installation costs.

Casella is also looking at new equipment to treat leachate. Hyland generated about five million gallons last year; the County generates about three million gallons. A treatment system may be of interest to the County. Leachate is treated through an evaporation process resulting in a residual product that goes to the landfill. Treatment on-site would reduce fuel and transportation costs. Casella is looking at using the heat from the power plant engines to accomplish the leachate evaporation process. Mr. Leone stated Casella would like to partner with Allegany County on both leachate treatment and gas capture, as there are economic and environmental benefits in working together. Also mentioned was the opportunity to receive carbon credits, and later in 2009 emissions credits, for the capture of methane gases. Activity is taking place now. There is funding out there to cover the capital cost to put pipes in, and Casella would like to work with the County on managing or partnering in the process.

Mr. Leone noted that the time frame for the County to partner with Casella would involve putting together a summary of the project, after which more information would be requested, and by next month we could see if the project is manageable, what it involves, and the benefits. It will require a commitment on the County's part. Financing could be accomplished through a renewable energy bond, the application for which would be due in July. The Board would approve a resolution to move forward, and Casella could help complete the short application. Casella, as a private entity, can't apply for the renewable energy funding, but a municipality can. The interest rate is 0 percent, whereas financing through the power authority would probably be at 5 percent interest. (Tax credits are also available to municipalities.)

Discussion following Mr. Leone's presentation included that doing something with the gas, other than just venting it, is the right thing to do. Chairman Crandall noted that some direction was gained from this meeting.

***Chairman Crandall would like to have the following individuals work with Casella Waste Management representatives and come back with an outline of the steps the County would need to take to move forward, and the commitment needed, on the issue of methane gas capture and utilization: Dave Roeske (Public Works Superintendent), John Mancuso (Public Works Deputy Superintendent I), Dwight Fanton (Public Works Committee Chairman), and John Margeson (County Administrator).***

**Adjournment:** Following a motion made by Truax, seconded by Dibble and carried, the meeting was adjourned at 3:25 p.m.

Respectfully submitted,  
Adele Finnemore, Journal Clerk

**COMMITTEE OF THE WHOLE**  
**July 24, 2007**

**\* NOT APPROVED \***

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**Members Present:** Chairman C. Crandall, G. Benson, D. Burdick, W. Dibble, D. Fanton, W. Hall, T. Hopkins, K. Kruger, M. McCormick, T. O'Grady, D. Pullen, B. Reynolds;  
(Absent: D. Russo, R. Truax, N. Ungermann)

**Others Present:** D. Button, A. Finnemore, J. Margeson, B. Riehle, T. Ross, T. Parker;  
**Guest:** Ken Crannell, Legislative Director, NYSAC; **Media:** K. Doyle, Olean Times Herald; B. Heineman, Alfred Sun; P. Jannace, Wellsville Daily Reporter

The meeting was called to order at 11:00 a.m. by Chairman Curtis W. Crandall, for the purpose of clarifying the Sales Tax Intercept Option for Payment of the Medicaid Local Share. Ken Crannell, Legislative Director for New York State Association of Counties, gave an overview of the option and analysis of the financial impact for Allegany County. (A printed copy of his Powerpoint presentation was distributed and is attached to the original minutes.)

The Medicaid Cap legislation, Chapter 58 of the Laws of 2005 Part C, changed the relationship between the state and county Medicaid payments. The counties used to pay a percentage of costs. Now, since the Cap, the counties' payments are based on a formula that set a calendar 2005 base period for all future local Medicaid payments, beginning January 1, 2006, and payments grow by an annual non-compounded inflation factor of 3.5 percent in 2006, 3.25 percent in 2007, and 3 percent in 2008 and thereafter. The NYS DOH is required to reconcile the Cap amounts with what a county would have paid under the former method to protect them against overpayment. Allegany County saved \$431,000 this past year.

Benefits of the Medicaid Cap are (1) limited and predictable Medicaid local share growth; (2) protection from future liability (i.e. federal and state policy changes, lawsuits, etc.); (3) reconciliation and FMAP sharing protect counties if the Medicaid program is significantly changed; and (4) Medicaid Cap produced a significant one-time benefit from switching from accrual to cash accounting for most counties.

Sales Tax Intercept Option – Effective January 1, 2008, counties have the option of eliminating their Medicaid local share in return for a certain percentage of their local sales tax revenues. Counties have until September 30, 2007 to decide if they want to exercise their option to participate in the Sales Tax Intercept. This is a one-time option and a county cannot “opt out” once elected.

Medicaid Factor – The “Medicaid Factor” determines the percentage of a participating county's sales tax revenue that would be intercepted by the state for that county's share of Medicaid expenses. The Medicaid Factor is a fraction expressed as a decimal or percent and does not change in future years. The law required the Department of Taxation and Finance to calculate the Medicaid Factor for each county and notify the county's chief financial officer of the result by April 30, 2007. This fixed percentage is arrived at by dividing the county's annual Medicaid cost in SFY 2006-07 by the county's taxable sales base in SFY 2006-07. For a county with no city imposing sales tax, the sales tax base is the total county sales tax distributions divided by the county sales tax rate. Allegany County's Medicaid Factor is 0.023.

Monthly Medicaid Amount – If a county elects the Sales Tax Intercept option, its monthly sales tax distributions will be reduced by applying its Medicaid Factor. The Medicaid Factor is a fixed percentage going forward and will not change. If the county sales tax base grows or

reduces versus the 2006-07 base period, then the amount intercepted will grow or reduce proportionately.

Strategy of the Sales Tax Intercept – The first step is to compare the long-term historical sales tax growth versus the 3 percent Medicaid growth. Mr. Crannell used an average of 2.47 percent for projected sales tax revenue growth for Allegany County and charted out the estimated Medicaid Sales Tax Intercept amounts for the next several years. Comparing those estimates with the Capped local Medicaid expenditures results in the Intercept payments being greater by as much as \$106,000 at the present sales tax rate. Sales tax growth would have to be under 1.86 percent to show a consistent benefit under the Intercept option.

The second step is to evaluate the pros and cons. Pros include (1) potential savings beyond Medicaid Cap; (2) Medicaid “takeover”; (3) ability to re-think DSS budget; and (4) impact from sales tax exemptions. Cons include (1) potential risk; (2) loss of revenue growth; (3) loss or reconciliation; (4) sales tax sharing issue; and (5) accounting treatment.

Next Steps – The statutory deadline is September 30, 2007 to enact a resolution and mail it to the NYS DOH. Counties cannot “opt out” later. The form of resolution is available from NYSAC or the NYS DOH. By October 31, 2007, the NYS DOH certifies to the Tax Department those counties that elected the sales tax intercept. Monthly intercept for these counties begins in January 2008.

#### Questions and Comments:

Mr. Kruger asked how many counties are considering the Intercept. Mr. Crannell responded that several are looking at it, but only one seriously. It’s early yet. According to the Comptroller’s report, there are three counties that would show a benefit.

Mr. Crandall noted that the County is currently at a higher sales tax rate (4.5 percent), but it is the desire of the Board to reduce the rate as soon as possible. Mr. Crannell stated that reducing the sales tax rate also reduces the revenue, but would not affect the Intercept amount. A recent report from the Comptroller pointed out that counties are too dependent on sales tax revenue and would have a problem in the event of an economic downturn.

Mr. Crandall asked if an eventual complete state take-over of Medicaid is realistic to hope for. Mr. Crannell responded that with a \$6.5 billion county share, he doesn’t believe we’ll see a total state take-over. The Governor’s agenda is to expand the Medicaid program, but with the current Cap, counties are protected if the program is changed drastically. It’s a good program and the Governor is committed to keeping the Cap through his term.

Mr. Kruger asked if the three percent increase applies from now on, and Mr. Crannell responded that it does, and there is nothing scheduled to look at that.

Mr. Reynolds recommends we don’t opt in for the Sales Tax Intercept. We’d have to have a low sales tax growth to benefit.

Mr. Crannell noted that 20 states have some form of Medicaid local share, but for most, it’s just administrative costs. The only other state besides New York that requires counties to pay a share of services is North Carolina.

**Adjournment:** Following a motion made by McCormick, seconded by Fanton and carried, the meeting was adjourned at 11:40.

Respectfully submitted,  
Adele Finnemore, Journal Clerk



**COMMITTEE OF THE WHOLE**  
**August 27, 2007**

**\*\* NOT APPROVED \*\***

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**Legislative Board Members Present**

B. Benson, D. Burdick, C. Crandall, W. Dibble, W. Hall, T. Hopkins, K. Kruger, T. O'Grady, D. Pullen, B. Reynolds, D. Russo, N. Ungermann  
*(Absent: Fanton, McCormick, Truax)*

**Others Present**

J. Foels, C. Jessup, K. LaForge, J. Margeson, T. Miner, B. Riehle

**Executive Session**

A motion was made by Reynolds, seconded by Dibble and carried to enter into executive session to discuss the proposed acquisition of real property. Immediately following the executive session a motion was made by Reynolds, seconded by Dibble and carried to come out of executive session and return to the regular meeting.

**Adjournment**

There being no further business to come before the committee, the meeting was adjourned.

Respectfully submitted,  
Brenda Rigby Riehle, Clerk of the Board  
Allegany County Board of Legislators

## COMMITTEE OF THE WHOLE

August 27, 2007

**\*\* NOT APPROVED \*\***

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### **Legislative Board Members Present**

B. Benson, D. Burdick, C. Crandall, W. Dibble, W. Hall, T. Hopkins, K. Kruger, T. O'Grady, D. Pullen, B. Reynolds, D. Russo, R. Truax, N. Ungermann  
(Absent: *Fanton, McCormick*)

### **Others Present**

J. Margeson, B. Riehle

### **Executive Session**

A motion was made by Truax, seconded by Hall and carried to enter into executive session to discuss the employment history of particular employees. Immediately following the executive session a motion was made by Truax, seconded by Dibble and carried to come out of executive session and return to the regular meeting.

### **Adjournment**

There being no further business to come before the committee, the meeting was adjourned.

Respectfully submitted,  
Brenda Rigby Riehle  
Clerk of the Board

**SPECIAL COMMITTEE OF THE WHOLE**  
**October 16, 2007**

**\*\* NOT APPROVED \*\***

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**Legislators Present**

G. Benson, D. Burdick, C. Crandall, W. Dibble, D. Fanton, W. Hall, T. Hopkins, K. Kruger, M. McCormick, D. Pullen, D. Russo, N. Ungermann (Absent: T. O'Grady, B. Reynolds, R. Truax)

**Others Present**

J. Foels, J. Margeson, B. Riehle

**Media Present**

K. Doyle – Olean Times Herald, T. Washer – Wellsville Daily Reporter

Chairman Curtis Crandall opened the meeting and led the group in the Pledge of Allegiance to the Flag.

Chairman Crandall stated that the Board is coming upon their halfway mark as a group, and many of the items discussed last year at the special meetings have continued to be worked on and looked at. Some of these items included: Court compliance issues, landfill issues, I-86 exit strategy, space needs of all departments, departmental mission statements, department head evaluation process, monitoring of overtime, comprehensive plan.

Development Director John Foels attended the meeting to update Legislators on issues his department has been involved with:

**Alstom Preheater**

Mr. Foels stated that last year Alstom Preheater broke ground on an \$18-\$20 million addition – the largest investment the private sector has made in one piece in Allegany County. They are ahead of schedule and will probably be requesting privilege of the floor to give the Board a full update. They had planned to hire 75 employees over three years; and so far this year, they have hired over 100 people representing replacements of retired people as well as some new people.

**ACCORD**

Mr. Foels indicated that they recently merged the two revolving loan funds that were previously maintained separately by ACCORD and the Development Office. ACCORD has moved their Business Development Center to the Crossroads Building, and it appears to be working out well for everyone. Along with the Jamestown Community College and the EMTs, ACCORD has held some small business courses at the Crossroads Center.

**Wind Energy Project**

Mr. Foels noted that Noble Allegany Windpark, LLC has submitted an application to the Town of Centerville to construct and operate a total of 67 wind energy conversion systems (55 in the Town of Centerville and 12 in the Town of Rushford). Chairman Crandall confirmed that the Centerville Town Board intends to act as lead agency for the project and forwarded a request that the County approve and sign a Notice of Intent consenting to the lead agency designation which the Ways and Means Committee will consider at their next meeting. Mr. Foels stated that the scope of the project has grown to \$225 million, and Noble has additional sites in New York State. Mr. Foels explained that this is not power we will see; however, there will be some benefits to the individual communities. Although we have not finalized how much money will go to the town, County and school districts, it is significant that they have filed their application.

## **Sewer and Water for Crossroads**

John Foels reported that we have authorized the final engineering on the water and sewer. The next step in January or February will be looking at engineering and preparing to go out to bid if we choose. Mr. Foels stated that there has been an increased interest from developers and investors, and Mr. Foels indicated that we will have critical users before moving forward with the next step. Mr. Foels asserted that we have been very deliberate with each step, and we have steadily moved forward on this project.

Chairman Crandall stated that he has been seeing comments that the Legislators are spending \$5-\$6 million of citizens' money to lay pipe for the Crossroads Project, and that is just not true. The Chairman suggested putting together a press release that would clear up some of the rumors and inform citizens of where we are going with the Crossroads Project. Mr. Foels suggested developing a timeline showing where we've been and where we are going. The County has not expended \$6 million in pipe to go to undisclosed users. We will not recommend digging until we have dedicated users. Some work has to be done from a feasibility standpoint. Mr. Foels will plan to prepare a timeline outlining the critical decision path showing what has been approved and what still has to be decided.

Legislator Karl Kruger asked where the funding would be coming from if it wasn't going to be bonded by the County. Mr. Foels indicated that it is going to be a shared funding project – there will be some participation by the state, federal government, County and users. We are also always looking at grant and funding opportunities. Mr. Kruger asserted that if those funding sources fail or are not there, the County will ultimately be responsible.

It was noted that the County has already spent approximately \$150,000 for preliminary work and for the engineers to draw up plans. The citizens of Allegany County have already shouldered some of the expense and will continue to shoulder more. Legislator Norman Ungermann expressed concern that some grants may take too long and indicated that we may have to make some initial investments. Legislator David Pullen suggested seeking guidance from financial advisors noting that if we front the money and then try to secure grants or low interest funding, we may lose 90 percent of our leverage. Legislator Pullen also expressed concern that if the County fronts too much of the money, we will make it cost prohibitive for the end user. Mr. Pullen stated that we are trying to do an eight to ten year project within a few years. Mr. Pullen also indicated that he is in favor of moving forward even if the County has to advance some of the money.

## **Comprehensive Plan**

Mr. Foels indicated that he discovered 6-1/2 years ago when he came to Allegany County that we did not have a plan. The goal is to have a comprehensive plan in place by January 2008. Mr. Foels noted that it can sometimes be more difficult to secure grant funding if you do not have a comprehensive plan in place. Mr. Foels indicated that they have held various meetings throughout the County, and they have reviewed 10 or 15 documents in different forms. They hope to create a draft document and have it to Legislators to review by January so that a plan can be finalized and approved in February 2008. Mr. Foels stated that a Transportation Plan, Health Care Plan, and HUD Plan have been created and approved this year.

## **I-86 Program and Tourism**

Mr. Foels informed Legislators that ACCORD secured a grant to look at the six exits on I-86 in Allegany County to determine how we might be able to tie them together. One of the things that came out of that was the need for improvement in our tourism program. It is great to have signage, but we needed to have a vehicle in place for marketing. We have a new Tourism Specialist and Advisory Board, and we now have a new web site – [www.discoveralleganycounty.com](http://www.discoveralleganycounty.com). Mr. Foels indicated that they continue trying to broaden their base with New York State I Love NY funding.

Legislator Norman Ungermann asked Mr. Foels about the status of lighting at the exits. Mr. Foels indicated that there has to be some significant development at the exit and then some cost sharing plan in place before utility companies want to commit to putting lighting at an exit.

### **Chamber of Commerce**

Mr. Foels suggested the County consider a County-wide Chamber noting that the concept has been embraced by various business groups and chambers. The idea came about while preparing the Tourism Marketing Strategy. Each individual chamber would continue to exist and handle their missions, and if you are a member of an existing chamber, you would automatically be a member of the Allegany County and US Chamber of Commerce for free. It would create a stronger collective voice and a larger group to negotiate things such as health care costs.

### **Development**

Mr. Foels stated that within the last month or so we have gained the interest of New York State and their senior leadership, and several officials have been through the County recently. Olivia Golden, Director of State Operations, was recently in Olean and Alfred and wondered what the challenges of our County are. Thomas Ranese, Financial Officer with the I LOVE NY Program, took a tour of the County so that he would further understand what our challenges are, and what they may be able to help us with. He discussed the possibility of using Allegany County as a test case for some of their initiatives. Patricia Smith, Commissioner of Labor for New York State, talked about getting in tune to what the needs of the Southern Tier are.

Mr. Foels indicated that he has been listening to the private sector, and there is going to be a tremendous opportunity in the near future as a large percentage of our workforce will be retiring in the next three to five years. Allegany County is looking at 2,500 workers, Cattaraugus County is looking at 5,000, and Chautauqua is looking at 7,500. The numbers are staggering, and we are looking at positions that cut across all sectors of our workforce. Mr. Foels indicated that the state has been looking at some things, but it quite often takes a few years to get a state program up and running. Allegany County needs to start doing something now, and we have been holding concept meetings. If we were able to attract 2,500 new families to Allegany County for those retiring, we could experience an economic boom for the area. Mr. Foels indicated that one of our greatest priorities will be to attract people back here after they have been out exploring the rest of the world. As well as attracting former County residents and new people to the County, we need to retain our retired people.

Legislator William Hall talked about the need to secure community support and also asked what ideas are percolating in Albany that we can take advantage of. Mr. Foels indicated that the state seems to think that we need to offer incentives to people as much as companies. Mr. Foels mentioned the idea of a program to forgive a portion of student loans if an individual relocated in New York State. Mr. Foels talked about offering incentives quickly because other states will follow suit. Mr. Foels stated that the quality of life and integrity of the people is one of our biggest assets. Legislator Daniel Russo mentioned some of the things that kept him here 30 years ago such as the low crime rate and the educational system. Mr. Foels stated that we need to talk to people to determine what their major concerns are, and he talked about the need to make the entire family happy. Mr. Foels talked about the partnership between Allegany, Cattaraugus, and Chautauqua counties and moving forward with a proposal from the three-county area and asking New York State to provide matching funds.

Both Legislator Pullen and Legislator Hall commented that there have been people that chose not to come to the area or accept positions because there are not housing units available that they find attractive or what they have in mind. Our housing market is actually rather small when your expectations are higher. Legislator Ungermann briefly talked about the greater risk to contractors to build more expensive homes especially in this area.

### **Cuba Retirement Community**

Mr. Foels explained that the proposed Cuba Retirement Community is divided into two categories – enriched living and independent living. The housing project will provide 54 units for

independent living, and it will be on the tax rolls. The certificate of need application has been submitted to the state for the enriched side. The plan is to break ground with the independent living side in the spring of 2008, and they may receive the approval for the enriched side by then. It's a pretty aggressive plan for a hospital that was almost bankrupt five years ago.

### **Water at Crossroads**

County Administrator John Margeson informed Legislators that last week the County was able to agree on the terms of sale for the property on which we plan to locate the water tank for the Crossroads Project. We have agreed in principle to the terms for the supply lines that have to go to the tank and the line that comes out of the tank and down the valley. The County Attorney is working on a purchase offer. The second landowner whose property we have to travel across to get to our tank is interested in working with us in a cooperative way to hammer out the deal for an easement. The Board will consider the resolution for an Inter-municipal Agreement with the Town of Friendship for water and waste water treatment at the Board meeting on October 22.

### **2008 Tentative Budget**

John Margeson, acting in his capacity as Budget Officer, filed the Allegany County Tentative Budget on October 3, 2007. Mr. Margeson stated that for the first time in five or six years, we have made appropriations in the budget for two County bridges. In the past we have had to borrow money for bridges. Paying as you go is a more financially and fiscally responsible way to do business, and we hope to continue to operate in this manner. A request was also made for two town bridges, and they were not included in the 2008 budget. The bridges will cost about \$357,000, and if they are not done in 2008, they should be the highest priority for 2009. Mr. Margeson indicated that the Public Works staff has indicated that if something happens to those bridges requiring emergency repair, we do have the means to repair them, and we should be able to get them through 2008. Mr. Margeson indicated that we have fallen a little behind in recent years with our bridge replacements because we have had to scale back.

Mr. Margeson stated that some have expressed concern that we will not receive the \$17.1 million in sales tax revenue budgeted for 2007; however, Mr. Margeson believes we will achieve that number. Ken Crannell from NYSAC had indicated that the average sales tax increase over the last ten years has been 2.7 percent. For the 2008 budget, our projected sales tax revenue is only 1.4 percent more than our 2007 figures so hopefully that will provide a cushion. If you want to bump the sales tax revenue up slightly, there should be room to do that.

Mr. Margeson indicated that he plugged revenue from taking in federal inmates into the 2008 budget based on an average daily inmate level of 30. Legislator David Pullen asked if there is a resolution stating that the County would not use revenue from housing inmates for the current budget. Mr. Margeson explained that the resolution requires us to dedicate revenue from housing inmates for the payment of debt service on the building which is about \$1.47 million per year. If we receive more than \$1.47 million, it would go to debt service. The Legislators briefly discussed whether or not it would be wise to retire the bond early. Mr. Margeson confirmed that there is no pre-payment penalty on our bond.

Legislator Ungermann talked about the need to build our reserve to meet upcoming projects, and Legislator Kruger reminded Legislators not to forget the landfill. Mr. Margeson indicated that audit and control recommends placing five percent of our total budget in reserve.

Legislator Pullen asked about our insurance figures since switching to Nova. Mr. Margeson indicated that we have the six-month figures, and there is nothing we can identify as a trend – the figures appear to be flat lining rather than going up. Legislator Russo stated that the savings was in not seeing an increase.

### **Grants**

Mr. Margeson indicated that he has a report on his desk from Stuart Brown Associates who we retained about three months ago to research the availability of grants or low interest programs to offset the County's cost to do the water and sewer projects for the Crossroads Area. Mr. Margeson will have the report copied and make sure that everyone gets one. Stuart Brown Associates was able to identify nine grants or lower interest loan sources, and they have been categorized in rank order of those he felt we have a chance to tap into. There are four or five opportunities that should be available to us, and some will need support from our representatives. At this juncture, the Ways and Means Committee will have to come up with a strategy on how quickly we should try to tap into these funds.

### **Union Negotiations**

Management will be exchanging proposals with the Nurses union on October 29 and with the Sheriff's union on November 8.

### **Meetings**

Chairman Crandall suggested trying to consolidate our meeting days, and Legislators seem to think this was a good idea.

Legislators agreed to cancel the Committee of the Whole scheduled for October 30, and to schedule a Committee of the Whole for November 20. The following employees will be requested to come to the November 20 meeting:

Deputy Public Works Superintendent John Mancuso will be requested to come to the meeting to give an overview of the landfill issues. Deputy Public Works Superintendent Guy James will be requested to come to the meeting to talk about bridges. Sheriff William Tompkins will be requested to come to the meeting to talk about the transition of bringing in federal prisoners, and if we are looking at cost savings, over runs, etc.

Legislators also would like to leave time at the end of the meeting for brainstorming.

### **Adjournment**

There being no further business to come before the committee, the meeting was adjourned.

Respectfully submitted,  
Brenda Rigby Riehle, Clerk of the Board

**COMMITTEE OF THE WHOLE**  
**November 13, 2007**

**APPROVED**

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**Members Present:** Chairman C. Crandall, G. Benson, D. Burdick, W. Dibble, D. Fanton, T. Hopkins, K. Kruger, M. McCormick, T. O'Grady, D. Pullen, B. Reynolds, D. Russo, N. Ungermann; **Absent:** W. Hall, R. Truax

**Others Present:** R. Christman, A. Finnemore, J. Margeson, B. Riehle, D. Roeske, T. Ross;  
**Media:** Brian Quinn (Wellsville Daily Reporter)

**Call to Order:** The meeting was called to order at 10:30 p.m. by Chairman Curtis W. Crandall for the purpose of reviewing and discussing adjustments to the 2008 Tentative County Budget. An opportunity was given to everyone present to make suggestions. It was noted that changes to be made in the Tentative Budget will require a resolution.

**County Budget Officer John Margeson – 2008 Tentative Budget Adjustment Requests:**

1. **Sheriff:** The Office of Court Administration is requiring five additional staff members for court security to cover Family Court in the newly renovated space that was formerly Room 8 on the Ground Floor of the County Office Building. Costs for the additional personnel will be reimbursed. The following adjustments are necessary:

Appropriation Acct.	A3110.101 (Sheriff, Personnel Services)	add \$208,000
Revenue Acct.	A03.2260.00 (Police Services, State)	add \$208,000

Mr. O'Grady expressed concern about creating additional Deputy positions now and being stuck with them, when we are in the process of restructuring the court system, which may require fewer personnel for security. Mr. Kruger noted that the state pays more for court security than the County's actual cost, and he didn't think we would see a reduction in staffing, even after restructuring. Eventually, the Office of Court Administration will take over the court security staff. Mr. Ungermann questioned if court security positions have to be filled with Deputies. County Administrator John Margeson responded that the positions can be filled with Correction Officers. Mr. Kruger suggested looking into creating a new title of Peace Officer/Courts at a lower rate than Correction Officer. Mr. Fanton commented that once the court system is set up correctly with one point of entry, we should be able to cut back on security staff. Chairman Crandall stated this is just a budgetary issue at this point. Adding the requested \$208,000 in expense and revenue allows room to address those questions and make changes prior to creating the positions. Mr. Crandall also noted the budget adjustment is a "wash." Mr. Reynolds questioned if the contract specifies the County has to utilize its own employees for court security. Mr. Crandall responded that the contract with OCA is with Allegany County and it had been investigated before.

***The request was approved following a motion made by Fanton, seconded by Kruger and carried. Prepare Budget Adjustment Resolution.***

2. **Clerk of the Board:** Request to add \$150 to Appropriation Acct. A1040.429 (Clerk, Legislative Board, Contractual) to cover the cost increase in the contract with Maximus, Inc. for County-wide cost allocation and indirect cost rate proposal services. Indirect cost rates are figured for every program and are necessary for departments such as Social Services,

Health, and Employment and Training, who receive state and federal reimbursement, to set rates for fees. ***The request was approved following a motion made by Reynolds, seconded by Dibble and carried. Prepare Budget Adjustment Resolution.***

**3. Clerk of the Board – Legislative Board Accounts:** Request to add \$4,000 to Appropriation Acct. A1010.402 (Legislative Board, Mileage) for 2008. The 2007 account is currently running over budget. The 2008 Budget includes \$18,500 for mileage; the adjustment will take that to \$22,500. ***The request was approved following a motion made by Reynolds, seconded by Hopkins and carried (Voting No: Kruger). Prepare Budget Adjustment Resolution.***

### **Comments and Suggestions:**

Legislator Hopkins commented on the County's financial situation. Not too long ago, we were looking at a \$4 million deficit. Now there's a small fund balance, and we need to try not to slip back. Mr. Hopkins stated that five or six good financial years will put the County in a better position for any future bonding. From his experience, Mr. Hopkins felt this is the best and most realistic budget so far, due in part to bringing Sheriff personnel costs up to a more realistic figure and paying as we go for bridges instead of bonding.

Legislator Pullen commented that although it would be appealing to get the tax increase down to a lower level, no increase, or a decrease, costs are increasing, as was illustrated with the increased mileage expense for legislators. The cost of oil and home heating fuel is increasing. The County's budget is likely to slip back into a deficit if we try to cut too much.

Legislator Kruger noted that there has been a lot of discussion on the budget and dollars are being watched more closely than ever in his experience with the County. It is also encouraging to see the Legislature take an active role in union contract negotiations. However, Mr. Kruger doesn't agree that the County budget is where it needs to be. With the increased cost of oil, home heating fuel will be going through the roof, and we have elderly on fixed incomes. We have to get to a point where we can identify where budget cuts can be made without reducing needed services. Mr. Kruger, Mr. Russo, and Mr. Ungermann have a proposal for a resolution coming forward to eliminate sales tax on home heating fuel. There are things available to change that we are not taking a strong stand on. It is hard to support a budget if there are still stones left unturned.

Legislator Ungermann stated that although he was glad to see bridge repair budgeted for rather than bonded, he was concerned that two town bridges were cut. The Farnsworth Road bridge in Cuba has 100 jobs depending on it and has been red flagged several times in the past resulting in only temporary fixes. Mr. Ungermann would like it reprioritized. Adding the Farnsworth bridge back in would increase the budget by just under one-half percent, or one of the County bridges could be temporarily fixed to make it through another year. The County's share for the Farnsworth bridge is \$94,000; and for the Rushford bridge it's \$118,000. The Rushford bridge has more traffic, but it's harder to detour around the Cuba bridge. Mr. Reynolds voiced the opinion that he doesn't want to drop a County bridge, but would support increasing the budget by .4 percent to include the Farnsworth bridge. Mr. Ungermann stated he does not want to increase the budget, but would like to reprioritize the bridges. Mr. Fanton responded that the Public Works Committee discussed this issue and will deal with it after the first of the year. We may have to do something different, funds could be changed, and unappropriated funds may be available, but it needs to be researched. It also needs to be ascertained that the Town of Cuba budgeted for their share and what their concerns are. Mr. Ungermann noted that Cuba has budgeted for the work. Mr. Fanton would also like to speak

with the management team at Farnsworth Cookies. Mr. Kruger noted that bridges were discussed in Budget Committee, and to keep a handle on the tax increase, hard decisions were made. Priorities change on a weekly basis, but that shouldn't mean raising taxes, just prioritizing differently. Mr. Reynolds stated that taxes will take care of it one way or another. Mr. O'Grady supports a change in bridges, but not raising taxes. Mr. Ungermann pointed out that a detour for 1-1/2 miles, if the Farnsworth bridge is closed, would be very steep and hard for tractor trailers. Chairman Crandall suggested that an additional \$100,000 in the contingent account, which is currently budgeted low, represents less than one-half percent tax increase in the budget and would give more options for a project like that. The money could be placed in contingent and moved later. The County has the time and manpower to handle both the County and the Farnsworth jobs.

***A motion was made by Reynolds and seconded by Hopkins to increase the 2008 budget appropriations by \$94,000 to repair/replace the Farnsworth bridge. The motion was defeated on a voice vote.***

Legislator Dibble agreed with Mr. Hopkins about building a reserve and mentioned use of part-time positions in the Sheriff's Office/Jail to cut costs. The Budget Committee has done a good job with the budget.

Legislator Fanton also stated that the Budget Committee has done a good job. The state contributed to our financial problems with unfunded mandates in 2002-2004, and Mr. Fanton believes the County has made a fairly good recovery. Part of the answer is to take in more sales tax revenue and to generate more services and jobs. The County picked up some on taxable assessed valuation, which is good, but we need to keep moving forward on projects such as Crossroads. We may eventually have a zero percent tax increase, but zero percent is hard without cutting services.

Legislator McCormick thanked the Budget Committee, County Budget Officer John Margeson, and Deputy Budget Officer Terri Ross. Mr. McCormick expressed concern about funding placed in the budget for replacement of a Public Works front-end loader, and suggested that the loader not be purchased in 2008, which would reduce the budget by \$111,000. Ms. Ross noted that the expense did go through the Public Works Committee as part of a packet for equipment expense, and was referred on to the Budget Committee. Mr. Fanton voiced an objection in that every time there's been a last minute budget cut, it has come from Public Works. Mr. Kruger noted he wouldn't support pulling the loader if Public Works couldn't operate with the current equipment one more year, although he would like to see that money go toward the Farnsworth bridge. Public Works Superintendent David Roeske responded that the loader he is planning to replace is the 72 Cat, which has a problem with the controls and is not safe. The 79 Fiat is also on its last legs. His plans are to replace two loaders with one by trading in the Cat and not replacing the Fiat when it goes. Of the two newer loaders, one is tied up at the CR48 stockpile and the other is used as a widener. During the winter, one is at the shop to load and the other is mounted with the snow blower. Mr. Roeske stated that without the new loader, if something happens to the Fiat, we'll be hurting. Mr. McCormick noted that the \$111,000 could be used to reduce the budget increase. It puts Public Works possibly in a bad position, but in an emergency, we could lease or borrow equipment. Mr. Reynolds pointed out that at some point, the loader has to be replaced. In an emergency, the County can't count on borrowing from the towns because they will need their loaders for sanding. Mr. Fanton did not want to put off replacement of the loader because it is unsafe. The Farnsworth bridge matter will be dealt with. Mr. Kruger commented that we're trying to build a reserve and control our financial situation. If we don't have to buy the equipment right now, set the money aside. Something else may come up next year. Mr. Hopkins felt we should leave the loader purchase in. Most machinery costs increase three percent per year. We may get through another year, but if we have to bond, it costs more. We need a little flexibility in the budget. Mr. O'Grady noted the

replacement keeps us up to date, and he supports purchasing the loader if it will actually be replacing two pieces of equipment.

***A motion was made by McCormick and seconded by Kruger to eliminate the purchase of a front-end loader in 2008, thereby reducing the 2008 budget by \$111,000. The motion was defeated following a roll call vote of 5 Ayes, 8 Noes, 2 Absent. (Voting Aye (to pull the loader and reduce the budget): Kruger, McCormick, O'Grady, Russo, Ungermann).***

Legislator O'Grady questioned staffing levels in fire prevention and emergency services. He stated that if no one is willing to cut personnel or equipment, there is no reason to be here. Mr. O'Grady questioned the influx of work. After the 72 flood, Emergency Services had one part-time position. Mr. Fanton commented that legislators had the chance to talk with department heads earlier in the budget process, and he would want input from department heads before making personnel cuts now. Mr. Kruger pointed out that discussion of employment of a particular person should be done in executive session.

***A motion was made by O'Grady, but received no support, to cut one Emergency Services Department position to part-time.***

Mr. O'Grady questioned funding percentages for several programs. The beach and pool account is 50 percent funded and he questioned if the Rushford Beach was worth keeping open and staffed with lifeguards at \$15,500 (County share). Mr. Reynolds and Mr. Hopkins spoke on the beach's high level of use on weekends and utilization by summer recreation groups and felt it was money well spent. Mr. Fanton pointed out that the beach is providing summer employment. He referred to a "letter to the editor" criticizing Wellsville for a lack of youth activities, and now we're talking about eliminating a program at Rushford Lake when there aren't many places to go to swim. Mr. Margeson noted the lake is used by at least three town summer recreation programs. Mr. Reynolds commented that it's a small price to pay for the program, and the beach can't be open without lifeguards. Mr. O'Grady suggested that Rushford take it over.

***A motion was made by O'Grady and seconded by Kruger to eliminate the beach and pool fund. The motion was defeated on a voice vote.***

Legislator Russo commended the Budget Committee on an excellent job, but he'd like to see a zero percent tax increase. He noted his concern for the elderly. Although the 3.2 percent increase doesn't sound like much, when combined with the past six years, it totals 39 percent. Social Security income hasn't increased that much. Mr. Russo questioned the Health Department's out clinics and suggested condensing everything in one location. He also noted a major deficiency in the home care area. Mr. Margeson and Ms. Ross pointed out that it's difficult to get a clear picture from one cost center because not all fringes and costs are budgeted in the same area. Detailed program lists including everything are prepared by the Health Department at the end of the year. Mr. Fanton noted he has the same concerns, but feels we are beginning to address some of those problems. Mr. Russo questioned if it is costing us money to run that program. Mr. Margeson responded he could provide that information by the end of the week, but noted it is the Director's goal for 2008 to break even. Mr. Russo suggested turning home care over to private contractors. He recounted a conversation with a consultant at a recent Human Services Committee meeting during which he asked about provision of vehicles for employees of other agencies she deals with. There were none. With gas prices what they are, Mr. Russo advocated pulling all vehicles in. There is no emergency that we have to be there first for. The County financial situation is not going to improve without making cuts.

Legislator Burdick noted the budget may not be perfect, but the fund balance deficit is improving, bridges and equipment bonding isn't being done, and the Sheriff personnel expenses are more realistic. He questioned information on the last bond. Ms. Ross pointed out that we bonded what we could in April and new money was BANed. Included in the budget is payment for interest on new 2007 money; no payment on principle and no new money. In 2009 there will be a principle payment for new 2007 money in addition to interest. Mr. Burdick questioned the Special Education for Children Program. Mr. Margeson responded that it's a Health Department program providing handicapped children with educational services, for which the state pays 59 percent, and the County pays 41 percent. Mr. Ungermann asked about how the County happened to take over community college payments originally paid by towns. Chairman Crandall responded that the payments are in lieu of sharing sales tax with the towns. Former town supervisors that served on the Board made that decision.

Legislator Reynolds commented that the County has an obligation to provide certain services, and it depends on whether we have personal experience to have a different appreciation. Our salvation will come through negotiation with the unions and control of spending. He is in favor of a private concern looking at departments such as Health and Social Services to try to find areas for cuts. Mr. Reynolds agreed that the Budget Committee did a good job, and he supports the budget.

Chairman Crandall thanked the Budget Committee, County Administrator, and County Treasurer. He recalled the years of struggling to get below a 20 percent tax increase, or trying to get down to a single digit increase. This budget may not be perfect, but is closer to an honest budget. He was concerned the County was losing ground fast with the hand we were dealt a few years ago. We started with over a \$3 million deficit that we had to pick away at. Now we could possibly end our fourth year in the black, which will make a difference in the financial standing of the County. Chairman Crandall voiced concern that our contingent account is too low for the size of the budget. He noted revenues in the budget of over \$1 million for housing in of out-of-County inmates at the new jail. It was said that we were trying to balance the budget and make money on the jail. It makes financial sense to have a level playing field in this, as opposed to the former large costs of housing out. We've currently budgeted for 30 prisoners per day, which appears to be a conservative number. If numbers run consistently higher, this may provide a little "cushion" in the budget. Another positive thing for the County is the Comprehensive Plan. After the first of the year, the plan will be presented and hopefully adopted. Implementation and funding for different parts of the plan will be the issue. The real long-term salvation of the County will be an increase in revenue through economic development, not that there can't be cuts to expenses. Another benefit will be in the way of funding from Albany for consolidation and shared services; let's not miss the boat in accessing some of that.

**Adjournment:** As there was no further business to come before the committee, the meeting was adjourned at 12:18 p.m.

Respectfully submitted,  
Adele Finnemore, Journal Clerk

**SPECIAL COMMITTEE OF THE WHOLE  
November 20, 2007**

**\*\* NOT APPROVED \*\***

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**Legislators Present**

G. Benson, D. Burdick, C. Crandall, W. Dibble, D. Fanton, W. Hall, T. Hopkins, K. Kruger, M. McCormick, T. O'Grady, D. Pullen, D. Russo, N. Ungermann (Absent: B. Reynolds, R. Truax)

**Others Present**

K. Hollis, R. Hollis, G. James, J. Mancuso, J. Margeson, B. Riehle, D. Roeske, T. Ross

**Media Present**

K. Doyle – Olean Times Herald

Chairman Curtis Crandall opened the meeting and led the group in the Pledge of Allegiance to the Flag.

**County Bridge Program**

Public Works Superintendent David Roeske and Deputy Public Works Superintendent II Guy James attended the meeting to discuss the County's Bridge Program. Mr. Roeske distributed a handout showing the number of bridges in each town and district. There are a total of 181 town bridges and 121 County bridges for a total of 302 bridges. There are over three miles of deck bridge in the County. A bridge's lifespan is 40 to 60 years depending on the type of structure. Mr. Roeske stated that we have painted 204 bridges in the last five years. Each bridge we build will include a monument where the elevation of the bridge and other pertinent information will be listed, and it will all be linked into GIS in the future.

Mr. James showed a power point presentation depicting various bridges throughout the County. Mr. James reviewed the difference between a culvert style bridge versus a conventional bridge and showed slides of both. Some of our bridges are very heavily traveled and others are not. The Sullivan Road Bridge in Birdsall only sees five vehicles a day; whereas, the South Main Street Bridge in Wellsville has more than 6,900 vehicles pass over it every day. The County Route #4 Bridge in Hume is our longest bridge at 600 feet, and the drainage area is over ½ million acres.

Mr. James explained some of the criteria bridge inspectors consider when they "red flag" a bridge and showed pictures of holes and other flaws on various bridges. Mr. James also explained how a few bridges that had been flagged were strengthened and stabilized until the structure can be replaced. Depending on certain criteria, some bridges have to be inspected every year, and others are inspected every other year.

**Using 2007 County crew costs:**

Bridge average - \$7,500/linear foot

302 Bridges + or - 18,740 linear foot deck

302 Bridges at today's prices valued at \$140,550,000

Contractor costs at 2.5 times our cost - \$351,375,000 (could easily become a ½ billion dollars)

Mr. Roeske encouraged legislators to feel free to stop in anytime they have any questions or concerns.

Legislator David Pullen asked if we should be developing a replacement program, and Mr. Roeske indicated that we should have some type of program in place.

**Solid Waste Management System**

Deputy Public Works Superintendent I John Mancuso attended the meeting to discuss the County's Solid Waste Management System. Copies of the Allegany County Solid Waste Management System Future Options dated April 2007 were distributed to legislators.

Mr. Mancuso indicated that we are planning our next phase of closure. The landfill consists of a 24-acre footprint. We closed eight acres about three years ago, and we were going to close about four more acres, but we may want to close another eight. We have been negotiating to add one more cell.

Mr. Mancuso indicated that they have identified several options that are available, and the Public Works Department is suggesting an option to close the County Landfill when full and continue to operate the Transfer Station System and haul waste to another landfill. Mr. Mancuso stated that this is an option he feels should be strongly considered, and there are several variations that can be explored. Mr. Mancuso distributed a handout outlining and explaining variations:

## I. Transfer Stations

### A. User Fee System

The user fee system for residential customers of the transfer stations would probably have to be upgraded to a "pay-per-bag" type of system similar to the ones used in Cattaraugus and Steuben Counties. The benefits of this system would be:

- Increased revenue by charging a more realistic fee for disposal. This could reduce the dependence on real property tax subsidies to fund the Solid Waste System. A self-sufficient system would be the ultimate goal, but DPW does not believe this could be achieved all at once.
- Recycling would greatly increase because with a "pay-per-bag" system there is a real financial incentive to reduce waste and recycle more. Recycling revenue would in all likelihood increase drastically and possibly double.

***One legislator commented that there is currently no financial incentive to recycle. Legislator William Dibble suggested using inmates in the recycling center. Public Works Superintendent David Roeske indicated that using inmates has not proved to be cost effective as supervising inmates outside the jail would usually cause a situation where Deputies would be required to work overtime.***

The drawbacks to a new funding system would be:

- Additional manpower would be required in the field as well as in the office.
- Increased recycling would require new methods of handling the additional material.

### B. Facilities and Manpower

A decision would have to be made as to how many transfer stations would be operated. In theory, all of the existing stations could remain operational. (The Landfill Convenience Station will be the subject of a separate section of this report).

As stated above, some additional manpower would be needed if all of the current stations remain open. There would be times at some if not at all of the stations where an extra person would have to handle the payment transaction while the regular operator did his normal duties. Mr. Mancuso projects that one additional person in the field would be needed, and on Saturdays we might need an additional person at each station. Overtime would have to be increased to avoid hiring more people. We would use highway people to fill in.

An additional person in the office would probably be needed to handle the distribution of punch cards and the associated accounting.

***Legislator Dwight Fanton commented that if we close our landfill, we will not need as many employees there, and it could be a wash.***

C. Landfill Convenience Station

This option requires that Allegany County hauls its waste that was previously put into our own landfill to another landfill. It also will result in an increased amount of recyclable material to handle.

Consideration should be given to building a new transfer station at the County Landfill site. This would provide a building to handle our recyclables which we have needed for several years and also a place to load trucks for the long haul should that become a necessity. The equipment we currently use for hauling waste from the transfer stations to the landfill is not very efficient if we have to haul waste to a landfill outside of the County, the closest one being the Steuben County Landfill in Bath, New York. It would be to our benefit to have a location ready to adapt to a loading facility for transfer trailers so that our landfill options are flexible.

II. Landfill Disposal

- A. Selection of a new disposal site should involve a combination of Request for Proposals and negotiations with municipally-owned landfills in Western and Central New York.
- B. The location of the new disposal site will have an impact on how we will transport waste and the type of equipment we will use. It will also help determine how we will operate our existing transfer stations and whether or not we must make modifications to some or all of them.
- C. Example 1: Hyland Landfill in Angelica is the chosen landfill. All of our transfer stations could be operated with no equipment changes and our existing trucks, trailers and containers could be used. This would mean that certain waste generators would have to direct haul to the new landfill, which is what our trucks would do.

If we were to haul everything to Hyland in our trucks that we previously disposed of in our own landfill, a new transfer station would have to be built at the landfill site using the same compaction equipment currently used at our transfer stations. We could also change to a top-loaded, walking-floor transfer trailer system to haul to Hyland from this location while continuing to use our tilt-frame trailers to direct-haul from the stations to the new landfill. As stated above, having the capability to load walking floors would give us greater flexibility and not lock us in to any particular landfill. It would also greatly improve our handling of recyclables.

***Legislator Norman Ungermann commented that Casella just finished a new cell and asked what the life expectancy would be. Mr. Mancuso indicated that Hyland has a capacity well beyond their permitted life of approximately 40 years. They have a lot of area to build.***

- D. Example 2: Steuben County Landfill is the chosen landfill. This landfill is about 60 miles from our landfill so it would be essential to increase our payloads to at least 22-25 tons. In order to direct haul from our stations, they would all have to be modified to accommodate top-loading, walking-floor trailers. A new facility would still have to be built at our landfill site for the same type of loading operation.

***It was noted that the Steuben County Landfill has a life expectancy of about 120 years. Legislator Ungermann asked about the tipping fees at Steuben County. Mr. Mancuso indicated***

***that they run about \$38 noting that we would negotiate our own rate based on tonnage. Mr. Mancuso stated that we currently take in about 30 tons of garbage a year, and agreed with Mr. Ungermann's comment that we could take twice as much garbage with the same manpower.***

It would be less expensive to just build one central loading facility to consolidate loads for the long haul. There would be a certain amount of double-handling because loads from our stations would be brought there and dumped, then reloaded. We estimate that about four walking-floor trailers would have to be hauled per day.

Mr. Mancuso indicated that this report was prepared to show some of the issues that must be considered if the landfill is not expanded and we remain in the solid waste business as the owner and operator of a transfer station system. A complete cost analysis can be developed for a new transfer station/recyclables facility and new hauling equipment.

Mr. Mancuso ended his presentation with some facts he believes the legislators should know to help them make a decision:

1. The landfill will be filled to capacity by the end of 2011 unless the County quits taking garbage. The incinerator closing accelerated our landfill's useful life. We need to start thinking about the future.
2. Allegany County must have a solid waste disposal plan in place by 2011. We need to start now and know what we will be doing with our garbage. The three basic options available are building a new landfill cell, using an interim disposal site, and closing and contracting with another site.
3. Permitting and construction of a landfill will take longer than the remaining lifespan of the landfill.
4. It is not economically feasible to spend the money to build a new landfill for the 35 tons of garbage we process. You need at least 100,000 tons a year to make it worthwhile to build your own landfill; with 75,000 tons you would just break even.
5. Expanding on our site is like building a new landfill; you would only be avoiding siting issues. We do not have an ideal site; we've done the borings, and it's not pretty. We do not have the material to build or develop a new site; we would have to truck it in. There is some soil at our current site, but it would have to be moved.

Mr. Roeske stated that we need to start moving forward and suggested setting a date at the next committee meeting to discuss the matter further. Legislator William Hall suggested creating a timetable that would also show any consequences for no action. Legislator Fanton asserted that we need to think seriously about the landfill issues as there are many changes coming up. Mr. Fanton indicated that they cannot see any reality to expanding the landfill so they are looking at options. How much do we want to invest?

### **2008 Budget**

Legislators briefly discussed the 2008 Allegany County Budget which is scheduled to be adopted by resolution at the Board meeting on November 26. Legislator Michael McCormick asked what happens if the resolution adopting the budget is not approved. It was noted that the final date for adoption of a County Budget is December 20. If a budget has not been adopted by that time, the tentative budget plus any amendments approved by resolution becomes the final budget for the County.

### **Court Facilities**

County Administrator John Margeson indicated that the Request for Proposals (RFPs) for professional services in the Programming and Preliminary Design of a Court Facility Addition including selected County Office Building Renovations are due back by November 21, 2007. The Court Facilities and County Space Needs Committee will receive and review the proposals at their meeting on November 27, 2007. An engineering or architectural firm will be selected based on those proposals.

Legislators briefly discussed security for the Court Facilities as well as security in our buildings now. Legislator Timothy O'Grady commented that he believes everyone coming into the building should be screened. Legislator Daniel Russo indicated that one of the problems with the plans discussed a few years ago was the number of entrances.

### **Development, Tourism, Comprehensive Plan**

Legislator O'Grady questioned how involved legislators should be with development in the County. Mr. O'Grady indicated that he does not believe he has a good handle on the outlook or status of development in the County. Legislator Karl Kruger believes that legislators were more involved when there was a Planning and Development Committee, and he believes it was a big mistake to dissolve that committee. Legislator Dwight Fanton commented that most people know that John Foels is the point of contact, and many companies do not want us to know they are looking at the area until more details are finalized. Chairman Crandall indicated that Development Director Foels spoke at several of our special Committee of the Whole meetings over the last year and a half, and has kept us apprised of any pertinent information. Legislator David Pullen indicated that he stopped to see Mr. Foels earlier in the day, and he encouraged any Legislator that has questions or wants an update to stop and see Mr. Foels.

Legislator Norman Ungermann asked if we have been tying up loose ends with the right-of-ways related to development of the Crossroads Area. Mr. Margeson indicated that he has been working with two property owners, and he plans to ask the Ways and Means Committee for direction at their meeting tomorrow.

Legislator Dibble mentioned the presentation that Ontario County gave at the last Inter-County meeting on their new fiber optic ring network. Legislator Dibble would like to see the County make greater efforts to secure funding to do these types of innovative projects. Mr. Dibble also talked about the need to look at our resources like the oil and gas industry. Mr. Dibble believes there is a huge amount of money to be developed in the oil and gas industry. New York State is not as user friendly as some states around us, and we need to encourage our representatives to develop policies that will encourage development and industry.

Chairman Crandall stated that some groups have had a lot of good things spin-off from meetings that have been held. Mr. Crandall briefly talked about the tourism meetings that were held at Crossroads, and how they have talked of developing a County-wide Chamber of Commerce. We just need to start the ball rolling on some things – transportation, health, and tourism all have their own plans now. Mr. Crandall stated that it's exciting for Allegany County to get the ball into someone's court that is willing to take off with it. Mr. Crandall also mentioned a chart that went with the Tourism Marketing Strategy that identifies which group will work on what.

Legislator Norman Ungermann stated that Kent Farms was able to secure a sizeable grant (more than \$1 million) through RC&D for agri-tourism. Mr. Ungermann indicated that Fred Sinclair, Executive Director for the Soil and Water Conservation District, has been instrumental in finding money for projects and the County will really miss him when he retires this year. Legislators also talked about Mr. Sinclair's work on the Genesee River Hazard Mitigation Project which will be discussed at the upcoming Ways and Means Committee meeting tomorrow.

Legislator Karl Kruger stated that he believes the government's role is to provide services and infrastructure, and to see that the mechanics of those services are overseen so that the taxpayer gets the best measure for their dollar. Mr. Kruger asserted that we do not have a mission statement or bill of responsibility that defines what our roles are. This doesn't help us to provide what we are obligated to provide, and we get pulled out of step in many directions. Everyone wants the government to help, and in a lot of places it is not our business to help. We need to define what our responsibilities are and stay focused within those boundaries.

### **Snow Plowing**

Legislator Dibble would like to see us pursue getting out of the snow plowing business and suggested getting other towns to plow County Roads in the towns that do not wish to participate. There are currently four towns that do not plow County Roads. Mr. Fanton indicated that they continue to be in contact with these towns, but they are not willing to take it on at this time. Legislator Fanton stated that it is a good source of income for a lot of towns. Legislator O'Grady suggested that they contact Andover or even Steuben County to see if they would be interested in plowing County Roads in Alfred.

### **Future Meetings**

Legislators agreed that the special Committee of the Whole meetings have been beneficial, and they would like to continue having them. Some thought it would be nice to meet at least quarterly. Legislator Fanton indicated that he would like someone to provide an overview of the Department of Social Services and what services the County provides at a future meeting.

### **Adjournment**

There being no further business to come before the committee, the meeting was adjourned.

Respectfully submitted,  
Brenda Rigby Riehle, Clerk of the Board