CALL TO ORDER: The organization meeting of the Board of Legislators was called to order at 2:03 p.m. by Clerk of the Board Brenda Rigby Riehle.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by Veterans’ Service Agency Director Michael D. Hennessy.

INVOCATION: The Invocation was given by Legislator David Pullen.


RESOLUTIONS:

RESOLUTION NO. 1-16

REAPPOINTMENT OF LEGISLATOR CURTIS W. CRANDALL TO CHAIRMANSHIP OF BOARD OF LEGISLATORS; AUTHORITY TO DETERMINE NUMBER OF BOARD MEMBERS ON COMMITTEES

Offered by: Legislator Dwight R. Fanton

Pursuant to County Law § 450

RESOLVED:

1. That Legislator Curtis W. Crandall is reappointed Chairman of this Board of Legislators, with term of office commencing immediately and expiring December 31, 2016.

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. Fanton  Adopted: Voice Vote
Seconded by: Mr. Graves
OATH OF OFFICE ADMINISTERED:

Allegany County Judge Terrence Parker administered the Oath of Office to Chairman Crandall, who was accompanied by his wife, Cathy, following adoption of Resolution No. 1-16. Chairman Crandall assumed leadership of the meeting.

RESOLUTION NO. 2-16

REAPPOINTMENT OF LEGISLATOR DWIGHT R. FANTON AS VICE CHAIRMAN

Offered by: Legislator Karl Graves

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

RESOLVED:

1. That Legislator Dwight R. Fanton is reappointed 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. Graves
Seconded by: Mrs. Root

OATH OF OFFICE ADMINISTERED:

Allegany County Judge Terrence Parker administered the Oath of Office to Vice Chairman Dwight Fanton, who was accompanied by his wife, Linda, following adoption of Resolution No. 2-16.

APPOINTMENTS:

The Clerk of the Board announced that Chairman Curtis W. Crandall has made the following appointments:

**ACCORD Board of Directors** (1-year term)

Kevin LaForge, an elected official is appointing Reita Sobeck-Lynch
Curtis W. Crandall, Chairman, is appointing Vicki Grant

**Allegany County Affordable Government Group**

Kevin S. LaForge, District IV Legislator, Wellsville, NY (Committee Chairman)
Jodi Adams, Assistant to the County Administrator, Little Genesee, NY
H. Kier Dirlam, County Planner, West Almond, NY
Darwin Fanton, Wellsville, NY
Charles O. Jessup, District V Legislator, Alfred Station, NY
Ronald Oakerson, History & Political Science Professor, Houghton, NY
Brenda Rigby Riehle, Clerk of the Board, Belmont, NY
Terri L. Ross, County Treasurer, Angelica, NY

**Comprehensive Plan Implementation Group** (1-year term)

<table>
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<tr>
<th>Edward Eicher, Wellsville</th>
<th>Lynn Bliven, Belmont</th>
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<td>Donald Cameron, Alfred Station</td>
<td>Linda Clayson, Belmont</td>
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<td>Bryan Gamache, Belmont</td>
<td>Lee Gridley, Wellsville</td>
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<td>Gretchen Hanchett, Belmont</td>
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<td>Lee James, Cuba</td>
<td>Charles O. Jessup, Alfred Station</td>
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<td>Michael Johnsen, Dalton</td>
<td>Steven B. Rennie, Fillmore</td>
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<td>William Shuler, Cuba</td>
<td>Scott Torrey, Belmont</td>
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**Cornell Cooperative Extension** (1-year term)

- David T. Pullen, Fillmore (Legislative Representative)
- Judith D. Hopkins, Fillmore (Legislative Representative)

**Emergency Food and Shelter Program (Local Board)** (1-year term)

- Jeffrey N. Luckey, Fillmore

**Emergency Interim Successor** (1-year term)

- Charles O. Jessup, Alfred Station

**Emergency Management and Fire Director** (1-year term)

- Jeffrey N. Luckey, Fillmore

**EMS Coordinator** (1-year term)

- Jeffrey N. Luckey, Fillmore

**Hazard Mitigation Team**

- Jeffrey Luckey, Allegany County Office of Emergency Services
- Karl Graves, Allegany County District IV Legislator, Member of Resource Management Committee
- Guy R. James, Allegany County Public Works Superintendent
- Kevin (Fred) Demick, Allegany County Highway Superintendent Association President
H. Kier Dirlam, Allegany County Planner (GIS Mapping)
Scott Torrey, Allegany County Soil and Water Conservation District Executive Director
Ryan Paulsen, Allegany County Soil and Water Technician
Jason Carmen, Disaster Program Specialist, American Red Cross

**InterCounty Association** (1-year term)

*Voting Members:*
Charles O. Jessup, Alfred Station
Kevin S. LaForge, Wellsville
Brenda Rigby Riehle, Belmont

*Alternate Voting Members:*
Philip B. Curran, Alfred Station
Debra A. Root, Scio

**Open Space Advisory Committee** (1-year term)

H. Kier Dirlam, Angelica

**Resource Conservation and Development Board**

*County Representative Member:*
Scott Torrey, Belmont, NY
    Alternate: Philip B. Curran, Alfred Station, NY

*Legislative Member:*
Norman G. Ungermann, Jr., Cuba, NY

*Member At Large:*
Thomas Parmenter, Fillmore, NY

**Solid Waste Hearing Board** (1-year term)

*Members must include the Chairman of Public Works and two Legislators that are not on the Public Works Committee.*

Dwight R. Fanton, Chairman of Public Works
Scott R. Burt, District III Legislator
Debra A. Root, District III Legislator

*Alternates*
David A. Decker, District II Legislator
Dwight “Mike” Healy, District II Legislator
STOP-DWI Coordinator (1-year term)

Linda S. Edwards, Houghton

Transportation Task Force (1-year term)

Dwight R. Fanton, Wellsville
Dwight “Mike” Healy, Belmont

CHAIRMAN APPOINTMENTS SUBJECT TO BOARD APPROVAL:

Region 9 Fish and Wildlife Management Board

Legislative Representative Member: Dwight R. Fanton

Alternate Legislative Representative Member: Aaron M. McGraw

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Communication from the Republican Party members recommending that the Chairman designate Dwight “Mike” Healy as Majority Leader for 2016.

2. Communication from the Conservative Party members recommending that the Chairman designate Kevin S. LaForge as Minority Leader for 2016.

3. County Clerk Robert L. Christman filed his Designation of Succession to the Office of County Clerk in the Clerk of the Board’s Office on January 4, 2016.

4. Any Legislator wishing to attend the NYSAC Conference in Albany from February 1 through February 3, 2016, should let Brenda Rigby Riehle know today or as soon as possible.

5. The Committee of the Whole meeting scheduled for Wednesday, January 6, has been cancelled. The meeting will be rescheduled in February.

MESSAGE FROM THE CHAIRMAN:

“To my fellow Legislators, I humbly say “thank you” for the privilege and honor of being your Chairman for 2016. I accept this position with the utmost sincerity, and I continue my promise that I will treat this position with the dignity it deserves, and you with the respect you deserve. As your Chairman, I will do all I can to help this Board not only meet, but exceed the responsibilities each of us has accepted as County Legislators. It’s truly a blessing to serve and work with this Board of Legislators and to witness your dedication to making Allegany County a better place to live. As Chairman I have been fortunate to have Legislative colleagues that have been ready, willing, and able to sort through information,
address the issues, and make tough choices to overcome obstacles and advance the County in a variety of positive ways. Each decision by the Board, is recognized as a Board decision; as Chairman, I have been proud in representing the Board at various events and honored to recognize the Board of Legislators as I point out the positive impacts we have had.

I would like to recognize and welcome our newest member, Legislator Judy Hopkins. Judy comes to our Board in a way that only a few months ago would seem unthinkable, and that is by the loss of her husband and our colleague Ted Hopkins. Mrs. Hopkins, on behalf of the entire membership of our Board, welcome, we look forward to working with you. With two lady Legislators now on the Board, I was recently asked if this was a first for Allegany County. It is not. In 1984, Delores Cross of Cuba and Frances Barnes of Belmont served on the Board at the same time. Delores Cross went on to become the first female Chair of the County. Other female Legislators that have served on our Board include Ruth Faulkner of Bolivar and Sue Myers of Friendship. Another first occurred in 1984 when John Margeson took his position at the dais for the first time, not as County Administrator but as Administrative Assistant to the Chairman of the Board, since the office of County Administrator had not yet been established. With that being said, I would like to recognize and welcome our “interim” County Administrator John Margeson. Mr. Margeson, it’s comforting to see you back on the dais lending your expertise as the Board of Legislators seeks candidates to fill the office of County Administrator on a permanent basis and transitions to that goal.

I would like to recognize our dedicated Department Heads, fellow elected officials, and County employees that work so hard to meet the constant demands and challenges of County government. The personal responsibility you take in meeting these demands and challenges does not go unnoticed, and your ongoing efforts are greatly appreciated. As Legislators, we are quick to point out and quote “our wins,” but easily fail in acknowledging those of you that truly make these wins possible for the people of Allegany County. Thank you all for your dedication.

In recent years, I have talked about our success in improving the financial position of Allegany County, having a healthy fund balance, getting more favorable bond ratings, and being able to reduce the tax rate for six years straight as we go into 2016. I have been excited as we addressed major issues that were left undone before we took our positions as Legislators such as the opening of the Public Safety Facility which continues to meet the $1.6 million annual bond obligation by housing in prisoners under the capable leadership of Sheriff Whitney. Completion of projects like the Court Facilities Project that brought Allegany County into compliance after many years of procrastination and tackling other departmental space needs that were long overdue, let’s not forget about the little house at the foot of the Hill for our Office for the Aging. The adoption of the first Comprehensive Plan for our County in 2008 and needed revisions to the plan that were adopted in 2013. We made major improvements in containing our health insurance costs in recent years. As we tackled tough issues, we began to look ahead, not to just maintain status quo, but we looked at how we could continue to make a difference while we serve as Legislators.
Today, we are, yet again, at another historic highpoint for Allegany County. Our planning and drive forward has produced increasing challenges along with great opportunities. With the recent resignation of our former County Administrator, I asked him to compile a list of current projects that need attention for the upcoming year, here is just part of what he handed me.

- Continue work on the Broadband/E911 Grant projects - $7 million plus in outside funding.
- Continue renovations to 3rd Floor of County Office Building - $250,000 in grant funding.
- Complete the work on the Solar Array at the Landfill with Solar City - $90,000 in annual savings.
- Address the Landfill closure - the time has arrived; this is the year we have been talking about.
- Work with Bonadio & Co in examining programs in DSS (per contract).
- Address the condemnation of the Cornell Cooperative Extension building.
- Continue Economic Development on the Crossroads Project – Great things are on the verge of becoming a reality.
- Utilize the contract with Alfred State to provide Economic Development services – a new and innovative approach to development, we are now in the “do it mode” not the “planning mode.”
- Complete the renovation project at the Jail which is critical for the E911 Communication Grant.
- Explore further the Land Bank Project Grant – potentially a huge opportunity for Allegany Co.
- Work with the County Attorney’s Office on succession planning for that department.
- Implement Email and Computer Use Policy updates and the new IPads for the Legislators.

As I said, these represent only a few of the projects facing us in the upcoming year. I am excited about the prospect of all that we face, and I know from past experience what this Board is capable of and what our Department Heads and employees are capable of. These projects and opportunities challenge many of our departments, but more specifically our County Attorney Tom Miner. Mr. Miner, thank you for your ongoing professional legal guidance. Our County Treasurer Terri Ross - Madam Treasurer, thank you for your help in making it financially possible to meet the challenges and create further opportunities. The Clerk of the Board of Legislators Brenda Rigby Riehle - Madam Clerk, thank you for your dedication and extra effort in helping us to move these projects forward.

Before we roll up our sleeves and dive into 2016, I have dug out the photo album (thanks to my wife Cathy) and compiled a slide show for a brief reflection on past events. Sit back and relax, this lasts about 13 minutes. It’s a partial re-run with help from John Wayne, but with some updated photos, I hope you enjoy it. I look forward to 2016.

Thank you.
Curtis W. Crandall, Chairman

Following the slide show, Chairman Crandall distributed committee assignments to the Legislators.

COMMENTS:

Legislator Decker stated that he understands the organization meeting must be held by January 8, but he would propose having the organization meeting scheduled the same
day as committee meetings. He feels it would save the taxpayers from having to pay for extra mileage reimbursement to the legislators. **Refer to Ways & Means**

**ADJOURNMENT:** The meeting was adjourned at 2:44 p.m. following a motion made by Legislator Graves, seconded by Legislator Decker, and carried.
CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:11 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Army Sergeant Richard N. Bennett.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 14 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, David Decker, Dwight Fanton, Karl Graves, Dwight “Mike” Healy, Judith Hopkins, Charles Jessup, Kevin LaForge, Timothy O’Grady, David Pullen (joined the meeting at 2:16 p.m.), Debra Root, Norman Ungermann, Jr. Absent: Aaron McGraw

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Richard N. Bennett, former United States Army Sergeant, in grateful appreciation of his service to our country. Mr. Bennett’s service dates were from November 3, 1966, to November 1, 1968. Following Basic Training at Fort Dix, NJ, assignments included: Fort Belvoir, VA. Commendations he received include: Good Conduct Medal, National Defense Service Medal and Marksman M-14. Mr. Bennett led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans’ Honorary Pledge of Allegiance Program.

William J. Heaney, Community Liaison for Senator Catharine Young, addressed those in attendance regarding a recent accomplishment of Senator Catharine Young. Senator Young was recently selected as the Senate Majority Finance Chair. Mr. Heaney remarked that this is especially important because she’s from Western New York. Senator Young is also the first woman to serve as Senate Majority Finance Chair. Her goal is to give more attention to our region. Mr. Heaney went on to read a press release regarding her appointment. He noted that it’s a wonderful milestone for her career and for our Senate district.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Report of Tax Bill Corrections Approved by the County Administrator in December.

2. Report of Intrafund Transfers Approved by the County Administrator in December.
3. District Attorney Keith Slep filed his Designation of Succession to the Office of District Attorney in the Clerk of the Board’s Office on January 7, 2016. Michael B. Finn was designated as the First and Sixth Assistant District Attorney, Amanda B. Finn as the Second and Fifth Assistant District Attorney, and J. Thomas Fuoco as the Third and Fourth Assistant District Attorney.

APPOINTMENTS:

Curtis W. Crandall, Chairman of the Allegany County Board of Legislators, in a joint measure with Paula J. Stockman, Chairman of the Cattaraugus County Board of Legislators, has appointed John E. Margeson to serve on the CATTARAUGUS-ALLEGANY WORKFORCE DEVELOPMENT BOARD for an indefinite period of time coterminous with his appointment as County Administrator for Allegany County.

Curtis W. Crandall, Chairman of the Allegany County Board of Legislators, appoints Craig Clark of Alfred, New York, to fill the remainder of Mitchell Alger’s unexpired three-year term ending May 31, 2016, as a member of the SOUTHERN TIER WEST REGIONAL PLANNING & DEVELOPMENT BOARD.

Curtis W. Crandall, Chairman of the Allegany County Board of Legislators, appoints Debra A. Root of Scio, New York, to fill the remainder of Theodore Hopkins’ three-year term ending May 31, 2017, as a member of the SOUTHERN TIER WEST REGIONAL PLANNING & DEVELOPMENT BOARD.

RESOLUTIONS:

RESOLUTION NO. 3-16

APPROVAL OF BOARD CHAIRMAN’S REAPPOINTMENTS OF TWO 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 appointments by the Chairman of this Board of Dwight R. Fanton as Legislative Representative Member and Aaron M. McGraw as Alternate Legislative Member, to the Region Nine Fish and Wildlife Management Board, with term of office commencing January 1, 2016, and expiring December 31, 2017, are approved.

Moved by: Mr. Graves   Adopted: Voice Vote
Seconded by: Mr. Burt
RESOLUTION NO. 4-16

APPROVAL OF AGREEMENT BETWEEN ALLEGANY COUNTY AND THE ALLEGANY COUNTY TELECOMMUNICATIONS CORP. PROVIDING FOR START-UP FUNDS

Offered by: Legislators Philip B. Curran, Dwight R. Fanton and David T. Pullen

WHEREAS, this Board desires to obtain management and marketing services for Allegany County’s E-911, and wireless broadband telecommunications infrastructure so as to maximize the value of such infrastructure to the County, businesses and residents of Allegany County, and

WHEREAS, the Allegany County Telecommunications Corp. was recently formed as a Local Development Corporation by the County with a key purpose being to undertake the management and marketing of the wireless broadband component of such telecommunications infrastructure, and

WHEREAS, the County will lease out its wireless broadband telecommunications infrastructure to the Allegany County Telecommunications Corp. so as to enable the Allegany County Telecommunications Corp. to sell wireless broadband service to last mile providers and/or direct consumers of such service, and

WHEREAS, by leasing out its wireless broadband telecommunications infrastructure to the Allegany County Telecommunications Corp., the County expects to eventually recover all costs incurred in building out its telecommunications infrastructure in addition to generating a revenue stream that will enable the County to continually maintain and update such infrastructure, and

WHEREAS, it is deemed to be in the best interest of the County to structure an agreement with the Allegany County Telecommunications Corp. that provides adequate funds for the Allegany County Telecommunications Corp. to meet its anticipated start-up costs, now therefore, be it

RESOLVED:

1. That the agreement between Allegany County and the Allegany County Telecommunications Corp. to provide start-up funding in the amount of one hundred thousand dollars is hereby approved.

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

Moved by: Mr. Curran
Seconded by: Mr. Pullen

Adopted: Roll Call
12 Ayes, 2 Noes, 1 Absent
Voting No: O’Grady, Ungermann

Comments made regarding Resolution No. 4-16 included: Legislator Burt expressed his concern over wording in the resolution under the fourth paragraph where it says, “…expect to
eventually recover.” He thanked Legislator Healy for holding a good caucus where he was able to have his questions answered. Legislator Burt stated that he was now a “cautious yes.”

Resolution Intro. No. 5-16 (CREATION OF ONE TEMPORARY PART-TIME POSITION OF DIRECTOR OF TEMPORARY ASSISTANCE IN THE DEPARTMENT OF SOCIAL SERVICES) was not pre-filed and was considered from the floor on a motion made by Legislator LaForge, seconded by Legislator Healy, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 5-16

CREATION OF ONE TEMPORARY PART-TIME POSITION OF DIRECTOR OF TEMPORARY ASSISTANCE IN THE DEPARTMENT OF SOCIAL SERVICES

Offered by: Human Services Committee

RESOLVED:

1. That one temporary part-time position of Director of Temporary Assistance (PEF, Grade 9) is created with such salary not to exceed $30,000.

2. That this position shall be abolished no more than six months after its creation.

3. This resolution shall take effect immediately.

Moved by: Mr. LaForge                           Adopted: Roll Call
Seconded by: Mrs. Root                          14 Ayes, 0 Noes, 1 Absent

Resolution Intro. No. 6-16 (CREATION OF ONE TEMPORARY PART-TIME POSITION OF CHILD SUPPORT COORDINATOR IN THE DEPARTMENT OF SOCIAL SERVICES) was not pre-filed and was considered from the floor on a motion made by Legislator LaForge, seconded by Legislator Curran, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 6-16

CREATION OF ONE TEMPORARY PART-TIME POSITION OF CHILD SUPPORT COORDINATOR IN THE DEPARTMENT OF SOCIAL SERVICES

Offered by: Human Services Committee

RESOLVED:
1. That one temporary part-time position of Child Support Coordinator (PEF, Grade 7) is created with such salary not to exceed $30,000.

2. That this position shall be abolished no more than six months after its creation.

3. This resolution shall take effect immediately.

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

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

Resolution Intro. No. 7-16 (CREATION OF ONE TEMPORARY PART-TIME POSITION OF GRADE B SUPERVISOR IN THE DEPARTMENT OF SOCIAL SERVICES) was not pre-filed and was considered from the floor on a motion made by Legislator LaForge, seconded by Legislator Fanton, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 7-16

CREATION OF ONE TEMPORARY PART-TIME POSITION OF GRADE B SUPERVISOR IN THE DEPARTMENT OF SOCIAL SERVICES

Offered by: Human Services Committee

RESOLVED:

1. That one temporary part-time position of Grade B Supervisor (PEF, Grade 7) is created with such salary not to exceed $30,000.

2. That this position shall be abolished no more than six months after its creation.

3. This resolution shall take effect immediately.

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

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

Comments made regarding Resolution No. 7-16 included: Legislator Burt stated that he wanted to clarify that these salaries will not reach $30,000. “Salaries not to exceed $30,000” does not mean these are $60,000 jobs. It was confirmed that they will be paid at the grade and step for the position. Legislator Pullen noted that the need for these temporary positions is due to some retirements and a resignation. The temporary positions will help with training and the transition process in order to keep things running smoothly. Legislator Pullen stated that he intends to support the resolution and urged his fellow legislators to support it as well. Legislator Healy asked if the positions were deemed necessary by the County Administrator. County Administrator Margeson stated that yes, they were deemed necessary.
Resolution Intro. No.  8-16 (CREATION OF ONE TEMPORARY PART-TIME POSITION OF SENIOR TYPIST IN THE DEPARTMENT OF SOCIAL SERVICES) was not pre-filed and was considered from the floor on a motion made by Legislator LaForge, seconded by Legislator Decker, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 8-16

CREATION OF ONE TEMPORARY PART-TIME POSITION OF SENIOR TYPIST IN THE DEPARTMENT OF SOCIAL SERVICES

Offered by: Human Services Committee

RESOLVED:

1. That one temporary part-time position of Senior Typist (AFSCME, Grade 7) is created with such salary not to exceed $30,000.

2. That this position shall be abolished no more than six months after its creation.

3. This resolution shall take effect immediately.

Moved by: Mr. LaForge
Seconded by: Mr. Graves

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

Resolution Intro. No.  9-16 (ESTABLISHING THE ALLEGANY COUNTY LAND BANK CORPORATION, A NEW YORK LAND BANK) was not pre-filed and was withdrawn. The resolution will be pre-filed for the January 25 meeting.

Resolution Intro. No.  10-16 (RESOLUTION IN SUPPORT OF AN EDUCATIONAL INITIATIVE REGARDING A VOTE TO CONVENE A CONSTITUTIONAL CONVENTION) was not pre-filed and was considered from the floor on a motion made by Legislator Jessup, seconded by Legislator Decker, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 9-16

RESOLUTION IN SUPPORT OF AN EDUCATIONAL INITIATIVE REGARDING A VOTE TO CONVENE A CONSTITUTIONAL CONVENTION

Offered by: Ways & Means Committee
WHEREAS, the Board of Legislators of Allegany County believes basic structural change is necessary in New York State government, and

WHEREAS, according to Article 19, Section 2 of the New York State Constitution, a proposition will appear on the statewide ballot on November of 2017 for the convening of a Constitutional Convention for New York State, now, therefore, be it

RESOLVED:

1. The Allegany County Board of Legislators requests that the New York State Association of Counties, along with the Inter-County Association of Western New York, engage with other like-minded organizations in a program of voter education regarding the importance of a vote to convene a Constitutional Convention.

2. That certified copies of this resolution be sent to the New York State Association of Counties and the Inter-County Association of Western New York.

Moved by: Mr. Jessup Adopted: Voice Vote
Seconded by: Mr. Healy

Comments made regarding Resolution No. 9-16 included: Legislator Jessup stated that when this went through Ways & Means the title and some of the body of the resolution were corrected. He asked County Attorney Tom Miner to give the correct title and note the other corrections made to the resolution. Chairman Crandall noted that a vote wasn’t necessary to make the changes because the resolution hadn’t been pre-filed. The changes were made before it was presented at the Board meeting, but there wasn’t time to make changes to the paper copies of the resolution. Legislator Decker stated that this is a multi-year process. It is the only way changes can be made to the New York State Constitution. Legislator Pullen said that he had done some reading on this and had looked at some different opinions on whether or not it would be good to have a constitutional convention. He feels that the New York State Constitution is not perfect. If a constitutional convention was held with people’s best interests in mind, it would be good. However, special interest groups and lobbyists’ involvement is not always good. He stated he doesn’t have an opinion on it yet, but wants to make sure people know what they are voting on.

AUDITS:

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

A motion was made by Legislator Jessup, seconded by Legislator Root, and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims, totaling $2,735,742.45, including prepaid expenses, be approved for payment as recommended by the County Administrator. (Allegany County’s Local Dollar Share of the NYS Medicaid Program paid year-to-date is $386,372.)
ADJOURNMENT: The meeting was adjourned at 2:47 p.m. on a motion made by Legislator Graves, seconded by Legislator Fanton, and carried.
ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION

JANUARY 25, 2016

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:06 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Army Specialist Fourth Class Patrick J. O'Connor.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 15 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, David Decker, Dwight Fanton, Karl Graves, Dwight “Mike” Healy, Judith Hopkins, Charles Jessup, Kevin LaForge, Aaron McGraw, Timothy O'Grady, David Pullen, Debra Root, Norman Ungermann, Jr.

APPROVAL OF MINUTES:

The Board meeting minutes of December 28, 2015, were approved on a motion made by Legislator Graves, seconded by Legislator Root, and carried.

The Organization meeting minutes of January 4, 2016, were approved on a motion made by Legislator Fanton, seconded by Legislator Curran, and carried.

The Board meeting minutes of January 11, 2016, were approved on a motion made by Legislator Decker, seconded by Legislator Curran, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Patrick J. O’Connor, former United States Army Specialist Fourth Class, in grateful appreciation of his service to our country. Mr. O’Connor’s service dates were from November 6, 1967, to July 24, 1969. Following Basic Training at Fort Dix, NJ, assignments included: Fort Sill, OK, and Vietnam. Commendations he received included: National Defense Service Medal, Vietnam Campaign Medal, Vietnam Service Medal, Army Commendation Medal, Good Conduct Medal, Expert M-14 and M-16 Rifle. Mr. O’Connor led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans’ Honorary Pledge of Allegiance Program.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. February 2016 Calendar
2. Legislators 2015 Compensation Table


APPOINTMENTS:

Chairman Crandall appointed Rodney K. Bennett of Dalton, 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, 2016.

RESOLUTIONS:

RESOLUTION NO. 10-16

RESOLUTION CALLING ON THE STATE OF NEW YORK TO RESTORE FUNDING PARITY BETWEEN THE CAPITAL PLANS OF THE METROPOLITAN TRANSPORTATION AUTHORITY (MTA) AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION

Offered by: Public Works Committee

WHEREAS, Governor Andrew Cuomo and Mayor de Blasio recently announced an agreement to jointly subsidize the Metropolitan Transportation Authority's (MTA) nearly $11 billion funding gap for its 2015-19 five-year capital program; and

WHEREAS, as part of this agreement, the Governor is committing $8.3 billion in state resources to cover the MTA plan's multi-year deficit; and

WHEREAS, while we may agree that this vital investment in downstate transit is needed, the state has yet to develop a new Department of Transportation Five-Year Capital Plan designed to assess current conditions and determine investments needed to provide for the future needs of a modern, safe, reliable, and efficient multimodal transportation system; and

WHEREAS, the enactment of the FAST Act, a fully funded five-year authorization of federal surface transportation programs that provides long-term federal funding predictability, should now facilitate the state to develop and fund a Transportation Five-Year Capital Plan; and

WHEREAS, locally-owned roads and bridges account for 87 percent of the State's 110,000 miles of roadways and 50 percent of the State's 18,000 bridges and are responsible for a vast system of aging culverts. These locally-owned transportation facilities are deteriorating at a rapid rate as counties continue to struggle to find adequate funding for their maintenance and replacement; and
WHEREAS, three of the last four DOT/MTA five-year capital programs were virtually identical in size; and

WHEREAS, for nearly two decades, through 2009, the parity agreement was honored and both five-year capital programs were similar in size as well as adopted within a month of each other. It is necessary to once again restore parity between the programs; and

WHEREAS, according to a 2014 Comptroller’s report, thirty-four percent (34%) of bridges are deficient and forty-eight percent (48%) of road pavements in the state are rated fair or poor and getting worse: and

WHEREAS, restoring parity between the Department of Transportation’s (DOT) highway and bridge five-year capital program and the MTA’s capital program will assure each program is funded at a $26.1 billion level, providing enough resources to help fund the local needs as described above, now, therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators calls upon Governor Cuomo and our State Legislative Delegation to work with our County and other local governments in order to develop and fully-fund a Five-Year Capital Plan that will provide the necessary and proper funding to New York’s counties by substantially increasing CHIPS and Marchiselli funding and establishing a five-year State Aid to Local Bridge and Culvert Program to give them the ability to adequately maintain their infrastructure.

2. That the Clerk of this Board shall forward certified copies of this resolution to Governor Andrew Cuomo; Senator Catharine M. Young; Assemblyman Joseph M. Giglio; the New York State Association of Counties and the Inter-County Association of Western New York.

Moved by: Mr. Fanton
Seconded by: Mr. Graves

RESOLUTION NO. 11-16

A RESOLUTION IN RELATION TO THE CONSTRUCTION OF TOWN BRIDGE
NO. 07-01 (B.I.N. 2214140) IN TOWN OF ANGELICA

Offered by: Public Works and Ways & 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. 07-01 (B.I.N. 2214140) on Peavy Road in the Town of Angelica should be constructed, 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 $487,500, 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. 07-01 (B.I.N. 2214140) on Peavy Road in the Town of Angelica to be of sufficient importance to be constructed.

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 $487,500.

4. That in accordance with Resolution No. 65-95, the County’s share of such cost is estimated to be $414,375 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 $73,125, 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 constructed until the Town of Angelica files the appropriate Town Board resolution in accordance with Resolution No. 65-95.

Moved by: Mr. Fanton  Adopted: Roll Call
Seconded by: Mrs. Hopkins  15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 12-16

ESTABLISHING CAPITAL PROJECT ACCOUNT FOR BRIDGE #07-01 (B.I.N. 2214140) ON PEAVY ROAD IN THE TOWN OF ANGELICA; TRANSFER OF FUNDS FOR SUCH CAPITAL ACCOUNT

Offered by: Public Works and Ways & Means Committees
RESOLVED:

1. A Capital Project Account is established within the Capital Fund for Bridge #07-01 (B.I.N. 2214140) on Peavy Road in the Town of Angelica.

2. That the following transfers are required for such Capital Project: $487,500 is transferred from Account No. H5120.200 (Maintenance of Bridges) to Account No. H5945.200 (Angelica, BR#07-01, Peavy Road).

3. That the sum of $73,125, representing the Town’s share of the project, is transferred from Account No. H5120.2300.00 (Revenues - Intergovernmental Charges) to Account No. H5945.2300.00 (Local Town Share).

4. That the sum of $414,375, representing the County’s share of the project, is transferred from Account No. H5120.5031.00 (Revenues – Interfund from General A) to Account No. H5945.5031.00 (County Share).

Moved by: Mr. Fanton
Seconded by: Mr. Pullen
Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 13-16

A RESOLUTION IN RELATION TO THE CONSTRUCTION OF TOWN BRIDGE NO. 09-05 (B.I.N. 2214300) IN TOWN OF BIRDSALL

Offered by: Public Works and Ways & 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. 09-05 (B.I.N. 2214300) on Hiltonville Road in the Town of Birdsall should be constructed, 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 $219,000, 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. 09-05 (B.I.N. 2214300) on Hiltonville Road in the Town of Birdsall to be of sufficient importance to be constructed.

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 $219,000.

4. That in accordance with Resolution No. 65-95, the County’s share of such cost is estimated to be $186,150 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 $32,850, 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 constructed until the Town of Birdsall files the appropriate Town Board resolution in accordance with Resolution No. 65-95.

Moved by: Mr. Fanton  
Seconded by: Mr. McGraw  
Adopted: Roll Call  
14 Ayes, 0 Noes, 0 Absent  
Abstain: Ungermann

Comments made regarding Resolution No. 13-16 included: Legislator Healy made a motion which was seconded by Legislator Graves, and carried to allow Legislator Ungermann to abstain from the vote.

RESOLUTION NO. 14-16

ESTABLISHING CAPITAL PROJECT ACCOUNT FOR BRIDGE #09-05 (B.I.N. 2214300) ON HILTONVILLE ROAD IN THE TOWN OF BIRDSALL; TRANSFER OF FUNDS FOR SUCH CAPITAL ACCOUNT

Offered by: Public Works and Ways & Means Committees

RESOLVED:

1. A Capital Project Account is established within the Capital Fund for Bridge #09-05 (B.I.N. 2214300) on Hiltonville Road in the Town of Birdsall.

2. That the following transfers are required for such Capital Project: $219,000 is transferred from Account No. H5120.200 (Maintenance of Bridges) to Account No. H5946.200 (Birdsall, BR#09-05, Hiltonville Road).
3. That the sum of $32,850, representing the Town's share of the project, is transferred from Account No. H5120.2300.00 (Revenues - Intergovernmental Charges) to Account No. H5946.2300.00 (Local Town Share).

4. That the sum of $186,150, representing the County's share of the project, is transferred from Account No. H5120.5031.00 (Revenues – Interfund from General A) to Account No. H5946.5031.00 (County Share).

Moved by: Mr. Fanton
Seconded by: Mr. Curran
Adopted: Roll Call
14 Ayes, 0 Noes, 0 Absent
Abstain: Ungermann

Comments made regarding Resolution No. 14-16 included: Legislator Healy made a motion which was seconded by Legislator Burt, and carried to allow Legislator Ungermann to abstain from the vote.

RESOLUTION NO. 15-16

A RESOLUTION IN RELATION TO THE CONSTRUCTION OF TOWN BRIDGE NO. 15-06 (B.I.N. 2214580) IN TOWN OF CUBA

Offered by: Public Works and Ways & 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. 15-06 (B.I.N. 2214580) on Keller Hill Road in the Town of Cuba should be constructed, 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 $392,000, 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. 15-06 (B.I.N. 2214580) on Keller Hill Road in the Town of Cuba to be of sufficient importance to be constructed.
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 $392,000.

4. That in accordance with Resolution No. 65-95, the County’s share of such cost is estimated to be $333,200 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 $58,800, 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 constructed until the Town of Cuba files the appropriate Town Board resolution in accordance with Resolution No. 65-95.

Moved by: Mr. Fanton
Seconded by: Mr. Decker
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 16-16

ESTABLISHING CAPITAL PROJECT ACCOUNT FOR BRIDGE #15-06 (B.I.N. 2214580) ON KELLER HILL ROAD IN THE TOWN OF CUBA;
TRANSFER OF FUNDS FOR SUCH CAPITAL ACCOUNT

Offered by: Public Works and Ways & Means Committees

RESOLVED:

1. A Capital Project Account is established within the Capital Fund for Bridge #15-06 (B.I.N. 2214580) on Keller Hill Road in the Town of Cuba.

2. That the following transfers are required for such Capital Project: $219,000 is transferred from Account No. H5120.200 (Maintenance of Bridges) to Account No. H5947.200 (Cuba, BR#15-06, Keller Hill Road).

3. That the sum of $58,800, representing the Town’s share of the project, is transferred from Account No. H5120.2300.00 (Revenues - Intergovernmental Charges) to Account No. H5947.2300.00 (Local Town Share).

4. That the sum of $333,200, representing the County’s share of the project, is transferred from Account No. H5120.5031.00 (Revenues – Interfund from General A) to Account No. H5947.5031.00 (County Share).
RESOLUTION NO. 17-16

RE-APPROPRIATION OF UNSPENT FUNDS FROM THE FY 2014 TECHNICAL RESCUE AND URBAN SEARCH AND RESCUE GRANT FUNDS

Offered by: Public Safety and Ways & Means Committees

WHEREAS, by Resolution No. 62-15, the FY 2014 Technical Rescue and Urban Search and Rescue Grant funds in the amount of $98,946 were accepted and appropriated for the 2015 budget year, and

WHEREAS, it is necessary to re-appropriate the unexpended FY 2014 Technical Rescue and Urban Search and Rescue Grant funds in the amount of $98,946, now, therefore, be it

RESOLVED:

1. That the sum of $98,946 in unexpended FY 2014 Technical Rescue and Urban Search and Rescue Grant funds shall be re-appropriated to Account No. A3653.207 (Emergency Services - Equipment) with a like sum credited to Revenue Account No. A3653.3306.EMW14 (State Aid – 2014 SHSP #969149 Swift Water Team).

Moved by: Mr. Curran 
Seconded by: Mr. Fanton 
Adopted: Roll Call 
15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 17-16 included: Legislator Ungermann said that as he looked through the list of things they want to spend money on, he questions whether the items are needed or if they're just buying these things to use up the money.

RESOLUTION NO. 18-16

RE-APPROPRIATION OF UNSPENT FUNDS FROM THE HOMELAND SECURITY CONTRACT #C969150

Offered by: Public Safety and Ways & Means Committees

WHEREAS, by Resolution No. 270-15, the Office of Homeland Security Contract #C969150 (Project #SH15-1001-D00 SHSP) Grant funds in the amount of $52,500 were accepted and appropriated for the 2015 budget year, and
WHEREAS, it is necessary to re-appropriate the unexpended Office of Homeland Security Contract #C969150 (Project #SH15-1001-D00 SHSP) Grant funds in the amount of $52,500, now, therefore, be it

RESOLVED:

1. That the sum of $52,500 in unexpended Office of Homeland Security Contract #C969150 Grant funds shall be re-appropriated as follows:

<table>
<thead>
<tr>
<th>Account</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A3656.207</td>
<td>Homeland Security – Emerg Serv Equipment</td>
<td>$26,000</td>
</tr>
<tr>
<td></td>
<td>(Generators, Portable))</td>
<td></td>
</tr>
<tr>
<td>A3656.207</td>
<td>Homeland Security – Emerg Serv Equipment</td>
<td>10,000</td>
</tr>
<tr>
<td></td>
<td>(PPE and Related Equipment)</td>
<td></td>
</tr>
<tr>
<td>A3656.207</td>
<td>Homeland Security – Emerg Serv Equipment</td>
<td>14,000</td>
</tr>
<tr>
<td></td>
<td>(GIS Software)</td>
<td></td>
</tr>
<tr>
<td>A3656.207</td>
<td>Homeland Security – Emerg Serv Equipment</td>
<td>1,500</td>
</tr>
<tr>
<td></td>
<td>(Tactical Medical Gear Bags)</td>
<td></td>
</tr>
<tr>
<td>A3656.416</td>
<td>Homeland Security – Cent Serv Telephone</td>
<td>1,000</td>
</tr>
<tr>
<td></td>
<td>(Sustain Director’s cell phone)</td>
<td></td>
</tr>
</tbody>
</table>

Total $52,500

with a like sum credited to Revenue Account No. A3656.3306.EM15 (State Aid – HS FY2015 SHSP Grant #C969150).

Moved by: Mr. Curran                                      Adopted: Roll Call
Seconded by: Mr. Decker                                  15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 18-16 included: Legislator Ungermann stated that he had the same question as he did on the last resolution. He doesn’t see anyone volunteering to answer.

RESOLUTION NO. 19-16

ACCEPTANCE AND APPROPRIATION OF THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICE NARCOTICS GRANT

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That funds in the amount of $37,500 from the New York State Division of Criminal Justice Service Narcotics Grant, are accepted and appropriated as follows:

<table>
<thead>
<tr>
<th>Account</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A3111.103</td>
<td>Sheriff Drug Program - Overtime</td>
<td>$3,995</td>
</tr>
<tr>
<td>A3111.201</td>
<td>Sheriff Drug Program – Office Equipment</td>
<td>10,450</td>
</tr>
</tbody>
</table>
A3111.208  Sheriff Drug Program – Police Equipment 21,800
A3111.408  Sheriff Drug Program – General Supplies 1,255
Total $37,500

together with a like sum credited to Revenue Account No. A3111.3324.DCJS (Sheriff Drug Program).

Moved by: Mr. Curran  Adopted: Roll Call
Seconded by: Mr. Pullen  15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 20-16

ACCEPTANCE AND APPROPRIATION OF FUNDS FROM
ACCORD CORPORATION FOR THE ACT II BATTERERS’ PROGRAM

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That the sum of $9,100 from ACCORD Corporation for the continuation of the ACT II Batterers’ Program is accepted.

2. That the sum of $9,100 is placed in Account No. A3117.449 (ACT II Batterers’ Program – Contractual Expenses) with a like sum credited to Revenue Account A3117.2260.00 (ACT II Batterers’ Program – Public Safety Service for Other Govts.).

Moved by: Mr. Curran  Adopted: Roll Call
Seconded by: Mr. Healy  15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 21-16

APPROVAL OF AGREEMENT BETWEEN ALLEGANY COUNTY PROBATION DEPARTMENT AND ARA – THE COUNSELING CENTER FOR THE PROVISION OF A FORENSIC EVALUATOR

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That the Agreement between Allegany County Probation Department and ARA – The Counseling Center for the provision of a Forensic Evaluator to conduct sex offender evaluations for the period of January 1, 2016, to December 31, 2016, is approved.
2. That the Director of Probation’s signature to said Agreement is hereby ratified and approved.

Moved by: Mr. Curran  
Seconded by: Mr. Fanton  
Adopted: Roll Call  
15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 21-16 included: Legislator Decker asked for an explanation of what a Forensic Evaluator does. Probation Director Robert Starks stated that the Forensic Evaluator conducts sex offender assessments. They determine if the sex offender needs treatment.

RESOLUTION NO. 22-16

APPROVAL OF A THREE YEAR MAINTENANCE AGREEMENT WITH  
F & F ELECTRIC, INC. COVERING GENERATORS LOCATED AT  
ALLEGANY COUNTY’S 911 RADIO TOWERS

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That a three-year maintenance agreement with F & F Electric, Inc. covering generators located at the seven current County 911 radio towers is hereby approved.

2. That Lieutenant Shawn Grusendorf’s prior signature to said agreement accepting the terms thereof is hereby ratified and approved.

Moved by: Mr. Curran  
Seconded by: Mr. Pullen  
Adopted: Roll Call  
14 Ayes, 1 No, 0 Absent  
Voting No: Ungermann

Comments made regarding Resolution No. 22-16 included: Legislator Ungermann remarked that this is just the beginning of a long list of things taxpayers are going to have to pay for. There are six more towers to go up, for a total of thirteen towers. This is going to be an endless thing.

RESOLUTION NO. 23-16

ESTABLISHING THE ALLEGANY COUNTY LAND BANK CORPORATION,  
A NEW YORK LAND BANK

Pursuant to Article 16 of the Not-For-Profit Corporation Law.

Offered by: Legislator Kevin S. LaForge and Ways & Means Committee
WHEREAS, addressing the need to strengthen and revitalize local communities, New York State recently enacted the "Land Bank Act" (Not-for-Profit Corporation Law, Article 16) which authorizes municipalities to establish individual or cooperative land banks, and

WHEREAS, land banks are charitable corporations entitled and authorized to take control and redevelop vacant, abandoned, and/or tax-delinquent properties to rebuild communities and foster local economic development, and

WHEREAS, vacant and abandoned properties present a danger to the health and safety of local residents, result in costs and loss of revenues to local governments, and discourage further investment in the community, and

WHEREAS, land banks allow municipalities to acquire, redevelop, and improve tax delinquent, vacant or abandoned property, thereby providing a mechanism for municipalities to acquire blighted properties and convert them to productive uses, and

WHEREAS, said land bank would acquire properties through a variety of means, including the conveyance of property directly by the foreclosing governmental unit as part of a tax foreclosure, purchase of the property or purchase the tax lien on a property, and

WHEREAS, the land bank shall not have eminent domain powers, and

WHEREAS, said land bank could secure grant funding, issue bonds, enter into contracts, implement programs, projects and activities designed to create or stimulate economic and community development, among other delineated duties and responsibilities, which would allow the foreclosing governmental unit to take a more long-term approach to the disposition of its tax delinquent properties, and

WHEREAS, pursuant to the Land Bank Act, it is necessary to adopt a resolution establishing the Land Bank on behalf of the County, and

WHEREAS, the bylaws shall provide that any amendments to the bylaws regarding the number, term, or qualifications of members of the Board, shall require the approval of the Allegany County Legislature, now, therefore, be it

RESOLVED:
1. There is hereby created a land bank on behalf of the County of Allegany, to be known as the "ALLEGANY COUNTY LAND BANK CORPORATION (ACLBC)" a New York Land Bank.

2. That the Board of Directors shall consist of seven (7) members and shall serve ex officio as follows:

   Curtis W. Crandall as Chairman of the County Legislature
   Dwight R. Fanton as Vice-Chairman of the County Legislature
Dwight (Mike) Healy as Majority Leader of the County Legislature
Kevin S. LaForge as Minority Leader of the County Legislature
Terri L. Ross as County Treasurer
Joseph L. Budinger as County Director of Real Property Services
John E. Margeson as County Administrator

3. That the terms of office of members of the Board of Directors shall coincide with their respective terms of office in the offices listed in the preceding paragraph.

4. That the Certificate of Incorporation for the ACLBC shall include the name and address of the initial Board of Directors as stated above and shall be in substantially the same form as attached to this resolution and hereby approved.

5. That the bylaws of the ACLBC shall be written by and adopted by the ACLBC Board of Directors following the ACLBC’s organizational meeting.

6. That the Allegany County Legislature is granted the authority to approve or deny, on a case by case basis, the turnover or transfer of any parcel or property in the portfolio of Allegany County to the ACLBC.

7. That the terms and conditions of such turnover or transfer shall be attached to the resolution of the Allegany County Legislature authorizing such turnover or transfer.

8. That the Chair of the Legislature be, and hereby is, authorized to execute any and all documentation necessary for filing and incorporation with the State of New York to establish said corporation.

9. That the Clerk of the Legislature is further directed to conform the applicable documents, including the Certificate of Incorporation, and file this resolution with the Urban Development Corporation pursuant to the provisions of the Land Bank Act, Chapter 257 of the Laws of 2011.

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

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

Comments made regarding Resolution No. 23-16 included: Legislator Burt remarked that communication is the key in everything. He said that the pre-meeting caucus was beneficial. He believes the Alfred State students stand to greatly benefit from this. As a former teacher he appreciates opportunities for students. Even more importantly, he likes that a portion of the grant with be allowed for demolition of many unsightly buildings which will make the area more inviting. Legislator Ungermann expressed his concerns saying that it’s just letting the government do everything for us. We’ve created another whole bureaucracy. He’s concerned the private sector won’t have anything left. Legislator Pullen stated that he was sympathetic and in agreement with Legislator Ungermann’s statements, but that there are so many costs that make it difficult. He feels the public has had the opportunity, but there are
many derelict buildings that need attention. He applauded Legislator LaForge for his work on this. Legislator Pullen remarked that he feels it will be much easier to sell cleared lots and put them back on the tax rolls, than a lot that needs demolition. Legislator Decker stated that he had an extensive discussion with Legislator LaForge. Legislator Decker remembered an agricultural program of similar nature in the past that turned fraudulent. Legislator LaForge has presented a lot of facts and Legislator Decker will offer his support. He feels Allegany County will be more attractive with the removal of the blighted buildings.

Resolution Intro. No. 25-16 (ACCEPTANCE OF THE INSURANCE PROPOSAL OF NYMIR SUBMITTED BY RICHARDSON & STOUT INSURANCE COMPANY; CONTINUED AUTHORITY OF BOARD CLERK AND PERSONNEL COMMITTEE TO SECURE OTHER INSURANCE) was not pre-filed and was considered from the floor on a motion made by Legislator O’Grady, seconded by Legislator Graves, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 24-16

ACCEPTANCE OF THE INSURANCE PROPOSAL OF NYMIR SUBMITTED BY RICHARDSON & STOUT INSURANCE COMPANY; CONTINUED AUTHORITY OF BOARD CLERK AND PERSONNEL COMMITTEE TO SECURE OTHER INSURANCE

Offered by: Personnel Committee

RESOLVED:

1. That the NYMIR insurance proposal and related services as submitted by Richardson & Stout Insurance Company of Wellsville, New York, to the County of Allegany for the period February 1, 2016, to February 1, 2017, is approved.

2. That the premium of $248,719.20 plus any additional premium amounts resulting from the addition or inclusion of vehicles, equipment and other property to the policies is charged to Account No. A1910.406 of the 2016 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: Mrs. Root
Seconded by: Mr. O’Grady
Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 24-16 included: Legislator Decker expressed his approval of the work Richardson & Stout has done for the County. He feels they’ve really done their homework and have tried to hold the line on the cost.
AUDITS:

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

A motion was made by Legislator Jessup, seconded by Legislator Root, and adopted on a roll call vote of 15 Ayes, 0 Noes, 0 Absent, that the audit of claims, totaling $2,924,087.37, including prepaid expenses, be approved for payment as recommended by the County Administrator. (Allegany County’s Local Dollar Share of the NYS Medicaid Program paid year-to-date is $772,744.)

COMMENTS:

Legislator Ungermann remarked on a newspaper article he had distributed to the Board. The newspaper article “Broadband Extending to Several Areas of County by Year’s End” recently appeared in the Olean Times Herald. Legislator Ungermann expressed his concern for Allegany County getting involved in owning and operating its own towers through the formation of the Allegany County Telecommunications Corporation. He stated there’s a tower in Cuba that is assessed for $140,000 that has paid almost $30,000 in property taxes. That company owns around eleven towers in Allegany County. If they are all assessed at the same rate, they’ve paid $300,000 in the last year. He’s concerned the County is going to have thirteen towers to maintain and repair and maintain roads to, and by doing so we’re cutting the people who pay property taxes out of the equation. Lieutenant Shawn Grusendorf began to explain the excessive costs in using the towers Legislator Ungermann talked about. He stated that the County can’t afford to lease them.

ADJOURNMENT: The meeting was adjourned at 2:48 p.m. on a motion made by Legislator Graves, seconded by Legislator Burt, and carried.
CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:04 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by Veterans Services Agency Director Michael Hennessy.

INVOCATION: The Invocation was given by Legislator Pullen.


APPROVAL OF MINUTES:

The Committee of the Whole minutes of January 25, 2016, were approved on a motion made by Legislator Graves, seconded by Legislator Curran, and carried.

PRIVILEGE OF THE FLOOR:

Jones Memorial Hospital CEO Eva Benedict addressed the Board to inform them of recent developments regarding the hospital. The most exciting thing is Jones Memorial Hospital’s official affiliation with the University of Rochester Medical Center. This became official on January 1, 2016. She thanked the Allegany County Clerk’s office with helping her to file necessary paperwork for the HUD mortgage. A priority for JMH is expanding clinical coverage for communities. The use of telemedicine will help, but they also hope to get more specialists here as well. The affiliation with the U of R Medical Center will improve bargaining power with vendors and allow them better pricing on contracts. Additionally, they are working with regional partners Noyes Memorial Hospital in Dansville, St. James Mercy Hospital in Hornell, and Wyoming County Community Hospital in Warsaw. Ms. Benedict stated that additional cancer services will be available in Wellsville and Dansville. She also mentioned some of the many ways JMH is investing in wellness and prevention programs in our communities. Chairman Crandall thanked her for keeping the Board well informed.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:


2. Report of IntraFund Transfers Approved by the County Administrator in January 2016.
3. Report of Tax Bill Corrections Approved by the County Administrator in January 2016.

4. Cattaraugus-Allegany BOCES Career and Technical Education Center in Belmont 50th Year Celebration with Greater Allegany County Chamber of Commerce Business after Hours on February 11 from 5:00 to 7:00 p.m.

5. The Greater Allegany County Chamber of Commerce announces the Allegany County United Way and Cuba Cheese Shoppe Business after Hours Event at the Cuba Cheese Shoppe on February 17 from 5:30 p.m. to 7:00 p.m.

6. Notice of next InterCounty Association meeting to be hosted by Ontario County on February 19 at the Ontario County Safety Training Facility in Canandaigua.

INTRODUCTION OF LEGISLATION:

Legislator Dwight Fanton introduced Local Law No. 1 of 2016, Print No. 1 – A Local Law Amending Local Law No. 4 of 2004 Regarding Source Separation Implementation and to Remove the Requirement that All Solid Waste Generated in Allegany County Must be Disposed of at a County Facility.

RESOLUTIONS:

RESOLUTION NO. 25-16

REAPPOINTMENT OF ONE LEGISLATIVE MEMBER AND APPOINTMENT OF ONE LEGISLATIVE 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 Karl Graves of Wellsville, New York, is reappointed to the Allegany County Soil and Water Conservation District Board as a Legislative Member, with a term of office commencing January 1, 2016, and expiring December 31, 2016.

2. That Judith D. Hopkins of Fillmore, New York, is appointed to the Allegany County Soil and Water Conservation District Board as a Legislative Member, with a term of office commencing January 1, 2016, and expiring December 31, 2016.

Moved by: Mr. Graves Adopted: Voice Vote
Seconded by: Mr. Pullen
RESOLUTION NO. 26-16

ACCEPTANCE AND APPROPRIATION OF NEW YORK STATE COMMUNITY DEVELOPMENT BLOCK GRANT; AUTHORIZING BOARD CHAIRMAN TO EXECUTE SAID AGREEMENT

Offered by: Ways & Means Committee

RESOLVED:

1. That the New York State Community Development Block Grant (CDBG) Housing Award in the amount of $850,000 in partnership with Cattaraugus Community Action Agency, is accepted.

2. That the sum of $850,000, CDBG Housing Award funds shall be appropriated to the following accounts:

   - CB 8668.409 Fees - Admin $42,500
   - CB 8668.492 Contractual – Loans/Grants 727,650
   - CB 8668.493 Contractual – Program Delivery Costs 79,850

   Total: $850,000

   with a like sum of $850,000 credited to Revenue Account No. CB 8668.3989.CDMH (State Aid – CDBG NYS Housing Project #20MH301-15).

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

Moved by: Mr. Jessup
Seconded by: Mrs. Root
Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 27-16

ACCEPTANCE OF INSURANCE PAYMENT FROM NYMIR AND APPROPRIATION OF FUNDS TO RISK RETENTION ACCOUNTS

Offered by: Ways & Means Committee

WHEREAS, a check in the amount of $235, representing the cost to replace a windshield on an Sheriff’s Office, 2008 Dodge Durango (#5025), has been offered by NYMIR in settlement for such damage, now, therefore, be it

RESOLVED:

1. That the amount of $235 from NYMIR, representing the cost to replace a windshield on a 2008 Dodge Durango (#5025), is accepted.
2. That the sum of $235 is placed in 2015 Accounts Receivable No. CS1931.429 (Risk Retention - Uninsured Property Loss) with a like sum credited to Revenue Account No. CS1930.2680.00 (Insurance Recovery).

Moved by: Mr. Jessup
Seconded by: Mr. Healy
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 28-16

ACCEPTANCE AND APPROPRIATION OF ADDITIONAL FUNDS FROM THE NEW YORK STATE TOURISM MATCHING FUNDS GRANT FOR ALLEGANY COUNTY

Offered by: Planning & Economic Development and Ways & Means Committees

WHEREAS, the sum of $60,000 from New York State Tourism Matching Funds Grant was previously appropriated in the 2016 Budget under Account No. A6989.476, and

WHEREAS, the County has been advised that the actual amount of funds from the New York State Tourism Matching Funds Grant comes to $61,756, now, therefore, be it

RESOLVED:

1. That total funds in the amount of $61,756 from the New York State Tourism Matching Funds Grant are hereby accepted.

2. That the sum of $1,756 is transferred from Account No. A1990.429 (Contingency) to Account No. A6989.475 (Tourism and Culture - Contractual) to cover the County’s share of matching funds for this additional amount.

3. That the sum of $1,756, representing the additional grant funds received, is appropriated to Account No. A6989.476 (Tourism and Culture - Contractual) with a like amount credited to Revenue Account No. A6989.3715.00 (State Aid - Tourism Promotion).

Moved by: Mrs. Root
Seconded by: Mr. Fanton
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 29-16

RE-APPROPRIATION OF ALLEGANY COUNTY COMPREHENSIVE PLANNING SCHOOL GRANT MONEY

Offered by: Planning & Economic Development and Ways & Means Committees
WHEREAS, by Resolution No. 131-14, Allegany County Comprehensive Planning School grant funds in the amount of $67,669 were accepted and appropriated, and

WHEREAS, the Allegany County Comprehensive Planning School grant funds were due to expire on December 31, 2015, but NYSERDA has approved an extension of the grant through December 31, 2016, and

WHEREAS, the sum of $27,964 of the Allegany County Comprehensive Planning School grant funds remain unspent, and

WHEREAS, it is necessary to re-appropriate the unspent Allegany County Comprehensive Planning School grant funds, now, therefore, be it

RESOLVED:

1. That the sum of $27,964 is re-appropriated and shall be placed in Account No. A8020.495 (Home and Community Service - Contractual Allegany County Comprehensive Planning School) with a like sum credited to Revenue Account No. A8020.3089.00 (Planning - State Aid Other).

Moved by: Mrs. Root
Seconded by: Mr. Graves
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 30-16

AUTHORIZATION OF PAYMENT TO THE INDUSTRIAL DEVELOPMENT AGENCY FOR REIMBURSEMENT OF FUNDS EXPENDED ON DEVELOPMENT EFFORTS FOR THE CROSSROADS PROJECT

Offered by: Planning & Economic Development and Ways & Means Committees

RESOLVED:

1. That payment of the sum of $12,964.29 from Account No. H6997.200 (Crossroads Project) to the Industrial Development Agency for reimbursement of funds expended on development efforts at the Crossroads site is hereby approved.

Moved by: Mrs. Root
Seconded by: Mr. Healy
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 31-16

APPROVAL OF AGREEMENT BETWEEN COUNTY OF ALLEGANY AND ALLEGANY COUNTY FEDERATION OF SNOWMOBILERS, INC.;
APPROPRIATION OF STATE GRANT-IN-AID

Offered by: Resource Management Committee

RESOLVED:

1. That the Agreement between the County of Allegany and Allegany County Federation of Snowmobilers, Inc., is approved.

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

3. That the sum of $112,045 in State grant-in-aid was appropriated in the 2016 Budget to Account No. A7185.483 (NYS OPRHP Funding Award), with a like sum credited to Revenue Account A7185.3089.00 (AC Snowmobile Association – State Aid). No budget adjustments are necessary at this time.

Moved by: Mr. Graves  Adopted: Roll Call
Seconded by: Mr. Fanton  14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 31-16 included: Legislator Decker remarked on the comments made by Steve Robertson, representing the Allegany County Federation of Snowmobilers, at a recent committee meeting. With good snow conditions, snowmobilers can spend half a million dollars on food and gas in Allegany County. Chairman Crandall reminded the group that the monies received from the State come directly from snowmobile registration fees.

RESOLUTION NO. 32-16

APPROVAL OF AMENDMENT OF SALE OF FOREST PRODUCTS AGREEMENT WITH AYERS EARTHMOVING & FORESTRY SERVICES, INC., TO EXTEND DATE FOR REMOVAL OF TIMBER

Offered by: Resource Management Committee

WHEREAS, due to unforeseen difficulties by the buyer in gaining access to the timber lot to complete the removal of timber from the lot, and

WHEREAS, the buyer has already tendered full payment for the timber and delaying removal of the timber until August of 2016, will not negatively impact the County, now therefore, be it

RESOLVED:
1. That this Board hereby approves amending the agreement dated February 3, 2015, between the County of Allegany and Ayers Earthmoving & Forestry Services, Inc., to extend the time for removal of forest products from February 3, 2016, to September 1, 2016.

 Moved by:  Mr. Graves  
 Seconded by:  Mr. Curran  
 Adopted:  Roll Call  
 14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 33-16

APPROVAL OF AGREEMENT WITH SIMPLEXGRINNELL FOR A FIRE SUPPRESSION SYSTEM; TRANSFER OF FUNDS

Offered by: Facilities & Communications and Ways & Means Committees

RESOLVED:

 1. This Board approves the agreement with SimplexGrinnell for the purchase and installation of a new FM 200 Clean Agent Suppression System for the new 911 Equipment Room at a cost of $53,888.

 2. That the sum of $53,888 is transferred from A1990.429 (Contingency) to Account No. H.3200.200 (Capital Project E-911 - Renovations).

 3. That Lieutenant Shawn Grusendorf’s prior signature to said agreement accepting the terms thereof is hereby ratified and approved.

 Moved by:  Mr. Pullen  
 Seconded by:  Mr. Decker  
 Adopted:  Roll Call  
 14 Ayes, 0 Noes, 1 Absent

Resolution Intro. No.  35-16 (RESOLUTION SETTING DATE OF A PUBLIC HEARING ON A LOCAL LAW TO AMEND LOCAL LAW NO. 4 OF 2004 REGARDING SOURCE SEPARATION IMPLEMENTATION AND TO REMOVE THE REQUIREMENT THAT ALL SOLID WASTE GENERATED IN ALLEGANY COUNTY MUST BE DISPOSED OF AT A COUNTY FACILITY) was not pre-filed and was considered from the floor on a motion made by Legislator Fanton, seconded by Legislator Healy, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 34-16

RESOLUTION SETTING DATE OF A PUBLIC HEARING ON A LOCAL LAW TO AMEND LOCAL LAW NO. 4 OF 2004 REGARDING SOURCE SEPARATION IMPLEMENTATION
AND TO REMOVE THE REQUIREMENT THAT ALL SOLID WASTE GENERATED IN ALLEGANY COUNTY MUST BE DISPOSED OF AT A COUNTY FACILITY

Offered by: Public Works Committee

WHEREAS, on this 8th day of February, 2016, a local law (Intro. No.1-2016, Print No. 1) was introduced to amend Local Law No. 4 of 2004 regarding source separation implementation and to remove the requirement that all solid waste generated in Allegany County must be disposed of at a county facility, and

WHEREAS, it will be necessary to set a date for a public hearing on said proposed law, now, therefore, be it

RESOLVED:

1. That a public hearing shall be held on March 14, 2016, 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. 1-2016, 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 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. Fanton
Seconded by: Mr. Graves

Adopted: Voice Vote

Resolution Intro. No. 36-16 (APPOINTMENT OF ONE MEMBER TO THE ALLEGANY COUNTY INDUSTRIAL DEVELOPMENT AGENCY AND THE COMMERCIAL INCENTIVE BOARD) was not pre-filed and was considered from the floor on a motion made by Legislator Root, seconded by Legislator Graves, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 35-16

APPOINTMENT OF ONE MEMBER TO THE ALLEGANY COUNTY INDUSTRIAL DEVELOPMENT AGENCY AND THE COMMERCIAL INCENTIVE BOARD

Offered by: Planning & Economic Development Committee

Pursuant to Title 1 of Article 18-A
and Section 906-a of the General Municipal Law
RESOLVED:

1. That Judith D. Hopkins of Fillmore, New York, is appointed as a member of the Allegany County Industrial Development Agency and the Commercial Incentive Board to fill the remainder of the late Theodore L. Hopkins’ four-year term expiring December 31, 2017.

2. That the Clerk of this Board is directed to send a certified copy of this resolution to the Secretary of State for filing pursuant to Section 856(2) of the General Municipal Law.

Moved by: Mrs. Root  
Seconded by: Mr. Healy  
Adopted: Roll Call  
14 Ayes, 0 Noes, 1 Absent

Resolution Intro. No. 37-16 (APPROVAL OF THE SALE OF REAL PROPERTY LOCATED IN THE TOWN OF AMITY TO CORNELL COOPERATIVE EXTENSION ASSOCIATION OF ALLEGANY COUNTY, STATE OF NEW YORK) was not pre-filed and was considered from the floor on a motion made by Legislator Fanton, seconded by Legislator Graves, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 36-16

APPROVAL OF THE SALE OF REAL PROPERTY LOCATED IN THE TOWN OF AMITY TO CORNELL COOPERATIVE EXTENSION ASSOCIATION OF ALLEGANY COUNTY, STATE OF NEW YORK

Offered by: Public Works Committee

WHEREAS, this Board had previously voted to sell County real property in the Town of Amity located at 5435A County Road 48, (tax map # 171.-1-80.22); and

WHEREAS, this property was advertised for sale in the County’s official newspapers; and

WHEREAS, only one bid was received and it was in the amount of One Thousand Dollars ($1,000) from the Cornell Cooperative Extension Association of Allegany County, State of New York, now therefore, be it

RESOLVED:

1. The bid from the Cornell Cooperative Extension Association of Allegany County, State of New York, in the amount of One Thousand Dollars ($1,000), is hereby accepted.

2. The sale of the County’s real property located in the Town of Amity at 5435A County Road 48, (tax map # 171.-1-80.22) to Cornell Cooperative Extension of Allegany County, State of New York, is hereby approved.
3. That the County Attorney is directed to prepare the necessary documents for purposes of conveying title to this real property to Cornell Cooperative Extension of Allegany County, State of New York.

4. That upon receipt of the full purchase price of One Thousand Dollars ($1,000), the Chairman of this Board is authorized to execute all documents necessary to convey this property.

Moved by: Mr. Fanton
Seconded by: Mr. Pullen

Adopted: Roll Call
13 Ayes, 1 No, 1 Absent
Voting No: Burt

AUDITS:

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

A motion was made by Legislator Jessup, seconded by Legislator Fanton, and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims, totaling $2,685,747.73, including prepaid expenses, be approved for payment as recommended by the County Administrator. (Allegany County’s Local Dollar Share of the NYS Medicaid Program paid year-to-date is $1,159,116.)

ADJOURNMENT: The meeting was adjourned at 2:39 p.m. on a motion made by Legislator Graves, seconded by Legislator Burt, and carried.
CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:08 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by retired United States Navy Petty Officer Second Class Todd Brown.

INVOCATION: The Invocation was given by Legislator Pullen.


APPROVAL OF MINUTES:

The Board meeting minutes of January 25, 2016, were approved on a motion made by Legislator Graves, seconded by Legislator Decker, and carried.

The Board meeting minutes of February 8, 2016, were approved on a motion made by Legislator Root, seconded by Legislator Burt, and carried.

The Committee of the Whole minutes of February 8, 2016, were approved on a motion made by Legislator Curran, seconded by Legislator Pullen, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Todd Brown, retired United States Navy Petty Officer Second Class, in grateful appreciation of his service to our country. Mr. Brown’s service dates were from April 1985 to April 2005. Mr. Brown spent 14 years at sea; his assignments include: Guantanamo Bay, Holy Loch in Scotland, Norfolk, Virginia, USS Vreeland FF-1064, USS Clark FFG-11, USS Austin LPD-4, USS Shenandoah AD-44, USS Simon Lake SS-33, USS America CV-66, USS New Jersey BB-62, USS Briscoe DD-977, USS Gonzales DDG-66 and USS Laboon DDG-58. Mr. Brown received numerous accommodations during his time of service including three Naval Commendation Medals and a Navy Good Conduct Medal. Mr. Brown led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans’ Honorary Pledge of Allegiance Program.

Mr. Peter R. Kehoe, Executive Director of the New York State Sheriff’s Association recognized the Allegany County Sheriff’s Office for the reaccreditation of the Allegany County Jail. Mr. Kehoe recognized Jail Administrator Christopher Ivers, Assistant Jail Administrator Kevin Morsman, Corrections Officer Hal Hurlburt, and Corrections Officer Jeff Kinney for their
efforts in making sure the Jail was up to, or exceeding, the standards that are set for the accreditation. Mr. Kehoe remarked that accomplishing the reaccreditation isn’t just about having a plaque to hang on the wall. It improves performance and morale, and reduces incidents of lawsuits and liability. It improves service to the public and increases confidence in the Sheriff’s Office. Mr. Kehoe congratulated the Board and the citizens of Allegany County for their support of the Sheriff’s Office. Mr. Kehoe presented Sheriff Whitney with a plaque commemorating the reaccreditation. Sheriff Whitney acknowledged what a great honor it was, and noted that the award is not about him, it’s the staff at the Jail who earned it. He’s very proud to be part of the organization. He recognized Mr. Ivers, Mr. Morsman, Mr. Kinney, and Mr. Hurlburt for their dedication.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. March 2016 Calendar.

2. Pursuant to Article 11 of the Real Property Tax Law, County Treasurer Terri Ross filed a Certificate of Withdrawl of Delinquent Tax Liens for property in the Town of Bolivar in the Clerk of the Board’s Office on February 10.

3. Correspondence from Assemblyman Joseph Giglio thanking those that visited his office after the NYSAC Conference on February 3.

INTRODUCTION OF LEGISLATION:


RESOLUTIONS:

RESOLUTION NO. 37-16

ACCEPTANCE AND APPROVAL OF OPTION #4 PROVIDED BY LABELLA ASSOCIATES, D.P.C., FOR THE THIRD FLOOR OF THE COUNTY OFFICE BUILDING

Offered by: Facilities & Communications and Ways & Means Committees

WHEREAS, Allegany County contracted with LaBella Associates, D.P.C. to provide a space needs study for Allegany County and to provide options to the County with regard to the third floor of the County Office Building, and
WHEREAS, five different options from this study were reviewed by the Facilities and Communications Committee, and

WHEREAS, the Facilities and Communications Committee approved Option # 4, with the added requirement that demolition work include the entire third floor and that all windows be replaced, now, therefore, be it

RESOLVED:

1. That this Board hereby authorizes LaBella Associates, D.P.C to prepare the necessary plans and specifications to go out to bid for construction work based upon Option #4 of their space needs study with the added requirement that all windows be replaced and demolition work includes the entire third floor.

2. That the cost for implementing Option #4, which shall include replacement of all windows and total demolition, shall not exceed $1,600,000.

Moved by: Mr. Pullen
Seconded by: Mr. Jessup

RESOLUTION NO. 38-16

AMENDING RESOLUTION 30-2016 TO SHOW A CORRECTED AMOUNT FOR THE AUTHORIZATION OF PAYMENT TO THE INDUSTRIAL DEVELOPMENT AGENCY FOR REIMBURSEMENT OF FUNDS EXPENDED ON DEVELOPMENT EFFORTS FOR THE CROSSROADS PROJECT

Offered by: Planning & Economic Development and Ways & Means Committees

RESOLVED:

1. That Resolution 30-2016 is hereby amended to show a corrected sum payment in the amount of $12,694.29 from Account No. H6997.200 (Crossroads Project) to the Industrial Development Agency for reimbursement of funds expended on development efforts at the Crossroads site is hereby approved.

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

RESOLUTION NO. 39-16

CREATION OF ONE FULL-TIME POSITION OF A SPECIALIST, SERVICES FOR THE AGING, AT OFFICE FOR THE AGING
RESOLVED:

1. That one full-time position of Specialist, Services for the Aging (AFSCME, Grade 16) is created.

2. This resolution shall take effect immediately.

Moved by: Mr. LaForge  Adopted: Roll Call
Seconded by: Mr. Pullen  13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO.  40-16

APPOINTMENTS TO THE SOUTHERN TIER WEST REGIONAL PLANNING AND DEVELOPMENT BOARD

Offered by: Planning & Economic Development Committee

Pursuant to Resolution No. 35-68, as amended by Resolution No. 93-75

RESOLVED:

1. That Craig Clark of Alfred, New York, is appointed as a member of the Southern Tier West Regional Planning and Development Board to fill the remainder of Mitchell Alger’s three-year term expiring May 31, 2016

2. That Debra A. Root of Scio, New York, is appointed as a member of the Southern Tier West Regional Planning and Development Board to fill the remainder of the late Theodore L. Hopkins’ three-year term expiring May 31, 2017.

Moved by: Mrs. Root  Adopted: Voice Vote
Seconded by: Mr. Healy

RESOLUTION NO.  41-16

APPROVAL OF GRANT APPLICATION FOR THE OFFICE FOR THE AGING FOR A BALANCING INCENTIVE PROGRAM (BIP) CAREGIVER SUPPORT PROGRAM GRANT

Offered by: Human Services Committee
WHEREAS, the Office for the Aging is requesting approval to apply for grant money through the Balancing Incentive Program (BIP) Caregiver Support Program Grant, and

WHEREAS, the funds would be used to increase offerings and access to non-institutional long-term services and supports such as counseling, support groups, training, and case management to caregivers and their Medicaid eligible loved ones, and

WHEREAS, if approved the grant would provide $20,000, now, therefore, be it

RESOLVED:

1. That the Office for the Aging is authorized to act on behalf of the County of Allegany to apply for grant funds through the BIP Caregiver Support Program.

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

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

RESOLUTION NO. 42-16

AMENDING RESOLUTION NO. 209-2009, AS SUBSEQUENTLY AMENDED BY RESOLUTION NO. 65-2014, TO DEFINE WHAT CONSTITUTES A FIELD TRAINING OFFICER

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That Resolution No. 209-2009, as amended by Resolution No. 65-2014, is further amended to add a second paragraph defining what constitutes a Field Training Officer, to wit:

2. A Field Training Officer constitutes any employee within the Sheriff’s Office who provides on-the-job training to another employee within the Sheriff’s Office as mandated by law or regulation.

Moved by: Mr. Curran
Seconded by: Mr. Healy

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

Comments made regarding Resolution No. 42-16 included: Legislator Graves remarked that the resolution doesn’t specify how many positions there are. He asked the County Sheriff to tell the group how many Field Training Officers there were. Sheriff Whitney stated he believed there were twenty-one. Initially there were fifteen, but it’s now capped at twenty-one. He noted that there was a resolution passed last year that dealt with the cap.
RESOLUTION NO. 43-16

REINSTATEMENT OF TAX PARCEL TO TAXABLE PORTION OF ASSESSMENT ROLL

Offered by: Ways & Means Committee

Pursuant to Real Property Tax Law Section 1138

WHEREAS, Certificates of Withdrawal were filed in the Allegany County Clerk’s Office on February 10, 2015, for a parcel of real property located in the Town of Belfast, and

WHEREAS, such parcel of real property was withdrawn from the taxable portion of the assessment roll and determined to be exempt from taxation based upon the determination that there was no practical method to enforce the collection of delinquent taxes on such parcel, now, therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators does hereby determine and direct that the following parcel be restored to the taxable portion of the assessment roll:

<table>
<thead>
<tr>
<th>Town</th>
<th>Owner</th>
<th>Tax Map #</th>
<th>Serial #s</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town of Belfast</td>
<td>Southern Tier Wireless</td>
<td>142.-1-36.3/1</td>
<td>13-406; 14-350</td>
</tr>
<tr>
<td></td>
<td>(Wayne Hawley)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. That the County Treasurer, as enforcing officer, shall issue a certificate of reinstatement(s) and any and all other documents necessary to restore the above described parcel to the taxable portion of the assessment roll.

Moved by: Mr. Jessup  Adopted: Roll Call
Seconded by: Mr. Graves  13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 44-16

BUDGET TRANSFER WITHIN PUBLIC WORKS ACCOUNTS

Offered by: Public Works Committee

RESOLVED:
1. That the sum of $2,000 shall be transferred from Account No. A8160.411 (Solid Waste – Repairs Personal Property) to Account No. A8160.202 (Solid Waste – Tools) to cover purchases of tools for the Solid Waste department.

Moved by: Mr. McGraw  
Seconded by: Mr. Graves  
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 45-16

ACCEPTANCE AND APPROPRIATION OF THE ALZHEIMER’S DISEASE CAREGIVER SUPPORT INITIATIVE FUNDS TO THE OFFICE FOR THE AGING

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. The sum of $109,399 in Alzheimer’s Disease Caregiver Support Initiative grant funds is accepted.

2. The sum of $109,399 shall be appropriated to the following accounts:

   - A6791.101 Alzheimer’s Disease Caregiver Supp Initiative – Regular Pay $51,090
   - A6791.402 Alzheimer’s Disease Caregiver Supp Initiative – Mileage/Trans 8,143
   - A6791.405 Alzheimer’s Disease Caregiver Supp Initiative – Conf. Expense 1,256
   - A6791.474 Alzheimer’s Disease Caregiver Supp Initiative – Respite 30,000
   - A6791.802 Alzheimer’s Disease Caregiver Supp Initiative – Retirement 8,020
   - A6791.803 Alzheimer’s Disease Caregiver Supp Initiative – FICA 3,450
   - A6791.804 Alzheimer’s Disease Caregiver Supp Initiative – Workers Comp 699
   - A6791.805 Alzheimer’s Disease Caregiver Supp Initiative – Disability 212
   - A6791.806 Alzheimer’s Disease Caregiver Supp Initiative – Hosp/Med Ins 6,529

   TOTAL $109,399

with the like sum of $109,399 credited to Revenue Account No. A6791.3772.00 (State Aid – Alzheimer’s Disease Caregiver Support Initiative).

Moved by: Mr. LaForge  
Seconded by: Mr. Jessup  
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 46-16

ACCEPTANCE AND APPROPRIATION OF COLA FUNDS FOR THE CANCER SERVICES PROGRAM

Offered by: Human Services and Ways & Means Committees
RESOLVED:

1. The sum of $2,346 in COLA funds for the County Health Department Cancer Services Program is accepted.

2. The sum of $2,346 shall be appropriated to the following accounts:

   A4071.201 Cancer Screening – Office Equipment $1,145
   A4071.405 Cancer Screening – Conference Expense 306
   A4071.408 Cancer Screening – General Supplies 53
   A4071.424 Cancer Screening – Legal Advertising 432
   A4071.419 Cancer Screening – Printing/Microfilming 320
   A4071.422 Cancer Screening – Gasoline/Oil 90

   TOTAL $2,346

with a like sum credited to Revenue Account No. A4071.3401.00 (State Aid – Cancer Screening).

Moved by: Mr. LaForge
Seconded by: Mr. Graves
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 47-16

ACCEPTANCE AND APPROPRIATION OF PERFORMANCE INCENTIVE INITIATIVE MONIES FOR THE GENERAL FUND

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. The sum of $13,000 in Performance Incentive Initiative monies for the General Fund for the 2016 budget year is accepted.

2. The sum of $13,000 shall be appropriated to the following accounts:

   A4010.408 County Health Department – General Supplies $6,100
   A4035.405 Family Planning – Conference Expense 900
   A4035.424 Family Planning – Legal Advertising 6,000

   TOTAL $13,000

with the like sum of $13,000 credited to Revenue Account No. A4010.3450.00 (State Aid Other – Public Health).

Moved by: Mr. LaForge
Adopted: Roll Call
RESOLUTION NO. 48-16

ACCEPTANCE AND APPROPRIATION OF NEW YORK STATE FY 2015-2016 PUBLIC SAFETY ANSWERING POINTS SUSTAINMENT GRANT

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That the sum of $161,547 from New York State for FY 2015-2016 Public Safety Answering Points Sustainment Grant, is accepted.

2. That the sum of $161,547 shall be placed in Account No. H3024.200 (911 Public Safety Answering Points Sustainment Grant) with a like sum credited to Revenue Account No. H3024.3097.00 (State Aid - 911 Public Safety Answering Points Sustainment Grant).

Moved by: Mr. Curran  
Seconded by: Mr. Healy  
Adopted: Roll Call  
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 49-16

ACCEPTANCE AND APPROPRIATION OF FUNDS FROM ACCORD CORPORATION FOR THE ACT II BATTERERS’ PROGRAM

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That the sum of $2,275 from ACCORD Corporation for the continuation of the ACT II Batterers’ Program is accepted.

2. That the sum of $2,275 is placed in Account No. A3117.449 (ACT II Batterers’ Program – Contractual Expenses) with a like sum credited to Revenue Account No. A3117.2260.00 (ACT II Batterers’ Program – Public Safety Service for Other Govts.).

Moved by: Mr. Curran  
Seconded by: Mr. Decker  
Adopted: Roll Call  
13 Ayes, 0 Noes, 2 Absent
RESOLUTION NO. 50-16

ACCEPTANCE AND APPROPRIATION OF GRANT FUNDS RECEIVED FROM NYS STOP-DWI FOUNDATION FOR CRACKDOWN ENFORCEMENT FOR THE FEDERAL FISCAL YEAR OCTOBER 1, 2015, TO SEPTEMBER 30, 2016

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That the sum of $30,779 in grant funds from NYS STOP-DWI Foundation for Crackdown Enforcement for the federal fiscal year of October 1, 2015, to September 30, 2016, is accepted.

2. The sum of $30,779 shall be placed in Account No. A3141.449 (STOP-DWI Program - Crackdown Enforcement), with a like sum credited to Revenue Account No. A3141.1589.CE (STOP-DWI Program - Other Public Safety Dept. Revenue).

Moved by: Mr. Curran
Seconded by: Mr. Burt
Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

Comments made regarding Resolution No. 50-16 included: Legislator Decker remarked that there is an epidemic of too much drinking and driving and heroin use. Anything we can do to help curtail this epidemic is helpful. Traffic deaths are up for the first time in fifteen years. He feels a portion of that is from alcohol and/or drugs.

RESOLUTION NO. 51-16

ACCEPTANCE OF FUNDS RECEIVED FROM THE GOVERNOR’S TRAFFIC SAFETY PROGRAM, STEPS IN SAFETY GRANT (SAFETY ON WHEELS), FROM OCTOBER 1, 2015, THROUGH SEPTEMBER 30, 2016

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That the sum of $3,000 from the STEPS in Safety Grant (Safety On Wheels) from the Governor’s Traffic Safety Program, is accepted.

Moved by: Mr. Curran
Seconded by: Mr. Decker
Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent
RESOLUTION NO. 52-16

RE-APPROPRIATION OF UNSPENT FUNDS FROM THE HOMELAND SECURITY CONTRACT #C969140

Offered by: Public Safety and Ways & Means Committees

WHEREAS, by Resolution No. 187-14, the Office of Homeland Security Contract #C969140 (Project #SH14-1002-D00 SHSP) Grant funds in the amount of $52,500 were accepted and appropriated for the 2014 budget year, and

WHEREAS, by Resolution No. 52-15, the unspent funds for the Office of Homeland Security Contract #C969140 were re-appropriated for the budget year 2015, and

WHEREAS, it is necessary to re-appropriate the unexpended Office of Homeland Security Contract #C969140 (Project #SH15-1001-D00 SHSP) Grant funds in the amount of $43,290, now, therefore, be it

RESOLVED:

1. That the sum of $43,290 in unexpended Office of Homeland Security Contract #C969140 Grant funds shall be re-appropriated as follows:

<table>
<thead>
<tr>
<th>Account</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A3647.207</td>
<td>Homeland Security – GIS Aerial Photography</td>
<td>$41,500</td>
</tr>
<tr>
<td>A3647.207</td>
<td>Homeland Security – Personal Protective Equipment</td>
<td>988</td>
</tr>
<tr>
<td>A3647.416</td>
<td>Homeland Security – Connectivity for Directors Cell Phone</td>
<td>802</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>$43,290</strong></td>
</tr>
</tbody>
</table>

with a like sum credited to Revenue Account No. A3647.3306.EM14 (State Aid – HS FY2014 SHSP Grant #C969140).

Moved by: Mr. Curran  
Seconded by: Mr. Healy  
Adopted: Roll Call  
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 53-16

RE-APPROPRIATION OF UNSPENT FUNDS FROM THE HOMELAND SECURITY PRE-DISASTER MITIGATION COMPETITIVE GRANT TO UPDATE THE COUNTY’S MULTI-JURISDICTIONAL MULTI-HAZARD MITIGATION PLAN

Offered by: Public Safety and Ways & Means Committees

WHEREAS, by Resolution No. 212-15, the Homeland Security Pre-Disaster Mitigation Competitive Grant in the amount of $90,000 were accepted and appropriated for the 2015 budget year, and
WHEREAS, it is necessary to re-appropriate the unexpended Homeland Security Pre-Disaster Mitigation Competitive Grant funds in the amount of $90,000, now, therefore, be it

RESOLVED:

1. That the sum of $90,000 in unexpended Homeland Security Pre-Disaster Mitigation Competitive Grant funds shall be re-appropriated to Account No. A3655.447 (Homeland Security – Public Safety Contracts) with a like sum credited to Revenue Account No. A3655.3306.HZMT (Hazard Mitigation – PDMC C#000755).

Moved by: Mr. Curran
Seconded by: Mr. Graves
Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 54-16

RE-APPROPRIATION OF UNSPENT FUNDS FOR THE 2015 LETPP HOMELAND SECURITY GRANT

Offered by: Public Safety and Ways & Means Committees

WHEREAS, by Resolution No. 213-15, the 2015 LETPP Homeland Security Grant in the amount of $17,500 was accepted and appropriated for the 2015 budget year, and

WHEREAS, it is necessary to re-appropriate the unexpended 2015 LETPP Homeland Security Grant funds in the amount of $17,500, now, therefore, be it

RESOLVED:


Moved by: Mr. Curran
Seconded by: Mrs. Root
Adopted: Roll Call
11 Ayes, 2 Noes, 2 Absent
Voting No: Decker, Graves

Comments made regarding Resolution No. 54-16 included: Legislator Graves concurred with the remarks Mr. Kehoe, Executive Director of the New York State Sheriff’s Association, had made earlier in the meeting about the Allegany County Sheriff’s Office doing a wonderful job. Legislator Graves went on to say that this resolution deals with the ALERT team. He noted that he voted against this last year because he felt it was a duplication of services. He feels the State Police have this covered and our money could be better spent elsewhere. Sheriff Whitney stated that these funds are for their ALERT team, and they feel that anything they
can do to assist is good. He noted that the State Police does have a team, but that they are spread out and it could take two hours for them to respond to an incident. Sheriff Whitney feels this is good added protection. Legislator Graves stated that he’s all for added protection, but feels there is some discrepancy in what the true reaction time for the State Police is. He would like to invite the State Police in for a meeting. Legislator Burt asked Legislator Graves if the State Police had given him a number for response time. Legislator Graves responded that he was told it was half an hour. He also noted that the State Police just added 16 new Troopers locally. Legislator Healy reminded the group that the resolution simply deals with the re-appropriation of unspent funds. He feels that much of the equipment is dual purpose and could be used at the jail. He’s in favor of keeping any money they can get right here. Legislator Burt asked the Sheriff if the equipment was dual purpose. Sheriff Whitney responded that yes, it was. Legislator Graves made further remarks about the State Police and Allegany County Sheriff’s department working together.

RESOLUTION NO. 55-16

APPROVAL OF BI INCORPORATED MONITORING SERVICE AGREEMENT; AUTHORIZING BOARD CHAIRMAN TO EXECUTE SAID AGREEMENT

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That Monitoring Service Agreement between the County of Allegany and BI Incorporated for period March 1, 2016, to February 28, 2017, is approved.

2. That the Director of Probation is authorized to execute and deliver any and all documents necessary to complete the Monitoring Service Agreement.

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

Moved by: Mr. Curran
Seconded by: Mr. Burt

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

RESOLUTION NO. 56-16

APPROVAL OF AGREEMENT WITH VOLUNTEER FIREMEN'S ASSOCIATION OF ALLEGANY COUNTY, INC., FOR PAYMENT OF 2016 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 2016 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, 2016, 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 her office.

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

Moved by: Mr. Curran
Seconded by: Mr. Healy
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 57-16

APPROVAL OF LEASE AGREEMENT BETWEEN THE ALLEGANY COUNTY INDUSTRIAL DEVELOPMENT AGENCY AND THE COUNTY OF ALLEGANY FOR A PORTION OF THE LAND LOCATED AT 6087 STATE ROUTE 19, BELMONT, NEW YORK, FOR THE CONSTRUCTION OF A PARKING LOT

Offered by: Planning & Economic Development Committee

RESOLVED:

1. That Lease Agreement between the Allegany County Industrial Development Agency, as Landlord, and the County of Allegany, as Tenant, for leasing a certain portion of the land located at 6087 State Route 19, Belmont, New York, for the construction of a parking lot is approved.

2. That the term of this Lease Agreement will be for twenty-five years, commencing on January 1, 2016, and ending December 31, 2040.

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

4. That the Clerk of this Board is directed to send a certified copy of this resolution to the Allegany County Industrial Development Agency.

Moved by: Mrs. Root
Seconded by: Mr. Jessup
10 Ayes, 3 Noes, 2 Absent
RESOLUTION NO. 58-16

APPROVAL OF LEASE AGREEMENT BETWEEN THE ALLEGANY COUNTY INDUSTRIAL DEVELOPMENT AGENCY AND THE COUNTY OF ALLEGANY FOR APPROXIMATELY 12,500 SQUARE FEET OF SPACE IN THE CROSSROADS COMMERCE CENTER LOCATED AT 6087 STATE ROUTE 19, BELMONT, NEW YORK

Offered by: Planning & Economic Development Committee

RESOLVED:

1. That Lease Agreement between the Allegany County Industrial Development Agency, as Landlord, and the County of Allegany, as Tenant, for leasing premises at the Crossroads Commerce Center located at 6087 State Route 19, Belmont, New York, for approximately 12,500 square foot, single floor structure to house the Allegany County Tourism Visitor's Center and Conference Center is approved.

2. That the term of this Lease Agreement will be for five years, commencing on January 1, 2016, and ending December 31, 2020, with the right of Tenant to renew upon the same terms for an additional period of five years upon sixty day's advance notice of Tenant's intent to renew given to Landlord.

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

4. That the Clerk of this Board is directed to send a certified copy of this resolution to the Allegany County Industrial Development Agency.

Moved by: Mrs. Root               Adopted: Roll Call
Seconded by: Mrs. Hopkins        13 Ayes, 0 Noes, 2 Absent

Comments made regarding Resolution No. 58-16 included: Legislator Decker inquired as to why the lease was for five years. He would prefer an annual lease. Chairman Crandall stated that he believed it had to do with IDA financing.

RESOLUTION NO. 59-16

APPROVAL OF LEASE AGREEMENT BETWEEN THE ALLEGANY COUNTY INDUSTRIAL DEVELOPMENT AGENCY AND THE COUNTY OF ALLEGANY FOR APPROXIMATELY 8,000 SQUARE FEET OF SPACE IN THE CROSSROADS COMMERCE CENTER LOCATED AT 6087 STATE ROUTE 19, BELMONT, NEW YORK

Offered by: Planning & Economic Development Committee
RESOLVED:

1. That Lease Agreement between the Allegany County Industrial Development Agency, as Landlord, and the County of Allegany, as Tenant, for leasing premises at the Crossroads Commerce Center located at 6087 State Route 19, Belmont, New York, for approximately 8,000 square foot, single floor structure to house the Allegany County Office of the Aging, Veterans' Services, and NY Connects is approved.

2. That the term of this Lease Agreement will be for five years, commencing on January 1, 2016, and ending December 31, 2020, with the right of Tenant to renew upon the same terms for an additional period of five years upon sixty day's advance notice of Tenant's intent to renew given to Landlord.

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

4. That the Clerk of this Board is directed to send a certified copy of this resolution to the Allegany County Industrial Development Agency.

Moved by: Mrs. Root  
Seconded by: Mrs. Hopkins  
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 60-16

APPROVAL OF MEMORANDUM OF AGREEMENT WITH CORNELL COOPERATIVE EXTENSION ASSOCIATION OF ALLEGANY COUNTY AND AUTHORIZING CHAIRMAN TO EXECUTE MEMORANDUM OF AGREEMENT; AUTHORIZING COUNTY TREASURER TO MAKE APPROPRIATION PAYMENTS IN RELATION TO THE 2016 BUDGETARY APPROPRIATION FOR THE WORK OF SUCH ASSOCIATION

Offered by: Planning & Economic Development and Ways & Means Committees

Pursuant to County Law § 224 (8)

RESOLVED:

1. That Memorandum of Agreement between the County of Allegany and the Cornell Cooperative Extension Association of Allegany County, dated January 20, 2016, in relation to the payment of appropriations to such Association by the County and the providing of services for such appropriations is approved and the Chairman of this Board is authorized to execute such Memorandum of Agreement.

2. That the County Treasurer is authorized and directed to pay one-half of the sum provided in the 2016 County Final Budget for such Association in advance no earlier than the first day of each half of the year beginning January 2016, 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.

Moved by: Mrs. Root          Adopted: Roll Call
Seconded by: Mr. Pullen       12 Ayes, 1 No, 2 Absent
                                      Voting No: Burt

Comments made regarding Resolution No. 60-16 included: Legislator Jessup made a motion to amend the resolution to include the Ways & Means Committee as a sponsor. The motion was seconded by Legislator Healy and carried to allow the amendment. Legislator O'Grady stated that he will support the resolution, but that he’s been critical of the agreement. Several years ago the cost of the agreement was questioned. It was said that the cost was to cover benefits for some of our employees who work with Cooperative Extension. Cornell Cooperative Extension is no longer paying for the benefits for those employees. Legislator O'Grady said that he thought the Board might consider decreasing funding as a result. He added, "Here we are again at the same amount with the caution that they might need more funding down the road. I will not support any additional funding from here on out." Legislator Burt said he appreciated being forewarned that this appropriation wasn’t going to be enough and that they were probably going to need another $48,000, but he feels it would have been nicer to know in the beginning what the total was that they were going to need. He suggested that Cooperative Extension have an efficiency study done. Legislator Graves reminded the group that the additional $48,000 was not for sure. He reminded everyone that they are in their first year operating solely for Allegany County. Legislator Graves isn’t wanting them to ask for more, but appreciates them telling the Board they might need more. He feels the programs are important and intends to support the resolution. Legislator Decker remarked on the reduction in the number of people involved in agriculture and the number of schools who have let their Future Farms of America programs go. He feels it’s important to encourage kids to participate in 4-H and agriculture. One of the largest industries in Allegany County is agriculture. He intends to support the resolution.

Resolution Intro. No. 62-16 (RESOLUTION SETTING DATE OF PUBLIC HEARING ON A LOCAL LAW TO AMEND LOCAL LAW NO. 3 OF 1992, [AS AMENDED BY LOCAL LAW NO. 3 OF 1995 AND LOCAL LAW NO. 2 OF 2010], TO PRESCRIBE THE QUALIFICATIONS, TERM OF OFFICE, POWERS AND DUTIES, AND PROCESS FOR REMOVAL OF THE COUNTY ADMINISTRATOR) was not pre-filed and was considered from the floor on a motion made by Legislator Jessup, seconded by Legislator LaForge, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 61-16

WHEREAS, on this 22nd day of February, 2016, a local law (Intro. No. 2-2016, Print No. 1) was introduced to amend Local Law No. 3 of 1992, (as amended by Local Law No. 3 of 1995, and Local Law No. 2 of 2010), to prescribe the qualifications, term of office, powers and duties, and process for removal of the County Administrator, and

WHEREAS, it will be necessary to set a date for a public hearing on said proposed law, now, therefore, be it

RESOLVED:

1. That a public hearing shall be held on March 14, 2016, 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. 2-2016, 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 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. Jessup
Seconded by: Mr. Healy

AUDITS:

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

A motion was made by Legislator Root, seconded by Legislator Graves, and adopted on a roll call vote of 13 Ayes, 0 Noes, 2 Absent, that the audit of claims, totaling $3,170,020.30, including prepaid expenses, be approved for payment as recommended by the County Administrator. (Allegany County’s Local Dollar Share of the NYS Medicaid Program paid year-to-date is $1,545,488.)

COMMENTS:

Lieutenant Shawn Grusendorf remarked that the Allegany County Sheriff’s Office would be holding a training session at Genesee Valley Central School in August.

ADJOURNMENT: The meeting was adjourned at 3:16 p.m. on a motion made by Legislator Graves, seconded by Legislator Decker and carried.
CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:11 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Army Specialist Fourth Class Gregory M. Robinson.

INVOCATION: The Invocation was given by Legislator Pullen.


APPROVAL OF MINUTES:

The Board meeting minutes of February 22, 2016, were approved on a motion made by Legislator Graves, seconded by Legislator Curran, and carried.

COUNTY GOVERNMENT INTERN PROGRAM:

County Government Intern Program Instructor Mr. John Padlo introduced students who are taking part in the County Government Intern Program through BOCES. Mr. Padlo remarked that the program has been in existence for over forty years.

PUBLIC HEARING:


There being no one desiring to speak, the public hearing was declared closed.

Chairman Crandall proceeded with opening a public hearing on Local Law Intro. No. 1-2016, entitled “A LOCAL LAW AMENDING LOCAL LAW NO. 4 OF 2004 REGARDING SOURCE SEPARATION IMPLEMENTATION AND TO REMOVE THE REQUIREMENT THAT ALL SOLID WASTE GENERATED IN ALLEGANY COUNTY MUST BE DISPOSED OF AT A COUNTY FACILITY.” Comments from the public included the following:
Chairman Crandall thanked Legislator Fanton, the Public Works Committee, Public Works Director Guy James, and Deputy Director Dean Scholes for all of their efforts. Chairman Crandall read the following statement on behalf of the Board.

“In response to questions and inaccurate rumors, I would like to clarify the position and intent of the Allegany County Board of Legislators regarding the operation of the County Landfill, Transfer Stations, and Recycling Program.

‘Since the 1980s, Allegany County has operated a County-owned Landfill on County Road 48 in the Town of Angelica. The Landfill has nine cells, and each cell has taken approximately three and a half years to fill. Over the past ten years plus, the Allegany County Legislators have been aware of the fact that the County-owned facility would be filled to capacity and no longer be an option for the disposal of our trash. Engineering studies have been done to see if it was feasible to expand and create another cell or another separate Landfill on our property, but due to soil conditions and other factors, that cannot happen. So, as predicted, and stated many times for several years, the County-owned Landfill will be filled to capacity within a few months.

‘As this time approached, the Legislators, Public Works Department, and contracted engineering consultants have been laying the groundwork for plans that would continue the service of taking care of the trash produced in Allegany County just as the people have been accustomed to for many years. On January 14, 2016, a Request for Proposal was sent out that would give the County firm figures for the disposal of the trash at an alternate site once our Landfill is filled. On February 12, 2016, the County received and opened bids for the RFP, one from the Steuben County Facility in Bath, one from Highland Landfill in Angelica, and one from Waste Management in Chaffee. A resolution awarding contracts to all of these agencies will be considered at the March 28 Board meeting. The intention of Allegany County is as follows:

1. Continue operation of the Transfer Stations as they have been in the past. When the trash leaves the Transfer Station, it will be hauled to one of the three facilities mentioned above, and the public will see little or no difference in service.
2. The current fee structure for the use of the Transfer Stations will remain in effect until March of 2017. As the County operates the system by hauling to other facilities, they will have more accurate figures for operational costs and adjust the fee structure as necessary in the future. These fees will be announced and posted in advance of any changes.
3. We will continue to operate our recycling program, and Allegany County calls on businesses and residents to be good environmental stewards and recycle all that they can. This not only helps the environment but helps offset operational costs for the County, and most recyclable materials can be disposed of at no cost to the user.
4. While operating the County-owned Landfill, the Legislature had in place a Flow Control Law which meant that all trash produced in Allegany County had to be disposed of at a County facility. By no longer having a Landfill of our own, the Local Law directing this will be amended to remove that wording. This allows anyone to take their trash where they wish within the County or elsewhere.
5. In order to change the Local Law pertaining to Flow Control, a public hearing will be held on March 14. A pre-filed resolution amending our current Local Law will be addressed upon completion of the environmental review process.

‘The bottom line is this: Allegany County will be taking the trash from the Transfer Stations to a facility other than the County Landfill for disposal, and the people using the Transfer Stations will see little or no difference in the service.’

Mr. Richard Hoshal, Village Clerk for the Village of Belmont, asked the Board if there was a timeline in place for the Local Law. It was indicated that it would take a couple of weeks after it’s adopted. Mr. Hoshal also asked what other municipalities in Allegany County provided trash pick-up. Guy James stated that municipalities offering trash pick-up are the Village of Wellsville, Village of Belmont, Village of Cuba, Town of Friendship, and Village of Canaseraga. Mr. Hoshal wanted to clarify where the packer trucks were currently unloading the garbage. Mr. James indicated that they currently unload packer trucks at the Landfill rather than transfer stations. Once the Landfill is closed, the packer trucks won’t be able to unload there. Mr. Hoshal asked if municipalities would be required to take their garbage to the three facilities the County intends to contract with. County Attorney Tom Miner stated that while the municipalities are not required to use one of the three facilities, the prices will be locked in at those places.

Gudrun Scott from Andover expressed her concern that County residents aren’t aware of the public hearings saying that she hadn’t seen it in the newspapers. Chairman Crandall replied that the County is required to advertise the public hearings for these local laws and that they are placed in the legal ad portion of the newspaper. Ms. Scott expressed her concerns with the inability for people to use burn barrels. She feels the DEC could help manage the use of burn barrels so the burning of trash is done properly. She thanked the County for its recycling efforts. Chairman Crandall let Ms. Scott know that the burn barrels were an issue handled by State legislation and not by the County, but thanked her for sharing the information.

Anna Green from Cuba spoke about legislation sent by the Cuba Grange regarding the disposal of waste water from hydro fracking. She spoke about Marcellus Shale and the radioactive material in the waste water. She expressed her concerns about the leachate that is being taken to the Hyland Landfill and its radioactivity. She’s concerned about it ending up in the Genesee River. She asked if the County could be held responsible for clean-up at the Hyland Landfill if garbage from the County is mixed with the radioactive waste. She also expressed her concern for the County employees working at the County Landfill once the Landfill is closed. She urged the Board to consider that when making their decision. Chairman Crandall noted that anything taken to the Hyland Landfill is regulated under the DEC. He stated that the County Attorney has looked into what our liabilities might be, and we are safe along the liability lines that you’ve mentioned. As far as positions at the County Landfill, we do have to work within the constraints of our union contracts. Chairman Crandall thanked her for addressing the Board.

PRIVILEGE OF THE FLOOR:
Chairman Crandall recognized Veteran Services Director Michael Henessey for receiving accreditation from the American Legion of New York State. Chairman Crandall noted that the accreditation is necessary for the County to be able to provide services to veterans.

Chairman Crandall presented a certificate to Gregory M. Robinson, former United States Army Specialist Fourth Class, in grateful appreciation of his service to our country. Mr. Robinson’s service dates were from November 5, 2008, to November 30, 2015. Following Basic Training at Fort Leonard Wood, MO, assignments included: Fort Campbell, KY, Afghanistan and Korea. Commendations he received included: Afghanistan Campaign Medal with 2 Campaign Stars, Army Commendation Medal, Army Achievement Medal with 3 Oak Leaf Clusters, National Defense Service Medal, Global War on Terrorism Service Medal, Korea Defense Service Medal, NATO Medal, Noncommissioned Officer Professional Development Ribbon, Army Service Ribbon, Overseas Service Ribbon, Combat Action Badge, Air Assault Badge, Sharp Shooter for M-4 and M-9. Mr. Robinson led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans’ Honorary Pledge of Allegiance Program.

Madelyn Thornton, RN and Program Coordinator for Cancer Services addressed the group to remind everyone that March is Colorectal Cancer Awareness Month. Upon reaching the age of fifty, or earlier if there is a family history of colon cancer, everyone should check with their doctor about having a colonoscopy. There are other options if a colonoscopy is not an option. Ms. Thornton stressed the importance of having the procedure done. She noted that colon cancer is one of the most common cancers in New York State. It is preventable, beatable, and treatable. It’s best to catch problems early so that it doesn’t turn into cancer. She urged everyone to spread the word and get their screenings done.

Representatives were present to answer questions regarding 2015 Annual Reports for the following: County Attorney, County Clerk, Probation, Public Works, and Cooperative Extension.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. 2016 Allegany County Directory.

2. Report of IntraFund Transfers Approved by the County Administrator in February 2016.

3. Report of Tax Bill Corrections Approved by the County Administrator in February 2016.

4. 2015 Annual Reports for Review: Office for the Aging, Emergency Services, Board of Elections, Health Department, Community Services, Real Property Tax, Fire Service, and Human Resources.
5. Pursuant to Article 11 of the Real Property Tax Law, County Treasurer Terri Ross filed Certificates of Withdrawal of Delinquent Tax Liens for properties in the Towns of Almond, Andover, and Bolivar in the Clerk of the Board’s Office on March 10 and 11, 2016.

6. Notice of next InterCounty meeting to be hosted by Steuben County at the Snug Harbor Restaurant in Hammondsport on March 18.


8. Correspondence from the Greater Allegany County Chamber of Commerce announcing the 8th Annual Meeting & Dinner on Friday, April 1, 2016, at Moonwinks in Cuba. Thurman Thomas will be a special guest.

9. Correspondence from the family of former Legislator Bruce Reuning thanking the Board for their donation to the library in Wellsville in memory of Mr. Reuning.

APPOINTMENTS:

Chairman Curtis W. Crandall appointed Tyler Shaw, Environmental Health Director as a member of the HAZARD MITIGATION TEAM, effective immediately, to serve at his pleasure.

Chairman Curtis W. Crandall appointed Corinne Davis of Angelica, Deborah Hint of Cuba, Robert Starks of Wellsville, Kim Bolander of Wellsville, and Tammy Kokot of Almond, to the ALLEGANY COUNTY YOUTH BOARD for a three-year term commencing March 26, 2016, and expiring March 25, 2019, subject to confirmation by the Board of Legislators.

Chairman Curtis W. Crandall appointed Jerry Scott of Cuba, to the CHAUTAUQUA, CATTARAUSS, ALLEGANY AND STEUBEN SOUTHERN TIER EXTENSION RAILROAD AUTHORITY to fill the remainder of Tim O’Grady’s three-year term commencing immediately and expiring August 27, 2016, subject to confirmation by the Board of Legislators.

Chairman Curtis W. Crandall appointed Vicki Grant of Houghton, as a member of the CITIZENS ADVISORY COUNCIL TO THE OFFICE FOR THE AGING for a three-year term commencing immediately, and expiring December 31, 2018, subject to confirmation by the Board of Legislators.

Chairman Curtis W. Crandall appointed Robert McNeill of Rushford, as the Agri-Business member on the ALLEGANY COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD for a four-year term commencing March 5, 2016, and expiring March 4, 2020.

PROCLAMATION:

Chairman Crandall proclaimed March 2016 as Colorectal Cancer Awareness Month in Allegany County.

RESOLUTIONS:

RESOLUTION NO. 62-16

RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND THE STATE LEGISLATURE TO PLAN FOR NEXT GENERATION 9-1-1 IN NEW YORK STATE AND CREATE A NEW YORK STATE 9-1-1 DEPARTMENT THAT SUPPORTS COUNTY PUBLIC SAFETY ANSWERING POINTS AND ENHANCES LOCAL EMERGENCY DISPATCH SERVICES

Offered by: Public Safety Committee

WHEREAS, counties provide 9-1-1 services in New York State by operating Public Safety Answering Points (PSAPs) that serve all residents in times of emergency by dispatching emergency medical, fire, and police assistance, and

WHEREAS, counties continue to incur substantial costs to upgrade and maintain communications systems, as well as keep up to date with technological changes, and

WHEREAS, these changes are a fundamental shift toward an IP based 9-1-1 system that is commonly referred to as Next Generation (NG) 9-1-1, and

WHEREAS, NG 9-1-1 requires greater planning and investment on the part of local governments in order to keep pace with rapidly evolving consumer technologies, and

WHEREAS, the majority of states across the country have aggressively begun preparing for NG 9-1-1 and in numerous instances deploying significant infrastructure and policies to build the foundation for a NG 9-1-1 system, and

WHEREAS, New York State has done comparatively little to prepare for NG 9-1-1 and is facing significant risk in becoming a straggler in the deployment of NG 9-1-1 technologies, and

WHEREAS, a lag in planning and investment in NG 9-1-1 places New York’s citizens at risk as they rely on a legacy 9-1-1 system that is rapidly becoming obsolete, and
WHEREAS, the NYS Public Service Commission (PSC) conducted a telecommunications study on 9-1-1 that required the insight of public safety and 9-1-1 experts to relay relevant public safety information to the PSC as they make 9-1-1 related telecommunications decisions, and

WHEREAS, the NYS Public Service Commission (PSC) intends to work collaboratively with the Department of Homeland Security and Emergency Services (DHSES), the 9-1-1 Advisory Board and the Public Safety Broadband Working Group to further advance the implementation of NG 9-1-1 in New York State, while maintaining their oversite of 9-1-1 system affordability and reliability as it pertains to providers of 9-1-1 services, and

WHEREAS, a New York State effort to provide coordinated leadership in the area of 9-1-1 would be most appropriately empowered to both support the mission of the PSAPs in the State as well as transition the current State’s 9-1-1 legacy system to a NG 9-1-1 system that will better serve its citizens for years to come, and

WHEREAS, leadership from New York State is crucial to ensure success and to prevent future tragedies related to the 9-1-1 network in NYS, and

WHEREAS, counties urge New York State to adopt the Automated Secure Alarm Protocol (ASAP) which automates all alarms coming from alarm companies and allows for an electronic link between the Central States Alarm Association, the NLETS system and the PSAPs via the NYS e-justice system, now therefore, be it

RESOLVED:

1. That the Allegany County Legislature calls upon Governor Andrew M. Cuomo, the State Legislature and the Division of Homeland Security and Emergency Services to create a New York State 9-1-1 Department that best serves the public interest and supports PSAPs in New York State while continuing to allow the City of New York and the 57 counties outside of NYC to receive emergency 9-1-1 calls and dispatch emergency services in a manner that is most appropriately determined by those municipalities.

2. That the Allegany County Legislature calls upon the State Legislature and the Governor to enable a State 9-1-1 Department that would:
   - Provide funding;
   - Issue RFPs and award contracts as necessary to support 9-1-1;
   - Establish standards for 9-1-1;
   - Apply for and distribute Federal Grant Funds;
   - Coordinate and provide training for 9-1-1 directors, supervisors and call takers;
   - Provide Public Education;
   - Provide necessary networks to support 9-1-1 both in a legacy and NG 9-1-1 environment;
• Provide a Statewide ESInet to support interoperability within and outside of New York State;
• Create, maintain and distribute GIS databases;
• Create and maintain NG 9-1-1 and other appropriate databases to support 9-1-1 efforts;
• Provide and propose appropriate regulation / legislation / tariffs to support 9-1-1;
• Represent New York State in efforts to support and advance 9-1-1 at a national level including participating in events sponsored by NASNA, NENA, APCO and the FCC;
• Provide consultative services to PSAPs in NYS in regards to industry trends, products, techniques, and standards;
• Help manage Civil Service exams;
• Manage the TERT program;
• Provide legal expertise in 9-1-1 related matters;
• Serve as the liaison to 9-1-1 service providers (TELCOs, Wireless Carriers, TCCs, VoIP providers, CPE manufacturers, etc.);
• Provide coordination with the Public Service Commission and work closely with them on tariffs, legislation and other business as it pertains to the 911 field.
• Provide for connectivity via the e-justice system to allow for the Automated Secure Alarm Protocol (ASAP).

3. That the Allegany County Legislature supports the extension of 9-1-1 surcharges to any device capable of connecting to 9-1-1, including pre-paid devices as essential to preserving current resources for 9-1-1 services.

4. That the Clerk of this Board shall forward certified copies of this resolution to Governor Andrew Cuomo; Commissioner of the Division of Homeland Security and Emergency Services; Senator Catharine M. Young; Assemblyman Joseph M. Giglio; the New York State Association of Counties and the Inter-County Association of Western New York.

Moved by: Mr. Curran
Seconded by: Mr. Graves

Moved by: Mr. Curran
Seconded by: Mr. Graves

RESOLUTION NO. 63-16

RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND THE STATE LEGISLATURE TO MORE EQUITABLY AND EFFICIENTLY IMPOSE THE 9-1-1 SURCHARGE ON ALL WIRELESS COMMUNICATIONS DEVICES AND USE REVENUES TO FINANCE COUNTY 9-1-1
WHEREAS, the State of New York imposes a $1.20 public safety surcharge on wireless “contract telephones,” which, when it was enabled in statute, was intended to fund 9-1-1 operations and help dispatchers, first responders, and law enforcement officers to communicate and respond to emergencies, and

WHEREAS, the “pre-paid” cellular phone market is currently not contributing resources to support 9-1-1 service, and

WHEREAS, it’s estimated at least 1/3 of all cell phones are “pre-paid” and do not pay the $1.20 state surcharge or the $.30 local surcharge, and

WHEREAS, more than 30 states have expanded their 9-1-1 surcharge to “pre-paid” phones, and

WHEREAS, the growth of smart phones into the “pre-paid” marketplace in recent years is accelerating and providers are moving away from annual contracts toward “pre-paid” monthly programs, and

WHEREAS, the State’s revenues from the $1.20 surcharge totals nearly $200 million annually but is declining, with the majority of which is used by the state for purposes other than 9-1-1, and

WHEREAS, current funding mechanisms do not provide enough funding to address the essential needs of all counties nor the implementation of NextGen 9-1-1, now therefore, be it

RESOLVED:

1. That the Allegany County Legislature calls upon Governor Andrew M. Cuomo and the State Legislature to determine a way to ensure adequate funds are available for emergency needs and authorize all counties the authority to impose a local surcharge up to a $1.20 on ALL wireless devices that are capable of accessing 9-1-1 services.

2. That any expansion of the State surcharge to pre-paid plans should commensurately authorize local surcharges for the same purpose.

3. The State should provide optional authority for the local wireless $.30 surcharge for the 8 counties that do not currently impose this surcharge.

4. That the Clerk of this Board shall forward certified copies of this resolution to Governor Andrew Cuomo; Commissioner of the Division of Homeland Security and Emergency Services; Senator Catharine M. Young; Assemblyman Joseph M. Giglio; the New York State Association of Counties and the Inter-County Association of Western New York.
Comments made regarding Resolution No. 63-16 included: Legislator Ungermann wondered if this would include all of the “Obama Phones.” Mr. Ungermann expressed his discontentment with people receiving phones they don’t pay for. He feels cell phones are a luxury, not a necessity. Legislator Pullen stated that he is troubled by the fact that not all of the money raised through the surcharge is used for 9-1-1. He appreciates the 9-1-1 protection, but the State uses the funds as a source of general fund revenue. Legislator Graves and Legislator Healy also remarked on the way the State has handled this and the lack of urgency in dealing with the matter.

RESOLUTION NO. 64-16

RESOLUTION URGING NEW YORK STATE TO FULLY FUND ALL COSTS RELATED TO RAISING THE AGE OF CRIMINAL RESPONSIBILITY AND ENSURE THAT ANY STATUTORY OR ADMINISTRATIVE CHANGES FULLY RECOGNIZE THE RESPONSIBILITY OF LOCALLY ELECTED DISTRICT ATTORNEYS TO PROMOTE PUBLIC SAFETY, MAINTAIN VICTIMS’ RIGHTS, AND ENSURE ACCOUNTABILITY IN THE JUSTICE SYSTEM

Offered by: Public Safety Committee

WHEREAS, the Governor is prioritizing fundamental reform of the juvenile justice system in New York State, including a statutory change to the age of criminal responsibility, and

WHEREAS, structural changes to raising the age of criminal responsibility will require a significant investment in services based on a children and families social services model, and

WHEREAS, these services will produce the need for job-training skills, high school equivalency education, transportation, drug and alcohol treatment, family and individual counseling, coordinated mental health services, case management, and other interventions resulting in higher expenses, and

WHEREAS, many regions of the State currently do not have adequate capacity to provide such services in their local communities, and

WHEREAS, the State currently caps funding for foster care and youth detention, and also limits reimbursement for other child welfare and probation costs, resulting in a significant unfunded mandate on counties which will grow worse if the State changes the age of criminal responsibility while not also providing full funding to alleviate these new costs, and
WHEREAS, locally elected District Attorneys are responsible for protecting the public safety, maintaining victim’s rights, and ensuring accountability for all in the criminal justice system, and

WHEREAS, the District Attorney’s Association of the State of New York has provided recommendations to State legislative leaders on their proposals to reform the juvenile justice system including; 1) providing local prosecutorial consent for the removal of all violent felonies and some non-violent felonies from criminal court to family court, 2) not allowing adjustment for violent and serious non-violent felonies, 3) any new presumption for granting youthful offender status should be limited to certain classes of non-violent felony offenses, 4) reduced sentencing should not be offered for certain violent crimes and 5) ensuring that some level of secure detention options be maintained for certain cases, and

WHEREAS, these recommendations are intended to preserve the delicate balance between offender rehabilitation and accountability, and public safety, now, therefore, be it

RESOLVED:

1. The Allegany County Legislature calls on the State of New York to fully cover all new costs associated with changing the age of criminal responsibility to avoid the imposition of a new unfunded mandate on counties; and

2. Fiscal caps must be removed for foster care and youth detention as part of this age of criminal responsibility reform, and State funding must be provided to build capacity for infrastructure and services under child welfare and probation services, and to identify mental health and drug and alcohol issues and strategies to minimize absences without leave from the education system; and

3. The State must also reverse state budget reimbursement rate cuts it made to counties for local child welfare services, restoring the State reimbursement rate to 65% from the current 62% level to ensure counties have more resources to provide critical services to children and families in need of services; and

4. That recommendations from local District Attorneys should be provided due consideration and inclusion if the reform proposal moves forward; and

5. There will need to be flexibility in recognition of the differences between small and large counties and rural versus urban areas, such that, a staggered roll-out may be appropriate in some counties depending on local conditions and service capacity; and

6. That the Clerk of this Board shall forward certified copies of this resolution to Governor Andrew Cuomo; Senator Catharine M. Young; Assemblyman Joseph M. Giglio; the New York State Association of Counties and the Inter-County Association of Western New York.

Moved by: Mr. Curran
Adopted: Voice Vote
Seconded by: Mr. Healy

Comments made regarding Resolution No. 64-16 included: Legislator Ungermann remarked that while he understands this resolution is simply asking the State to fund this, he feels the youthful offender status has created a problem. He believes we ought to teach responsibility at a younger age.

RESOLUTION NO. 65-16

RESOLUTION IN SUPPORT OF EFFORTS TO IMPROVE PROBATION AND ALTERNATIVES TO INCARCERATION IN NEW YORK STATE IN ORDER TO PROTECT THE PUBLIC AND REDUCE RELIANCE ON PRISONS AND JAILS

Offered by: Public Safety Committee

WHEREAS, County Probation Departments are an integral part of the Criminal Justice System and operate within the legal framework of the Criminal Procedure Law, the Penal Law, and the Family Court Act, and

WHEREAS, it is the mission of Probation to protect the community through intervention in the lives of those under supervision by facilitating compliance with court orders and serving as a catalyst for positive change, and

WHEREAS, state funding for Probation was drastically reduced between 1990 and 2015 from a 46.5% State share in 1990 to less than 12% in 2015, putting a huge strain on counties and cost to county property taxpayers, and

WHEREAS, at the same time there have been increases in the number of mandated programs and services County Probation Departments are required to provide, and

WHEREAS, the New York State Council of Probation Administrators, representing NYS Probation Directors, Administrators and Commissioners has diligently worked with NYSAC and State leaders to bring more awareness to the important work that Probation does to protect the public, now therefore, be it

RESOLVED:

1. That the New York State Association of Counties (NYSAC) supports proposals put forward by the Governor to immediately enact statutory and regulatory changes that improve Probation and Alternatives to Incarceration in the following ways:

   • Eliminate the mandate that pre-sentence investigations must be conducted when a sentence of up to one year in jail has been negotiated.

   • In response to Violation of Probation Petitions (VOP):
- Require counties to develop swift, certain graduated responses
- Require the courts to dispose of the VOPs within 90 days
- Enable Probation to administratively modify Conditions of Probation in the provision of graduated responses.
- Establish a dedicated funding stream for juvenile services provided directly to Probation through DCJS/OPCA.
- Eliminate the requirement for dual supervision of Ignition Interlock parolees by delegating direct supervision to NYS Parole only of defendants sentenced to DOCS.

2. That the Clerk of this Board shall forward certified copies of this resolution to Governor Andrew Cuomo; Deputy Secretary for Public Safety Terence O’Leary; Senator Catharine M. Young; Assemblyman Joseph M. Giglio; the New York State Association of Counties and the Inter-County Association of Western New York.

Moved by: Mr. Curran
Seconded by: Mr. Decker

RESOLUTION NO. 66-16

APPOINTMENT OF ONE MEMBER TO THE 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 Vicki Grant of Houghton, New York, as an over 60 member to the Citizens Advisory Council to the Office for the Aging, with term of office commencing immediately and expiring December 31, 2018, is confirmed.

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

RESOLUTION NO. 67-16

APPOINTMENT OF ONE MEMBER TO THE COUNTY TRAFFIC SAFETY BOARD TO COMPLETE AN UNEXPIRED TERM

Offered by: Public Safety Committee

Pursuant to Local Law No. 2 of 1972
RESOLVED:

1. That Dustin Burch of Cuba, New York, is appointed to the County Traffic Safety Board, to complete Melinda Rounds’ unexpired three-year term, commencing immediately and expiring December 31, 2016.

Moved by: Mr. Curran
Seconded by: Mr. Healy

RESOLUTION NO. 68-16

AMENDING PARAGRAPH #2 OF RESOLUTION 16-2016 TO CORRECT THE AMOUNT OF FUNDS TRANSFERRED FOR THE CAPITAL PROJECT FOR BRIDGE #15-06

Offered by: Public Works Committee

RESOLVED:

1. That Paragraph #2 of Resolution No. 16-2016 is amended to read as follows:

   2. That the following transfers are required for such Capital Project: $392,000 is transferred from Account No. H5120.200 (Maintenance of Bridges) to Account No. H5947.200 (Cuba, BR#15-06, Keller Hill Road).

Moved by: Mr. McGraw
Seconded by: Mr. Jessup

Comments made regarding Resolution No. 68-16 included: Legislator Decker stated that the resolution was a little confusing to him. In the future, he would like to see an explanation as to the reason for the changes.

RESOLUTION NO. 69-16

TRANSFER OF FUNDS FROM CONTINGENCY TO OFFICE OF DEVELOPMENT ACCOUNTS

Offered by: Planning & Economic Development and Ways & Means Committees

RESOLVED:

1. That the transfer of $83,400 from Contingency to Office of Development Accounts for additional budgetary funding to finance anticipated future expenses and promotional materials is approved as follows:
From Account No. | To Account No. | Amount
--- | --- | ---
A1990.429 Contingency | A6430.402 Office of Dev. - Transportation | $12,750
A1990.429 Contingency | A6430.405 Office of Dev. - Conference | 32,900
A1990.429 Contingency | A6430.482 Office of Dev. - Contractual | 37,750

Total: $83,400

Moved by: Mr. Pullen  
Seconded by: Mr. Jessup  
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 70-16

TRANSFER OF FUNDS WITHIN OFFICE FOR THE AGING ACCOUNTS

Offered by: Human Services Committee

RESOLVED:

1. That the transfer of $2,000 within the Medicare Improvements Patient/Providers Act (MIPPA) Grant account within Office for the Aging accounts to match the 2016 Federal MIPPA Grant, is approved as follows:

From:  
A6774.101 OFA Medicare Improv. – Reg. Pay $2,000

To:  
A6774.401 OFA Medicare Improv. – Postage $300
A6774.402 OFA Medicare Improv. – Mileage 200
A6774.416 OFA Medicare Improv. – Phone 500
A6774.424 OFA Medicare Improv. – Ads 1,000

Total: $2,000

Moved by: Mr. LaForge  
Seconded by: Mr. Decker  
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 71-16

APPROVAL OF GRANT APPLICATION FOR THE DIRECT CARE WORKER PROGRAM BY OFFICE FOR THE AGING

Offered by: Human Services Committee

WHEREAS, the Office for the Aging is requesting approval to apply for the Direct Care Worker Program, and
WHEREAS, the grant would provide up to two percent salary and related fringe benefit increases to Luncheon Center Managers and Home Delivered Meal Drivers, and

WHEREAS, the funding will be used solely to support salary and salary-related fringe benefit increases for direct care staff, now, therefore, be it

RESOLVED:

1. That the Office for the Aging is authorized to act on behalf of the County of Allegany to apply for grant funds through the Direct Care Worker Program.

Moved by: Mr. LaForge  Adopted: Roll Call
Seconded by: Mr. Graves  13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 72-16

APPROVAL OF HAZARD MITIGATION PLAN CONTRACT WITH TETRA TECH

Offered by: Public Safety Committee

RESOLVED:

1. That the contract in the amount of $89,800 between Allegany County and Tetra Tech to prepare an updated Hazard Mitigation Plan, is approved.

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

Moved by: Mr. Curran  Adopted: Roll Call
Seconded by: Mr. Healy  12 Ayes, 1 No, 2 Absent
Voting No: Decker

Comments made regarding Resolution No. 72-16 included: Legislator Decker expressed his frustration regarding this plan. He was on the committee that was supposed to be working on this. He said they had one meeting and then nothing. He said no work was done on this for over a year and now we’re going to spend nearly $90,000. Legislator Graves indicated that there is a grant that should cover most of the cost. Emergency Services Director Jeff Luckey gave some explanation as to the timing of the grant and what it would cover. Legislator Ungermann remarked that although it’s a grant, it’s still taxpayer dollars. Legislator O’Grady stated that he believed prior plans were done in-house. He will support the resolution because the money comes from the “grant tree,” even though he agrees it is taxpayer money. If it wasn’t covered by a grant, he would vote against it. Chairman Crandall stated he believed the County contracted with someone for the original plan. Legislator Healy remarked that while he agrees that the grant money is taxpayer money, he feels this plan is
essential to the County, towns, villages, etc. He said, the better the plan, the better the chance for these municipalities to obtain grant money. Legislator Decker stated that his vote was still going to be “no.” He resents the fact that the committee did not meet and work on this. Legislator Graves disagreed with Legislator Decker saying, although he respects Mr. Decker and his opinion, work was done on this in case we didn’t get the grant. Mr. Graves feels the County is fortunate to have the expertise of this company, and they are highly recommended. Legislator Burt remarked that he agrees that grants are taxpayers’ money, but that’s the structure we’re locked into. No one else is going to leave the money there. Until everyone agrees to leave the grant money, we’re locked into the grant system.

RESOLUTION NO. 73-16
RESOLUTION APPROVING EXTENSION OF INTER-MUNICIPAL AGREEMENT FOR THE SHARED USE OF A ROAD WIDENER WITH PARTICIPATING TOWNS
Offered by: Public Works Committee

RESOLVED:

1. The extension of the Inter-Municipal Agreement for Shared Purchase and Use of Highway Equipment that pertains to a road widener for an additional five years, expiring on February 28, 2021, is approved.

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

Moved by: Mr. McGraw
Seconded by: Mr. Curran
Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 74-16
APPROVAL OF MOTOROLA SOLUTIONS CONTRACT FOR THE BUILD OUT OF SIX ADDITIONAL TOWER SITES AND IMPROVEMENTS TO THE NEWLY ACQUIRED WHITESVILLE SITE
Offered by: Facilities & Communications Committee

RESOLVED:

1. That the contract between Allegany County and Motorola Solutions for the build out of six additional tower sites and improvements to the newly acquired Whitesville site in the amount of $3,050,621, is approved.

2. That the Chairman of this Board is authorized to execute said contracts.
Moved by: Mr. Pullen
Seconded by: Mr. Curran
Adopted: Roll Call
12 Ayes, 1 No, 2 Absent
Voting No: Ungermann

Comments made regarding Resolution No. 74-16 included: Legislator Ungermann expressed his concerns about the long list of responsibilities of the County in the agreement. He feels it could easily reach $1 million. He asked if that would be covered by the grant money, or if it would come from the general fund. Chairman Crandall stated they were expecting to stay within the grant funding. Lieutenant Shawn Grusendorf attempted to address Mr. Ungermann’s concerns and asked Mr. Ungermann what he thought was going to cost $1 million. Legislator Ungermann feels there’s a lot of manpower involved. He also asked if there was going to be an accounting of the expenses. Chairman Crandall noted that anything beyond the current funding would be addressed by the Board. Mr. Ungermann reiterated that he just wants to know if things are going to be accounted for, so we know what the real cost of this is. Legislator Burt remarked that as with all projects, he would like to know the total cost up front.

RESOLUTION INTRO. NO. 76-16 (APPROVAL OF AN INTER-MUNICIPAL MUTUAL AID AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND SCHUYLER COUNTY) was TABLED following a motion made by Legislator O’Grady, seconded by Legislator Decker, and carried. Legislator O’Grady stated that due to recent concerns, he would like to see it tabled for future consideration.

Resolution Intro. No. 77-16 (RESOLUTION APPROVING AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND ARDENT SOLUTIONS, INC. TO PROVIDE MOBILITY MANAGEMENT SERVICES IN ALLEGANY COUNTY) was not pre-filed and was considered from the floor on a motion made by Legislator Jessup, seconded by Legislator Graves, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 75-16

RESOLUTION APPROVING AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND ARDENT SOLUTIONS, INC. TO PROVIDE MOBILITY MANAGEMENT SERVICES IN ALLEGANY COUNTY

Offered by: Ways & Means Committees

RESOLVED:

1. That the Agreement with Ardent Solutions, Inc. to provide mobility management services in Allegany County for the period January 1, 2015, to December 31, 2017, is approved.

2. That the Chairman of this Board is authorized to execute such agreement.
AUDITS:

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

Legislator Ungermann asked Interim County Administrator John Margeson what his department’s expenses totaling $7,723.37 consisted of. Mr. Margeson indicated that it was mostly legal fees for contract negotiations. Mr. Ungermann replied, “It’s getting to the point where a raise may have been better.”

A motion was made by Legislator Jessup, seconded by Legislator Graves, and adopted on a roll call vote of 13 Ayes, 0 Noes, 2 Absent, that the audit of claims, totaling $5,052,035.57, including prepaid expenses, be approved for payment as recommended by the County Administrator. (Allegany County’s Local Dollar Share of the NYS Medicaid Program paid year-to-date is $2,125,046.)

ADJOURNMENT: The meeting was adjourned at 3:39 p.m. on a motion made by Legislator Graves, seconded by Legislator Burt, and carried.
CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:02 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Army Specialist 4th Class Lynda Jones.

INVOCATION: The Invocation was given by Legislator Pullen.


APPROVAL OF MINUTES:

The Board meeting minutes of March 14, 2016, were approved on a motion made by Legislator Graves, seconded by Legislator Burt, and carried.

The Committee of the Whole minutes of March 14, 2016, were approved on a motion made by Legislator Curran, seconded by Legislator Decker, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall remarked on a ceremony held on the lawn of the Courthouse in front of the Vietnam Veterans’ Memorial. The Daughters of the American Revolution Catherine Schuyler Chapter placed wreaths at the memorial and paid tribute to the men and women who served during the time of the Vietnam War. During that ceremony, Chairman Crandall proclaimed March 29, 2016, as Vietnam Veterans’ Day in Allegany County.

Chairman Crandall presented a certificate to Lynda Jones, former United States Army Specialist 4th Class, in grateful appreciation of her service to our country. Ms. Jones’ service dates were from September 10, 1974, to September 9, 1977, and from October 17, 1978, to February 29, 1980. Following Basic Training at Fort Jackson, SC, she was assigned to Fort Knox, KY, Fort Lee, VA and Fort Stewart, GA. Commendations she received included: Good Conduct Medal and Sharpshooter. Ms. Jones led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans‘ Honorary Pledge of Allegiance Program.

Representatives were present to answer questions regarding 2015 Annual Reports for the following: Office for the Aging, Emergency Services, Board of Elections, Health Department, Community Services, Real Property Tax, Fire Service, and Human Resources.
ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. April 2016 Calendar


3. Pursuant to Article 11 of the Real Property Tax Law, County Treasurer Terri Ross filed Certificates of Withdrawal of Delinquent Tax Liens for properties in the Towns of Burns and Wellsville in the Clerk of the Board’s Office on March 15 and 24, 2016, respectively.

4. Correspondence from the NYS Department of Public Service announcing public statement hearings regarding the closing of three walk-in offices in Belmont, Geneseo, and Mechanicville.

PROCLAMATION:

Chairman Curtis W. Crandall proclaimed March 29, 2016, as Vietnam Veterans’ Day in Allegany County and encouraged all citizens to thank a Vietnam Veteran for their sacrifice on our behalf. (This proclamation was read at a wreath laying ceremony earlier in the day.)

RESOLUTIONS:

RESOLUTION NO. 76-16


Offered by: Ways & Means Committee

RESOLVED:

1. That proposed Local Law, Intro. No. 2-2016, Print No. 1, is adopted without any change in language, to wit:

COUNTY OF ALLEGANY

Intro. No. 2-2016

Print No. 1

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

Section 1. Office of County Administrator. The Allegany County Board of Legislators established the position of County Administrator by Local Law No. 3 of 1992, which was subsequently amended by Local Law No. 3 of 1995 and Local Law No. 2 of 2010, and set forth the powers and duties of said position. The Board of Legislators of the County of Allegany now desires to revise the powers and duties set forth in said local law by further amendment and by this local law set forth the powers, duties, mode of selection and removal, and term of office of the County Administrator.

Section 2. Amending Section 2 of Local Law No. 3 of 1992. Section 2 of Local Law No. 3 of 1992, as amended, is amended to read as follows:

Section 2. County Administrator: Appointment and Term of Office. There shall be a County Administrator who shall be directly responsible to the Board of Legislators and on behalf of the Board of Legislators shall perform the functions of a chief administrative officer. The position of County Administrator shall be unclassified for Civil Service purposes. The Board of Legislators shall have the power to appoint and remove the County Administrator and shall set the County Administrator’s salary and allowable expenses and benefits. The Board of Legislators shall have the authority to enter into an agreement with the County Administrator setting forth the County Administrator’s salary, allowable expenses and benefits, and such other terms and conditions of employment as the Board of Legislators deem appropriate. The term of office of the first County Administrator appointed pursuant to this local law shall commence on the date of his or her appointment and shall expire on December 31, 2018. The term of office of each subsequent County Administrator shall be for four years. The Allegany County Board of Legislators may remove the County Administrator, prior to the expiration of the County Administrator’s term of office upon cause, cause being insubordination; neglect of duty; or inability, by reason of sickness or disability, to discharge the duties and responsibilities of office beyond the period of any leave authorized by the New York State Civil Service Law, subject to the following conditions:

a. The Board of Legislators shall adopt a resolution stating their intention to remove the County Administrator and the reasons therefore.

b. A copy of the resolution shall be served upon the County Administrator. The County Administrator may, within thirty (30) days, demand a hearing.

c. If the County Administrator demands a hearing, the Board of Legislators shall appoint a committee to hold a hearing, in executive session, not less than ten (10) days or more than twenty (20) days from the date of the demand. After the hearing, the committee shall recommend dismissal or retention of the County Administrator.
Administrator. The Board of Legislators may accept or reject the recommendation of the committee. The decision of the Board of Legislators shall be final and binding, subject to the right of appeal in accordance with law.

d. If the County Administrator does not demand a hearing, the Board of Legislators may dismiss the County Administrator thirty (30) days after service of a copy of the resolution upon the County Administrator.

Section 3.  Amending Section 3 of Local Law No. 3 of 1992.  Section 3 of Local Law No. 3 of 1992, as amended, is amended to add a subparagraph “d” to read as follows:

Section 3.  Qualifications.

d. The appointee need not be a resident of Allegany County at the time of appointment but shall become so within 180 days of appointment and remain so during his or her term of office. Failure to become such a resident or to remain such a resident shall be cause for dismissal by the Allegany County Board of Legislators.

Section 4.  Amending Section 4 of Local Law No. 3 of 1992.  Section 4 of Local Law No. 3 of 1992, as amended, is amended to add an additional sentence and shall henceforth read as follows:

Section 4.  Salary. The County Administrator shall receive an annual salary to be fixed by the Board of Legislators. The County Administrator shall, on an annual basis, undergo an evaluation of his/her job performance as conducted by the Board of Legislators in a manner to be determined by the Board of Legislators.

Section 5.  Amending Section 5 of Local Law No. 3 of 1992.  Section 5 of Local Law No. 3 of 1992, as amended, is amended to read as follows:

Section 5.  Powers and Duties. Without curtailing, diminishing or transferring the powers of any elected County official, the County Administrator shall be the Budget Officer and shall be responsible for the overall administration of County government. The County Administrator shall perform all the duties now and hereafter conferred or imposed upon the office by law and directed by the Board of Legislators and shall have all the powers and perform all the duties necessarily implied or incidental thereto. Such powers and duties include the following:

a. To appoint a Deputy County Administrator, in the exempt class for purposes of the Civil Service Law, who shall, in the absence or inability of the County Administrator to act, or during a vacancy in the County Administrator’s Office, have all the powers of the County Administrator provided herein, and the County Administrator shall also have the authority to appoint such additional staff within the Office of the County Administrator as may be authorized by the Board of Legislators.
b. To assist the Chairman in assuring that statutes, local laws, and resolutions of the Board of Legislators are faithfully executed and to report to the Board of Legislators any neglect of duty.

c. To develop policy and procedural recommendations for consideration by the Board of Legislators.

d. To work in conjunction with and coordinate the activities of County department heads and the administration of all units of County government in order to most efficiently implement the directives of the Board of Legislators.

e. To have general supervision of all County Departments and agencies except as otherwise required by law. All department and agency heads shall be responsible to and report to the County Administrator.

f. To aid the Board of Legislators in evaluating proposals presented to it and make recommendations concerning such proposals.

g. To undertake administrative and management studies and submit to the Board of Legislators reports and recommendations regarding governmental operations.

h. In conjunction with the Board of Legislators, to maintain liaisons and represent the Board of Legislators with political subdivisions, State and Federal officials and agencies.

i. Shall make recommendations for appointments by the Board of Legislators for all heads of units of County government, not administered by an Elected Official.

j. Shall undertake annual performance evaluations for all heads of units of County government and make annual salary recommendations to the Board of Legislators.

k. Shall determine what officer shall perform a particular power or duty not clearly defined by law.

l. Prepare the annual tentative budget for review and adoption by the Board of Legislators to ensure appropriate budgetary controls, and to promote the effective, efficient, and economical management of appropriated funds.

m. Recommend for approval all bills, vouchers, invoices, and other evidence of claims, demands, or charges paid from County funds or by any County agency, or payment for which the County, its officers or agents are responsible.
n. With the approval of the County Treasurer, prescribe the form of financial reports, receipts, vouchers, bills, or claims to be filed by all administrative agencies, departments, offices, or officials of the County.

o. Authorize individual departmental transfers of funds within any equipment or contractual expense appropriation account in amounts of less than $5,000 per transaction and report same to the Board of Legislators on a monthly basis.

p. Authorize all attendance at conferences, conventions, and schools.

q. Direct all labor relations activities, including the responsibility for collective bargaining, contract administration, grievance processing, the modification and administration of County work rules and secure legal services related to such matters as approved by the County Attorney.

r. To have such other related powers and perform such other related duties as may now or hereafter be confirmed or imposed by the Board of Legislators.

Section 6. Amending second reference to Section 5 of Local Law No. 3 of 1992. Whereas Local Law No. 3 of 1992, as amended, erroneously had two “Section 5.” headings, said local law is hereby amended to change the second Section 5 heading addressing “Limitations” to read Section 6.

Section 7. Amending Section 6 of Local Law No. 3 of 1992. Local Law No. 3 of 1992, as amended, is hereby amended to change the Section 6 heading addressing “Separability of Provisions” to read Section 7.

Section 8. Amending Section 7 of Local Law No. 3 of 1992. Local Law No. 3 of 1992, as amended, is hereby amended to change the Section 7 heading addressing “Effective Date” to read Section 8 and change the language thereof to read as follows:

Section 8. Effective Date. This local law shall become effective upon its filing in the office of the New York State Secretary of State.

Moved by: Mr. Jessup                              Adopted: Roll Call
Seconded by: Mr. Fanton                           15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 77-16

AMENDMENT OF RESOLUTION NO. 246-15 TO REFLECT AN INCREASE IN THE SALARY OF THE DISTRICT ATTORNEY

Offered by: Ways & Means Committee

Pursuant to Judiciary Law 183-a and Chapter 567 of the 2010 Laws of New York
WHEREAS, Section 183-a of the Judiciary Law states that a district attorney is to have the same salary as a county judge serving in the same county, and

WHEREAS, Section 221-d of the Judiciary Law is the state statute establishing the annual salary of a county judge, and

WHEREAS, pursuant to Chapter 567 of the 2010 Laws of New York, the State Legislature created a Special Commission on Judicial Compensation to make recommendations as to appropriate and fair salaries for the judges of this state, and

WHEREAS, based upon the Commission’s recommendations the twelve month salary paid a county judge in Allegany County is to be increased to $183,350 for the period April 1, 2016, through March 31, 2017, and

WHEREAS, as the salary of an Allegany County judge will be raised to $183,350 on April 1, 2016, the salary of the Allegany County District Attorney must also increase to $183,350 as of that date, and

WHEREAS, this Board needs to amend its salary plan governing the District Attorney to reflect the new salary as of April 1, 2016, now, therefore, be it

RESOLVED:

1. That paragraph “7.” of Resolution No. 246-15 is amended to indicate that for a twelve month period, commencing April 1, 2016, and ending March 31, 2017, the base salary of the Allegany County District Attorney shall be $183,350.

2. This resolution shall take effect retroactive to April 1, 2016.

Moved by: Mr. Jessup  Adopted: Roll Call
Seconded by: Mr. Curran  10 Ayes, 5 Noes, 0 Absent
Voting No: Burt, Decker, Graves, Pullen, Ungermann

Comments made regarding Resolution No. 77-16 included: Legislator Pullen explained his opposition to the resolution indicating that it wasn’t personal. He knows Keith Slep; he’s a friend and a fellow attorney. He stated that it wasn’t about Mr. Slep’s performance either; He feels he does an excellent job as District Attorney. He is opposed to the State telling the County what the County has to pay one of its officers. There are provisions in various State enactments that say only this Board can set the salary for a County officer. He feels the State is choosing to disregard what’s been established. If the State wants to raise the District Attorney’s salary, then the State should do so. They shouldn’t be asking us to enact legislation to do so. He explained how DA’s salaries are a percentage of the judges’ salaries. He noted that the State said they would include money in the State budget to cover the extra cost, but it’s not there. Allegany County taxpayers will have to come up with over $30,000.
He also feels the tax cap law is violated by this as the salary increase is over 10 percent. He reiterated that it’s nothing personal against Mr. Slep. Legislator Pullen stated that he will be voting “no” on the resolution. Legislator Decker thanked Legislator Pullen for his comments and stated that he too would be a “no” vote. Legislator Decker said it was no reflection on Mr. Slep; Mr. Slep does an excellent job as District Attorney. His concern is that the State is taking away this Board’s ability to set a salary. Legislator Ungermann remarked that in light of the recent Comptroller’s report, Allegany County has the highest tax rate versus assessed value in New York State. He added, “Local taxpayers simply can’t afford this.” Legislator Fanton stated that he’d love to vote this resolution down but feels the County will be sued. He feels a lawsuit would cost more than the raise. Legislator O’Grady stated his opposition to the resolution. He remarked that this falls right in line with Medicaid, the Courthouse, preschool, etc. The States hands down to us what we have to do and we have no choice. His only reason for supporting the resolution is that he doesn’t want Mr. Slep to have to sue us to get the money. Legislator Burt remarked that his decision has nothing to do with Mr. Slep; It’s simply about the procedure. We swore to uphold the law, but Allegany County residents don’t want things shoved down their throats. He stated that he would be voting “no,” but only for the taxpayers. He can see both sides. Legislator Healy commented on his years in public service in the military, as a State Trooper, and as a Legislator. In all of those positions he had to take an oath. Sometimes there was discretion, and sometimes not. He feels that if the Board votes down the resolution, they are putting themselves in an unfortunate position. He stated that he needed to fulfill his oath of office and support the resolution.

RESOLUTION NO. 78-16

CHANGING LOCATION AND DATE OF JULY 25, 2016, REGULAR BOARD MEETING

Offered by: Ways & Means Committee

RESOLVED:

1. Notwithstanding Rule 110. A. of County Board Rules, the second regular meeting of this Board in the month of July 2016 shall be held on July 21, 2016, at 2:00 p.m. and not on July 25, 2016, at 2:00 p.m.

2. Notwithstanding Rule 110.F. of County Board Rules, the second regular Board meeting for July 2016 shall be held at the Allegany County Fairgrounds, Angelica, New York, and not at the Board Chambers in Belmont, New York.

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

Adopted: Voice Vote

Comments made regarding Resolution No. 78-16 included: Legislator Ungermann remarked that this is one of the nicest things they do.
RESOLUTION NO. 79-16

RESOLUTION AMENDING RESOLUTION NO. 58-16 TO CORRECT REFERENCE TO THE AMOUNT OF SPACE BEING LEASED FROM THE ALLEGANY COUNTY INDUSTRIAL DEVELOPMENT AGENCY AT THE CROSSROADS COMMERCE CENTER TO STATE APPROXIMATELY 5,275 SQUARE FEET

Offered by: Planning & Economic Development Committee

WHEREAS, this Board previously approved a lease agreement for space at the Crossroads Commerce Center with the Allegany County Industrial Development Agency by Resolution No. 58-16, and

WHEREAS, although the terms of that lease agreement are correct, that resolution incorrectly noted the space being leased as 12,500 square feet, and

WHEREAS, the actual space being leased is approximately 5,275 square feet as correctly set forth in the lease, and

WHEREAS, that space is the same amount of space at the Crossroads Commerce Center that the County was leasing prior to the new lease, and

WHEREAS, this Board wishes to amend resolution No. 58-16 to correctly set forth the amount of space being leased as approximately 5,275 square feet, now therefore, be it

RESOLVED:

1. Resolution No. 58-16 is hereby amended to correct reference in the title and in the first "Resolved" paragraph to the amount of space being leased from approximately 12,500 square feet to approximately 5,275 square feet.

2. The Clerk of this Board is directed to make a note in the official proceedings of this Board that Resolution No. 58-16 was subsequently amended by this resolution.

Moved by: Mrs. Root
Seconded by: Mr. Healy
Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 79-16 included: Legislator Burt remarked that he was curious how this got missed. Chairman Crandall stated that it was simply a clerical error.
RESOLUTION INTRO. NO. 82-16 (GRANTING EXEMPTION TO THE SHERIFF’S OFFICE OPERATIONS LIEUTENANT AND NARCOTICS INVESTIGATORS FROM THE RESTRICTION ON THE USE OF COUNTY VEHICLES FOR TRANSPORTATION TO AND FROM THEIR RESIDENCE COVERED IN THE ALLEGANY COUNTY VEHICLE USAGE POLICY) was WITHDRAWN due to the fact that the Ways and Means Committee had already granted this exemption. A motion to withdraw the resolution was made by Legislator seconded by Legislator Healy, and carried.

RESOLUTION NO. 80-16
RESOLUTION CALLING FOR AN INCREASE IN THE SHARE OF REVENUE COUNTIES RETAIN FOR PROVIDING STATE DMV SERVICES

Offered by: Personnel Committee

WHEREAS, 52 of the 62 New York Counties are mandated by the State to operate a local Department of Motor Vehicles (DMV) Office, and

WHEREAS, this local DMV operation is one of many examples of shared services that counties provide for the State, and

WHEREAS, under current law the State of New York takes 87.3 percent of all fees collected from the work performed by the county operated DMV’s, and

WHEREAS, the remaining 12.7 percent county share has not been increased since 1999, yet the amount of work required by the local DMV offices has increased in that same time period, and

WHEREAS, the Governor and the State Legislature have repeatedly stated that lowering the property tax burden on local residents is a key priority, and

WHEREAS, increasing the county DMV revenue sharing rate will provide counties with needed revenue to continue to provide necessary local government services and reduce pressure on property taxes without increasing costs or fees to local residents, and

WHEREAS, there is a clear inequity present when a county DMV provides all the services, including overhead and staffing needs, to fulfill these DMV services needed for state residents, yet the State takes 87.3 percent of the revenue generated from providing these services, and

WHEREAS, the State Senate recognized this inequity placed on counties and attempted to reduce the burden of local property taxpayers by overwhelmingly passing Senator Patty Richie’s Bill S.4964, which would raise the 12.7 percent county share up to a 25 percent share, and
WHEREAS, counties recognize the important function of the State DMV in providing both support to counties and resident services; accordingly, any loss in the State DMV operational budget that occurs from an increased county revenue should be made whole through the State General Fund, now, therefore, be it

RESOLVED:

1. Allegany County calls on Governor Andrew M. Cuomo and members of the State Legislature to require a substantial increase of the County DMV revenue share with the State.

2. That the Clerk of this Board shall forward certified copies of this resolution to Governor Andrew Cuomo; Senator Catharine M. Young; Assemblyman Joseph M. Giglio; the New York State Association of Counties and the Inter-County Association of Western New York.

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

RESOLUTION NO. 81-16
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 Corinne Davis (District I), Angelica, New York, Deborah Hint (District II), Cuba, New York, Robert Starks (District III), Wellsville, New York, Kim Bolander (District IV), Wellsville, New York, and Tammy Kokot (District V), Almond, New York to the Allegany County Youth Board, for a three-year term commencing March 26, 2016, and expiring March 25, 2019, are confirmed.

Moved by: Mr. Graves
Seconded by: Mr. Pullen

RESOLUTION NO. 82-16
APPROVAL OF BOARD CHAIRMAN’S APPOINTMENT OF ONE MEMBER TO THE CHAUTAUQUA, CATTARAUGUS, ALLEGANY AND STEUBEN SOUTHERN TIER EXTENSION RAILROAD AUTHORITY
RESOLVED:

1. That Jerry Scott of Cuba, New York, is appointed to the Chautauqua, Cattaraugus, Allegany, and Steuben Southern Tier Extension Railroad Authority, to fill the remainder of Timothy O’Grady’s three-year term, commencing immediately and expiring August 27, 2016.

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

RESOLUTION NO. 83-16

AUTHORIZATION FOR THE PURCHASE OF SIX MOTOR VEHICLES FROM THE VEHICLE PURCHASE AND REPLACEMENT CAPITAL ACCOUNT

Offered by: Ways & Means Committee

WHEREAS, the County Administrator has requested authorization to purchase six motor vehicles to be financed by previously allocated resources in the Vehicle Replacement Capital Fund Account, and

WHEREAS, the Sheriff’s Office seeks to purchase an 11-passenger van not to exceed $36,750, and

WHEREAS, the Sheriff’s Office seeks to purchase a pick-up truck not to exceed $32,000, and

WHEREAS, the Health Department seeks to purchase a sedan not to exceed $17,000, and

WHEREAS, the Health Department seeks to purchase a full-size van not to exceed $26,250, and

WHEREAS, the Office for the Aging seeks to purchase two Caravans not to exceed $22,000 each, now, therefore, be it

RESOLVED:

1. That purchase of six vehicles, all as described above, is approved.

2. That the amount of $156,000 for the purchase of six motor vehicles from the Vehicle Replacement Capital Fund No. H5997.2 is approved.
Moved by: Mr. Jessup
Seconded by: Mrs. Root
Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 83-16 included: Legislator O’Grady asked for clarification on spending out of this account. He asked if money reserved for the purchase of vehicles had to be used for that purpose alone. Mr. Margeson stated that if the funds aren’t spent, they will become available for another use. Legislator Graves asked if it would be better to postpone the purchases until later in the year when there was a better idea of how things were going with the budget. Mr. Margeson replied that if things do get dire later in the year, they do have other sources of funding. If these purchases are delayed, it would be a real inconvenience for the Office for the Aging. Their vehicles are on their last legs. Legislator Healy remarked that the policy is that the County Administrator must approve the list of vehicles to be replaced and/or purchased before it goes to committee for approval. Mr. Margeson agreed that the previous County Administrator had done that. Legislator Burt expressed his concerns about our sales tax revenue being low and feels that it would be prudent to postpone the purchases until later in the year. He moved that the resolution be tabled. Legislator Decker seconded the motion. The motion to table the resolution failed due to lack of support from the Board. Legislator O'Grady remarked on his own experience with having to stretch out the use of work vehicles. Sometimes you spend thousands of dollars trying to keep them going. Vehicles are tools, things break and things need to be replaced. Legislator Pullen expressed his faith in the County Administrator’s judgement on deciding what needs to be purchased. Legislator Decker suggested purchasing the vehicles for the Office for the Aging and then letting the others slide for now. Legislator Fanton reminded the group that the cars being purchased for the Health Department were paid for by a grant. Legislator Burt stated that he’s fine with purchasing the vehicles, but feels they should wait a few months.

RESOLUTION NO. 84-16

RESOLUTION TO REPEAL RESOLUTION NO. 17-16

Offered by: Ways & Means Committee

WHEREAS, by Resolution No. 17-16, unspent funds from the FY 2014 Technical Rescue and Urban Search and Rescue Grant funds were re-appropriated, and

WHEREAS, the funds were already in the 2016 budget and did not require re-appropriation, now, therefore, be it

RESOLVED:

1. Resolution No. 17-16 is hereby repealed.
RESOLUTION NO. 85-16
RESOLUTION TO REPEAL RESOLUTION NO. 52-16

Offered by: Ways & Means Committee

WHEREAS, by Resolution No. 52-16, unspent funds from the Office of Homeland Security Contract #C969140 (Project #SH14-1002-D00 SHSP) Grant funds were re-appropriated, and

WHEREAS, the funds were already in the 2016 budget and did not require re-appropriation, now, therefore, be it

RESOLVED:

1. Resolution No. 52-16 is hereby repealed.

Moved by: Mr. Jessup
Seconded by: Mr. Curran
Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 86-16
RESOLUTION TO SUPPORT FUNDING FOR FARMLAND PRESERVATION AND AGRICULTURAL LOCAL ASSISTANCE PROGRAMS

Offered by: Resource Management Committee

WHEREAS, the enacted 2015/16 state budget included $50 million from the Special Infrastructure Account for farmland preservation and other strategic initiatives to protect farms and related businesses in the Southern Tier and Hudson Valley, and

WHEREAS, when combined with the $15 million allocation for farmland protection from the Environmental Protection Fund, the enacted budget represented the largest investment in farmland protection in New York State history, and

WHEREAS, New York State’s funding for agricultural local assistance programs has not seen an increase in many years, and

WHEREAS, annually, the executive-proposed state budget does not include funding for many core programs, leaving it to the Legislature to restore funding before the budget is enacted, and
WHEREAS, the enacted 2015/16 state budget allocated $30,231,000 in funding for agricultural local assistance programs, a significant increase over the $16,183,000 included in the Governor’s initial proposal, and

WHEREAS, the Governor’s 2016/17 proposed budget, released on January 13, 2016, allocated $20 million to farmland preservation, and $19,863,000 to agricultural local assistance programs, and

WHEREAS, the agriculture industry remains a top contributor to the New York State economy, providing critical jobs, revenues, and food for our state and beyond, and

WHEREAS, New York’s farmland protection and agricultural assistance programs help sustain this vital industry, and are deserving of a higher level of funding that can be continued in future years, now, therefore, be it

RESOLVED:

1. Allegany County supports the historic commitment New York State made in 2015 toward farmland preservation, and urges state lawmakers to sustain this commitment.

2. That Allegany County calls upon the Governor and State Legislature to continue New York’s commitment to local farms and the agricultural sector and provide a robust level of funding both for farmland preservation and local assistance programs.

3. That the Clerk of this Board shall forward certified copies of this resolution to Governor Andrew Cuomo; Senator Catharine M. Young; Assemblyman Joseph M. Giglio; the New York State Association of Counties and the Inter-County Association of Western New York.

Moved by: Mr. Graves
Seconded by: Mr. Healy

RESOLUTION NO. 87-16

ACCEPTANCE OF INSURANCE PAYMENT FROM NYMIR AND APPROPRIATION OF FUNDS TO RISK RETENTION ACCOUNTS

Offered by: Ways & Means Committee

WHEREAS, a check in the amount of $3,090.40; representing the cost less a $500 deductible, to repair a DPW 2010 Ford F150 (#0957) that was damaged in a motor vehicle/deer accident on March 1, 2016; has been offered by NYMIR (New York Municipal Insurance Reciprocal) in settlement for such damage, now, therefore, be it
RESOLVED:

1. That the sum of $3,090.40 representing the settlement on a DPW 2010 Ford F150 (#0957) that was damaged on March 1, 2016, is accepted.

2. That the sum of $3,090.40 is placed in Account No. CS1931.429 (Risk Retention - Uninsured Property Loss) with a like sum credited to Revenue Account No. CS1930.2680.00 (Insurance Recovery).

Moved by: Mr. Jessup  
Seconded by: Mr. Root  
Adopted: Roll Call  
15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 87-16 included: Legislator O’Grady thanked the Department of Public Works for the information they provided.

RESOLUTION NO. 88-16

ACCEPTANCE AND APPROPRIATION OF RESTITUTION FUNDS COLLECTED FROM THE VILLAGE OF ALFRED COURT FOR PAYMENT OF A SHERIFF’S OFFICE SPEED TRAILER THAT WAS DESTROYED

Offered by: Ways & Means Committee

RESOLVED:

1. That restitution funds collected from the Village of Alfred Court from defendants whom destroyed the Allegany County Sheriff’s Office speed trailer, in the amount of $11,105, are accepted.

2. The restitution funds of $11,105 shall be placed in Account No. A3110.208 (Sheriff – Equipment/Police) with a like sum credited to Revenue Account No. A3110.2610.00 (Sheriff – Fines & Forfeited Bail).

Moved by: Mr. Jessup  
Seconded by: Mr. Curran  
Adopted: Roll Call  
15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 88-16 included: Legislator Ungermann asked what was done to destroy the speed trailer. Undersheriff Monroe stated that it was turned upside down. Legislator Graves asked about insurance coverage on the speed trailer in the event the County doesn’t receive restitution. It was stated that the trailer is covered by insurance.
RESOLUTION NO. 89-16

RE-APPROPRIATION OF UNSPENT FUNDS FROM THE FEDERAL BALANCING INCENTIVE PROGRAM NEW YORK CONNECTS EXPANSION AND ENHANCEMENT PROGRAM GRANT

Offered by: Human Services and Ways & Means Committees

WHEREAS, by Resolution No. 175-15, the Federal Balancing Incentive Program New York Connects Expansion and Enhancement Program (Federal BIP) grant funds in the amount of $223,711 were accepted and appropriated, and

WHEREAS, Federal BIP grant funds in the amount of $97,624 were spent through December 31, 2015, and

WHEREAS, Federal BIP grant funds in the amount of $113,000 were placed in the 2016 budget, and

WHEREAS, the sum of $13,087 of the BIP grant funds needs to be re-appropriated for the 2016 Budget year, now, therefore, be it

RESOLVED:

1. That the sum of $13,087 in unexpended Federal Balancing Incentive Program New York Connects Expansion and Enhancement Program grant funds shall be re-appropriated to the following accounts:

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<thead>
<tr>
<th>Account</th>
<th>Description</th>
<th>Amount</th>
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<tr>
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<td>OFA Balancing Incentive Prog. – Regular Pay</td>
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<td>A6790.201</td>
<td>OFA Balancing Incentive Prog. – Office Equipment</td>
<td>3,600</td>
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<td>A6790.401</td>
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<td>A6790.802</td>
<td>OFA Balancing Incentive Prog. – Retirement</td>
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<td>OFA Balancing Incentive Prog. – FICA</td>
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<tr>
<td>A6790.804</td>
<td>OFA Balancing Incentive Prog. – Workers’ Compensation</td>
<td>140</td>
</tr>
<tr>
<td>A6790.805</td>
<td>OFA Balancing Incentive Prog. – Disability</td>
<td>142</td>
</tr>
</tbody>
</table>

   TOTAL $13,087

with the like sum of $13,087 credited to Revenue Account No. A6790.4772.6790 (Federal Aid – OFA Balancing Incentive Program).

Moved by: Mr. LaForge
Seconded by: Mr. Decker

Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent
RESOLUTION NO. 90-16

RE-APPROPRIATION OF UNSPENT FUNDS FROM THE WOMEN’S HEALTH INITIATIVE GRANT FOR THE CANCER SERVICES PROGRAM

Offered by: Human Services and Ways & Means Committees

WHEREAS, by Resolution No. 231-15, the Women’s Health Initiative grant for the Cancer Services Program in the amount of $50,000 was accepted and appropriated, and

WHEREAS, the sum of $20,095 of the Women’s Health Initiative grant for the Cancer Services Program remains unspent, and it is necessary to re-appropriate the remaining funds for the 2016 Budget year, now, therefore, be it

RESOLVED:

1. That the sum of $20,095 in unexpended Women’s Health Initiative grant funds for the Cancer Services Program shall be re-appropriated to the following accounts:

   A4071.206 Cancer Screening – Health Equipment $5,500
   A4071.401 Cancer Screening – Postage 6,178
   A4071.408 Cancer Screening – General Supplies 2,127
   A4071.424 Cancer Screening – Legal Advertising 6,000
   A4071.406 Cancer Screening – Insurance 290
   TOTAL $20,095

   with the like sum of $20,095 credited to Revenue Account No. A4071.3401.00 (State Aid – Cancer Screening).

Moved by: Mr. LaForge
Seconded by: Mr. Pullen
Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 90-16 included: Chairman Crandall asked if these monies were those presented by Senator Young. Public Health Director Lori Ballengee indicated that it was.

RESOLUTION NO. 91-16

BUDGET TRANSFER WITHIN SHERIFF’S OFFICE ACCOUNTS

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That the sum of $1,000 shall be transferred from Account No. A3112.403 (E-911 Dispatch – Maint. Cont. Office Machine) to Account No. A3020.428 (Public Safety
Communication – Natural Gas/Propane) for the cost of additional propane use from the installation of larger tanks at two tower sites.

Moved by: Mr. Curran
Seconded by: Mr. Decker
Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 92-16

ACCEPT AND APPROPRIATE FUNDS TO BE RECEIVED FROM IMMIGRATION AND CUSTOM ENFORCEMENT (ICE) FOR INMATE COMPUTER AND RECREATIONAL EQUIPMENT

Offered by: Public Safety and Ways & Means Committees

WHEREAS, this Board, by Resolution No. 235-15, had previously approved an amendment to the Immigration and Custom Enforcement (ICE) inmate housing contract to allow ICE to reimburse the County for the purchase of computer and recreational equipment totaling $28,700 for use of inmates housed at the Allegany County Jail, and

WHEREAS, while adjustments were made for the 2015 Budget showing appropriations and revenue related to the amended agreement, no funds were expended or received for such equipment in 2015 and these monies were not encumbered for 2016, and

WHEREAS, it is necessary to make budget adjustments to the 2016 Budget related to that contract, now therefore, be it

RESOLVED:
1. That the sum of $28,700 shall be appropriated and placed in the following accounts:

   A3150.201 (Jail-Office Equipment-Computers) $3,140.60
   A3150.210 (Jail-Equipment Other-Recreational equipment) 25,559.40
   Total: $28,700.00

with a like amount credited to Revenue Account No. A3150.4389.00 (Federal Aid-Other).

Moved by: Mr. Curran
Seconded by: Mr. Fanton
Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 93-16

APPROVAL OF AMENDMENT NUMBER ONE TO THE PROFESSIONAL CONSULTING SERVICES AGREEMENT WITH MAXIMUS CONSULTING SERVICES, INC.; AUTHORIZING CHAIRMAN TO EXECUTE AGREEMENT
RESOLVED:

1. That Amendment Number One to the Professional Consulting Services Agreement with Maximus Consulting Services, Inc., is approved.

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

Moved by: Mr. Jessup  Adopted: Roll Call
Seconded by: Mr. Pullen  15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 93-16 included: Legislator Burt asked for clarification on what this is for. Chairman Crandall asked County Treasurer Terri Ross to explain. She stated that this organization is hired to do a cost allocation plan. It helps the County to be eligible for state and federal aid. It is being amended because the Department of Social Services is now requiring different reporting for some of its federal awards. The County cannot do the cost allocation plan. An outside firm is required.

RESOLUTION NO. 94-16

ACCEPTANCE OF BIDS FROM CASELLA WASTE DISPOSAL, STEUBEN COUNTY DEPARTMENT OF PUBLIC WORKS, AND WASTE MANAGEMENT; AWARD OF CONTRACTS FOR THE DISPOSAL OF SOLID WASTE; AUTHORIZING CHAIRMAN TO EXECUTE AGREEMENTS

Offered by: Public Works and Ways & Means Committees

WHEREAS, Allegany County solicited sealed bids for the cost of disposing of County solid waste in outside landfills, and

WHEREAS, Casella Waste Disposal, Steuben County Department of Public Works, and Waste Management, each submitted bids for such disposal, and

WHEREAS, by awarding a contract to each bidder, the County will have the ability to select the best option for disposal of its solid waste, now, therefore, be it

RESOLVED:

1. That the bids of Casella Waste Disposal, Steuben County Department of Public Works, and Waste Management, for the disposal of solid waste at their respective landfills, are each accepted.

2. That Casella Waste Disposal, Steuben County Department of Public Works and Waste Management shall each be awarded a contract for the disposal of Allegany County solid waste at their landfills.

3. That the Chairman of this Board is authorized to execute an Agreement with each.

Moved by: Mr. Fanton  Adopted: Roll Call
Seconded by: Mr. Healy  14 Ayes, 0 Noes, 0 Absent
Comments made regarding Resolution No. 94-16 included: Legislator LaForge asked for permission to abstain from voting. A motion was made by Legislator Graves, seconded by Legislator Decker, and carried to allow Legislator LaForge to abstain from the vote.

AUDITS:

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

Legislator Ungermann asked about a $229,000 expense under Public Works. Deputy Public Works Superintendent Dean Scholes didn’t have the information in front of him, but stated he would get the information for Legislator Ungermann following the meeting.

A motion was made by Legislator Root, seconded by Legislator Pullen, and adopted on a roll call vote of 15 Ayes, 0 Noes, 0 Absent, that the audit of claims, totaling $4,033,926.25, including prepaid expenses, be approved for payment as recommended by the County Administrator. (Allegany County’s Local Dollar Share of the NYS Medicaid Program paid year-to-date is $2,511,418.)

ADJOURNMENT: The meeting was adjourned at 3:06 p.m. on a motion made by Legislator Decker, seconded by Legislator Graves, and carried.
CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:04 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Marine Corps Sergeant Andrew P. Michalak.

INVOCATION: The Invocation was given by Legislator Pullen.


APPROVAL OF MINUTES:

The Board meeting minutes of March 28, 2016, were approved on a motion made by Legislator Graves, seconded by Legislator Burt, and carried.

The Committee of the Whole minutes of March 28, 2016, were approved on a motion made by Legislator Root, seconded by Legislator Fanton, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Andrew P. Michalak, former United States Marine Corps Sergeant, in grateful appreciation of his service to our country. Mr. Michalak’s service dates were from March 25, 2003, to March 25, 2007. Following Basic Training at Parris Island, SC, assignments included: Camp Lejeune, SC, and Iraq. Commendations he received included: Marine Corps Good Conduct Medal, Global War on Terrorism Expeditionary Medal, Global War on Terrorism Service Medal, National Defense Service Medal, Sea Service Deployment Ribbon, Expert Rifle Badge and Sharpshooter Pistol Badge. Mr. Michalak led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans’ Honorary Pledge of Allegiance Program.

Supervising Public Health Educator Theresa K. Moore presented information on the variety of services provided by the Allegany County Department of Health. The Department of Health provides services and programs in Adult Health, Family Planning, Environmental Health, Cancer Programs, Children’s Programs and Emergency Preparedness & Response. This was to commemorate National Public Health Week. After Ms. Moore’s presentation, Chairman Crandall invited Public Health Director Lori Ballengee forward to join him as he read a proclamation declaring the week of April 4-10, 2016, as Public Health Week in Allegany County.
Deputy Social Services Commissioner Julie Tomasi addressed the group regarding Child Abuse Prevention. She then played a video produced by staff member Angela Tinder, that detailed child related programs and services offered by the Allegany County Department of Social Services. Chairman Crandall invited Ms. Tomasi and Social Services Commissioner Vicki Grant to join him as he read a proclamation declaring April 2016 as Child Abuse Prevention Month in Allegany County.

STOP-DWI Coordinator Linda Edwards recognized local police officer PJ Sherman for being named by the MADD organization as Officer of the Year. Locally, Officer Sherman has been awarded the title of “Top Cop” for seven of the last nine years. She noted that Mr. Sherman will be recognized at a ceremony in Schenectady in May.

Representatives were present to answer questions regarding 2015 Annual Reports for the following: District Attorney, Employment & Training, Information Technology, Public Defender, STOP DWI, Veterans, Workers’ Compensation, and Youth Bureau.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:


4. Notice of next InterCounty meeting to be hosted by Wyoming County at the Wyoming County Ag. & Business Center in Warsaw.

5. The 6th Annual Swingin’ to the Oldies will be held at the Alfred State College Activities Center in Wellsville on May 21.

PROCLAMATION:

Chairman Crandall proclaimed April 4-10, 2016, as NATIONAL PUBLIC HEALTH WEEK in Allegany County. The proclamation was read earlier in the meeting.

Chairman Crandall proclaimed April 2016 as CHILD ABUSE PREVENTION MONTH in Allegany County. The proclamation was read earlier in the meeting.
RESOLUTIONS:

RESOLUTION NO. 95-16

APPROVAL OF A TWENTY-FIVE YEAR LEASE FOR LAND IN THE TOWN OF ANGELICA ON WHICH AN E-911 RADIO TOWER WILL BE CONSTRUCTED

Offered by: Facilities & Communications and Ways & Means Committees

WHEREAS, the Sheriff’s Department is in the process of upgrading its E-911 system as part of a major grant received for such purpose, and

WHEREAS, in order to assure proper radio coverage throughout the County a number of new radio towers will need to be constructed, and

WHEREAS, a site in the Town of Angelica has been located which is suitable for the construction of one of these radio towers, and

WHEREAS, the landowners have agreed to lease the property to the County, and

WHEREAS, the County intends to lease this property for an initial period of twenty-five years with the right to renew for an additional twenty-five years, now therefore, be it

RESOLVED:

1. A lease of land between David and Lisa Hooker and the County of Allegany for a 0.344 acre +/- parcel in the Town of Angelica at 5646 Bailor Hill Road for the sum of Eight Thousand Five Hundred Dollars ($8,500) is hereby approved.

2. That the sum of $8,500 is transferred from Account No. A1990.429 (Contingency) to Account No. A3020.414 (Public Safety Communication Towers – Rentals Real Property).

3. The Chairman of this Board is authorized to sign the lease agreement and any other documents necessary for recording the lease agreement in the County Clerk’s Office.

Moved by: Mr. Pullen    Adopted: Roll Call
Seconded by: Mr. Jessup    14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 96-16

APPROVAL OF A TWENTY-FIVE YEAR LEASE FOR LAND IN THE TOWN OF RUSHFORD ON WHICH AN E-911 RADIO TOWER WILL BE CONSTRUCTED
WHEREAS, the Sheriff’s Department is in the process of upgrading its E-911 system as part of a major grant received for such purpose, and

WHEREAS, in order to assure proper radio coverage throughout the County a number of new radio towers will need to be constructed, and

WHEREAS, a site in the Town of Rushford has been located which is suitable for the construction of one of these radio towers, and

WHEREAS, the landowners have agreed to lease the property to the County, and

WHEREAS, the County intends to lease this property for an initial period of twenty-five years with the right to renew for an additional twenty-five years, now therefore, be it

RESOLVED:

1. A lease of land between Peter and Sandra Dusel and the County of Allegany for a one acre +/- parcel in the Town of Rushford at 9875 State Route 243 for the sum of Eight Thousand Five Hundred Dollars ($8,500) is hereby approved.

2. That the sum of $8,500 is transferred from Account No. A1990.429 (Contingency) to Account No. A3020.414 (Public Safety Communication Towers – Rentals Real Property).

3. The Chairman of this Board is authorized to sign the lease agreement and any other documents necessary for recording the lease agreement in the County Clerk’s Office.

Moved by: Mr. Pullen
Seconded by: Mr. Curran

RESOLUTION NO. 97-16

ACCEPTANCE AND APPROPRIATION OF DISABILITY EMPLOYMENT INITIATIVE FUNDING FOR EMPLOYMENT AND TRAINING

Offered by: Planning & Economic Development and Ways & Means Committees

RESOLVED:

1. That the sum of $7,306 from the Disability Employment Initiative funding for the Allegany Employment and Training Center is accepted.
2. That the sum of $7,306 is appropriated to Account No. CD1 6400.201 (WIA Title 1 Administration – Equipment) with a like sum credited to Revenue Account CD1 6400.4701.00 (WIA Title 1 Administration – Federal Aid).

Moved by: Mrs. Root  
Seconded by: Mr. Fanton  
Adopted: Roll Call  
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 98-16

APPROVAL OF A NEW AGREEMENT WITH IOC SERVICES, LLC FOR ECONOMIC DEVELOPMENT CONSULTING SERVICES

Offered by: Planning & Economic Development Committee

WHEREAS, Jack Wood, doing business as IOC Services, LLC has been providing economic development services to Allegany County for the last year and one-half, and

WHEREAS, since entering into the agreement with IOC Services, LLC, the County has contracted with Alfred State College to oversee the County’s economic development efforts, and

WHEREAS, this Board believes that it is in the County’s best interest to continue to retain Jack Wood’s services through a new agreement with IOC Services, LLC which will set out his compensation and better define his role in economic development, now therefore, be it

RESOLVED:

1. That the agreement with IOC Services, LLC, for the period April 1, 2016, to December 31, 2017, to provide economic development consulting services at a cost of Three Thousand Dollars ($3,000) per month plus expenses, with total cost not to exceed Seventy One Thousand Seven Hundred and Fifty Dollars ($71,750), is approved.

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

Moved by: Mrs. Root  
Seconded by: Mr. Healy  
Adopted: Roll Call  
14 Ayes, 0 Noes, 1 Absent

Resolution Intro. No. 102-16 (A RESOLUTION SUPPORTING THE DISPLAY OF THE NATIONAL MOTTO “IN GOD WE TRUST” IN THE LEGISLATIVE CHAMBERS OF THE ALLEGANY COUNTY BOARD OF LEGISLATORS) was not pre-filed and was considered from the floor on a motion made by Legislator Burt, seconded by Legislator Fanton, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.
RESOLUTION NO. 99-16

A RESOLUTION SUPPORTING THE DISPLAY OF THE NATIONAL MOTTO “IN GOD WE TRUST” IN THE LEGISLATIVE CHAMBERS OF THE ALLEGANY COUNTY BOARD OF LEGISLATORS

Offered by: Legislator Dwight (Mike) Healy and Ways & Means Committee

WHEREAS, “In God We Trust” became the United States national motto on July 30, 1956, shortly after our nation led the world through the trauma of World War II; and

WHEREAS, the words have been used on U.S. currency since 1864; and

WHEREAS, the same inspiring slogan is engraved above the entrance to the United States Senate Chamber as well as above the Speaker’s dais in the House of Representatives; and

WHEREAS, in both war and peace, these words have been a profound source of strength and guidance to many generations of Americans; and

WHEREAS, this Board desires to display this patriotic motto in the Legislative Chambers as a way to solemnize public occasions and express confidence in our society, now therefore, be it

RESOLVED:

1. That the Board of Legislators of Allegany County, New York, does hereby determine that the historic and patriotic words of our national motto, “In God We Trust,” shall be permanently and prominently displayed in the Allegany County Legislative Chambers.

Moved by: Mr. Healy
Seconded by: Mr. Graves

Adopted: Voice Vote

Comments made regarding Resolution No. 99-16 included: Legislator O’Grady stated that it didn’t matter to him one way or another, but if there is litigation over this, he would like to see it removed before any money is spent in litigation. Legislator Healy said that this was researched by the County Attorney as a National Motto and that it’s already been tested in the courts and found to be appropriate. Legislator Graves stated that he was very much in favor of this and feels it’s too bad we can’t do the same thing with our schools.

Resolution Intro. No. 103-16 (APPROVAL OF AN AMENDED POWER PURCHASE AGREEMENT WITH SOLARCITY REFLECTING A CHANGE IN THE NYSERDA MONETARY INCENTIVE FROM BLOCK I TO BLOCK III; AUTHORIZING CHAIRMAN TO EXECUTE THE AGREEMENT) was not pre-filed and was considered from the floor on a
motion made by Legislator Fanton, seconded by Legislator Pullen, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 100-16

APPROVAL OF AN AMENDED POWER PURCHASE AGREEMENT WITH SOLARCITY REFLECTING A CHANGE IN THE NYSERDA MONETARY INCENTIVE FROM BLOCK I TO BLOCK III; AUTHORIZING CHAIRMAN TO EXECUTE THE AGREEMENT

Offered by: Ways and Means Committee

WHEREAS, this Board had previously approved entry into a Power Purchase Agreement with SolarCity by resolution No. 184-15, and

WHEREAS, that Power Purchase Agreement established a contract price over a twenty year period based upon an anticipated NYSERDA Monetary Block I incentive of $0.34/W, and

WHEREAS, that agreement provided that if the actual rebate that NYSERDA approves is lower than that amount, the parties may renegotiate the contract price, and

WHEREAS, this Board has been informed that the monetary incentive has been reduced from Block I to Block III, and

WHEREAS, the projected savings to the County under an amended Power Purchase Agreement are approximately half of what was originally projected, and

WHEREAS, although the projected savings have been substantially reduced, those savings still amount to an average savings well in excess of $40,000 per year, and

WHEREAS, this Board believes that the projected savings and environmental benefit from proceeding ahead with an amended Power Purchase Agreement are in the County’s best interest, and

WHEREAS, in order to authorize SolarCity to move forward with the project and lock in the NYSERDA Block III monetary incentive, it is necessary to approve the entry into an amended Power Purchase Agreement reflecting a higher price due to a reduced rebate at the NYSERDA Monetary Block III incentive level, now therefore, be it

RESOLVED:

1. That subject to final review and approval of the terms thereof by the County Attorney, an amended Power Purchase Agreement with SolarCity for an initial term of twenty years, based upon a reduction in the NYSERDA monetary incentive from Block I to Block III, is hereby approved.
2. That the Chairman of this Board is authorized to execute this amended agreement.

Moved by: Mrs. Root
Seconded by: Mr. Healy
Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Resolution No. 101-16 (Intro. No. 76-16) (APPROVAL OF AN INTER-MUNICIPAL MUTUAL AID AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND SCHUYLER COUNTY) was removed from the table following a motion made by Legislator Curran, seconded by Legislator Healy, and carried. It was originally tabled on March 14, 2016.

RESOLUTION NO. 101-16

APPROVAL OF AN INTER-MUNICIPAL MUTUAL AID AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND SCHUYLER COUNTY

Offered by: Public Safety Committee

RESOLVED:

1. That the Inter-Municipal Mutual Aid Agreement between the County of Allegany and Schuyler County commencing July 1, 2016, for special detail deputies performing mutual aid police duties in Schuyler County is approved.

Moved by: Mr. Curran
Seconded by: Mr. Healy
Adopted: Roll Call
12 Ayes, 2 Noes, 1 Absent
Voting No: O’Grady, Ungermann

Comments made regarding Resolution No. 101-16 included: Legislator Burt thanked the Sheriff for explaining this in committee. Now he fully understands and will support the resolution. Legislator Pullen remarked that the Sheriff has indicated that he supports this and it’s in the best interest of the Sheriff’s Department and the County. Legislator Pullen feels the Board should listen to the recommendations of department heads.

AUDITS:

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

A motion was made by Legislator Fanton, seconded by Legislator Root, and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims, totaling $2,687,796.26, including prepaid expenses, be approved for payment as recommended by
the County Administrator. (Allegany County’s Local Dollar Share of the NYS Medicaid Program paid year-to-date is $2,897,790.)

**ADJOURNMENT:** The meeting was adjourned at 2:54 p.m. on a motion made by Legislator Graves, seconded by Legislator Fanton, and carried.
CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:07 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Navy E-5 Heavy Equipment Operator Roger L. Moyer.

INVOCATION: The Invocation was given by Legislator Pullen.


APPROVAL OF MINUTES:

The Board meeting minutes of April 11, 2016, were approved on a motion made by Legislator Graves, seconded by Legislator Decker, and carried.

The Committee of the Whole minutes of April 11, 2016, were approved on a motion made by Legislator Root, seconded by Legislator Fanton, and carried.

The Committee of the Whole minutes of April 12, 2016, were approved on a motion made by Legislator Decker, seconded by Legislator Pullen, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Roger L. Moyer, former United States Navy E-5 Heavy Equipment Operator, in grateful appreciation of his service to our country. Mr. Moyer’s service dates were from April 14, 1966, to October 2, 1969. Following Basic Training at Great Lakes, IL, assignments included: Parris Island, SC, and Vietnam. Commendations he received included: Vietnam Service Medal, Vietnam Campaign Medal, and National Defense Service Medal. Mr. Moyer led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans’ Honorary Pledge of Allegiance Program.

Allegany County Industrial Development Agency CEO & Chairman Jack Wood addressed the group with news regarding economic development in Allegany County. He introduced a document containing new vision and mission statements for development in the County, as well as strategies and objectives. A special committee including members from business, industry, education, and government spent most of the past year putting together this plan for economic development. Members of the committee include, Allegany County
Employees Bob Budinger, Joe Budinger, and Kier Dirlam; Allegany County Economic Development Team Members Gretchen Hanchett, Ed Eicher, Brian Gamache, Lauren Hunsberger, Leslie Gooch-Christman, Reita Lynch, Jack Wood, and Richard Zink; Legislators Norm Ungermann, Dave Pullen, Dwight Fanton, Mike Healy, Judy Hopkins, Debra Root; Houghton College President Dr. Shirley Mullen and her spouse Dr. Paul Mills; Alfred State College President Dr. Skip Sullivan and Alfred State College Vice President for Economic Development Craig Clark; Alfred State University President Dr. Charles Edmondson; Steve Power – Saputo Dairy Foods USA; Dale Smith and Karen Comstock – Dresser Industries; Greg Muscato – Arvos, Inc.; John Mulryan – Lufkin-RMT; and Randy Shayler – Otis Eastern.

Mr. Wood remarked on the partnership-based approach to economic development and growth. There is now a blueprint for moving forward with economic development and adding revenue to the County, which will result in a lower tax rate and tax dollars for taxpayers. Mr. Wood explained that the new plan would be voted on by the Board later in the meeting. He then asked Chairman Crandall to invite Dr. Craig Clark and members of the committee forward to formally hand off the new plan for economic development. Dr. Clark thanked Mr. Wood for the work he’s done. He is confident they can make this work. We’ve had many people working on smaller individual projects. We are now working together as one voice. The collaboration between government, business, industry, and education will make a huge difference. This has very specific benchmarks and will help us to provide the highest level of economic development. Dr. Clark expressed his excitement and remarked that Dr. Skip Sullivan is fully committed as well. He said Allegany County is a great place to live and do business; we just need to let people know that. New York State isn’t the only state that has rules and regulations.

Legislator Kevin LaForge addressed the group regarding a new Ad Hoc Committee for Heroin & Opioid Abuse. He announced that the new committee would be chaired by Legislator Judy Hopkins and would consist of leaders from government, law enforcement, health, treatment, industry, and the faith community. He noted that the committee was added to enhance, not compete with any existing community-based efforts. He stated, “The severity of this problem merits a response from our County government, both reactive and proactive.” He then introduced Legislator Judy Hopkins as Chair of the Allegany County Heroin and Opioid Abuse Ad Hoc Committee. Legislator Hopkins addressed the group saying, “I am honored to be a part of this effort to develop answers to this crisis that affects us all. As a county and as a legislature, we cannot ignore this problem that has reached into Allegany County. Our citizens are being significantly impacted by heroin and opioid abuse.” She mentioned several areas that the committee will focus on. Though they are still waiting on final commitments from a few individuals, she announced the following people have agreed to serve on the Ad Hoc Committee:

**Legislative Member Representatives**
- Judith D. Hopkins, Allegany County District I Legislator – Chair
- Kevin S. LaForge, Allegany County Human Service Committee Chairman

**Health Field Representative**
- Lori Ballengee, Allegany County Public Health Director
Chairman Crandall mentioned that there are a lot of different groups working to combat this problem. At the Senior Forum, the main topic people brought forward was what was being done about the drug epidemic here in Allegany County. He remarked that maybe we can help move things along.

Representatives were present to answer questions regarding 2015 Annual Reports for the following: Historian, Parks & Forests, Sheriff, Soil & Water Conservation, and Weights & Measures.

Legislator Burt asked the County Historian if things were covered now that the Historian was working part-time. Mr. Braack stated that he’s had no problems.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. May 2016 Calendar

2. 2015 Annual Reports for Review: County Administrator, Development, IDA, Planner, Planning Board, Tourism

3. Pursuant to Article 11 of the Real Property Tax Law, County Treasurer Terri Ross filed a Certificate of Withdrawal of Delinquent Tax Liens for Property in the Town of Bolivar in the Clerk of the Board’s Office on April 21, 2016.
4. Notice of next InterCounty meeting to be hosted by Ontario County at the Canandaigua Yacht Club on May 13, 2016.

5. Notice of Big Moose Golf Classic on June 11 that will help fund three scholarships in former Legislator Ted Hopkins’ name.

APPOINTMENTS:

Human Services Committee Chairman LaForge’s appointment of members to the ALLEGANY COUNTY HEROIN AND OPIOID ABUSE AD HOC COMMITTEE was read during privilege of the floor by the Allegany County Heroin and Opioid Abuse Ad Hoc Committee Chairman Judith Hopkins.

Chairman Curt Crandall has appointed John Roederer, of Houghton, New York, as a member of the ALLEGANY COUNTY PLANNING BOARD for a three-year term. This appointment is subject to confirmation by the Board of Legislators.

RESOLUTIONS:

A motion was made by Legislator Root, seconded by Legislator Healy, and carried, to address the resolutions out of order. The motion was to consider Resolution Intro. No. 122-16 (ADOPTION OF 2016 ALLEGANY COUNTY DEVELOPMENT VISION STATEMENT AND 2016 ALLEGANY COUNTY DEVELOPMENT MISSION STATEMENT WITH RELATED STRATEGIES AND OBJECTIVES) first.

Resolution Intro. No. 122-16 (ADOPTION OF 2016 ALLEGANY COUNTY DEVELOPMENT VISION STATEMENT AND 2016 ALLEGANY COUNTY DEVELOPMENT MISSION STATEMENT WITH RELATED STRATEGIES AND OBJECTIVES) was not pre-filed and was considered from the floor on a motion made by Legislator Root, seconded by Legislator Fanton, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 102-16

ADOPTION OF 2016 ALLEGANY COUNTY DEVELOPMENT VISION STATEMENT AND 2016 ALLEGANY COUNTY DEVELOPMENT MISSION STATEMENT WITH RELATED STRATEGIES AND OBJECTIVES

Offered by: Planning & Economic Development Committee

WHEREAS, under the auspices of the Planning and Economic Development Committee, a special ad hoc committee was set up consisting of highly respected leaders in Allegany County from business, education and government, and

WHEREAS, this committee, informally referred to as the Allegany County Business, Education and Government Economic Development Committee, “Special Committee,” was
set up with the goal of using the committee members knowledge and expertise together with the support they bring from these three key economic sectors to advance the economic development initiatives of Allegany County, and

WHEREAS, the “Special Committee” met on multiple occasions to help formulate a Development Vision Statement together with guiding principles as well as a Development Mission Statement together with strategies and objectives, and

WHEREAS, initial drafts of the Vision and Mission Statements were subsequently circulated amongst legislators and development team members for their input, and

WHEREAS, following such input, edits were made and resubmitted to the Special Committee at a meeting held on April 12, 2016, at which time final revisions were unanimously approved with a recommendation that these statements be submitted to the Planning and Economic Development Committee prior to submission to this Board for approval, and

WHEREAS, the Planning and Economic Development Committee has reviewed and approved the proposed Vision Statement and guiding principles and the proposed Mission Statement with strategies and objectives, and

WHEREAS, this Board greatly appreciates and wishes to thank the members of the Special Committee for their time and effort in helping formulate a Development Vision Statement and a Development Mission Statement for Allegany County, and

WHEREAS, this Board believes that adoption of the proposed Allegany County Development Vision Statement, with guiding principles, and proposed Allegany County Development Mission Statement, with strategies and objectives, will greatly assist Allegany County, its businesses and residents in assuring thoughtful and sound economic development efforts, now therefore, be it

RESOLVED:

1. That this Board does hereby acknowledge and thank those individuals who gave of their time and expertise to serve on the special ad hoc committee created to assist the County in formulating a new Development Vision Statement and Development Mission Statement.

2. That the following Vision Statement is hereby approved and adopted as the 2016 Allegany County Development Vision Statement, to wit: “To be a sound economic competitor that consistently attracts, retains and expands local businesses and industries through ongoing local, state, national and foreign direct investment in Allegany County,” together with guiding principles, all as set forth and attached hereto as Exhibit 1.

3. That the following Mission Statement is hereby approved and adopted as the 2016 Allegany County Development Mission Statement, to wit: “To provide the highest level of economic development services to retain, expand and attract investment in business, industries and supportive infrastructure,” together with strategies and objectives related thereto, all as set forth and attached hereto as Exhibit 2.
RESOLUTION NO. 103-16

ADOPTION OF LOCAL LAW INTRO. NO. 1-2016, PRINT NO.1, A LOCAL LAW AMENDING LOCAL LAW NO. 4 OF 2004 REGARDING SOURCE SEPARATION IMPLEMENTATION AND TO REMOVE THE REQUIREMENT THAT ALL SOLID WASTE GENERATED IN ALLEGANY COUNTY MUST BE DISPOSED OF AT A COUNTY FACILITY

Offered by: Public Works Committee

RESOLVED:

1. That proposed Local Law, Intro. No. 1-2016, Print No. 1, is adopted without any change in language, to wit:

COUNTY OF ALLEGANY

Intro. No. 1-2016 Print No. 1

A LOCAL LAW AMENDING LOCAL LAW NO. 4 OF 2004 REGARDING SOURCE SEPARATION IMPLEMENTATION AND TO REMOVE THE REQUIREMENT THAT ALL SOLID WASTE GENERATED IN ALLEGANY COUNTY MUST BE DISPOSED OF AT A COUNTY FACILITY

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

Section 1. Section 5, paragraph 1, of Local Law No. 4 of 2004 is amended to read as follows:

SECTION 5. SOURCE SEPARATION IMPLEMENTATION

1. Prior to taking any Solid Waste or Recyclable Material to a Solid Waste Management Facility, each Commercial Waste Collector proposing to collect Solid Waste and Recyclable Material generated in Allegany County, shall submit a plan, which shall include, but not be limited to, the description of the type of waste to be collected and frequency of collection and provision for collecting and marketing Recyclable Material.

Section 2. Section 7, paragraph 1, of Local Law No. 4 of 2004 is amended to eliminate the first sentence requiring all Solid Waste generated within Allegany County to be delivered to a County Facility and shall henceforth read as follows:
SECTION 7. DISPOSAL OF SOLID WASTE

1. No Waste Collector or other Person shall dispose of Solid Waste at the County Landfill or any County Facility without a duly issued and valid permit.

Section 3. Section 8, paragraph 1 of Local Law No. 4 of 2004 is amended to read as follows:

SECTION 8. DISPOSAL OF RECYCLABLE MATERIAL

1. All Waste Collectors and Persons, excepting Commercial Waste Collectors operating according to an approved plan, shall deliver all Recyclable Material generated within the County to a County Facility. No Waste Collector or other Person shall dispose of Recyclable Material at a County Facility without a duly issued and valid permit.

Section 4. In all other respect Local Law No. 4 of 2004 shall remain in full force and effect.

Section 5. This local law shall become effective upon its filing in the office of the New York State Secretary of State.

Moved by: Mr. Fanton
Seconded by: Mr. Graves
Adopted: Roll Call
13 Ayes, 0 Noes, 1 Absent
Abstain: LaForge

Legislator LaForge asked for permission to abstain from the vote. A motion was made by Legislator Fanton, seconded by Legislator Burt, and carried to allow Legislator LaForge to abstain from voting.

Comments made regarding Resolution No. 103-16 included: Legislator Ungermann asked if the resolution would take effect when the Landfill is full. County Attorney Tom Miner indicated that the resolution would take effect as soon as it’s filed with the Secretary of State.

RESOLUTION NO. 104-16

RESOLUTION SETTING DATE OF PUBLIC HEARING ON A LOCAL LAW TO AMEND LOCAL LAW NUMBER ONE OF TWO THOUSAND ELEVEN, AS SUBSEQUENTLY AMENDED BY LOCAL LAW NUMBER TWO OF TWO THOUSAND TWELVE, TO INCREASE THE ADMINISTRATIVE FEE FROM TWENTY-FIVE DOLLARS TO FORTY DOLLARS FOR THOSE INDIVIDUALS REQUIRED TO ATTEND MEETINGS OF THE ALLEGANY COUNTY STOP-DWI VICTIM IMPACT PANEL BY AN OUT OF COUNTY COURT REFERRAL

Offered by: Public Safety Committee
WHEREAS, on this 25th day of April, 2016, a local law (Intro. No. 3, Print No. 1) was introduced to, “Amend Local Law Number One of Two Thousand Eleven, as subsequently amended by Local Law Number Two of Two Thousand Twelve, to increase the administrative fee from twenty-five dollars to forty dollars for those individuals required to attend meetings of the Allegany STOP-DWI Victim Impact Panel by an out of county court referral,” and

WHEREAS, it will be necessary to set a date for a public hearing on said proposed local law, now, therefore, be it

RESOLVED:

1. That a public hearing shall be held on May 9, 2016, 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. 3-2016, Print No. 1.

2. That the Clerk of the Board of Legislators is hereby 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. Healy
Seconded by: Mr. Decker

RESOLUTION NO. 105-16

RESOLUTION SUPPORTING AN END TO EXECUTIVE ADMINISTRATIVE CUTS, AN INCREASE IN THE BASE GRANT, PER CAPITA RATE, AND STATE AID FORMULA THAT CONSTITUTE ARTICLE 6 STATE AID REIMBURSEMENT FOR MANDATED GENERAL PUBLIC HEALTH WORK UNDERTAKEN BY LOCAL HEALTH DEPARTMENTS AS POPULATION HEALTH PARTNERS OF NEW YORK STATE

Offered by: Human Services Committee

WHEREAS, the prevention and population health activities of local health departments in NYC and 57 other counties in New York State are essential to the overall health of the State’s residents and communities, and crucial to the success of the State’s Medicaid Redesign Team efforts, and

WHEREAS, unhealthy community environments lead to incidents such as the recent outbreak of Legionnaire’s Disease in the Bronx that resulted in the deaths of 12 individuals
whose general health was compromised by underlying medical conditions that are
aggravated by poor air quality and other characteristics of an unhealthy environment, and

WHEREAS, New Yorkers can be, and have been, exposed to deadly communicable
diseases such as Ebola that may arrive from other nations via global travelers at any time, and

WHEREAS, stable and timely funding to support core public health services delivered
by local health departments under Article 6 of the Public Health Law is necessary for the
protection of all communities within New York State, and

WHEREAS, Article 6 of the Public Health Law currently provides a base grant of either
a set amount or a per capita rate of local health department (LHD) expenditures on core
public health services, and then State reimbursement for 36 percent of LHD costs beyond the
base grant, and

WHEREAS, the State has reduced its annual appropriations for Article 6 Public Health
spending by 40 percent over the last several years, and

WHEREAS, New York State does not allow local governments to recover any of its
necessary expenditures on fringe benefits for local health department personnel who provide
core public health services mandated under Article 6, and

WHEREAS, in state fiscal year 2011-12, the State eliminated the allowance of State
Aid for so-called “optional services” by local health departments, such as early intervention
(mandated services), medical examiners, dental health services, some environmental health
activities, certified home health agencies, and more, and

WHEREAS, administrative actions by the New York State Department of Health
(NYSDOH) such as the reduction since 2012, and eventual elimination, of revenue offset; the
refusal to cover costs associated with the contribution that other local governmental offices
make to the work of their local health department Maintenance in Lieu of Rent (i.e. “Milor”);
and a recent refusal to cover technical assistance in rural counties for well water and septic
tank problems that can compromise the sanitation and health of communities throughout rural
areas of the state, and

WHEREAS, the reduction and eventual elimination of the revenue offset and other
administrative actions leads to a reduction in the generation of fee and penalty revenue that,
in turn increases the need for local budget cuts, including staff reductions that compromise
the capacity of local governments to ensure the provision of the core services necessary to
protect the public’s health, and

WHEREAS, NYSDOH has frequently applied changing and inconsistent standards in
what it allows as State Aid claims without advance notice, from quarter to quarter, region to
region, or county to county, and
WHEREAS, inflation-adjusted payments by New York State for Article 6 state aid to local health departments have declined since 2011, and as a result, local expenditures for public health services and subsequent claims for such state aid have declined dramatically, with New York City claims alone dropping by $85 million and State Aid payments to New York City declining by $120 million, and

WHEREAS, executive administrative reductions to Article 6 State Aid reimbursement have a negative impact on the ability of local health departments to protect the public including:
- enforcing regulations intended to reduce the incidence and risk of Legionnaire’s Disease;
- eliminating the HIV/AIDS epidemic;
- preventing and controlling the spread of communicable diseases;
- responding to the current heroin and opioid epidemic;
- ensuring the safety of the food we eat, the water we drink and the air we breathe;
- ensuring the safety of New Yorkers in camps, beaches and other recreational venues;
- preventing major causes of death and chronic disease such as heart disease, diabetes, asthma and cancer;
- monitoring and control of insect-borne diseases such as Lyme Disease, West Nile Virus, EEE;
- monitoring the public health impact of an influx of unaccompanied minors into the United States and specifically New York State;
- monitoring and responding to international health threats and emergencies, among other public health needs, and

WHEREAS, local health departments deserve respect for their dedication to public health and their expertise in population health, and

WHEREAS, local health departments require adequate state funding as key partners of the New York State Department of Health in population health efforts to achieve statewide goals set in the New York State Prevention Agenda, and

WHEREAS, the current limits on base grants and State Aid combined with increasing administrative cuts and disallowances are creating a cascading negative financial impact on local health departments and eroding their local public health infrastructure, and

WHEREAS, New York State has imposed a cap on property taxes that further restricts the ability of local government to fund core public health services, now, therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators calls on the Governor to compensate, within the 2016-17 Executive Budget and subsequent budget years, for significant state funding cuts to local health departments since 2010 by taking the following steps in the Article 6 State Aid for General Public Health Work base grants and reimbursement rates:
A. Instruct the Division of Budget and NYSDOH to end administrative actions that will result in further erosion of State Aid to local health departments;
B. Increase the base grant with 100 percent reimbursement of local expenditures on core public health services for partial service counties from $500,000 to $550,000; for full service counties from $650,000 to 750,000; and the per capita rate of the base grant from 65 cents per capita to $1.30 per capita;
C. Increase the State Aid reimbursement rate for local health department expenditures beyond the base grant from 36 percent to 38 percent;
D. Reimbursement for new state mandated activities required of Local Health Departments at 100 percent.

2. That the Clerk of this Board shall forward certified copies of this resolution to Governor Andrew Cuomo; Senator Catharine M. Young; Assemblyman Joseph M. Giglio; the New York Department of Health; the New York State Association of Counties and the Inter-County Association of Western New York.

Moved by: Mr. LaForge Adopted: Voice Vote
Seconded by: Mr. Pullen

Comments made regarding Resolution No. 105-16 included: Legislator O’Grady said that he didn’t support this in committee. He feels the reimbursement is decent. He’s not going to support because it’s still taxpayer dollars.

RESOLUTION NO. 106-16

CREATION OF ONE POSITION OF FULL-TIME ACCOUNT CLERK TYPIST WITHIN THE HEALTH DEPARTMENT

Offered by: Human Services Committee

RESOLVED:

1. That one position of full-time Account Clerk Typist (AFSCME, Grade 7) is created.

2. This resolution shall take effect immediately.

Moved by: Mr. LaForge Adopted: Roll Call
Seconded by: Mr. Fanton 14 Ayes, 0 Noes, 1 Absent
RESOLUTION NO. 107-16

REAPPOINTMENT 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. Leo Cusumano is reappointed to the County Board of Health for a six-year term beginning July 8, 2016, and expiring July 7, 2022.

Moved by: Mr. LaForge
Seconded by: Mr. Decker

RESOLUTION NO. 108-16

RESOLUTION SUPPORTING RABIES PREVENTION ACROSS THE STATE AND PROVIDING APPROPRIATE FUNDING NECESSARY TO ACHIEVE THIS GOAL

Offered by: Human Services Committee

WHEREAS, rabies is a deadly disease caused by a virus that attacks the central nervous system, and is almost always fatal once symptoms appear, and

WHEREAS, rabies is most often seen among wild animals such as raccoons, bats, skunks, and foxes; and infected mammals can transmit the rabies virus to humans and other mammals including cattle, cats and dogs, and

WHEREAS, the first signs of a rabies infection is usually change in an animal's behavior, an animal may become aggressive or tame, it may lose its fear of humans, or froth at the mouth, and

WHEREAS, without vaccination dairy farms are at great risk when sending their cattle out to pasture where they could come in contact with rabid animals, and

WHEREAS, rabies vaccination shots are expensive and can cost farms thousands of dollars annually, and

WHEREAS, losing a single animal can be a significant financial burden for a farmer, and

WHEREAS, luckily, humans are typically only exposed to rabies when an infected animal bites them, or when saliva from an infected animal enters an open cut or mucous
membrane such as one’s eyes, nose or mouth, but those who work on farms are at a greater risk of contracting rabies if working with unvaccinated livestock, now, therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators calls on the Governor to increase funding available to counties for rabies awareness and vaccination in the 2016-17 state budget.

2. That the Clerk of this Board shall forward certified copies of this resolution to Governor Andrew Cuomo; Senator Catharine M. Young; Assemblyman Joseph M. Giglio; the New York Department of Health; the New York State Association of Counties and the Inter-County Association of Western New York.

Moved by: Mr. LaForge  Adopted: Voice Vote
Seconded by: Mr. Decker

RESOLUTION NO. 109-16

APPROVAL FOR GRANT APPLICATION BY THE HEALTH DEPARTMENT FOR A COMPREHENSIVE ADOLESCENT PREGNANCY PREVENTION (CAPP) GRANT

Offered by: Human Services and Ways & Means Committees

WHEREAS, the Allegany County Department of Health is requesting approval to apply for grant money through the Comprehensive Adolescent Pregnancy Prevention (CAPP) Grant, and

WHEREAS, the grant fosters the prevention of adolescent pregnancy, sexually transmitted diseases, HIV, and aligns with New York State’s Department of Health Title V Maternal and Child Health priorities for adolescent health, and

WHEREAS, the funds would be used to provide compensation for a portion of rent and utilities at the Wellsville clinic site and a portion of salaries for the Nurse Practitioner, RN, and Public Health Educator, now, therefore, be it

RESOLVED:

1. That the Department of Health is authorized to act on behalf of the County of Allegany to apply for grant funds through the CAPP grant.

Moved by: Mr. LaForge  Adopted: Roll Call
Seconded by: Mr. Fanton  14 Ayes, 0 Noes, 1 Absent
RESOLUTION NO. 110-16

APPROVAL OF GRANT APPLICATION FOR HOMELAND SECURITY AND EMERGENCY SERVICES LEMPG FY 2016 GRANT BY THE OFFICE OF EMERGENCY MANAGEMENT AND FIRE SERVICES

Offered by: Public Safety and Ways & Means Committees

WHEREAS, the Office of Emergency Management and Fire Services is requesting approval to apply for grant money through the Homeland Security and Emergency Services LEMPG FY 2016 grant, and

WHEREAS, the grant funds would supplement the wages and expenses for the Office of Emergency Services, cover training costs, and enhance the County’s ability to deal with a natural disaster, and

WHEREAS, if approved the grant would provide $23,335, now, therefore, be it

RESOLVED:

1. That the Office of Emergency Management and Fire Services is authorized to act on behalf of the County of Allegany to apply for grant funds through the Homeland Security and Emergency Services LEMPG FY 2016 grant.

Moved by: Mr. Healy
Seconded by: Mr. Jessup
Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 110-16 included: Legislator Ungermann asked what the acronym LEMPG stood for. Assistant Emergency Management Director Mike Barney indicated that it stands for Local Emergency Planning Grant.

RESOLUTION NO. 111-16

APPROVAL OF GRANT APPLICATION FOR HOMELAND SECURITY AND EMERGENCY SERVICES SHSP FY 2016 GRANT BY THE OFFICE OF EMERGENCY MANAGEMENT AND FIRE SERVICES

Offered by: Public Safety and Ways & Means Committees

WHEREAS, the Office of Emergency Management and Fire Services is requesting approval to apply for grant money through the Homeland Security and Emergency Services SHSP FY 2016 grant, and
WHEREAS, the grant funds would be used to support regional preparedness for the county by increasing communication within and out of the county and to enhance communication between multiple law enforcement, fire, and EMS, and

WHEREAS, if approved the grant would provide $52,500, now, therefore, be it

RESOLVED:

1. That the Office of Emergency Management and Fire Services is authorized to act on behalf of the County of Allegany to apply for grant funds through the Homeland Security and Emergency Services SHSP FY 2016 grant.

Moved by: Mr. Healy
Seconded by: Mr. Jessup
Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 112-16

ACCEPTANCE AND APPROPRIATION OF PRIVATE FUNDING FROM THE SUSAN G. KOMEN FOUNDATION FOR THE HEALTH DEPARTMENT

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. The sum of $17,610 in private funding from the Susan G. Komen Foundation for the County Health Department is accepted.

2. The sum of $17,610 shall be appropriated to the following accounts:

<table>
<thead>
<tr>
<th>Account Code</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A4010.101</td>
<td>Health Department – Personnel</td>
<td>$4,323</td>
</tr>
<tr>
<td>A4072.402</td>
<td>Komen Kares Grant – Mileage/Transportation</td>
<td>400</td>
</tr>
<tr>
<td>A4072.405</td>
<td>Komen Kares Grant – Conference Expenses</td>
<td>30</td>
</tr>
<tr>
<td>A4072.408</td>
<td>Komen Kares Grant – General Supplies</td>
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<td>Komen Kares Grant – Fees</td>
<td>8,040</td>
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<tr>
<td>A4072.425</td>
<td>Komen Kares Grant – Clothing</td>
<td>24</td>
</tr>
<tr>
<td>A4072.802</td>
<td>Komen Kares Grant – Retirement</td>
<td>803</td>
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<td>A4072.803</td>
<td>Komen Kares Grant – FICA</td>
<td>331</td>
</tr>
<tr>
<td>A4072.804</td>
<td>Komen Kares Grant – Workers Comp.</td>
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</tr>
<tr>
<td>A4072.805</td>
<td>Komen Kares Grant – Disability</td>
<td>11</td>
</tr>
<tr>
<td>A4072.806</td>
<td>Komen Kares Grant – Hosp/Med Ins.</td>
<td>941</td>
</tr>
</tbody>
</table>

TOTAL $17,610

with a like sum credited to Revenue Account No. A4072.2705.00 (Komen Kares – Gifts & Donations).
RESOLUTION NO. 113-16

ACCEPTANCE AND APPROPRIATION OF FEDERAL FUNDS FOR COMMUNITY SERVICES

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. That the sum of $48,047 in federal funding for Community Services is accepted.

2. That the sum of $48,047 is placed in Account No. A4310.409 (Mental Health Administration – Fees) with a like sum credited to Revenue Account A4310.4490.00 (Federal Aid – Federal Salary Sharing).

Moved by: Mr. LaForge
Seconded by: Mr. Root

RESOLVED:

RESOLUTION NO. 114-16

ACCEPTANCE OF GRANT FUNDS FROM THE DIVISION OF CRIMINAL JUSTICE SERVICES FOR COMMUNITY SERVICE AND PRE-TRIAL PROGRAMS

Offered by: Public Safety Committee

RESOLVED:

1. That the sum of $5,998 in Article 13-A Classification Alternatives to Incarceration grant funding from the Division of Criminal Justice Services for use in the Community Service Program for period July 1, 2016, to June 30, 2017, is accepted.

Moved by: Mr. Healy
Seconded by: Mr. Decker

RESOLUTION NO. 115-16

BUDGET TRANSFER WITHIN SHERIFF’S OFFICE ACCOUNTS

Offered by: Facilities & Communications and Ways & Means Committees

RESOLVED:
1. That the sum of $90,000 shall be transferred from Account No. A14.511.3510 ( Appropriated Reserves E-911) to Capital Account No. H3200.2 (Capital Project – E-911 Equipment Room Project) to offset costs for change orders and additional engineering related to the new E-911 Equipment Room.

Moved by:  Mr. Pullen  
Seconded by:  Mr. Jessup  
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 116-16

APPROVAL OF A TWENTY-FIVE YEAR LEASE FOR LAND IN THE TOWN OF BOLIVAR ON WHICH AN E-911 RADIO TOWER WILL BE CONSTRUCTED

Offered by:  Facilities & Communications and Ways & Means Committees

WHEREAS, the Sheriff’s Department is in the process of upgrading its E-911 system as part of a major grant received for such purpose, and

WHEREAS, in order to assure proper radio coverage throughout the County a number of new radio towers will need to be constructed, and

WHEREAS, a site in the Town of Bolivar has been located which is suitable for the construction of one of these radio towers, and

WHEREAS, the landowners have agreed to lease the property to the County, and

WHEREAS, the County intends to lease this property for an initial period of twenty-five years with the right to renew for an additional twenty-five years, now therefore, be it

RESOLVED:

1. A lease of land between Norman Durnell and the County of Allegany for a one acre +/- parcel in the Town of Bolivar at 7101 Anderson Hollow Road, Lot #9, for the sum of Eight Thousand Five Hundred Dollars ($8,500) is hereby approved.

2. That the sum of $8,500 is transferred from Account No. A1990.429 (Contingency) to Account No. A3020.414 (Public Safety Communication Towers – Rentals Real Property).

3. The Chairman of this Board is authorized to sign the lease agreement and any other documents necessary for recording the lease agreement in the County Clerk’s Office.

Moved by:  Mr. Pullen  
Seconded by:  Mr. Jessup  
14 Ayes, 0 Noes, 1 Absent
Comments made regarding Resolution No. 116-16 included: Legislator Ungermann asked if this was the last tower to be constructed. Sheriff Whitney stated that they are in negotiations for one more. Legislator Ungermann asked for confirmation that that would be the last of thirteen. Lieutenant Grusendorf indicated that was correct.

RESOLUTION NO. 117-16

APPROVAL OF CONTRACT BETWEEN NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES' OFFICE OF NUTRITIONAL SERVICES AND ALLEGANY COUNTY

Offered by: Public Safety Committee

RESOLVED:

1. That the Contract for the sale of food products between the New York State Department of Correctional Services' Office of Nutritional Services and the County for period commencing July 1, 2016, to June 30, 2021, is approved.

2. That the Allegany County Sheriff is authorized to execute said Contract.

Moved by: Mr. Healy
Seconded by: Mr. Decker
Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 118-16

RESOLUTION APPROVING AN AGREEMENT WITH AK ASSOCIATES TO PROVIDE ALLEGANY COUNTY E-911 DATABASE/PHONE LINE SERVICE TO THE E-911 DISPATCH CENTER; AUTHORIZING SHERIFF TO EXECUTE AGREEMENT

Offered by: Public Safety Committee

RESOLVED:

1. That an agreement between the County of Allegany and AK Associates to provide Allegany County E-911 database/phone line service to the E-911 Dispatch Center commencing May 1, 2016, through April 30, 2021, is approved.

2. That the Allegany County Sheriff is authorized to execute said agreement.

Moved by: Mr. Healy
Seconded by: Mr. Fanton
Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent
Comments made regarding Resolution No. 118-16 included: Legislator Ungermann commented on the company being located in St. Augustine, Florida, and asked if there is someone local to do service calls. Lieutenant Grusendorf stated that they are scheduled to come every Tuesday. Legislator Ungermann asked, “What if you have something other than on a Tuesday?” Lieutenant Grusendorf said they are on call and will come that same day.

RESOLUTION NO. 119-16

APPROVAL OF LEASE BETWEEN SANZO GT, LLC AND ALLEGANY COUNTY DEPARTMENT OF HEALTH CANCER SERVICES PROGRAM FOR PREMISES AT 20-24 WATER STREET, CUBA, NEW YORK

Offered by: Human Services Committee

RESOLVED:

1. That the Lease between Sanzo GT, LLC and the Allegany County Department of Health Cancer Services Program for the term May 1, 2016, through April 30, 2017, for premises located at 20-24 Water Street, Cuba, New York, with a monthly rental rate of $541.50 for use by the Allegany County Department of Health Cancer Services Program, is approved.

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

Moved by: Mr. LaForge
Seconded by: Mr. Decker
Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 119-16 included: Legislator Decker remarked that this is a wonderful thing for Cancer Services. They serve Cattaraugus and Allegany County, so the location is much better than in Wellsville. Legislator Burt stated that initially the space for rent had been on the second floor, but now the landlords have made space available on the first floor of the building.

Resolution Intro. No. 121-16 (A RESOLUTION CALLING ON THE STATE OF NEW YORK TO FULLY REIMBURSE COUNTIES FOR DISTRICT ATTORNEY SALARY INCREASES SET BY THE STATE) was not pre-filed and was considered from the floor on a motion made by Legislator Jessup, seconded by Legislator Root, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 120-16

A RESOLUTION CALLING ON THE STATE OF NEW YORK TO FULLY REIMBURSE COUNTIES FOR DISTRICT ATTORNEY SALARY INCREASES SET BY THE STATE
WHEREAS, on December 24, 2015, New York State Commission on Legislative, Judicial, and Executive Compensation voted to recommend increasing all state judge salaries in 2016 and 2018, and

WHEREAS, this salary increase recommendation occurred well after all counties set their 2016 budgets in law, and

WHEREAS, the recommended increase placed Supreme Court Judges’ salaries at $193,000 in 2016 and $203,000 in 2018 and placed County Court Judges at 95 percent of a Supreme Court Justice’s salary, and

WHEREAS, on April 1, the State approved the Commission’s recommendation, and

WHEREAS, State Judicial Law 183-a links judicial salaries with County District Attorneys’ salaries to be equal or higher than either the County Court Judge or Supreme Court Judge in a county, depending on full time or part time status, and

WHEREAS, for over 50 years, the State has funded all salary increases that they imposed on the counties, and

WHEREAS, District Attorneys are entitled to the compensation they are owed pursuant to state law for fulfilling the state constitutional and statutory duties related to the enforcement of the state penal law, and

WHEREAS, on April 1, 2016, the State Legislature enacted a $150 billion State Budget, but did not include the funding for the $1.6 million in reimbursement costs for the increase in District Attorney salaries, and

WHEREAS, the state has been careful over the past few years to avoid shifting costs to the local tax base, mindful of the impact locally with the state imposed property tax cap, and

WHEREAS, for many counties this salary increase represents approximately one third of their total allowable property tax growth for all government operation in 2016, now, therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators calls on the State of New York to immediately pass legislation and pay for this increase retroactive to April 1, 2016, and not pass this unfunded mandate on to local taxpayers.
2. That the Allegany County Board of Legislators further calls on the State of New York to enact legislation that makes all future increases in a District Attorney’s salary attributable to Judicial Law 183-a an obligation to be paid for by the State of New York.

3. That the Clerk of this Board shall forward certified copies of this resolution to Governor Andrew Cuomo; Senator Catharine M. Young; Assemblyman Joseph M. Giglio; the New York State Association of Counties and the Inter-County Association of Western New York.

Moved by: Mr. Jessup  
Adopted: Voice Vote  
Seconded by: Mr. Graves

Comments made regarding Resolution No. 120-16 included: Legislator Graves stated that he was extremely happy to see this resolution. He hopes in the next year or two, they can get the counties together to oppose the State mandated salary increase.

AUDITS:

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

A motion was made by Legislator Jessup, seconded by Legislator Fanton, and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims, totaling $3,061,923.65, including prepaid expenses, be approved for payment as recommended by the County Administrator. (Allegany County’s Local Dollar Share of the NYS Medicaid Program paid year-to-date is $3,284,162.)

ADJOURNMENT: The meeting was adjourned at 3:19 p.m. on a motion made by Legislator Graves, seconded by Legislator Decker, and carried.
CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:04 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by family, friends, and fellow Veterans in honor of United States Army PFC Duane C. Scott.

INVOCATION: The Invocation was given by Legislator Pullen.


APPROVAL OF MINUTES:

The Committee of the Whole (held after Ways & Means) minutes of April 25, 2016, were approved on a motion made by Legislator Graves, seconded by Legislator Root, and carried.

The Board meeting minutes of April 25, 2016, were approved on a motion made by Legislator Burt, seconded by Legislator Fanton, and carried.

The Committee of the Whole (held after Board meeting) minutes of April 25, 2016, were approved on a motion made by Legislator Curran, seconded by Legislator Decker, and carried.

PUBLIC HEARING:

Chairman Crandall closed the regular meeting to hold a public hearing on Local Law Intro. No. 3-2016, entitled “A Local Law to Amend Local Law Number One of Two Thousand Eleven, as Subsequently Amended by Local Law Number Two of Two Thousand Twelve, to Increase the Administrative Fee from Twenty-Five Dollars to Forty Dollars for Those Individuals Required to Attend Meetings of the Allegany County STOP-DWI Victim Impact Panel by an Out-of-County Court Referral.” Comments from the public included the following:

There being no one desiring to speak, the public hearing was declared closed and the Board reconvened in regular session.
PRIVILEGE OF THE FLOOR:

Chairman Crandall acknowledged the annual American Legion Auxiliary Poppy Program and reminded those in attendance of the significance and importance of supporting our veterans through this fundraiser.

Chairman Crandall announced a joint proclamation with seven other counties in Western New York. May 1 through May 7, 2016, has been declared Western New York Armed Forces Week, and 2016 marks the 56th anniversary. The eight counties who have signed the proclamation are Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans, and Wyoming.

Chairman Crandall paid tribute to Private First Class Duane C. Scott who selflessly made the ultimate sacrifice for his country. Mr. Scott served in Vietnam and was killed in action on September 29, 1969, while sacrificing himself to save the life of another soldier. Duane C. Scott’s service began on March 5, 1969. Mr. Scott was awarded the Combat Infantry Badge, the Bronze Star, the Purple Heart, the National Defense Service Medal, the Vietnam Service Medal, the Vietnam Campaign Medal and the Vietnam Cross of Gallantry with the Palm Unit Citation, which all reflect his honorable and heroic service. Chairman Crandall remarked that although this is not the first veteran to be recognized posthumously, it was likely the greatest number of family and friends that have ever been in attendance to honor a veteran. Chairman Crandall presented a certificate, honoring PFC Duane Scott, to his mother Patricia who was accompanied by Duane’s brother’s Thomas and Leon as well as many other family members, friends, and classmates of Mr. Scott.

Emergency Management & Fire Director Jeffrey Luckey addressed the audience regarding EMS Week. Mr. Luckey remarked that he usually reports on statistics related to the work of EMS volunteers, but after some recent EMS related events, decided sharing those stories would better relay his message. He began by telling the audience that he along with the Sheriff, STOP-DWI Coordinator Linda Edwards and New York State Troopers addressed Canaseraga and Arkport school students as part of the SADD Program. In addition, as often is the case, a large number of volunteer firepersons and EMTs assisted. He indicated this is something that occurs regularly in many school districts and organizations. He went on to tell the story of an automobile crash involving young people that had occurred in Centerville over the weekend which resulted in the death of a 15-year old. He spoke of the difficulty for EMS workers in dealing with a situation such as that. He indicated that 369 people have taken EMS courses over the last five years. Those people respond to all types of calls including crashes, accidents, illnesses, etc. They receive countless hours of education and training. Serving as a fireperson or EMT is a way to help your community. He encouraged everyone to show appreciation to their local volunteers for the many hours they dedicate to helping others.

Allegany County Senior Foundation President Reita Lynch and Officer for the Aging Director Madeleine Gasdik reminded the audience of the Swingin’ to the Oldies event being held on Saturday, May 21. There will be a basket auction and food from L’Italia in addition to dancing. This is a major fundraiser for the Foundation and all of the money is donated to the
Allegany County Meals-on-Wheels Program. Ms. Gasdik stated that her office serves almost 500 meals a day. It provides many people with a very important meal, but also with an opportunity for someone to visit their home each day to check in on them.

Representatives were present to answer questions regarding 2015 Annual Reports for the following: County Administrator, Development, IDA, Planner, Planning Board, Social Services, and Tourism.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Report of Tax Bill Corrections Approved by the County Administrator in April.

2. Report of Intrafund Transfers Approved by the County Administrator in April.

3. The Belmont American Legion Auxiliary Post 808 has poppies for sale to benefit disabled Veterans.

4. Notice of next Fire Advisory Board meeting on Thursday, May 26, at 8 p.m. in Room 122 of the Public Safety Building.

5. The 6th Annual Swingin’ to the Oldies will be held at the Alfred State College Student Activities Center in Wellsville on May 21.

PROCLAMATION:

Chairman Crandall proclaimed May 1-7, 2016 as Western New York Armed Forces Week.

Chairman Crandall Proclaimed May 15-21, 2016, Emergency Medical Services Week in Allegany County.

RESOLUTIONS:

RESOLUTION NO. 121-16

RESOLUTION IN SUPPORT OF AN ACT TO AMEND THE HIGHWAY LAW TO DESIGNATE A PORTION OF THE STATE HIGHWAY SYSTEM AS THE “PRIVATE FIRST CLASS DUANE C. SCOTT MEMORIAL HIGHWAY”

Offered by: Ways & Means Committee

WHEREAS, a request has been made that this Board sponsor a resolution directed to the New York State Senate and New York State Assembly that legislation be enacted to amend the Highway Law to designate the entire length of State Route 275, which is located within Allegany County, beginning in the Village of Bolivar, at the intersection of Wellsville
and Main Streets, and currently terminating in the Village of Friendship, at the intersection of Exit 29 of Interstate 86, the “Private First Class Duane C. Scott Memorial Highway,” and

**WHEREAS,** Duane C. Scott was a native of Allegany County, New York, and was a member of the Richburg Central School Class of 1967, and

**WHEREAS,** Duane C. Scott served in the U.S. Army during the time of the Vietnam War, having obtained the rank of Private First Class, and

**WHEREAS,** on September 29, 1969, Duane C. Scott, was on duty with his Unit, Bravo Company, 2nd Battalion, 35th Infantry Regiment, in the Plei Djereng Providence, South Vietnam, and

**WHEREAS,** Duane C. Scott was killed in action on September 29, 1969, when he gave his life in service, sacrificing himself to save the life of another soldier, and

**WHEREAS,** Duane C. Scott is a shining example of a brave Allegany County resident who selflessly made the ultimate sacrifice for his country, and

**WHEREAS,** Duane C. Scott was awarded the Combat Infantry Badge, the Bronze Star, the Purple Heart, the National Defense Service Medal, the Vietnam Service Medal, the Vietnam Campaign Medal and the Vietnam Cross of Gallantry with the Palm Unit Citation, which all reflect his honorable and heroic service, and

**WHEREAS,** New York State Route 275, passes through Richburg, New York, Duane C. Scott’s hometown during his lifetime as well as his final resting place, and

**WHEREAS,** this Board wishes to recognize this local hero, now therefore, be it

**RESOLVED:**

1. That the Allegany County Board of Legislators does hereby urge the State Senate and State Assembly to enact legislation to amend the Highway Law to designate the entire length of State Route 275, which is located within Allegany County, beginning in the Village of Bolivar, at the intersection of Wellsville and Main Streets, and currently terminating in the Village of Friendship, at the intersection of Exit 29 of Interstate 86, as the “Private First Class Duane C. Scott Memorial Highway.”

2. That the Clerk of this Board is hereby authorized and directed to forward a certified copy of this resolution to Governor Andrew M. Cuomo; New York State Senator Catharine M. Young; Senate Majority Leader John Flanagan; Assembly Speaker Carl E. Heastie; Assemblyman Joseph M. Giglio; and Commissioner of Transportation Matthew J. Driscoll.

Moved by: Mr. Healy
Seconded by: Mr. Jessup

Adopted: Voice Vote
RESOLUTION NO. 122-16
ADDITION OF LOCAL LAW INTRO. NO. 3-2016, PRINT NO.1, A LOCAL LAW TO AMEND LOCAL LAW NUMBER ONE OF TWO THOUSAND ELEVEN, AS SUBSEQUENTLY AMENDED BY LOCAL LAW NUMBER TWO OF TWO THOUSAND TWELVE, TO INCREASE THE ADMINISTRATIVE FEE FROM TWENTY-FIVE DOLLARS TO FORTY DOLLARS FOR THOSE INDIVIDUALS REQUIRED TO ATTEND MEETINGS OF THE ALLEGANY COUNTY STOP-DWI VICTIM IMPACT PANEL BY AN OUT-OF-COUNTY COURT REFERRAL

Offered by: Ways & Means Committee

RESOLVED:

1. That proposed Local Law, Intro. No. 3-2016, Print No. 1, is adopted without any change in language, to wit:

COUNTY OF ALLEGANY

Intro. No. 3-2016 Print No. 1

A LOCAL LAW TO AMEND LOCAL LAW NUMBER ONE OF TWO THOUSAND ELEVEN, AS SUBSEQUENTLY AMENDED BY LOCAL LAW NUMBER TWO OF TWO THOUSAND TWELVE, TO INCREASE THE ADMINISTRATIVE FEE FROM TWENTY-FIVE DOLLARS TO FORTY DOLLARS FOR THOSE INDIVIDUALS REQUIRED TO ATTEND MEETINGS OF THE ALLEGANY COUNTY STOP-DWI VICTIM IMPACT PANEL BY AN OUT-OF-COUNTY COURT REFERRAL

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

Section 1. Section 2 of Local Law Number One of Two Thousand Eleven, as subsequently amended by Local Law Number Two of Two Thousand Twelve, is amended to read as follows:

2. Administrative Fee.
Each individual who is required to attend meetings of the Allegany County STOP-DWI Victim Impact Panel shall pay to the Allegany County STOP-DWI Program an administrative fee of twenty-five dollars, unless such requirement is pursuant to an out-of-county court referral, in which case they shall pay an administrative fee of forty dollars.

Section 2. Effective Date.
This local law shall take effect immediately.

Moved by: Mr. Jessup Adopted: Roll Call
Seconded by: Mr. Curran 15 Ayes, 0 Noes, 0 Absent
RESOLUTION INTRO. NO. 125-16 (APPROVAL OF MUNICIPAL BID FOR SALE OF TAX LAND IN THE VILLAGE OF BELMONT, TAX MAP NO. 172.13-2-75) was TABLED following a motion made by Legislator Jessup, seconded by Legislator Curran, and carried. Legislator Jessup stated that all of the pieces for this transaction are not yet in place.

AUDITS:

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

A motion was made by Legislator Jessup, seconded by Legislator Root, and adopted on a roll call vote of 15 Ayes, 0 Noes, 0 Absent, that the audit of claims, totaling $2,673,046.98, including prepaid expenses, be approved for payment as recommended by the County Administrator. (Allegany County’s Local Dollar Share of the NYS Medicaid Program paid year-to-date is $3,670,534.)

COMMENTS:

Legislator Burt acknowledged Legislator Pullen for giving the invocation at the beginning of each Board meeting, saying that he’s very articulate and the invocation is always well thought out.

ADJOURNMENT: The meeting was adjourned at 2:48 p.m. on a motion made by Legislator Graves, seconded by Legislator Decker, and carried.
CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:07 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Navy Petty Officer Third Class Boatswain’s Mate Larry R. Adams.

INVOCATION: The Invocation was given by Legislator Pullen.


APPROVAL OF MINUTES:

The Board meeting minutes of May 9, 2016, were approved on a motion made by Legislator Graves, seconded by Legislator Decker, and carried.

The Committee of the Whole minutes of May 9, 2016, were approved on a motion made by Legislator Graves, seconded by Legislator Fanton, and carried.

The Committee of the Whole minutes of May 10, 2016, were approved on a motion made by Legislator Pullen, seconded by Legislator Decker, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Larry R. Adams, former United States Navy Petty Officer Third Class Boatswain’s Mate, in grateful appreciation of his service to our country. Mr. Adams’ service dates were from September 10, 1990, to September 9, 1994. He was assigned to the USS Duluth LPD-6 located in San Diego, CA. While assigned to the USS Duluth, Mr. Adams spent time in Kenya, Guam, Hawaii, Singapore, Australia, British Columbia, Hong Kong, Somalia, Thailand and Kuwait. Commendations he received included: National Defense Service Medal, Southeast Asia Service Medal, Armed Forces Expeditionary Medal, Battle Efficiency Medal, Sea Service Deployment Ribbon (2 awards) and Good Conduct Award. Mr. Adams led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans’ Honorary Pledge of Allegiance Program.

Public Health Director Lori Ballengee addressed the group to recognize the 10th anniversary of Allegany County Cancer Services and extend an invitation to a Decade of Colors event being held on June 11. Allegany County Cancer Services, Inc. was founded in May of 2006 to provide support and assistance to residents of Allegany County who have
been impacted by cancer. To date, the organization has served over 454 County residents, providing over $190,000. The organization is run completely by volunteers. The need is huge and they are constantly receiving more applications for assistance. Ms. Ballengee indicated that the event isn’t so much about fundraising, but about honoring the people we’ve lost and supporting people with cancer. This event will be replacing the 350 Club event this year. Chairman Crandall thanked Ms. Ballengee and presented her with a certificate honoring her for her dedication to Cancer Services.

Office for the Aging Director Madeleine Gasdik spoke about Older American’s Month. She thanked those who supported the Senior Foundation at the Swingin’ to the Oldies event held on May 21. She noted that the event raises a great deal of money for the County’s Meals-on-Wheels Program. Meals-on-Wheels allows many seniors the opportunity to remain safely in their homes and communities. Chairman Crandall read a proclamation declaring May 2016 as Older American’s Month.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. June 2016 Calendar

2. The Belmont American Legion Auxiliary Post 808 has poppies for sale to benefit disabled Veterans.

3. Invitation to attend Legislative Intern Model Session on June 6 at 10:30 a.m.

4. Invitation to attend Greater Allegany County Chamber Business after Hours at the Ball Park hosted by the Regional Ventures in Economic Revitalization Group on May 28.

5. Reminder of next Fire Advisory Board meeting on Thursday, May 26, at 8 p.m.

6. Reminder of Big Moose Golf Classic on June 11 that will help fund three scholarships in former Legislator Ted Hopkins’ name.

7. Correspondence from Village of Belmont Mayor Terrance Schmelzer thanking the Board for accepting the Village’s proposal to purchase a vacant lot on Schuyler Street.

PROCLAMATIONS:

Chairman Crandall declared May 15 as Peace Officers’ Memorial Day and May 15 through May 21, 2016, as Police Week in Allegany County. This proclamation was read at a ceremony held at the Allegany County Public Safety Complex on May 20.

Chairman Crandall Proclaimed May 2016 as Older American’s Month in Allegany County.

Chairman Crandall proclaimed May 2016 as Mental Health Month in Allegany County.
Chairman Crandall Proclaimed May 2016 as Foster Care Month in Allegany County.

RESOLUTIONS:

RESOLUTION NO. 123-16

AUTHORIZATION OF THE FILING OF AN APPLICATION FOR STATE ASSISTANCE FROM THE HOUSEHOLD HAZARDOUS WASTE (HHW) STATE ASSISTANCE PROGRAM AND AUTHORIZATION OF THE ASSOCIATED STATE CONTRACT UNDER THE APPROPRIATE LAWS OF NEW YORK STATE

Offered by: Public Works Committee

WHEREAS, the State of New York provides financial aid for household hazardous waste programs, and

WHEREAS, the County of Allegany, herein called the Municipality, has examined and duly considered the applicable laws of the State of New York and the Municipality deems it to be in the public interest and benefit to file an application under these laws, and

WHEREAS, it is necessary that a Contract by and between the People of the State of New York, herein called the State, and the Municipality be executed for such State aid, 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 of New York including all understanding and assurances contained in said application is hereby authorized.

2. That the Chairman of the Board or his designee is directed and authorized as the official representative of the Municipality 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.

3. That the Municipality agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for the State share of such costs.

4. That five (5) Certified Copies of this Resolution be prepared and sent to the NYSDEC together with a complete application.

5. That this resolution shall take effect immediately.

Moved by: Mr. Fanton               Adopted: Roll Call
RESOLUTION NO. 124-16

APPROVAL OF APPORTIONMENT OF MORTGAGE TAX TO TAX DISTRICTS AND AUTHORIZING WARRANT THEREFOR

Offered by: Ways & Means Committee

Pursuant to Tax Law § 261 (3)

RESOLVED:

1. That the Semi-Annual Report for the period October 1, 2015, through March 31, 2016, 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. Jessup
Seconded by: Mr. Healy
Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 125-16

AUTHORIZING PAYMENT TO TOWNS AND VILLAGES FROM ADDITIONAL MORTGAGE TAX FEE RETAINAGE BY COUNTY CLERK; APPROPRIATING FUNDS THEREFOR

Offered by: Ways & Means Committee

WHEREAS, by Resolution No. 214-2004 the County Clerk was authorized pursuant to Section 262 of the Tax Law to request and receive reimbursement from the State of New York for all of his necessary expenses incurred in the administration of the Mortgage Tax Program on behalf of the State of New York, and

WHEREAS, it was the intent of this Board in adopting such resolution that the Towns and Villages of the County would not suffer any adverse financial consequences as a result of any increased retained expense reimbursement to the County Clerk, and

WHEREAS, the County Clerk has received reimbursement of his necessary expenses incurred in the administration of the Mortgage Tax Program, and
WHEREAS, this Board wishes to appropriate part of such reimbursement of necessary expenses received by the County Clerk for the administration of the Mortgage Tax Program to the Towns and Villages of the County, now, therefore, be it

RESOLVED:

1. The amount of $25,262.04 is appropriated from Account No. A1410.432 (County Clerk – Contractual) and shall be distributed to the Towns and Villages of the County as follows:

<table>
<thead>
<tr>
<th>TOWNS</th>
<th>AMOUNT RETAINED BY COUNTY CLERK’S OFFICE FOR MORTGAGE TAX FEE</th>
<th>REBATE AMT TO TOWN</th>
<th>REBATE AMT TO VILLAGE</th>
<th>VILLAGES</th>
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<td>Alfred</td>
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<td>Allen</td>
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<tr>
<td>Alma</td>
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<td>Almond</td>
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<td>496.14</td>
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<td>Amity</td>
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<td>Andover</td>
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<td>Independence</td>
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<td>New Hudson</td>
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<td>Rushford</td>
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<td>1,775.84</td>
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Scio 1,084.17 1,084.17  
Ward 21.42 21.42  
Wellsville 4,193.50 3,061.68 1,131.82  
West Almond 41.53 41.53  
Willing 637.87 637.87  
Wirt 277.56 258.32 19.24  
TOTALS 25,262.04 22,718.29 2,543.75  

2. The Chairman of this Board, Allegany County Clerk, and Allegany County Treasurer are authorized to execute any and all vouchers, warrants, and other necessary documents of every nature and kind in order to affect the purpose of this resolution.

Moved by: Mr. Jessup  
Seconded by: Mr. Pullen  
Adopted: Roll Call  
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 126-16

ACCEPTANCE AND APPROPRIATION OF CHILDREN’S HEALTH INFORMATION TECHNOLOGY START-UP GRANT FOR COMMUNITY SERVICES

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. That the sum of $49,850 from the Children’s Health Information Technology Start-up Grant for Community Services is accepted.

2. That the sum of $49,850 shall be placed in Account No. A4310.210 (Mental Health Administration – Other Equipment) with a like sum credited to Revenue Account No. A4310.3490.CHIT (Mental Health Administration – State Aid).

Moved by: Mr. LaForge  
Seconded by: Mr. Decker  
Adopted: Roll Call  
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 127-16

ACCEPTANCE AND APPROPRIATION OF COMPREHENSIVE ADOLESCENT PREGNANCY PREVENTION GRANT FROM ACCORD FOR THE FAMILY PLANNING PROGRAM IN THE HEALTH DEPARTMENT

Offered by: Human Services and Ways & Means Committees

RESOLVED:
1. That the sum of $7,725 from the Comprehensive Adolescent Pregnancy Prevention (CAPP) Grant from ACCORD for the Family Planning Program in the Health Department is accepted.

2. That the sum of $7,725 shall be placed in Account No. A4035.409 (Family Planning - Fees) with a like sum credited to Revenue Account No. A4035.2280.00 (Family Planning – Health Services for Other Governments).

Moved by: Mr. LaForge  Adopted: Roll Call
Seconded by: Mr. Graves  13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 128-16

ACCEPTANCE OF COLA FUNDS FOR THE WIC PROGRAM;
APPROPRIATION OF FUNDS

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. The sum of $26,974 in COLA funds for the County Health Department WIC Program is accepted.

2. The sum of $26,974 shall be appropriated to the following accounts:

<table>
<thead>
<tr>
<th>Appropriation Accounts</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A4010.103 (Health Dept. – Premium Pay)</td>
<td>$ 5,786</td>
</tr>
<tr>
<td>A4190.405 (WIC – Conference Expense)</td>
<td>$ 688</td>
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<tr>
<td>A4190.427 (WIC – Electricity)</td>
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<td>A4190.428 (WIC – Natural Gas)</td>
<td>$ 132</td>
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<tr>
<td>A4190.802 (WIC – Retirement)</td>
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<td>A4190.803 (WIC - FICA)</td>
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<tr>
<td>A4190.804 (WIC – Worker’s Comp)</td>
<td>$ 620</td>
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<tr>
<td>A4190.805 (WIC – Disability)</td>
<td>$ 98</td>
</tr>
<tr>
<td>A4190.806 (WIC – Hosp/med Ins)</td>
<td>$ 9,031</td>
</tr>
<tr>
<td></td>
<td>$26,974</td>
</tr>
</tbody>
</table>

with a like sum credited to Revenue Account No. A4190.4452.00 (Federal Aid – WIC).

Moved by: Mr. LaForge  Adopted: Roll Call
Seconded by: Mr. Decker  13 Ayes, 0 Noes, 2 Absent
RESOLUTION NO. 129-16

ACCEPTANCE AND APPROPRIATION OF FUNDS FROM ACCORD CORPORATION FOR ACT II BATTERERS’ PROGRAM

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That the sum of $6,825 from ACCORD Corporation for the continuation of the ACT II Batterers’ Program is accepted.

2. That the sum of $6,825 is placed in Account No. A3117.449 (ACT II Batterers’ Program – Contractual Expenses) with a like sum credited to Revenue Account No. A3117.2260.00 (ACT II Batterers’ Program – Public Safety Service for Other Govts.).

Moved by: Mr. Healy
Seconded by: Mr. Graves
Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 130-16

ACCEPTANCE AND APPROPRIATION OF “LOCAL PAVE–NY” PROGRAM FUNDS FOR THE DEPARTMENT OF PUBLIC WORKS

Offered by: Public Works and Ways & Means Committees

RESOLVED:

1. That the sum of $537,847 from the new “Local PAVE–NY” program for the State Fiscal Year 2016-17 is accepted.

2. That the sum of $537,847 shall be placed in Account No. D5112.223 (Road Construction – County Road CHIPS Paving) with a like sum credited to Revenue Account No. D5110.3501.00 (State Aid – Consolidated Highway Aid).

Moved by: Mr. Fanton
Seconded by: Mr. Graves
Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 131-16

APPROVAL OF AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND LABELLA ASSOCIATES, D.P.C.
RESOLVED:

1. This Board approves entering into an Agreement with LaBella Associates, D.P.C. for design phase services, bidding/negotiating, and construction administration services to include the provision of a “Clerk of the Works” for the third floor of the Allegany County Office Building, along the terms of the proposal of March 31, 2016, received from LaBella Associates, D.P.C. at a total cost of $230,000.

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

Moved by: Mr. Pullen
Seconded by: Mr. Fanton

9 Ayes, 4 Noes, 2 Absent

Comments made regarding Resolution No. 131-16 included: Legislator Ungermann stated that in the 10 years and 5 months he’s been a legislator, LaBella is the only company that has done any of the building projects for the County. He said he feels they have become complacent, which can be evidenced by the cost overruns on their projects. Legislator Ungermann suggested these services should be put out to bid.

RESOLUTION NO. 132-16

APPROVAL OF INTERMUNICIPAL AGREEMENT BETWEEN MONROE COUNTY AND ALLEGANY COUNTY FOR FORENSIC PATHOLOGY SERVICES THROUGH THE MONROE COUNTY MEDICAL EXAMINER’S OFFICE

Offered by: Human Services Committee

Pursuant to County Law § 675

RESOLVED:

1. That the Intermunicipal Agreement between Monroe County and Allegany County for forensic pathology services for the period of January 1, 2016, to December 31, 2016, is approved.

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

Moved by: Mr. LaForge
Seconded by: Mr. Decker

13 Ayes, 0 Noes, 2 Absent
RESOLUTION NO. 133-16

APPROVAL OF AGREEMENT BETWEEN ABSOLUT CARE OF HOUGHTON, LLC AND THE COUNTY OF ALLEGANY FOR RESPITE CARE TO CAREGIVERS OF SENIORS AFFLICTED WITH ALZHEIMER’S DISEASE

Offered by: Human Services Committee

RESOLVED:

1. That the Agreement for respite services for caregivers of seniors afflicted with Alzheimer’s disease between the County of Allegany and Absolut Care of Houghton, LLC, for the period of January 1, 2016, to December 31, 2016, is approved.

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

Moved by: Mr. LaForge
Seconded by: Mr. Fanton
Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 134-16

APPROVAL OF AGREEMENT BETWEEN TOTAL SENIOR CARE AND THE COUNTY OF ALLEGANY FOR RESPITE CARE TO CAREGIVERS OF SENIORS AFFLICTED WITH ALZHEIMER’S DISEASE

Offered by: Human Services Committee

RESOLVED:

1. That the Agreement for respite services for caregivers of seniors afflicted with Alzheimer’s disease between the County of Allegany and Total Senior Care, for the period of January 1, 2016, to December 31, 2016, is approved.

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

Moved by: Mr. LaForge
Seconded by: Mr. Decker
Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

Comments made regarding Resolution No. 134-16 included: Legislator Decker commented on this resolution and the previous one by saying that Alzheimer’s disease is draining on families and their finances. These programs are very beneficial to those providing care for people with Alzheimer’s.
Resolution Intro. No. 138-16 (APPOINTMENT OF TIMOTHY T. BOYDE AS COUNTY ADMINISTRATOR) was not pre-filed and was considered from the floor on a motion made by Legislator Jessup, seconded by Legislator Healy, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 135-16

APPOINTMENT OF TIMOTHY T. BOYDE AS COUNTY ADMINISTRATOR

Offered by: Ways & Means Committee

Pursuant to Local Law No. 3 of 1992, as subsequently amended by Local Law No. 3 of 1995, Local Law No. 2 of 2010 and Local Law No. 2 of 2016

RESOLVED:

1. That effective June 6, 2016, Timothy T. Boyde is appointed County Administrator at an annual salary of $95,000, with a term of office commencing June 6, 2016, and expiring December 31, 2018.

Moved by: Mr. Jessup
Seconded by: Mr. Pullen
Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

Chairman Crandall invited Mr. Boyde forward to address those in attendance. Mr. Boyde thanked the Board for their confidence in his abilities and stated he is, “...looking forward to working with the talented and dedicated staff here in Allegany County.”

Resolution Intro. No. 139-16 (AMENDMENT OF RESOLUTION NO. 246-15 TO REFLECT AN INCREASE IN THE SALARY OF THE COUNTY ADMINISTRATOR) was not pre-filed and was considered from the floor on a motion made by Legislator Jessup, seconded by Legislator Fanton, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 136-16

AMENDMENT OF RESOLUTION NO. 246-15 TO REFLECT AN INCREASE IN THE SALARY OF THE COUNTY ADMINISTRATOR

Offered by: Ways & Means Committee

RESOLVED:

1. That paragraph “7.” of Resolution No. 246-15 is amended to indicate that effective June 6, 2016, the base salary of the Allegany County Administrator shall be $95,000.
Moved by: Mr. Jessup  Adopted: Roll Call
Seconded by: Mr. Fanton  13 Ayes, 0 Noes, 2 Absent

Resolution Intro. No. 140-16 (APPROVAL OF LEASE FOR RUSHFORD LAKE SWIMMING AREA; DESIGNATING ALLEGANY COUNTY ADMINISTRATOR AS COUNTY OFFICIAL FOR OPERATION OF PUBLIC BEACH) was not pre-filed and was considered from the floor on a motion made by Legislator Graves, seconded by Legislator Decker, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 137-16
APPROVAL OF LEASE FOR RUSHFORD LAKE SWIMMING AREA; DESIGNATING ALLEGANY COUNTY ADMINISTRATOR AS COUNTY OFFICIAL FOR OPERATION OF PUBLIC BEACH

Offered by: Resource Management Committee

RESOLVED:

1. That the 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 January 1, 2016, to December 31, 2018, 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 Administrator 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 is 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 Allegany County Administrator.

Moved by: Mr. Graves  Adopted: Roll Call
Seconded by: Mr. Pullen  12 Ayes, 1 No, 2 Absent
Voting No: Ungermann

Resolution Intro. No. 141-16 (AMENDMENT OF RESOLUTION NO. 246-15 TO ABOLISH THE SALARY OF THE BUDGET OFFICER) was not pre-filed and was considered from the floor on a motion made by Legislator Jessup, seconded by Legislator Pullen, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 138-16
AMENDMENT OF RESOLUTION NO. 246-15 TO
ABOLISH THE SALARY OF THE BUDGET OFFICER

Offered by: Ways & Means Committee

RESOLVED:

1. That paragraph “7.” of Resolution No. 246-15 is amended, effective June 6, 2016, by abolishing the salary of $2,500 set forth for the Budget Officer.

Moved by: Mr. Jessup  
Seconded by: Mr. Healy  
Adopted: Roll Call  
13 Ayes, 0 Noes, 2 Absent

AUDITS:

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

A motion was made by Legislator Jessup, seconded by Legislator Fanton, and adopted on a roll call vote of 13 Ayes, 0 Noes, 2 Absent, that the audit of claims, totaling $2,740,191.60, including prepaid expenses, be approved for payment as recommended by the County Administrator. *(Allegany County’s Local Dollar Share of the NYS Medicaid Program paid year-to-date is $4,056,906.)*

COMMENTS:

Legislator Ungermann remarked that 6 of the 12 pre-filed resolutions were service related.

Legislator Decker said that he had attended the memorial dedication at the Public Safety Complex on May 20 and noted what a nice ceremony it was and he acknowledged the importance of all of our law enforcement and emergency service personnel. Legislator Pullen also remarked on the ceremony saying that it was very moving. He added, in some areas of the country, law enforcement are considered the enemy. That is not the case here in Allegany County; we have confidence in our law enforcement. He commended Sheriff Whitney, the State Police, and Legislator O’Grady as well as their staff for their work in law enforcement.

Legislator Burt reported on some upcoming publicity for Allegany County, saying that he is in possession of the Bareknuckle Boxing World Championship belt and will be presenting the belt to the winner of a match being held on June 11. The event is being broadcast on Pay-per-View and he anticipates it providing a great deal of publicity for Belfast, New York *(home of the Bareknuckle Boxing Hall of Fame)*.

ADJOURNMENT: The meeting was adjourned at 3:08 p.m. on a motion made by Legislator Graves, seconded by Legislator Decker, and carried.
CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:03 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Marine Corps Corporal and United States Air Force Reserve Corporal Percy J. "PJ" Sherman.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 15 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, David Decker, Dwight Fanton, Karl Graves, Dwight "Mike" Healy, Judith Hopkins, Charles Jessup, Kevin LaForge, Aaron McGraw, Timothy O'Grady, David Pullen, Debra Root, Norman Ungermann, Jr.

APPROVAL OF MINUTES:

The Board meeting minutes of May 23, 2016, were amended following a motion made by Legislator Burt, seconded by Legislator Graves, and carried to correct the number of “aye” votes listed for Resolution No. 130-16. The minutes were then approved as amended following a motion made by Legislator Root, seconded by Legislator Graves, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Percy “PJ” Sherman, former United States Marine Corps Corporal and United States Air Force Reserve Corporal, in grateful appreciation of his service to our country. Mr. Sherman’s service dates were from September 1989 to September 1993, and April 2003 to May 2006. Following Basic Training at Paris Island, Mr. Sherman served at Camp Lejeune and Kuwait. Commendations he received included: National Service Medal, Southwest Asia Service Medal with 2 stars, Kuwait Liberation Medal, Good Conduct Medal, Navy Achievement Medal, Combat Action Ribbon, Sea Service Deployment Ribbon, Navy Unit Citation, Expert M-16 Rifle and Expert Pistol. Mr. Sherman led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans’ Honorary Pledge of Allegiance Program.

STOP-DWI Program Coordinator Linda Edwards joined Chairman Crandall in recognizing Mr. Sherman for a recent award he received. Ms. Edwards addressed the group saying, “The NYS Mothers Against Drunk Driving (MADD) and the NYS STOP-DWI Foundation collaborate to provide an annual recognition awards banquet as a thank-you to law enforcement and all community members who work tirelessly to keep our New York State roads safe from impaired drivers and also to those who work to prevent underage drinking. Also participating are the NYS Division of Criminal Justice Services, Division of State Police.
and the Governor’s Traffic Safety Committee who host the luncheon in honor of impaired driving crash victims. Nominations can be made in several categories including Individual Law Enforcement Awards (based on size of department), Special Recognition Awards, Law Enforcement Agency Awards, and Non-Enforcement Awards. Wellsville Police Chief Tim O’Grady and I collaborated to nominate Sergeant Percy Sherman for an Office of the Year Award. We are pleased to announce that Sergeant Sherman was one of twelve awardees in the Individual category. The awards were presented at a banquet in Schenectady on May 18, 2016.” Their nomination included statistics on the arrests Mr. Sherman has made as well as being awarded Top Cop in Allegany County for seven of the last nine years. It also mentioned the great deal of time he spends educating students on the issue of impaired driving. Chairman Crandall presented Mr. Sherman with a certificate from the Board thanking him for his efforts.

Norma Bartlett and James Arthur, members of the Genesee Valley Chorus, addressed those in attendance. Ms. Bartlett remarked that Chairman Crandall had recently read a proclamation for the group commemorating their 40 years as a chorus at a concert in Wellsville. Ms. Bartlett shared her musical background and indicated that she had been serving as director of the chorus for the past five years and as co-director for the five years prior to that. She explained that the chorus was initially formed to celebrate the United States Bicentennial and it was enjoyed so much that the group has continued since. Mr. Arthur added by saying that the group operates on a budget of around $6,500 annually and relies on community support. He thanked the Legislature and the community for recognizing and supporting the Chorus.

William Heaney spoke to the group regarding an upcoming historical event. Allegany County History Awareness Week will take place September 19-25, 2016. The event aims to acquaint more people with just how much rich history the County has. Much of the event will take place at the David A. Howe Library in Wellsville where famous American artifacts, including replicas of the pistols from the Burr-Hamilton Duel and a piece of President Lincoln’s burial shawl, will be on display. Historical presentations will take place at the library as well as the Palmer Opera House in Cuba. Coinciding with this will be a Civil War Reenactment at Island Park in Wellsville and the Fireball Run which will be making a couple of stops in Allegany County.

Allegany County Agricultural Society President Karen Tripp addressed the group about the 2016 Allegany County Fair. She thanked the Board of Legislators for their continued support of the Fair and expressed her appreciation to the Board for holding one of their July Board meetings at the fairgrounds. She extended an invitation asking them to stay after that meeting and enjoy the fair. She remarked that they have had people attend the County Fair from twenty-seven different states. She went on to name some of the events and activities taking place at this years’ Fair.

ACCORD Community Operations Director Belinda Knight spoke to the group regarding Elder Abuse Prevention Month. She was accompanied by members of the Elder Abuse Prevention Committee. She shared a story of an elderly man who was taken advantage of by his daughter. She shared some of the services that are provided by the
County as well as other organizations throughout our communities and remarked on how they work together to serve adults. She noted that June 15 marks the 10th anniversary of Elder Abuse Awareness Day in Allegany County.

Chairman Crandall welcomed Timothy Boyde to his first meeting as County Administrator.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Report of Tax Bill Corrections Approved by the County Administrator in May 2016.

2. Report of IntraFund Transfers Approved by the County Administrator in May 2016.

3. The County Treasurer filed a copy of the Allegany County’s Annual Financial Report for the Fiscal Year Ended December 31, 2015, in the Clerk of the Board’s Office on May 23, 2016.

4. Correspondence from Interim County Administrator John Margeson resigning as County Administrator and as a member of the Board of Directors of the Allegany County Land Bank Corporation effective June 5, 2016.

5. Notice of next InterCounty Association meeting to be hosted by Chemung County at the Wings of Eagles Discovery Center in Horseheads on June 10.

6. Correspondence from NYS DOT Region 6 Regional Director Brian Kelley acknowledging receipt and support of the Board’s Resolution in support of designating State Route 275 as the “Private First Class Duane C. Scott Memorial Highway.”

7. Veterans’ Service Agency Director Michael Hennessy filed his annual necrology report for the period May 21, 2015, through May 19, 2016, in the Clerk of the Board’s Office on May 24, 2016.

8. Notice of the annual Allegany County Senior Picnic at the Fairgrounds on Wednesday, July 27.

9. Notice that the NYS Public Service Commission is sponsoring public statement hearings regarding proposed increases for National Fuel Gas Distribution Corporation’s gas delivery rates. The public hearings are currently scheduled in Williamsville on June 28 and Jamestown on June 29.

APPOINTMENTS:

Chairman Curtis W. Crandall Appointed the following as members of the Allegany County Land Bank Corporation Board of Directors for a two-year term
effective June 27, 2016, and expiring December 31, 2018, subject to confirmation by the Board of Legislators:

- Curtis W. Crandall, Chairman of the Board
- Timothy T. Boyde, County Administrator
- Dwight R. Fanton, Vice Chairman of the Board
- Dwight (Mike) Healy, Majority Leader
- Kevin S. LaForge, Minority Leader
- Terri L. Ross, County Treasurer
- Joseph L. Budinger, Real Property Services Director
- Dean Scholes, Deputy Public Works Superintendent

Chairman Curtis W. Crandall appointed Joseph Felsen, MD, of Wellsville, New York, as a member of the CITIZENS ADVISORY COUNCIL TO THE OFFICE FOR THE AGING for a three-year term commencing immediately, and expiring December 31, 2018, subject to confirmation by the Board of Legislators.

Timothy T. Boyde, Allegany County Budget Officer, appointed Terri L. Ross of Angelica, New York, as DEPUTY BUDGET OFFICER, to serve at his pleasure commencing June 13, 2016.

Timothy T. Boyde, Allegany County Auditor, appointed Edwin E. Dibert of Scio, New York, as DEPUTY COUNTY AUDITOR, to serve at his pleasure commencing June 13, 2016.

Kevin S. LaForge, Human Services Committee Chairman appointed the following to the ALLEGANY COUNTY HEROIN AND OPIOID ABUSE AD HOC COMMITTEE, effective immediately, to serve at his pleasure:

- Human Services Representatives
  - Vicki Grant, Allegany County Social Services Commissioner
  - William Penman, Allegany County on Alcoholism & Substance Abuse, Inc. Executive Director
  - Melissa Biddle, Ardent Solutions Program Manager

- Medical Field
  - Christa Zenoski, Nurse Practitioner, Olean Medical Group

- Member at Large
  - Ashley Bucholz

PROCLAMATION:

Chairman Crandall proclaimed June 2016 as Genesee Valley Chorus Month in Allegany County. Chairman Crandall read the proclamation at a concert given by the chorus on June 5.
Chairman Crandall proclaimed June 2016 as Elder Abuse Awareness Month and June 15, 2016, as Elder Abuse Awareness Day in Allegany County.

RESOLUTIONS:

RESOLUTION NO. 139-16

DESIGNATION OF THE CROSSROADS WATERLINE PROJECT AND THE BIO-REFINERY DEVELOPMENT AND COMMERCIALIZATION CENTER AS THIS YEAR’S TOP TWO PROJECTS ON THE COUNTY’S U.S. ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) PRIORITY DESIGNATION LIST

Offered by: Planning & Economic Development Committee

WHEREAS, the County maintains an annual list of projects for which U.S. Economic Development Administration (EDA) funding is sought, and

WHEREAS, this list is prioritized according to which projects the County deems are most critical for addressing economic development needs within the County, and

WHEREAS, the Crossroads Waterline Project remains the number one priority project on that list, and

WHEREAS, the Bio-Refinery Development and Commercialization Center has been selected as the second priority, now therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators hereby endorses the designation of the Crossroads Waterline Project as the number one priority and the Bio-Refinery Development and Commercialization Center as the number two priority on the annual list of projects for which U.S. Economic Development Administration (EDA) funding is sought.

Moved by: Mrs. Root
Seconded by: Mr. Healy
Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 140-16

APPOINTMENT TO THE ALLEGANY COUNTY PLANNING BOARD

Offered by: Planning & Economic Development Committee

RESOLVED:
1. That the appointment of John Roederer of Houghton, New York, by the Chairman of this Board, to a three-year term as a member of the Allegany County Planning Board commencing immediately and expiring December 31, 2018, is approved.

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

Comments made regarding Resolution No. 140-16 included: Legislator Burt stated that he didn’t know Mr. Roederer and asked if any of his fellow legislators could give him some background on Mr. Roederer. Legislator Pullen stated that Mr. Roederer was a longtime professor at Houghton College and very active in the community. He is now retired and Legislator Pullen strongly recommended that he be appointed. Legislator Hopkins echoed Legislator Pullen’s comments.

RESOLUTION NO. 141-16

ACCEPTANCE OF INSURANCE PAYMENT FROM GEICO AND APPROPRIATION OF FUNDS TO RISK RETENTION ACCOUNTS

Offered by: Ways & Means Committee

WHEREAS, a check in the amount of $3,992.42, representing the cost to repair an Office for the Aging 2016 Dodge Caravan (#1824) that was damaged as a result of a motor vehicle accident on or around May 6, 2016, has been offered by GEICO in settlement for such damage, now, therefore, be it

RESOLVED:

1. That the sum of $3,992.42 representing the settlement on a 2016 Dodge Caravan (#1824) that was damaged on or around May 6, 2016, is accepted.

2. That the sum of $3,992.42 is placed in Appropriation Account No. CS1931.429 (Risk Retention - Uninsured Property Loss) with a like sum credited to Revenue Account No. CS1930.2680.00 (Insurance Recovery).

Moved by: Mr. Jessup
Seconded by: Mr. Fanton

RESOLUTION NO. 142-16

RESOLUTION APPROVING SNOW REMOVAL AND ICE CONTROL CONTRACTS BETWEEN COUNTY OF ALLEGANY AND VARIOUS TOWNS IN ALLEGANY COUNTY
WHEREAS, the Public Works Committee and the County Superintendent of Public Works have recommended to this Board that they approve 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 three (3) seasons beginning with the 2016-2017 snow season and ending with the 2018-2019 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. Fanton  
Seconded by: Mr. Graves  
Adopted: Roll Call  
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 143-16

APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT FOR WEBSITE UPGRADE WITH MASON DIGITAL, LLC

RESOLVED:

1. That a professional services agreement with Mason Digital, LLC for services related to upgrading the County’s website(s) in an amount not to exceed $34,000, is hereby approved.

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

Moved by: Mrs. Root  
Seconded by: Mr. Fanton  
Adopted: Roll Call  
14 Ayes, 1 No, 0 Absent  
Voting No: Burt
Comments made regarding Resolution No. 143-16 included: Legislator Pullen commented that in the current day and age, for many people who don’t live here and even for those who do, the primary means of contact is going to be over the internet. We need to come into the 21st century in a big way. He highly recommends having a website that will give us an entry portal and face to the County. He commended Legislator Root and others who worked on putting this together. Legislator Ungermann asked for clarification on the agreement, in particular how long they would be updating the website. Legislator Root indicated that the $34,000 will be for twelve months. The contract will include putting all County websites under one website. She feels it will probably save us money because once it’s up and running, we will be able to maintain the website ourselves. Also, we will no longer be paying to maintain multiple websites.

AUDITS:

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

Legislator Ungermann asked about the $16,000 expense under broadband. Legislator Curran indicated that that is money the County budgeted to transfer to the Local Development Corp. County Treasurer clarified that the Board approved transferring $100,000 to the LDC, and this is one of those installments. Legislator Ungermann asked when they would be able to see an accounting of all of this. Legislator Curran stated that it would be available in two weeks when the LDC has another meeting.

A motion was made by Legislator Root, seconded by Legislator Jessup, and adopted on a roll call vote of 15 Ayes, 0 Noes, 0 Absent, that the audit of claims, totaling $3,999,671.20 including prepaid expenses, be approved for payment as recommended by the County Administrator. (Allegany County’s Local Dollar Share of the NYS Medicaid Program paid year-to-date is $4,636,464.)

COMMENTS:

Legislator Ungermann reminded everyone that it is Dairy Week in Cuba.

ADJOURNMENT: The meeting was adjourned at 3:09 p.m. on a motion made by Legislator Graves, seconded by Legislator Decker, and carried.
CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:07 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Air Force Senior Airman Daniel E. Fuller.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 12 Legislators Present: Curtis Crandall, Philip Curran, David Decker, Dwight Fanton, Karl Graves, Dwight “Mike” Healy, Judith Hopkins, Charles Jessup, Kevin LaForge, Aaron McGraw, David Pullen, Norman Ungermann, Jr. Absent: Scott Burt, Timothy O’Grady, Debra Root

APPROVAL OF MINUTES:

The Board meeting minutes of June 13, 2016, were approved on a motion made by Legislator Decker, seconded by Legislator Graves, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Daniel E. Fuller, former United States Air Force Senior Airman, in grateful appreciation of his service to our country. Mr. Fuller’s service dates were from October 21, 1991, to October 20, 1995. Following Basic Training at Lackland Air Force Base, TX, he was then assigned to Sheppard Air Force Base, TX, Seymour Johnson Air Force Base, NC, and Dhahran, Saudi Arabia in support of Operation Desert Shield and Desert Storm. Commendations he received included: Southwest Asia Service Medal with 1 device, National Defense Service Medal, Air Force Good Conduct Medal, Air Force Outstanding Unit Award with 1 device, Air Force Achievement Medal and Air Force Training Ribbon. Mr. Fuller led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans’ Honorary Pledge of Allegiance Program.

Chairman Crandall invited County Treasurer Terri Ross forward as he gave an update on Allegany County’s financial position. He announced that Moody’s has upgraded the County’s rating from A2 to A1. He reminded everyone that a year ago Standard and Poor’s had upgraded our rating as well. It saves the County a great deal of money in regards to financing. He noted that it’s a positive reflection on not only the Treasurer’s office, but all of our departments. He thanked department heads and their financial staff for all that they do and their good financial stewardship. Ms. Ross remarked that the press release came out at the end of May, and she was very pleased to be updated from A2 to A1. It is through good, conservative budgeting that this was able to happen. The County has experienced a debt
reduction of 54.8 percent over the last ten years. The only remaining debt the County has is the Public Safety Facility and the Courthouse.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. July 2016 Calendar

2. Reminder that the annual Legislators’ Clambake is Friday, July 29, and tickets are available in the Clerk of the Board’s Office.

3. Correspondence from the NYS Public Service Commission soliciting comments regarding the use of negative adjustments with the electric safety standards.

RESOLUTIONS:

RESOLUTION NO. 144-16

APPOINTMENT OF ONE MEMBER TO THE 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 Joseph Felsen of Wellsville, New York, to the Citizens Advisory Council to the Office for the Aging, with term of office commencing June 13, 2016, and expiring December 31, 2018, is confirmed.

Moved by: Mr. LaForge
Seconded by: Mr. Pullen
Adopted: Voice Vote

RESOLUTION NO. 145-16

APPOINTMENT OF EIGHT MEMBERS TO THE ALLEGANY COUNTY LAND BANK CORPORATION BOARD OF DIRECTORS

Offered by: Planning & Economic Development Committee

RESOLVED:
1. That the appointment by the Chairman of the Board of Curtis W. Crandall, Chairman of the Board; Timothy T. Boyde, County Administrator; Dwight R. Fanton, Vice Chairman of the Board; Dwight (Mike) Healy, Majority Leader; Kevin S. LaForge, Minority Leader; Terri L. Ross, County Treasurer; Joseph L. Budinger, Real Property Services Director; and Dean Scholes, Deputy Public Works Superintendent; to the Allegany County Land Bank Corporation Board of Directors, for a two-year term effective immediately, and expiring September 30, 2017, is confirmed.

Moved by: Mr. Pullen  
Seconded by: Mr. Graves  
Adopted: Voice Vote

RESOLUTION NO. 146-16

BUDGET TRANSFER WITHIN HEALTH DEPARTMENT ACCOUNTS

Offered by: Human Services Committee

RESOLVED:

1. That the sum of $950 shall be transferred from Account No. A4051.456 (Tobacco Awareness - Health Contracts) to Account No. A4051.206 (Tobacco Awareness - Health Equipment) to cover the cost of purchasing four PVC bases for the no smoking signs.

Moved by: Mr. LaForge  
Seconded by: Mr. Fanton  
Adopted: Roll Call  
12 Ayes, 0 Noes, 3 Absent

RESOLUTION NO. 147-16

TRANSFER OF FUNDS FROM THE ASSIGNED UNAPPROPRIATED FUND BALANCE ACCOUNT TO FUND THE CLOSURE OF THE COUNTY LANDFILL

Offered by: Public Works and Ways & Means Committee

RESOLVED:

1. That the sum of $3,000,000 is transferred from Account No. A15.599.00 (A915.0000) (Assigned Unappropriated Fund Balance Solid Waste) to Account No. H8174.200 (Landfill Closure Phase 4 Final) to fund the capping and permanent closure of the county landfill.

Moved by: Mr. Fanton  
Seconded by: Mr. Jessup  
Adopted: Roll Call  
12 Ayes, 0 Noes, 3 Absent

Comments made regarding Resolution No. 147-16 included: Legislator Ungermann asked if the $3 million would be enough to close the Landfill and have money left for monitoring expenses. Legislator Fanton stated that they aren’t sure yet. It still has to be bid out, and the
engineering still needs to be done. He noted that the County is fortunate not to have to borrow money to do this. Legislator Pullen remarked that he would love to be able to use the money to lower taxes or put money into other programs that need it, but this is something that has to be done and is part of being responsible. The money was accumulated through responsible management of the budget. It’s a positive step and he intends to support it. Legislator Fanton added that the County is also required by law to properly close the Landfill. Chairman Crandall said that there will be additional costs in the future. Legislator Fanton agreed saying that they will still need to take care of the leachate, mowing, etc.

RESOLUTION NO. 148-16

APPROVING THE TRANSFER OF FUNDS ON CAPITAL PROJECT ACCOUNT H5940 IN THE TOWN OF RUSHFORD, BRIDGE #23-08; TRANSFER OF FUNDS FOR COUNTY SHARE AND A BUDGET ADJUSTMENT FOR LOCAL TOWN SHARE

Offered by: Public Works and Ways & Means Committees

RESOLVED:

1. That the sum of $36,961 is transferred from Account No. H5939.200 (Burns, BR 11-10, Narrows Road) to Account No. H5940.200 (Rushford, BR 23-08, Barber Road) to cover an overage on the Barber Road Bridge Capital Project.

2. That a budget adjustment of $22,218 shall be appropriated to Account No. H5940.2300.00 (Rushford, BR 23-08, Local Town Share and Account No. H5940.200 (Rushford, BR 23-08, Barber Road) to account for the Town share of the overage.

Moved by: Mr. Fanton Adopted: Roll Call
Seconded by: Mr. Graves 12 Ayes, 0 Noes, 3 Absent

Comments made regarding Resolution No. 148-16 included: Legislator Ungermann asked if the $36,000 was left over from the Town of Burns. Public Works Superintendent Guy James stated that the Town of Burns decided not to do the bridge they were planning to do.

RESOLUTION NO. 149-16

ACCEPTANCE AND APPROPRIATION OF ADDITIONAL TANF SUMMER YOUTH FUNDING

Offered by: Planning & Economic Development and Ways & Means Committees

RESOLVED:
1. The Employment & Training Center had budgeted $143,989 in 2016 for TANF (Temporary Assistance for Needy Families) Summer Youth Funding and actually received $146,881. This created an additional $2,892 in funding; the additional funds are accepted and appropriated as follows:

<table>
<thead>
<tr>
<th>CD#</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>CD1 6794.101</td>
<td>TANF SYEP - Staff Regular Pay</td>
<td>$350.00</td>
</tr>
<tr>
<td>CD1 6794.402</td>
<td>TANF SYEP - Staff Mileage</td>
<td>250.00</td>
</tr>
<tr>
<td>CD1 6794.408</td>
<td>TANF SYEP – General Supplies</td>
<td>42.00</td>
</tr>
<tr>
<td>CD1 6794.806</td>
<td>TANF SYEP – Hosp/Med Ins.</td>
<td>1,500.00</td>
</tr>
<tr>
<td>CD1 6795.101</td>
<td>TANF SYEP – Part. Regular Pay</td>
<td>500.00</td>
</tr>
<tr>
<td>CD1 6795.803</td>
<td>RANF SYEP – Part. FICA</td>
<td>250.00</td>
</tr>
</tbody>
</table>

**Total:** $2892.00

2. That a like sum of $2,892 is credited to Revenue Account No. CD1 6794.4701.12 (TANF – Federal Aid).

Moved by: Mr. Pullen  
Seconded by: Mr. Jessup  
Adopted: Roll Call  
12 Ayes, 0 Noes, 3 Absent

**RESOLUTION NO. 150-16**

**ACCEPTANCE AND APPROPRIATION OF FUNDS FROM THE NEW YORK STATE OFFICE OF HOMELAND SECURITY FOR THE 2016 LETPP GRANT LE16-1004-D00**

Offered by: Public Safety and Ways & Means Committees

**RESOLVED:**

1. That the sum of $17,500 from the New York State Office of Homeland Security 2016 LETPP Grant LE16-1004-D00 to purchase equipment for the Tactical/ACLERT Team, is approved.


Moved by: Mr. Curran  
Seconded by: Mr. Fanton  
Adopted: Roll Call  
9 Ayes, 3 Noes, 3 Absent  
Voting No: Decker, Graves, Ungermann

Comments made regarding Resolution No. 150-16 included: Legislator Ungermann remarked that he had asked to have acronyms written out so everyone knew what they stood for. He asked was LETPP was. Sheriff Whitney indicated that it stands for “Law Enforcement Terrorism Prevention Program.” Legislator Graves remarked that he fully understands that our first duty is to public safety and that he would never want to send people
into harm’s way without proper protection, but he feels this is a duplication of a service provided by the New York State Police. Legislator Decker agreed with Legislator Grave’s statements and noted that he would be voting “no” on the resolution. Legislator Fanton reminded the group that this was grant money coming from New York State, not local money.

RESOLUTION NO. 151-16

APPROVAL OF GRANT APPLICATION FOR THE OMH PARTNERSHIP INNOVATION FOR OLDER ADULTS FOR THE GRANT YEARS JANUARY 1, 2017, THROUGH DECEMBER 31, 2021, BY OFFICE FOR THE AGING

Offered by: Human Services Committee

WHEREAS, the Office for the Aging is requesting approval to apply for the OMH Partnership Innovation for Older Adults for the grant years January 1, 2017, through December 31, 2021, and

WHEREAS, the grant would be used to create a local “triple partnership” of mental health, substance use disorder and aging services providers to innovatively address the unmet needs of older adults for such services, now, therefore, be it

RESOLVED:

1. That the Office for the Aging is authorized to act on behalf of the County of Allegany to apply for grant funds through the OMH Partnership Innovation for Older Adults.

Moved by: Mr. LaForge
Seconded by: Mr. Decker
Adopted: Roll Call
12 Ayes, 0 Noes, 3 Absent

RESOLUTION NO. 152-16

APPROVAL OF RENT INCREASE FOR THE FAMILY PLANNING SITE IN WELLSVILLE

Offered by: Human Services Committee

RESOLVED:

1. That effective June 1, 2016, a 2.5 percent monthly rent increase from $537.95 to $551.40 for the family planning site in Wellsville, is approved.

Moved by: Mr. LaForge
Seconded by: Mr. Fanton
Adopted: Roll Call
12 Ayes, 0 Noes, 3 Absent
RESOLUTION NO. 153-16

APPROVAL OF MULTI-JURISDICTIONAL AGREEMENT;
AUTHORIZING THE CHAIR TO EXECUTE THE AGREEMENT

Offered by: Planning & Economic Development and Ways & Means Committees

Pursuant to Section 107 [c] [1] [B] of the Workforce Innovation and
Opportunity Act of 2014

WHEREAS, enactment of the Workforce Innovation and Opportunity Act of 2014
superseded the Workforce Investment Act of 1998, and

WHEREAS, this Board wishes to define and delineate the functions, powers, duties,
relationships, and operating procedures of the Grant Recipient, the WDB, and the CEOs, in
order to facilitate the provision of policy guidance for, and the exercise of oversight of WIOA,
now, therefore, be it

RESOLVED:

1. That the Multi-Jurisdictional Agreement between the County of Allegany and the County
of Cattaraugus hereby approved.

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

Moved by: Mr. Pullen
Seconded by: Mr. Jessup

Adopted: Roll Call
12 Ayes, 0 Noes, 3 Absent

RESOLUTION NO. 154-16

APPROVAL OF AGREEMENT WITH MJR PARTNERS FOR THE DEMOLITION OF
BUILDINGS AND CLEARING OF SITES ON THREE COUNTY-OWNED
PROPERTIES IN THE VILLAGE OF WELLSVILLE;
AUTHORIZING CHAIRMAN TO EXECUTE AGREEMENT

Offered by: Public Works and Ways & Means Committees

WHEREAS, the County had previously acquired three parcels of real property located
in the Village of Wellsville through tax foreclosure proceedings; and

WHEREAS, the County has been unable to sell any of these properties due to the
dilapidated condition of the buildings located thereon; and

WHEREAS, the State building inspector has now condemned the structures on these
properties; and

WHEREAS, as they are condemned, these buildings must now be either renovated or
demolished; and
WHEREAS, the cost of renovating these buildings far exceeds what their fair market value would be; and

WHEREAS, the most cost efficient manner of dealing with these properties is to have them demolished and the sites cleared of debris; and

WHEREAS, the County has advertised for bids from outside contractors for the cost of demolishing the buildings and clearing the sites for each of the properties which are located at 135 Howard Street, 213 E. State Street and 249 E. State Street; and

WHEREAS, bids have now been received and this Board wishes to award a contract to the lowest responsible bidder on each property; and

WHEREAS, the lowest responsible bidder on each property was submitted by MJR Partners, now therefore, be it

RESOLVED:

1. That an agreement with MJR Partners for the demolition and clearing of properties located at 135 Howard Street at a cost of $12,200, 213 E. State Street at a cost of $21,650 and 249 E. State Street at a cost of $20,450, for a total cost of $54,300, is hereby approved.

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

Moved by: Mr. Fanton
Seconded by: Mr. Graves
Adopted: Roll Call
12 Ayes, 0 Noes, 3 Absent

RESOLUTION NO. 155-16

APPROVAL OF 2016 OFFICE OF CHILDREN AND FAMILY SERVICES SUBCONTRACT AGREEMENTS FOR YOUTH PROGRAMS; PROVIDING PROGRAM FUNDS; ACCEPTANCE AND APPROPRIATION OF 2016 MUNICIPAL YOUTH PROJECTS

Offered by: Resource Management and Ways & Means Committees

RESOLVED:

1. That the following Office of Children and Family Services Subcontract Agreements for calendar year 2016, are approved and appropriated as follows. These funds are paid to the County and passed through to the agencies.

<table>
<thead>
<tr>
<th>Agreement</th>
<th>Amount</th>
<th>Appropriation Account</th>
<th>Revenue Account</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allegany County Mental Health Association, Inc. (Youth Compeer)</td>
<td>$3,399</td>
<td>A7313.488</td>
<td>A7313.3821.07</td>
</tr>
</tbody>
</table>
Program)
Allegany County Employment & Training (SYEP)  $4,993  A7318.486  A.7318.3822.02

Literacy West NY, Inc. (Career Pathways)  $1,483  A7318.489  A.7318.3820.50

Allegany Co.Youth Court/ Council on Alcoholism  $4,398  A7321.483  A.7321.3825.00

Allegany Council on Alcoholism and Substance Abuse, Inc. – Week of Alternatives  $3,262  A7312.488  A.7312.3820.85

Southern Tier Traveling Teacher HSE  $2,909  A7318.487  A.7318.3822.03

TOTAL pass through programs from OCFS: $20,444

2. That the Office of Children and Family Services funding for the following County-sponsored programs is approved. No budget adjustments are necessary, as these funds are allocated in the County budget.

<table>
<thead>
<tr>
<th>Program</th>
<th>Amount</th>
<th>Appropriation Account</th>
<th>Revenue Account</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rushford Lake Project</td>
<td>$7,448</td>
<td>A7180.100</td>
<td>A.7180.3820.01</td>
</tr>
<tr>
<td>Youth Bureau Administration</td>
<td>$7,052</td>
<td>A7310.000</td>
<td>A.7310.3820.03</td>
</tr>
<tr>
<td>Gov. for Youth/BOCES</td>
<td>$3,478</td>
<td>A7312.489</td>
<td>A.7312.3820.10</td>
</tr>
</tbody>
</table>

TOTAL OCFS Funding for County-sponsored programs: $17,978

3. That the 2016 Municipal Youth Projects for recreation are approved and the Office of Children and Family Services funding in the amount of $13,655 is accepted, appropriated and credited as follows:

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Appropriation Account</th>
<th>Revenue Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Village of Alfred</td>
<td>A7310.485</td>
<td>A7310.3820.YTVP</td>
<td>$3,317</td>
</tr>
<tr>
<td>Village of Angelica</td>
<td>A7310.485</td>
<td>A7310.3820.YTVP</td>
<td>$479</td>
</tr>
<tr>
<td>Town of Belfast</td>
<td>A7310.485</td>
<td>A7310.3820.YTVP</td>
<td>$2,011</td>
</tr>
<tr>
<td>Village of Bolivar</td>
<td>A7310.485</td>
<td>A7310.3820.YTVP</td>
<td>$793</td>
</tr>
<tr>
<td>Village of Cuba</td>
<td>A7310.485</td>
<td>A7310.3820.YTVP</td>
<td>$1,078</td>
</tr>
<tr>
<td>Village of Cuba/A Sound Beginning</td>
<td>A7310.485</td>
<td>A7310.3820.YTVP</td>
<td>$1,435</td>
</tr>
<tr>
<td>Town of Hume</td>
<td>A7310.485</td>
<td>A7310.3820.YTVP</td>
<td>$881</td>
</tr>
<tr>
<td>Town of Independence</td>
<td>A7310.485</td>
<td>A7310.3820.YTVP</td>
<td>$472</td>
</tr>
<tr>
<td>Town of Wellsville</td>
<td>A7310.485</td>
<td>A7310.3820.YTVP</td>
<td>$1,511</td>
</tr>
<tr>
<td>Town of Wellsville/Dance Theater Program</td>
<td>A7310.485</td>
<td>A7310.3820.YTVP</td>
<td>$1,435</td>
</tr>
<tr>
<td>Town of Wirt</td>
<td>A7310.485</td>
<td>A7310.3820.YTVP</td>
<td>$243</td>
</tr>
</tbody>
</table>
TOTAL OCFS pass through to municipalities: $13,655

TOTAL OCFS funding awarded to County in 2016: $52,077

Moved by: Mr. Graves
Seconded by: Mr. Curran
Adopted: Roll Call
12 Ayes, 0 Noes, 3 Absent

RESOLUTION NO. 156-16

APPROVAL OF TWO ONE-YEAR EXTENSIONS OF AN AGREEMENT WITH FIRST TRANSIT, INC., TO DELIVER PUBLIC TRANSPORTATION SERVICES

Offered by: Ways & Means Committee

RESOLVED:

1. That two one-year extensions of an agreement with First Transit, Inc., to deliver public transportation services to the residents of Allegany County at a cost of $855,469 for 2017, and $878,994 for 2018, is approved.

Moved by: Mr. Jessup
Seconded by: Mr. Healy
Adopted: Roll Call
11 Ayes, 1 No, 3 Absent
Voting No: Ungermann

Comments made regarding Resolution No. 156-16 included: Legislator Fanton stated that he commends First Transit for their good management practices. The County has not had to take money out of the General Fund. Legislator Ungermann asked if any of the increase would be assumed by the local taxpayers. Ardent Solutions Executive Director Carrie Whitwood stated that NYS DOT was changing things for 2017 and beyond. She was unable to say for sure if there would be additional costs to the County. Legislator Ungermann expressed his concern that this was not bid out. Ms. Whitwood indicated that it had been bid out three years ago and she agreed with him.

Resolution Intro. No. 160-16 (APPROVAL OF SALE OF 2016 TAX SALE PROPERTIES) was not pre-filed and was considered from the floor on a motion made by Legislator Jessup, seconded by Legislator Healy, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 157-16

APPROVAL OF SALE OF 2016 TAX SALE PROPERTIES

Offered by: Ways & 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 2014 and/or back to the year 1995 (TF95 up to and including TF2014) 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.

<table>
<thead>
<tr>
<th>New Owner</th>
<th>Address</th>
<th>Parcel ID</th>
<th>Property loc.</th>
<th>Assessed value</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>WHITTALL, DARREN</td>
<td>5299 UPPER MOUNTAIN ROAD</td>
<td>022001</td>
<td>Pine Hill Drive</td>
<td>20,700</td>
<td>11.6</td>
</tr>
<tr>
<td></td>
<td>LOCKPORT, NY 14094</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Tax sale amount: 1,050</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BARBER, LARRY</td>
<td>5999 NORTH ROAD</td>
<td>022089</td>
<td>1474 Terbury Road</td>
<td>68,000</td>
<td>1.7</td>
</tr>
<tr>
<td></td>
<td>BELMONT, NY 14813</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Tax sale amount: 9,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>O’DELL, SHIEANNE C.</td>
<td>192 OVID ST., TRAILER 112</td>
<td>022200</td>
<td>4130 Co. Rd. 15A</td>
<td>17,700</td>
<td>2.4</td>
</tr>
<tr>
<td></td>
<td>SENECA FALLS, NY 13148</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Tax sale amount: 9,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BIELEWICZ, CONRAD C.</td>
<td>11399 WOOD ROAD</td>
<td>022200</td>
<td>9381 Redman Road</td>
<td>56,700</td>
<td>2.1</td>
</tr>
<tr>
<td></td>
<td>DALTON, NY 14836</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Tax sale amount: 2,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
KURSCHNER, HOLGAR
20 GEORGE STREET
WELLSVILLE, NY 14895
Tax sale amount: 120
Parcel ID: 022400; 262.6-1-31
Property loc: 5802 State Route 417
Assessed value: 51,000
Acres: 0.14
County of Allegany
Book: 945
Page: 00132

HAMMAKER, PAMELA S.
2004 COUNTY ROAD 22
ANDOVER, NY 14806
Tax sale amount: 400
Parcel ID: 022400; 290.1-1-25.31
Property loc: 106 Rd
Assessed value: 4,700
Acres: 1.8
County of Allegany
Book: 1505
Page: 57

STAURING, JOSHUA J.
STAURING, EMILY J.
9011 CREAM HILL ROAD
ARKPORT, NY 14807
Tax sale amount: 2,900
Parcel ID: 022689; 111.1-1-12.3
Property loc: Donnelly Road
Assessed value: 11,000
Acres: 1.5
County of Allegany
Book: 2009
Page: 36265

VILLAGE OF BELMONT
1 SCHUYLER STREET
BELMONT, NY 14813
Tax sale amount: 1
Parcel ID: 022801; 172.13-2-75
Property loc: 7 Schuyler Street
Assessed value: 600
Acres: 0.05
County of Allegany
Book: 1195
Page: 229

PEACHEY, DANIEL S.
129 NOLAN DRIVE
LEWISTON, PA 17044
Tax sale amount: 7,000
Parcel ID: 023001; 216.15-2-52
Property loc: 45 East Greenwood St.
Assessed value: 42,500
Acres: 0.25
County of Allegany
Book: 1732
Page: 59

KEYBANK, N.A.
4910 TIEDEMAN ROAD
BROOKLYN, OH 44144
Tax sale amount: 37,354
Parcel ID: 023089; 201.1-1-14.21
Property loc: 4011 Duffy Hollow
Assessed value: 43,600
Acres: 1.6
County of Allegany
Book: 890
Page: 00099

PEACHEY, DANIEL S.
129 NOLAN DRIVE
LEWISTON, PA 17044
Tax sale amount: 1,900
Parcel ID: 023201; 120.14-1-3.17
Property loc: High Street
Assessed value: 11,600
Acres: 5
County of Allegany
Book: 1452
Page: 237

PASSION PROPERTIES, LLC
59 SEMINOLE WAY
ROCHESTER, NY 14618
Tax sale amount: 7,700
Parcel ID: 023201; 120.18-2-67
Property loc: 117 Center Street
Assessed value: 42,000
Acres: 0.47
County of Allegany
Book: 1452
Page: 237
LEACH, DUANE D.  
4005 COUNTY ROAD 2  
ALMOND, NY 14804  
Tax sale amount: 6,200  
Parcel ID: 023289; 121.-1-19.1  
Property loc: 4209 County Rte 16  
Assessed value: 32,800  
Acres: 4.8  
County of Allegany  
Book: 1542  
Page: 89

DEHLMLER, CHAD J.  
383 ½ MADISON AVE., FLOOR 2  
ALBANY, NY 12210  
Tax sale amount: 800  
Parcel ID: 023400; 105.-1-54.1  
Property loc: Route 19  
Assessed value: 6,300  
Acres: 3.2  
County of Allegany  
Book: 1751  
Page: 300

BOECKMAN, WILLIAM  
PENNY, PATRICIA  
3374 DAVIDSON RD  
FRIENDSHIP, NY 14739  
Tax sale amount: 4,300  
Parcel ID: 023400; 105.9-1-30  
Property loc: 50 West Hughes St.  
Assessed value: 39,000  
Acres: 0.3  
County of Allegany  
Book: 1098  
Page: 274

KERR, DANIEL S.  
39 EAST WASHINGTON ST.  
HORNELL, NY 14843  
Tax sale amount: 5,500  
Parcel ID: 023600; 58.-1-17.17  
Property loc: 9783 Newton Road  
Assessed value: 52,100  
Acres: 9.6  
County of Allegany  
Book: 1367  
Page: 110

MIDDAUGH, JACOB B.  
6148 CO. RD. 18  
ALMA, NY 14708  
Tax sale amount: 800  
Parcel ID: 023801; 259.20-1-60  
Property loc: 72 Second Street  
Assessed value: 4,900  
Acres: 0.19  
County of Allegany  
Book: 1043  
Page: 340

BROWN, GORDON P. III  
SHERIDAN, FRANK R.  
20 MAGNOLIA AVE.  
BUFFALO, NY 14220  
Tax sale amount: 2,600  
Parcel ID: 023889; 261.-1-46.22  
Property loc: 6723B Phillips Hill  
Assessed value: 17,500  
Acres: 5.4  
County of Allegany  
Book: 1254  
Page: 302

EBERLING, ROBERT L. JR.  
1001 ROOSEVELT RD.  
EAST ROCHESTER, NY 14445  
Tax sale amount: 100  
Parcel ID: 023889; 261.-1-47.14  
Property loc: Phillips Hill  
Assessed value: 500  
Acres: 0.7  
County of Allegany  
Book:  
Page:

WILFORST, MATTHEW J.  
1131 COUNTY ROUTE 66  
HORNELL, NY 14843  
Tax sale amount: 500  
Parcel ID: 024001; 34.16-1-22  
Property loc: 8 Jackson Street  
Assessed value: 400  
Acres: 0.31  
County of Allegany  
Book: 2010  
Page: 43036
WILFORST, MATTHEW J.  
1131 COUNTY ROUTE 66  
HORNELL, NY 14843  
Tax sale amount: 1,500  
Parcel ID: 024001; 34.16-1-25  
Property loc: 15 Mill Street  
Assessed value: 15,900  
Acres: 0.23  
County of Allegany  
Book: 2010  
Page: 43035

MANN, CHARLES M.  
10215 NEWVILLE ROAD  
NUnda, NY 14517  
Tax sale amount: 100  
Parcel ID: 024001; 34.19-1-12.2  
Property loc: 65 Main Street  
Assessed value: 100  
Acres: 0.04  
County of Allegany  
Book: 1220  
Page: 78

DUTHOy, DANIEL  
DUTHOy, KIMBERLE  
43 MILL STREET  
CANASERAGA, NY 14822  
Tax Sale Amount: 1,300  
Parcel ID: 024001; 34.19-1-13.1  
Property loc: 63 Main Street  
Assessed value: 33,900  
Acres: 0.13  
County of Allegany  
Book: 1220  
Page: 78

WISNIESKI, DEREK C.  
178 63RD STREET  
NIAGARA FALLS, NY 14304  
Tax Sale Amount: 3,200  
Parcel ID: 024200; 66.-1-53  
Property loc: Shongo Valley Road  
Assessed value: 10,500  
Acres: 4  
County of Allegany  
Book:  
Page:

DONOHUE, MICHAEL P.  
11503 BIG TREE ROAD  
WALES, NY 14052  
Tax sale amount: 300  
Parcel ID: 024200; 77.-3-58  
Property loc: County Road 49  
Assessed value: 5,000  
Acres: 2.5  
County of Allegany  
Book: 1583  
Page: 307

BARBER, JEREMIAH C.  
6379 ROUTE 305  
BLACK CREEK, NY 14714  
Tax sale amount: 10,000  
Parcel ID: 024200; 78.-1-2.4  
Property loc: 7806 State Route 243  
Assessed value: 48,400  
Acres: 1.86  
County of Allegany  
Book: 1051  
Page: 240

GOODSELL, JOY E.  
38 MAIN STREET  
SAVONA, NY 14879  
Tax sale amount: 16,500  
Parcel ID: 024600; 218.-1-7.3  
Property loc: 9566 LaFever Road  
Assessed value: 87,000  
Acres: 4.9  
County of Allegany  
Book: 1329  
Page: 83

DEHMLER, CHAD J.  
383 ½ MADION AVENUE, FLOOR 2  
ALBANY, NY 12210  
Tax sale amount: 600  
Parcel ID: 024600; 218.-2-32.1  
Property loc: Wolf Creek/Martin Road  
Assessed value: 11,800  
Acres: 1.4  
County of Allegany  
Book: 1140  
Page: 231
HUNT, JARED M.
113 WEST MAIN STREET
FRIENDSHIP, NY 14739
Tax sale amount: 800
Parcelf ID: 024600; 218.-2-34.1
Property loc: Wolf Creek/Martin Road
Assessed value: 35,000
Acres: 2.1
County of Allegany
Book: 1137
Page: 17

RIX, WALTER J.
8830 COUNTY ROAD 40
FRIENDSHIP, NY 14739
Tax sale amount: 100
Parcelf ID: 024600; 232.6-1-7
Property loc: School Street
Assessed value: 700
Acres: 0.09
County of Allegany
Book: 1081
Page: 145

RIX, WALTER J.
8830 COUNTY ROAD 40
FRIENDSHIP, NY 14739
Tax sale amount: 100
Parcelf ID: 024600; 232.6-1-8
Property loc: School Street
Assessed value: 100
Acres: 0.1
County of Allegany
Book: 1272
Page: 60

RIX, WALTER J.
8830 COUNTY ROAD 40
FRIENDSHIP, NY 14739
Tax sale amount: 100
Parcelf ID: 024600; 232.6-1-9
Property loc: 8836 County Road 40
Assessed value: 18,000
Acres: 0.11
County of Allegany
Book: 1272
Page: 61

MILKS, BRYAN R.
136 NORTH MAIN STREET
DELEVAN, NY 14042
Tax sale amount: 2,500
Parcelf ID: 024600; 244.-1-7.121
Property loc: 9740 Hewitt Road
Assessed value: 85,500
Acres: 3.14
County of Allegany
Book: 1337
Page: 146

YATES, BURTON L.
YATES, CINDY A.
2475 ROUTE 305
CUBA, NY 14727
Tax sale amount: 300
Parcelf ID: 024600; 245.-1-4
Property loc: Route 305
Assessed value: 2,000
Acres: 0.62
County of Allegany
Book: 1003
Page: 00193

KERSWILL, KAY M.
3577 WOLF CREEK ROAD
CUBA, NY 14727
Tax sale amount: 3,000
Parcelf ID: 024801; 166.19-1-42
Property loc: 37 Maple Street
Assessed value: 40,000
Acres: 0.2
County of Allegany
Book: 1101
Page: 326

FREEMAN, STEWART A.
FROST, KARLA J.
79 GENESEE STREET
CUBA, NY 14727
Tax sale amount: 4,000
Parcelf ID: 024801; 166.19-2-4
Property loc: 21 Green Street
Assessed value: 55,000
Acres: 0.12
County of Allegany
Book: 1086
Page: 60
COOK, FRED
7073 GLEASON HILL ROAD
BELFAST, NY 14711
Tax sale amount: 3,200
Parcel ID: 024889; 179.-1-42
Property loc: 4705 Prospect St. Rd.
Assessed value: 54,500
Acres: 0.9
County of Allegany
Book: 1080
Page: 37

CLARK, DENNIS L.
6001 KLEINBECK ROAD
BELMONT, NY 14813
Tax sale amount: 400
Parcel ID: 025000; 157.-1-8.5
Property loc: Hess Road
Assessed value: 5,100
Acres: 1.1
County of Allegany
Book: 903
Page: 00001

GORMAN, DAVID J. JR.
5244 PIGTAIL ROAD
FRIENDSHIP, NY 14739
Tax sale amount: 100
Parcel ID: 025000; 170.-1-7.2
Property loc: 5240 Pigtail Road
Assessed value: 10,700
Acres: 0.29
County of Allegany
Book: 1253
Page: 27

RUSSELL, ERVIN
10892 ROUTE 19A
FILLMORE, NY 14735
Tax sale amount: 400
Parcel ID: 025000; 182.7-1-15
Property loc: 3 North Sawyer Ave.
Assessed value: 2,600
Acres: 0.2
County of Allegany
Book: 2009
Page: 37978

COTLER, TERRY
5268 MAPLE GROVE ROAD
FRIENDSHIP, NY 14739
Tax sale amount: 6,200
Parcel ID: 025000; 182.7-1-30
Property loc: 30 Linwood Avenue
Assessed value: 34,800
Acres: 0.46
County of Allegany
Book: 
Page: 

LAFLEUR, ROY D.
102 WILLIAMS AVENUE
WELLSVILLE, NY 14895
Tax sale amount: 10,000
Parcel ID: 025000; 182.7-1-52
Property loc: 39 Linwood Avenue
Assessed value: 40,000
Acres: 0.75
County of Allegany
Book: 1232
Page: 210

COOK, HAROLD C.
79 WEST MAIN STREET
FRIENDSHIP, NY 14739
Tax sale amount: 330
Parcel ID: 025000; 182.8-1-20
Property loc: 57 Depot Street
Assessed value: 22,900
Acres: 0.33
County of Allegany
Book: 1104
Page: 208

MILKS, BRYAN R.
136 NORTH MAIN STREET
DELEVAN, NY 14042
Tax sale amount: 1,000
Parcel ID: 025000; 182.11-1-4
Property loc: 8 Linwood Avenue
Assessed value: 40,800
Acres: 0.59
County of Allegany
Book: 1249
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JACKSON, LESLIE E. JR.  
85 O’CONNOR STREET  
WELLSVILLE, NY 14895  
Tax sale amount: 200  
Parcel ID: 027001; 225.20-1-89.1  
Property loc: O’Connor Street  
Assessed value: 500  
Acres: 0.28  
County of Allegany  
Book: 933  
Page: 00347

HARRISON, MICHAEL S.  
393 DUNHAM ROAD, PO BOX 86  
PLEASANTVILLE, PA 16341  
Tax sale amount: 3,000  
Parcel ID: 027001; 225.20-2-40  
Property loc: 146 Farnum Street  
Assessed value: 42,000  
Acres: 0.52  
County of Allegany  
Book: 1470  
Page: 24

O’KEEFE, DENNIS M.  
4023 COUNTY ROAD 12  
ANDOVER, NY 14806  
Tax sale amount: 50,500  
Parcel ID: 027001; 238.8-1-35  
Property loc: 33 East Genesee Street  
Assessed value: 110,000  
Acres: 0.14  
County of Allegany  
Book: 1247  
Page: 227

JORDAN, DANIEL J.  
4121 COUNTY ROAD 10  
SCIO, NY 14880  
Tax sale amount: 1,400  
Parcel ID: 027001; 238.12-1-29  
Property loc: 141 North Brooklyn  
Assessed value: 66,000  
Acres: 0.22  
County of Allegany  
Book: 1714  
Page: 182

ELLIOTT, JENNIFER M.  
5652 COYLE HILL ROAD  
SCIO, NY 14880  
Tax sale amount: 2,500  
Parcel ID: 027001; 238.16-3-42  
Property loc: 37 King Street  
Assessed value: 20,000  
Acres: 0.18  
County of Allegany  
Book: 2010  
Page: 42618

RUPRECHT, JANICE K.  
5714 BAILOR ROAD  
ANGELICA, NY 14709  
Tax sale amount: 4,200  
Parcel ID: 027001; 239.5-3-48  
Property loc: 201 Maple Avenue  
Assessed value: 39,000  
Acres: 0.09  
County of Allegany  
Book: 797  
Page: 00304

WILLIAM F. DONOVAN, JR. TTEE  
1715 HASKELL PARKWAY  
OLEAN, NY 14760  
Tax sale amount: 9,700  
Parcel ID: 027001; 239.10-3-54  
Property loc: 177 South Main Street  
Assessed value: 85,000  
Acres: 0.69  
County of Allegany  
Book: 2010  
Page: 41618

NATHAN CLARK, LLC  
1060 COUNTY ROUTE 82  
TROUSPBURG, NY 14885  
Tax sale amount: 300  
Parcel ID: 027001; 239.14-2-6  
Property loc: 52 Rauber Street  
Assessed value: 20,000  
Acres: 0.1  
County of Allegany  
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Tax sale amount: 1,700

INSLEY, ROBERT
2041 RIVERVIEW DRIVE
WELLSVILLE, NY 14895
Tax sale amount: 2,600

Moved by: Mr. Jessup
Seconded by: Mr. Fanton
Adopted: Roll Call
12 Ayes, 0 Noes, 3 Absent

Comments made regarding Resolution No. 157-16 included: Legislator Ungermann noted that the County Treasurer had remarked about the assessors getting assessments up and that they are doing a good job. He pointed out the sale amounts of these properties versus their assessed values. With the sale price so much less than the assessed value, are the assessed values anywhere near correct?

AUDITS:

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

Legislator Ungermann asked about an accounting for the Allegany County Telecommunications Corp. Legislator Curran indicated that he did not have that ready for him today.

A motion was made by Legislator Jessup, seconded by Legislator Pullen, and adopted on a roll call vote of 12 Ayes, 0 Noes, 3 Absent, that the audit of claims, totaling $2,944,417.47 including prepaid expenses, be approved for payment as recommended by the County Administrator. (Allegany County’s Local Dollar Share of the NYS Medicaid Program paid year-to-date is $5,022,836.)

COMMENTS:

Legislator Graves reminded those in attendance of the annual Fourth of July Celebration in Andover.

ADJOURNMENT: The meeting was adjourned at 2:51 p.m. on a motion made by Legislator Graves, seconded by Legislator Fanton, and carried.
CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:06 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Army Specialist Fourth Class Jaime L. White.

INVOCATION: The Invocation was given by Legislator Pullen.


APPROVAL OF MINUTES:

The Board meeting minutes of June 27, 2016, were approved on a motion made by Legislator Decker, seconded by Legislator Curran, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Jaime L. White, former United States Army Specialist Fourth Class in grateful appreciation of her service to our country. Ms. White's service dates were from November 12, 1996, to August 4, 1998. She was stationed at Fort Jackson, SC, which is where she also did her Basic and Advanced Individual Training. Commendations she received included: Army Commendation Medal, Army Service Ribbon, and Marksmanship Qualification Badge with Rifle Bar. Ms. White led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans' Honorary Pledge of Allegiance Program.

Social Services Commissioner Vicki Grant addressed those in attendance regarding a recent efficiencies study completed by The Bonadio Group. The study looked at specific programs in the Department of Social Services. The findings will give them guidance in best practices and efficiencies that will save money and improve service. (Ms. Grant then read an official press release from her office.)

“The Bonadio Group/Allegany County DSS Collaboration Proves Fruitful

‘After several years of contracting with Bonadio, a Pittsford, NY- based consulting firm, for assistance with Medicaid self-employment cases, Allegany County DSS ventured into an agreement to have the company use their expertise in three areas in the department. Commencing in January 2016, Chronic Care Medicaid, Fraud Investigation, and Title IV-E
Foster Care were areas that Bonadio visited on-site in order to assist the Department with identification of efficiencies, research, and technical assistance.

‘The positive relationship between Bonadio and the Department proved fruitful in identifying best case practices, both already in place and for future endeavors, to move the Department along a continuum of superior service to the community. Both Timothy Ball, CFE/Manager, and Kelley Smeal, consultant, of The Bonadio Group, praised the professionalism, knowledge, timeliness of case processing, and open communication of the Department and its employees. The Department and its employees found working with Bonadio to be an experience of professionalism with detailed knowledge of the complex issues that Social Service agencies are faced with.

‘Through this joint collaboration, the Department was able to institute some suggested practices and to realize a savings to the Department of $275,000 in retroactive funding claims. Other suggestions included succession planning and additional staff to assist in optimum investigations. The Department thanks the Allegany County Legislature and the Bonadio Group for this opportunity to expound upon services to clientele and the community.”

Ms. Grant then introduced Tim Ball, CFE/Manager of The Bonadio Group. Mr. Ball remarked on the success of the study saying that, “…Allegany County paid $24,000 to find $275,000.”

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Report of Intrafund Transfers Approved by the County Administrator in June.

2. Report of Tax Bill Corrections Approved by the County Administrator in June.

3. County Treasurer Terri Ross filed a Certificate of Withdrawal of Delinquent Tax Lien for property in the Town of Clarksville in the Clerk of the Board’s Office on June 30.

4. Reminder that the annual Legislators’ Clambake is Friday, July 29, and tickets are available in the Clerk of the Board’s Office.

5. Reminder that the Allegany County Senior Picnic will be held on Wednesday, July 27, at the Fairgrounds in Angelica.

6. Invitation to attend the annual Andover Kids Fishing Contest to be held on Saturday, July 30. It is their 25th anniversary. (It was announced during the meeting that this event has been postponed.)

APPOINTMENTS:

Chairman Crandall appointed Jerry Scott of Cuba, New York, to the CHAUTAUQUA, CATTARAUGUS, ALLEGANY, AND STEUBEN SOUTHERN TIER EXTENSION
RAILROAD AUTHORITY to fill a three-year term commencing August 28, 2016, and expiring August 27, 2019, subject to confirmation by the Board of Legislators.

Chairman Crandall reappointed Kier Dirlam of Almond, New York, Jerry Scott of Cuba, New York, and Craig Clark of Alfred, New York, as members of the SOUTHERN TIER WEST REGIONAL PLANNING & DEVELOPMENT BOARD for a three-year term commencing June 1, 2016, and expiring May 31, 2019, subject to confirmation by the Board of Legislators. In addition, he appointed ex-officio members as follows: Public Works Superintendent Guy R. James, Chairman of the Board Curtis W. Crandall, and Chair of the Planning Board Lee Gridley.

RESOLUTIONS:

RESOLUTION NO. 158-16

ESTABLISHING STANDARD WORK DAYS FOR ELECTED AND APPOINTED OFFICIALS AND DIRECTING A REPORT OF DAYS WORKED TO THE NEW YORK STATE AND LOCAL EMPLOYEES’ RETIREMENT SYSTEM

Offered by: Personnel Committee

RESOLVED:

1. Effective immediately, the Allegany County Board of Legislators hereby establishes the following as standard work days for elected and appointed officials and will report the days worked of such officials to the New York State and Local Employees’ Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of the Board.

<table>
<thead>
<tr>
<th>Title</th>
<th>Name</th>
<th>(Hrs./Day)</th>
<th>Term</th>
<th>Employer Record of Time (Y/N)</th>
<th>Days Worked Per Month</th>
</tr>
</thead>
<tbody>
<tr>
<td>ELECTED OFFICIALS:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>County Clerk</td>
<td>Christman, Robert L.</td>
<td>7</td>
<td>01/01/16-12/31/19</td>
<td>N</td>
<td>23.62</td>
</tr>
<tr>
<td>District Attorney</td>
<td>Slep, Keith</td>
<td>7</td>
<td>01/01/16-12/31/19</td>
<td>N</td>
<td>26.00</td>
</tr>
<tr>
<td>Coroner</td>
<td>Baker, Maynard</td>
<td>6</td>
<td>01/01/16-12/31/19</td>
<td>N</td>
<td>1.89</td>
</tr>
<tr>
<td>Coroner</td>
<td>Rinker, Mark</td>
<td>6</td>
<td>01/01/16-12/31/19</td>
<td>N</td>
<td>.17</td>
</tr>
<tr>
<td>APPOMTED OFFICIALS:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1st &amp; 6th Assist. Dist. Atty.</td>
<td>Finn, Michael B.</td>
<td>6</td>
<td>01/01/16-12/31/19</td>
<td>N</td>
<td>30.67</td>
</tr>
<tr>
<td>2nd &amp; 5th Assist. Dist. Atty.</td>
<td>Finn, Amanda B.</td>
<td>6</td>
<td>01/01/16-12/31/19</td>
<td>N</td>
<td>27.00</td>
</tr>
<tr>
<td>3rd &amp; 4th Assist. Dist. Atty.</td>
<td>Fuoco, J. Thomas</td>
<td>6</td>
<td>01/01/16-12/31/19</td>
<td>N</td>
<td>29.44</td>
</tr>
</tbody>
</table>
Moved by: Mr. O’Grady
Seconded by: Ms. Root

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

Comments made regarding Resolution No. 158-16 included: Legislator Burt thanked County Treasurer Terri Ross for explaining the report. He initially didn’t understand how anyone could work the numbers that were reported, but as she explained the formula used, it became clearer. He indicated he would support the resolution.

RESOLUTION NO. 159-16

GRANTING SALARY INCREMENTS EFFECTIVE JULY 1, 2016, TO UNIT AND NON-UNIT EMPLOYEES

Offered by: Personnel Committee

Pursuant to Resolution No. 1-69, as amended and Resolution No. 297-75, as amended

WHEREAS, thirteen County unit and non-unit employees are eligible to receive an annual salary increment effective July 1, 2016, and

WHEREAS, the proper County department heads have recommended that such employees receive their respective annual salary increment effective July 1, 2016, 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, 2016, to wit:

<table>
<thead>
<tr>
<th>Department</th>
<th>Name</th>
<th>Title</th>
<th>Avg. Increment</th>
</tr>
</thead>
<tbody>
<tr>
<td>County Clerk</td>
<td>Keib, Ryan M.</td>
<td>Deputy One Trainee</td>
<td>.4835</td>
</tr>
<tr>
<td>County Clerk</td>
<td>Lavey, Laura</td>
<td>Sr. Recording Clerk</td>
<td>.4504</td>
</tr>
<tr>
<td>Sheriff’s Office</td>
<td>Johnson, Laurie</td>
<td>Cook</td>
<td>.3835</td>
</tr>
<tr>
<td>Dept. of Public Works</td>
<td>Cicirello, Anthony</td>
<td>MEO 1</td>
<td>.4504</td>
</tr>
<tr>
<td>Dept. of Public Works</td>
<td>Harding, Roy</td>
<td>HMEO 1</td>
<td>.4954</td>
</tr>
<tr>
<td>OFA</td>
<td>Dieteman, Irene</td>
<td>Comm. Svce. Worker</td>
<td>.5517</td>
</tr>
<tr>
<td>OFA</td>
<td>DuBois, Tracy</td>
<td>Aging Svces. Tech.</td>
<td>.5405</td>
</tr>
<tr>
<td>Community Services</td>
<td>Hoopes, Carrie</td>
<td>Intensive Case Mngr.</td>
<td>.6222</td>
</tr>
<tr>
<td>Social Services</td>
<td>Hull, Elizabeth</td>
<td>Account Clerk Typist</td>
<td>.3603</td>
</tr>
<tr>
<td>Social Services</td>
<td>Galvin, Ann</td>
<td>Senior Typist</td>
<td>.3603</td>
</tr>
</tbody>
</table>
RESOLUTION NO. 160-16

ACCEPTANCE AND APPROPRIATION OF NEW YORK STATE DEPARTMENT OF TRANSPORTATION FEDERAL TRANSIT ADMINISTRATION GRANT FUNDS FOR THE PURCHASE OF SIX BUSES

Offered by: Ways & Means Committee

RESOLVED:

1. That the sum of $375,000 from the New York State Department of Transportation Federal Transit Administration Grant funds for the purchase of six public transit buses is accepted.

2. That the sum of $375,000 is placed in Account No. A5630.210 (Bus Transportation – Equipment) with the sum of $75,000 credited to Revenue Account No. A5630.3589.BUS (State Aid – Bus Transportation) and the sum of $300,000 credited to Revenue Account No. A5630.4589.BUS (Federal Aid – Bus Transportation).

Moved by: Mr. Jessup
Seconded by: Mr. Pullen
Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 160-16 included: Legislator Ungermann asked if these were for First Transit. Chairman Crandall replied that they were.

RESOLUTION NO. 161-16

A RESOLUTION DETERMINING THAT AN ERROR EXISTS ON THE 2016 VILLAGE TAX ROLL FOR PROPERTY OF THE ALFRED HOUSING ASSOCIATION; DIRECTING MAILING OF A NOTICE OF APPROVAL OF APPLICATION FOR CORRECTED TAX ROLL AND ORDERING THE VILLAGE TAX COLLECTOR TO CORRECT THE TAX ROLLS; PROVIDING FOR A CHARGE BACK

Offered by: Ways & Means Committee

Pursuant to Real Property Tax Law § 554
WHEREAS, an application for the Alfred Housing Association has been made to the County’s Director of Real Property Tax Service Agency for the correction of an error affecting its real property on the Village tax roll, and

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

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

RESOLVED:

1. That with regard to the application for the Alfred Housing Association pertaining to the claimed error regarding their real property on the tax rolls of the Village of Alfred, this Board of Legislators does determine that the claimed error as alleged in the application exists and does approve the application.

2. That the Chairman of this Board is authorized and directed to make a notation on the application and the duplicates thereof that it is 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 Village Tax Collector, and to sign thereon as Chairman.

3. That the Clerk of this Board is directed to mail to the taxpayer 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 taxpayer of the applicable provisions of subdivision seven of Section 554 of the Real Property Tax Law.

4. That the Tax Collector of the Village of Alfred is ordered and directed to correct in the 2016 Village Tax Roll the assessment or taxes, or both, of the property assessed to the taxpayer and described as follows:

   a. Alfred Housing Association: Parcel 151.19-1-53.2
      Assessment: Land/Total $1,052,200

this parcel is under a PILOT agreement and should not have received a tax bill based upon the full assessed value but instead should have received a tax bill based upon a corrected taxable value of $17,500 resulting in a corrected tax of $286.48 and the County Treasurer is directed to make the following charge backs on her books:

   Village $16,938.16
   Total $16,938.16
Resolution Intro. No. 165-16 (ACCEPTANCE AND APPROPRIATION OF $150,000 GRANT FROM THE LOCAL INITIATIVES SUPPORT CORPORATION; AUTHORIZING CHAIRMAN TO SIGN COMMITMENT LETTER AND RELATED DOCUMENTS) was not pre-filed and was considered from the floor on a motion made by Legislator Jessup, seconded by Legislator Curran, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 162-16

ACCEPTANCE AND APPROPRIATION OF $150,000 GRANT FROM THE LOCAL INITIATIVES SUPPORT CORPORATION; AUTHORIZING CHAIRMAN TO SIGN COMMITMENT LETTER AND RELATED DOCUMENTS

Offered by: Ways & Means Committee

WHEREAS, Allegany County recently established a Not-For-Profit Corporation known as the Allegany County Land Bank Corporation; and

WHEREAS, grant funding was applied for to assist with start-up costs for the Land Bank; and

WHEREAS, Allegany County has received notice that it was awarded a $150,000 grant to use towards Land Bank start-up costs; and

WHEREAS, Allegany must now accept these grant funds and agree to the terms surrounding the disbursement of these funds, now therefore, be it

RESOLVED:

1. The Allegany County Board of Legislators does hereby accept the award of grant funds in the amount of $150,000 from the Local Initiatives Support Corporation.

2. The Chairman of the Board of Legislators is authorized to sign the commitment letter and any other documents related to the receipt and disbursement of these grant funds.

3. The sum of $150,000 shall be placed in Account No. A8666.492 (Landbank) with a like sum credited to Revenue Account No. A8666.3989.00 (State Aid – Landbank).
Resolution Intro. No. 166-16 (ESTABLISHING A 2016 CAPITAL PROJECT ACCOUNT FOR A NEW CENTRALIZED TELEPHONE/UNIFIED COMMUNICATIONS SYSTEM FOR COUNTY OFFICES; PROVIDING FUNDING FOR SUCH CAPITAL ACCOUNT AND APPROVING AGREEMENT FOR NEW SYSTEM) was not pre-filed and was considered from the floor on a motion made by Legislator Pullen, seconded by Legislator Root, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 163-16

ESTABLISHING A 2016 CAPITAL PROJECT ACCOUNT FOR A NEW CENTRALIZED TELEPHONE/UNIFIED COMMUNICATIONS SYSTEM FOR COUNTY OFFICES; PROVIDING FUNDING FOR SUCH CAPITAL ACCOUNT AND APPROVING AGREEMENT FOR NEW SYSTEM

Offered by: Facilities & Communications and Ways & Means Committees

RESOLVED:

1. A Capital Project Account, designated as Account H1650, Central Telephone system Upgrade, is hereby established.

2. That the sum of $220,000 is transferred from Account No. A1990.429 (Contingency) to Account No. H1650.200 (Capital Project – Central Telephone System Upgrade), to purchase a new centralized telephone/unified communications system.

3. That the Agreement between the County of Allegany and Newcastle Communications for the purchase of a new centralized telephone/unified communications system, is approved.

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

Moved by: Mr. Pullen                Adopted: Roll Call
Seconded by: Ms. Root                14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 163-16 included: Legislator Burt thanked his fellow legislators for explaining the need for the new telephone system. He said he was “stumbling” on the huge layout of money while there are other projects, like the 3rd floor, still going. He’d like to see those completed first. He supports replacing the telephone system, just not at this time. Legislator Pullen noted the age of the current telephone system and reminded everyone that it will no longer be maintained. If it breaks down, the County will be in a real jam. The new system also gives an opportunity to save on maintenance costs and energy costs. While he agrees it’s better not to have to spend money, we don’t want to be caught with a broken system. He feels the best and most flexible way to deal with this is to use some of the Fund Balance. He believes it’s appropriate and will serve the County well in the long term. The new system is software based and easier to upgrade. We shouldn’t need such a radical replacement in the future. Mr. Pullen recommended that the resolution be
approved. Legislator Decker stated that he was initially overwhelmed by the cost of the project, but after participating in discussion, learned that the current system is 25 years old and is no longer going to be maintained. He added, “We don’t want to be caught without communication.” Legislator Healy thanked Legislator Pullen for pointing out the advantages of the new system. Mr. Healy also noted that the $20,000 savings was an annual savings in maintenance costs, not a one-time savings.

AUDITS:

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

A motion was made by Legislator Root, seconded by Legislator Graves, and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims, totaling $2,892,510.15 including prepaid expenses, be approved for payment as recommended by the County Administrator. (Allegany County’s Local Dollar Share of the NYS Medicaid Program paid year-to-date is $5,409,208.)

COMMENTS:

Legislator Decker reminded everyone that the Allegany County Fair begins next week. Legislator Graves gave a reminder of the Wellsville Balloon Rally taking place this weekend, July 15-17. Legislator Burt remarked on the number of fireworks that are now being sold locally after passage of a local law permitting the sale/use of certain fireworks.

ADJOURNMENT: The meeting was adjourned at 2:40 p.m. on a motion made by Legislator Graves, seconded by Legislator Decker, and carried.
CALL TO ORDER: The regular meeting of the Board of Legislators, which was held at the Allegany County Fairgrounds, was called to order at 2:15 p.m. by Chairman Curtis W. Crandall.

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

INVOCATION: The Invocation was given by Legislator Pullen.

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

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

APPROVAL OF MINUTES:

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

PRIVILEGE OF THE FLOOR:

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

Certificates of appreciation were presented to Angelica Boy Scout Troop 736 Members Austin Ford, Noah Ford, and Jacob Bliss, who took part in the Flag presentation at today’s meeting.
A certificate of recognition was awarded to 4-H Member Derek Smith in honor of his many accomplishments during his ten years in 4-H and his involvement with the Fair. Derek’s favorite area of involvement is the horse division. Derek is also involved with the New Hudson Fire Department as a senior youth fire fighter. He was honored this year with a plaque for the Fireman of the Year award.

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

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

The following elected representatives addressed the Board:

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

Assemblyman Joseph Giglio stated that it was always a pleasure to be at the Fair. He mentioned a recent media piece “Hidden Gems of WNY” that named the Village of Angelica as one of those “gems.” He touched on the first battle of Bull Run and mentioned that he had had the privilege of going to Gettysburg. He noted that New York lost the second most
people at Gettysburg. He said, “We’re still fighting for those same beliefs. We’re working hard to preserve this union and to remain free.”

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

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

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. August Calendar.

2. Reminder that the annual Legislators’ Clambake is Friday, July 29, and tickets are available in the Clerk of the Board’s Office. All tickets and money should be turned in to Board Clerk Riehle.

3. Reminder that the Allegany County Senior Picnic will be held on Wednesday, July 27, at the Fairgrounds in Angelica.

APPOINTMENTS:

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

PROCLAMATION:

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

RESOLUTION NO. 164-16

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

Offered by: Public Safety and Ways & Means Committees

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

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

RESOLVED:

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

Moved by: Mr. Curran
Seconded by: Mr. Jessup
Adopted: Roll Call
11 Ayes, 0 Noes, 4 Absent

RESOLUTION NO. 165-16

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

Offered by: Human Services and Ways & Means Committees

RESOLVED:

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

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

<table>
<thead>
<tr>
<th>Account</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A6790.101</td>
<td>OFA BIP – Regular Pay</td>
<td>$6,666</td>
</tr>
<tr>
<td>A6790.210</td>
<td>OFA BIP – Equipment</td>
<td>$2,000</td>
</tr>
<tr>
<td>A6790.401</td>
<td>OFA BIP – Postage</td>
<td>$300</td>
</tr>
<tr>
<td>A6790.402</td>
<td>OFA BIP – Mileage</td>
<td>$810</td>
</tr>
<tr>
<td>A6790.405</td>
<td>OFA BIP – Conference</td>
<td>$2,640</td>
</tr>
</tbody>
</table>
A6790.408 OFA BIP – General Supplies 1,000
A6790.409 OFA BIP – Fees 2,650
A6790.416 OFA BIP – Telephone 324
A6790.419 OFA BIP – Printing 300
A6790.474 OFA BIP – Home Care 2,000
A6790.802 OFA BIP – Retirement 667
A6790.803 OFA BIP – F.I.C.A. 510
A6790.804 OFA BIP – Worker’s Compensation 133

TOTAL $20,000

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

Moved by: Mr. LaForge
Seconded by: Mr. Pullen
Adopted: Roll Call
11 Ayes, 0 Noes, 4 Absent

RESOLUTION NO. 166-16

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

Offered by: Human Services and Ways & Means Committees

RESOLVED:

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

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

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

<table>
<thead>
<tr>
<th>Appropriation Accounts</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A4010.101 (Regular Pay)</td>
<td>$1,859</td>
</tr>
<tr>
<td>A4010.201 (Office Equipment)</td>
<td>513</td>
</tr>
<tr>
<td>A4056.409 (Fees)</td>
<td>100</td>
</tr>
<tr>
<td>Revenue Account</td>
<td></td>
</tr>
<tr>
<td>A4056.3473.00 (State Aid – Immunization)</td>
<td>$2,472</td>
</tr>
</tbody>
</table>
4. The sum of $3,122 in COLA funds to the County Health Department Lead Poisoning Prevention Program is accepted and appropriated as follows:

<table>
<thead>
<tr>
<th>Appropriation Accounts</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A4010.101 (Regular Pay)</td>
<td>$1,721</td>
</tr>
<tr>
<td>A4037.404 (Office Supplies)</td>
<td>401</td>
</tr>
<tr>
<td>A4037.408 (General Supplies)</td>
<td>1,000</td>
</tr>
<tr>
<td></td>
<td>$3,122</td>
</tr>
</tbody>
</table>

Revenue Account
A4037.3437.00 (State Aid) $3,122

Moved by: Mr. LaForge
Seconded by: Mr. Fanton
Adopted: Roll Call
11 Ayes, 0 Noes, 4 Absent

RESOLUTION NO. 167-16

ACCEPTANCE AND APPROPRIATION OF FUNDS FROM ACCORD CORPORATION FOR THE ACT II BATTERERS’ PROGRAM

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That the sum of $4,550 from ACCORD Corporation for the continuation of the ACT II Batterers’ Program is accepted.

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

Moved by: Mr. Curran
Seconded by: Mrs. Root
Adopted: Roll Call
11 Ayes, 0 Noes, 4 Absent

RESOLUTION NO. 168-16

BUDGET TRANSFER WITHIN PUBLIC WORKS ACCOUNTS

Offered by: Public Works and Ways & Means Committees

RESOLVED:

1. That the sum of $20,000 shall be transferred from Account No. DM5130.210 (Road Machinery - Equipment) to Account No. H1641.200 (Fuel Tank Upgrade).
RESOLUTION NO. 169-16

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

Offered by: Human Services and Ways & Means Committees

RESOLVED:

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

<table>
<thead>
<tr>
<th>Service Type</th>
<th>2016 Rate</th>
<th>2017 Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>PCA I (Housekeeping/Chore Personnel)</td>
<td>$19.50/hour</td>
<td>$20.00/hour</td>
</tr>
<tr>
<td>PCA II (Home Care Personnel)</td>
<td>$19.50/hour</td>
<td>$21.00/hour</td>
</tr>
</tbody>
</table>

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

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

Moved by: Mr. LaForge
Seconded by: Mr. Curran
Adopted: Roll Call
11 Ayes, 0 Noes, 4 Absent

AUDITS:

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

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

A motion was made by Legislator Jessup, seconded by Legislator Root, and adopted on a roll call vote of 11 Ayes, 0 Noes, 4 Absent, that the audit of claims, totaling $3,103,613.51 including prepaid expenses, be approved for payment as recommended by
the County Administrator. *(Allegany County’s Local Dollar Share of the NYS Medicaid Program paid year-to-date is $5,795,580.)*

**COMMENTS:**

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

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

**ADJOURNMENT:** The meeting was adjourned at 3:17 p.m. on a motion made by Legislator Burt, seconded by Legislator Ungermann, and carried.
CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:11 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by retired United States Air Force Master Sergeant Leilani W. Mariotti.

INVOCATION: The Invocation was given by Legislator Pullen.


APPROVAL OF MINUTES:

The Board meeting minutes of July 21, 2016, were approved on a motion made by Legislator Graves, seconded by Legislator Burt, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Leilani W. Mariotti, retired United States Air Force Master Sergeant, in grateful appreciation of her service to our country. Ms. Mariotti’s service dates were from February 26, 1975, to September 30, 1995. Following Basic Training at Lackland Air Force Base, TX, and Advanced Training at Chanute Air Force Base, IL, assignments included: Beale Air Force Base, CA, K.I. Sawyer Air Force Base, MI, Kunsan Air Force Base, South Korea, Edwards Air Force Base, CA, and Scott Air Force Base, IL. Commendations she received included: Air Force Commendation Medal, Joint Meritorious Unit Award, Air Force Outstanding Unit Award with one Oak Leaf Cluster, Air Force Good Conduct Medal with one Silver Cluster, Air Force Overseas Short Tour Ribbon, National Defense Service Medal, Air Force Longevity Service Award Ribbon with four Oak Leaf Clusters, Non-Commissioned Officer Professional Military Graduate Ribbon with one Oak Leaf Cluster, and Air Force Training Ribbon. Ms. Mariotti led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans’ Honorary Pledge of Allegiance Program.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Report of IntraFund Transfers Approved by the County Administrator in July.

2. Report of Tax Bill Corrections Approved by the County Administrator in July.
3. Invitation to attend an event at the Wellsville Country Club to introduce Mark Zupan, the 14th President of Alfred University on August 11.

4. NYMIR 2015 Annual Report

APPOINTMENTS:

Kevin LaForge, Chairman of the Human Services Committee of the Allegany County Board of Legislators appointed the following to the Allegany County Heroin and Opioid Abuse Ad Hoc Committee:

- **Human Services Representative**
  Mona Carbone, RN, Admin. Director Emergency Dept. for Jones Memorial Hospital

- **Member at Large**
  Leslie Haggstrom

RESOLUTIONS:

**RESOLUTION NO. 170-16**

**APPROVAL OF BOARD CHAIRMAN’S REAPPOINTMENT OF ONE MEMBER TO THE CHAUTAUQUA, CATTARAUGUS, ALLEGANY AND STEUBEN SOUTHERN TIER EXTENSION RAILROAD AUTHORITY**

Offered by: Planning & Economic Development Committee

**RESOLVED:**

1. That Jerry Scott of Cuba, New York, is reappointed to the Chautauqua, Cattaraugus, Allegany, and Steuben Southern Tier Extension Railroad Authority, for a three-year term effective August 28, 2016, and expiring August 27, 2019.

   Moved by: Mrs. Root          Adopted: Voice Vote
   Seconded by: Mr. Healy

**RESOLUTION NO. 171-16**

**APPROVAL OF SALE OF 2016 TAX SALE PROPERTY**

Offered by: Ways & 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 the tax delinquent properties shown below, to the owner and purchaser 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 the below mentioned properties which is subject to the 2014 and/or back to the year 1995 (TF95 up to and including TF2014) tax foreclosure proceedings and the subsequent execution of a deed of all of the 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 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 consideration.

<table>
<thead>
<tr>
<th>New Owner</th>
<th>Address</th>
<th>County title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hoopes, John T. &amp; Hoopes, Carrie E.</td>
<td>6840 County Road 31 Friendship, NY 14739</td>
<td>County of Allegany</td>
</tr>
<tr>
<td>Tax sale amount: 5</td>
<td>Parcel ID: 025000; 182.-1-25.2</td>
<td></td>
</tr>
<tr>
<td>Parcel ID: 025000; 182.-1-25.3</td>
<td>Property loc: 6832-6 County Rd 31</td>
<td></td>
</tr>
<tr>
<td>Assessed Value: 9,600 Acres: 0.69</td>
<td>Property loc: 6832-1 N County Rd 31</td>
<td></td>
</tr>
<tr>
<td>Assessed Value: 5,900 Acres: 0.5</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Moved by: Mr. Jessup
Seconded by: Mr. Fanton

Comments made regarding Resolution No. 171-16 included: Legislator Burt remarked on the process of selling properties at the annual Tax Sale. He understands the benefits of getting the property sold to a new owner so it’s back on the tax rolls, but he would like to see minimum bids on these types of sales.
RESOLUTION NO. 172-16

ACCEPTANCE OF INSURANCE PAYMENT FROM NYMIR AND APPROPRIATION OF FUNDS TO RISK RETENTION ACCOUNTS

Offered by: Ways & Means Committee

WHEREAS, a check in the amount of $3,502.08; representing the cost less a $500 deductible, to repair an Office for the Aging 2012 Dodge Caravan (VIN: #2C4RDGBG9CR296872) that was damaged in an accident on June 21, 2016, has been offered by NYMIR (New York Municipal Insurance Reciprocal) in settlement for such damage, now, therefore, be it

RESOLVED:

1. That the sum of $3,502.08 representing the settlement on an Office for the Aging 2012 Dodge Caravan (VIN: #2C4RDGBG9CR296872) that was damaged on June 21, 2016, is accepted.

2. That the sum of $3,502.08 is placed in Account No. CS1931.429 (Risk Retention - Uninsured Property Loss) with a like sum credited to Revenue Account No. CS1930.2680.00 (Insurance Recovery).

Moved by: Mr. Jessup
Seconded by: Mr. Pullen
Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 173-16

ACCEPTANCE AND APPROPRIATION OF NONCUSTODIAL PARENT GRANT FUNDS FOR EMPLOYMENT AND TRAINING

Offered by: Planning & Economic Development and Ways & Means Committees

RESOLVED:

1. The sum of $28,235 in Noncustodial Parent (NCP) grant funds is accepted.

2. The sum of $28,235 shall be appropriated to the following accounts:

   CD1 6403.101 ACDSS Employment Service – Regular Pay $5,380
   CD1 6403.477 ACDSS Employment Service – NCP Contractual 19,528
   CD1 6403.802 ACDSS Employment Service – Retirement 900
   CD1 6403.803 ACDSS Employment Service – FICA 400
   CD1 6403.804 ACDSS Employment Service – Workers Comp. 75
CD1 6403.806 ACDSS Employment Service – Hosp/Med 1,952
TOTAL $28,235

with the like sum of $28,235 credited to Revenue Account No. CD1 6403.2801.NCP (ACDSS Employment Service – State Aid).

Moved by: Mrs. Root
Seconded by: Mr. Pullen
Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 174-16

BUDGET TRANSFER WITHIN CLERK OF THE BOARD ACCOUNTS

Offered by: Ways & Means Committee

RESOLVED:

1. That the sum of $250 shall be transferred from Account No. A1040.419 (Clerk of the Board - Printing) to Account No. A1040.201 (Clerk of the Board - Equipment) to finance the cost of a cast iron seal for the Clerk of the Board’s Office.

Moved by: Mr. Jessup
Seconded by: Mr. Graves
Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 175-16

BUDGET TRANSFERS WITHIN OFFICE OF PLANNING ACCOUNTS

Offered by: Planning & Economic Development Committee

RESOLVED:

1. That the sum of $890 shall be transferred from Account No. A8020.492 (Planning – Home & Com Serve Contracts) to Account No. A8020.201 (Planning - Equipment).

2. That the sum of $60 shall be transferred from Account No. A8020.401 (Planning – Postage) to Account No. A8020.201 (Planning – Equipment).

Moved by: Mrs. Root
Seconded by: Mr. Fanton
Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent
RESOLUTION NO. 176-16

APPROVING THE 2016 RESOURCE ALLOCATION PLAN AGREEMENT WITH OFFICE OF CHILDREN AND FAMILY SERVICES; PROVIDING FOR APPROPRIATION OF FUNDS WHEN SUBCONTRACTS ARE APPROVED

Offered by: Resource Management and Ways & Means Committees

RESOLVED:

1. That the 2016 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: Mr. Graves
Seconded by: Mr. Pullen
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 177-16

APPROVAL OF A TWENTY-FIVE YEAR LEASE FOR LAND IN THE TOWN OF ALMA ON WHICH AN E-911 RADIO TOWER WILL BE CONSTRUCTED

Offered by: Public Safety Committee

WHEREAS, the Sheriff's Department is in the process of upgrading its E-911 system as part of a major grant received for such purpose, and

WHEREAS, in order to assure proper radio coverage throughout the County a number of new radio towers will need to be constructed, and

WHEREAS, a site in the Town of Alma has been located which is suitable for the construction of one of these radio towers, and

WHEREAS, the landowners have agreed to lease the property to the County, and

WHEREAS, the County intends to lease this property for an initial period of twenty-five years with the right to renew for an additional twenty-five years, now therefore, be it

RESOLVED:
1. A lease of land between C & S Communications Inc. and the County of Allegany for a 1.0 acre +/- parcel in the Town of Alma at 1784 Alma Hill Road for the sum of Eight Thousand Five Hundred Dollars ($8,500) is hereby approved.

2. The Chairman of this Board is authorized to sign the lease agreement and any other documents necessary for recording the lease agreement in the County Clerk’s Office.

3. That entry into this lease is in lieu of the purchase of a parcel of land from Lloyd M. Collins for the same amount, heretofore approved by resolution number 259-15.

Moved by: Mr. Healy
Seconded by: Mr. Pullen
Adopted: Roll Call
12 Ayes, 2 Noes, 1 Absent
Voting No: O’Grady, Ungermann

Comments made regarding Resolution No. 177-16 included: Legislator Burt called attention to a typo in the agreement. On page 19, there is an instance where the word lessor should be changed to lessee. County Attorney Tom Miner indicated that the change will be made and no further action is needed.

Resolution Intro. No. 181-16 (APPROVAL OF AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND VILLAGE OF BELMONT TO MANAGE AND PROVIDE MAINTENANCE TO ALLEGANY COUNTY WATER DISTRICT NO. 1 LOCATED IN THE VILLAGE OF BELMONT AND TOWN OF AMITY) was not pre-filed and was considered from the floor on a motion made by Legislator Jessup, seconded by Legislator Fanton, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 178-16

APPROVAL OF AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND VILLAGE OF BELMONT TO MANAGE AND PROVIDE MAINTENANCE TO ALLEGANY COUNTY WATER DISTRICT NO. 1 LOCATED IN THE VILLAGE OF BELMONT AND TOWN OF AMITY

Offered by: Ways & Means Committees

RESOLVED:

1. That the Agreement with the Village of Belmont, to provide maintenance to Allegany County Water District No. 1, located in the Village of Belmont and the Town of Amity, for the period August 1, 2016, to July 31, 2019, is approved.

2. That the Chairman of this Board is authorized to execute such agreement.
AUDITS:

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

A motion was made by Legislator Root, seconded by Legislator Jessup, and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims, totaling $4,181,129.48 including prepaid expenses, be approved for payment as recommended by the County Administrator. (Allegany County’s Local Dollar Share of the NYS Medicaid Program paid year-to-date is $6,181,952.)

COMMENTS:

Legislator LaForge announced a meeting of the Land Bank Corporation to be held at 9 a.m. on August 17 in the Legislative Chambers.

ADJOURNMENT: The meeting was adjourned at 2:36 p.m. on a motion made by Legislator Graves, seconded by Legislator Burt, and carried.
ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION
AUGUST 22, 2016

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:08 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Army Private Second Class Corey K. Glass.

INVOCATION: The Invocation was given by Legislator Pullen.


APPROVAL OF MINUTES:

The Board meeting minutes of August 8, 2016, were approved on a motion made by Legislator Graves, seconded by Legislator Burt, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Corey K. Glass, former United States Army Private Second Class, in grateful appreciation of his service to our country. Mr. Glass’ service dates were from April 4, 2012, to August 20, 2015. Following Basic Training at Fort Leonard Wood, MO, assignments included: Camp Stanley, South Korea, and Fort Hood, TX. Commendations he received included: National Defense Service Medal, Korea Defense Service Medal, and Army Service Ribbon. Mr. Glass led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans’ Honorary Pledge of Allegiance Program.

ACCORD Executive Director Lesley Christman addressed those in attendance regarding Hunger Action Month. Foodlink is a regional foodbank that serves a ten county area in the Genesee Valley and Finger Lakes region of New York. They redistribute about nineteen million pounds of food annually. They work with ACCORD, the Cuba Cultural Center, and the Salvation Army by delivering food that can be purchased at a very low cost or received for free. She noted that many Allegany County residents don’t have regular access to healthy food sources. ACCORD is able to provide emergency food if needed. They also work with Cornell Cooperative Extension to help educate residents about buying and preparing healthy food. She explained that vacations from school often put a burden on families because kids aren’t receiving free lunch at school.
Senior Foundation President Reita Sobeck-Lynch presented Office for the Aging Director Madeleine Gasdik with a check for $36,428 to help support Office for the Aging programs. A number of years ago the Senior Foundation decided to help provide funding to the Office for the Aging. Alfred-Almond Community Chest and the United Way of Allegany County have also contributed.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. September 2016 Calendar.

2. Invitation to attend a reception at the David A. Howe Library large exhibition room at 7:00 p.m. on Tuesday, September 20, in honor of Local History Awareness Week. The Hamilton-Burr replica dueling pistols will be unveiled at this event.

3. County Treasurer Ross filed a Certificate of Delinquent Tax Liens for property in the Town of Clarksville in the Clerk of the Board's office on August 9.

4. Notice that the last InterCounty meeting was hosted by Livingston County on August 20.

5. Notice that the 9th Annual Fundraiser to help support our local Cancer Services will be held from 2-5 p.m. on August 27 at the Bolivar Golf Club.

PROCLAMATION:

Chairman Curtis Crandall declared September 2016 as HUNGER ACTION MONTH in Allegany County.

RESOLUTIONS:

RESOLUTION NO. 179-16

REAPPOINTMENT OF GUY R. JAMES AS COUNTY SUPERINTENDENT OF PUBLIC WORKS

Offered by: Public Works Committee

RESOLVED:

1. That Guy R. James of the Town of Scio is reappointed to the office of County Superintendent of Public Works for a term of four years to commence October 30, 2016, and expire October 30, 2020.

Moved by: Mr. Fanton  
Seconded by: Mr. Graves  
Adopted: Voice Vote
RESOLUTION NO. 180-16

RESOLUTION AMENDING RESOLUTION NO. 290-2015 TO EXTEND THE TEMPORARY POSITION OF FOURTH ASSISTANT COUNTY ATTORNEY; AMENDING RESOLUTION NO. 246-2015 TO REDUCE THE ANNUAL SALARIES OF THE ASSISTANT COUNTY ATTORNEY POSITIONS

Offered by: Personnel and Ways & Means Committees

WHEREAS, the person holding the First Assistant County Attorney position plans to retire as of September 17, 2016; and

WHEREAS, the position of Fourth Assistant County Attorney was created in anticipation of the retirement of the First Assistant County Attorney in order to allow that attorney to become proficient in handling various legal matters; and

WHEREAS, September 17, 2016, is eleven days later than originally anticipated when creating the temporary position of Fourth Assistant County Attorney; and

WHEREAS, upon the retirement of the First Assistant County Attorney, the County Attorney plans to move each remaining Assistant County Attorney up to the next position; and

WHEREAS, the salary established by resolution number 246-2015 for the various Assistant County Attorney positions was based upon the responsibility of the position and years of service as a practicing attorney in both private practice and in the County Attorney’s Office; and

WHEREAS, the salary established for the First Assistant County Attorney took into account her forty years of practice as an attorney with almost twenty years of service in the County Attorney’s Office; and

WHEREAS, a $5,000 differential between the various Assistant County Attorney positions appears reasonable given the responsibility of each position and the respective years of practice of the remaining attorneys in the office; and

WHEREAS, a reduction in the salaries established for each of the Assistant County Attorney positions will not reduce the salary of any of the Assistant County Attorneys, but will result in a substantial savings to the County while providing a fair and reasonable salary for those newly appointed to those positions, now therefore, be it

RESOLVED:

1. That paragraph “3.” of resolution no. 290-2015 is hereby amended to state that the position of Fourth Assistant County Attorney shall be abolished no later than September 17, 2016.

2. That resolution no. 246-2015 is hereby amended to change, effective September 17, 2016, the salary of the First Assistant County Attorney from $98,293 to
$80,000; the salary of the Second Assistant County Attorney from $75,762 to $75,000 and the salary of the Third Assistant County Attorney from $74,581 to $70,000.

Moved by: Mr. O’Grady
Seconded by: Mr. Decker
Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 181-16

APPROVAL FOR ALLEGANY COUNTY BAR ASSOCIATION TO DISPLAY JUDICIAL PORTRAITS IN ROOM 352 OF THE ALLEGANY COUNTY COURTHOUSE

Offered by: Facilities & Communications Committee

WHEREAS, Hamilton Ward IV, Esq., has generously offered to donate to the Allegany County Bar Association portraits of Hamilton Ward, former Justice of the Supreme Court, and Hamilton Ward Jr., former New York State Attorney General, and

WHEREAS, the Allegany County Bar Association (Nicholas Jonas, Esq., President) is requesting approval to display these portraits, as well as other portraits of former judges and state officials from Allegany County, in Room 352 of the Allegany County Courthouse, now, therefore, be it

RESOLVED:

1. That the Allegany County Bar Association is authorized to display its portraits of former Allegany County Judges and State Officials from Allegany County in Room 352 of the Allegany County Courthouse.

Moved by: Mr. Pullen
Seconded by: Mr. Healy
Adopted: Voice Vote

Comments made regarding Resolution No. 181-16 included: Legislator Pullen remarked on the illustrious history of high ranking practitioners who have gone on to State office and were citizens of Allegany County at one time. The Ward family recently donated to the Allegany County Bar Association portraits of their family members who served in the court system. Legislator Pullen feels the new courtroom is an appropriate place for those portraits to be displayed.

RESOLUTION NO. 182-16

TRANSFER OF FUNDS WITHIN EMPLOYMENT AND TRAINING ACCOUNTS

Offered by: Planning & Economic Development and Ways & Means Committees
RESOLVED:

1. That the transfer of $23,500 within Employment and Training Center accounts is approved as follows:

<table>
<thead>
<tr>
<th>From Account No.</th>
<th>To Account No.</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>CD16406.474 Dislocated Worker Vocational Training</td>
<td>CD16401.402 Adult Part. Supportive Services</td>
<td>$3,000</td>
</tr>
<tr>
<td>CD16406.474 Dislocated Worker Vocational Training</td>
<td>CD16402.806 Adult Hosp/Med Ins</td>
<td>$5,000</td>
</tr>
<tr>
<td>CD16406.474 Dislocated Worker Vocational Training</td>
<td>CD16410.806 Youth Hosp/Med Ins</td>
<td>$2,000</td>
</tr>
<tr>
<td>CD16406.474 Dislocated Worker Vocational Training</td>
<td>CD16411.802 Youth Part. Retirement</td>
<td>$1,500</td>
</tr>
<tr>
<td>CD16406.802 Dislocated Worker Retirement</td>
<td>CD16402.802 Adult Retirement</td>
<td>$4,500</td>
</tr>
<tr>
<td>CD16406.803 Dislocated Worker FICA</td>
<td>CD16402.803 Adult FICA</td>
<td>$2,000</td>
</tr>
<tr>
<td>CD16406.804 Dislocated Worker Workers Comp</td>
<td>CD16402.804 Adult Workers Comp</td>
<td>$500</td>
</tr>
<tr>
<td>CD16406.806 Dislocated Worker Hosp/Med Ins</td>
<td>CD16402.806 Adult Hosp/Med Ins</td>
<td>$5,000</td>
</tr>
</tbody>
</table>

Moved by: Mr. Root                     Adopted: Roll Call
Seconded by: Mr. Fanton               14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 183-16

ACCEPTANCE OF FUNDS FROM THE FY2016 LOCAL EMERGENCY MANAGEMENT PERFORMANCE GRANT (LEMPG), CONTRACT #T838265

Offered by: Public Safety Committee

RESOLVED:

1. That the sum of $23,335 from the FY2016 local Emergency Management Performance Grant (LEMPG), Contract #T838265, for the Office of Emergency Management, is accepted.

2. No budget adjustment is necessary as this grant is already budgeted for 2016.

Moved by: Mr. Curran                  Adopted: Roll Call
Seconded by: Mr. Fanton               14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 184-16

ACCEPTANCE OF DONATION FROM THE ALLEGANY SENIOR FOUNDATION

Offered by: Human Services Committee

RESOLVED:

1. That the donated sum of $36,428 from the Allegany Senior Foundation for the Office of the Aging, is accepted.
2. The funds are already included in the 2016 budget.

Moved by: Mr. LaForge  Adopted: Roll Call
Seconded by: Mr. Pullen  14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 185-16

ACCEPTANCE AND APPROPRIATION OF NYS OFFICE OF TEMPORARY DISABILITY ASSISTANCE GRANT FOR THE PROVISION OF SUPPORTIVE EMPLOYMENT SERVICES TO ELIGIBLE NONCUSTODIAL PARENTS FOR THE DEPARTMENT OF SOCIAL SERVICES

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. The sum of $46,792 in NYS Office of Temporary Disability grant funds is accepted.

2. The sum of $46,792 shall be appropriated to the following accounts:

<table>
<thead>
<tr>
<th>Account Code</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A6010.101</td>
<td>Social Services Admin. – Personnel</td>
<td>$9,551</td>
</tr>
<tr>
<td>A6010.402</td>
<td>Social Services Admin. – Mileage</td>
<td>648</td>
</tr>
<tr>
<td>A6010.407</td>
<td>Social Services Admin. – Office Supplies</td>
<td>450</td>
</tr>
<tr>
<td>A6010.476</td>
<td>Social Services Admin. – Contractual</td>
<td>29,914</td>
</tr>
<tr>
<td>A6010.482</td>
<td>Social Services Admin. – Contractual</td>
<td>6,229</td>
</tr>
</tbody>
</table>

   TOTAL $46,792

with the like sum of $46,792 credited to Revenue Account No. A6010.4610.00 (Social Services Admin. – Federal Aid).

Moved by: Mr. LaForge  Adopted: Roll Call
Seconded by: Mr. Jessup  14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 186-16

ACCEPTANCE AND APPROPRIATION OF COMPREHENSIVE ADOLESCENT PREGNANCY PREVENTION GRANT FROM ACCORD FOR THE HEALTH DEPARTMENT

Offered by: Human Services and Ways & Means Committees

RESOLVED:
1. That the sum of $7,725 from the Comprehensive Adolescent Pregnancy Prevention (CAPP) Grant from ACCORD for the Family Planning Program in the Health Department is accepted.

2. That the sum of $7,725 shall be appropriated as follows:

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Program</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A4035.201</td>
<td>Family Planning – Office Equipment</td>
<td>$6,125</td>
</tr>
<tr>
<td>A4035.206</td>
<td>Family Planning – Health Equipment</td>
<td>1,600</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>$7,725</td>
</tr>
</tbody>
</table>

with a like sum credited to Revenue Account No. A4035.2280.00 (Family Planning – Health Services for Other Governments).

Moved by: Mr. LaForge  
Seconded by: Mr. Curran  
Adopted: Roll Call  
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 187-16

ACCEPTANCE AND APPROPRIATION OF FUNDS FROM ACCORD CORPORATION FOR THE ACT II BATTERERS PROGRAM AND FUNDS IN USER FEES FOR SUCH PROGRAM

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That the sum of $4,550 from ACCORD Corporation for the Act II Batters Program, and the sum of $1,853 in user fees for such program is accepted.

2. That the accepted sum of $4,550 for the Act II Batters Program and $1,853 in user fees for such program is placed in Account No. A3117.449 (ACT II Batters Program – Contractual) with a like sum credited to Revenue Account No. A3117.2260.00 (ACT II Batters Program – Public Safety Services for Other Govt.).

Moved by: Mr. Curran  
Seconded by: Mr. Fanton  
Adopted: Roll Call  
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 187-16 included: Legislator Pullen noted that Legislator Decker had raised a question during the caucus earlier about whether these resolutions for transferring funds could be combined together into one resolution. After consulting the County Attorney, it was agreed that amending the Budget is one of the most important things the Board does and each change needs to be documented separately.
RESOLUTION NO. 188-16

ACCEPTANCE AND APPROPRIATION OF THE FY 2016 HOMELAND SECURITY CONTRACT #C969160 FROM THE OFFICE OF HOMELAND SECURITY

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That funds in the amount of $52,500 from the Office of Homeland Security Contract #C969160, for initial Contract period September 1, 2016, to August 31, 2019, are accepted and appropriated as follows:

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A3659.207</td>
<td>Equipment: Portable Radio Repeaters and PPE</td>
<td>$51,500</td>
</tr>
<tr>
<td>A3659.416</td>
<td>Emergency Manager’s PDA Connectivity</td>
<td>1,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>$52,500</strong></td>
</tr>
</tbody>
</table>

with a like sum credited to Revenue Account No. A3659.3306.EM16 (State Aid – HS FY2016 SHSP Grant #C969160).

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

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

RESOLUTION NO. 189-16

APPROVAL OF A TWENTY-FIVE YEAR LEASE FOR LAND IN THE TOWN OF ANGELICA ON WHICH AN E-911 RADIO TOWER WILL BE CONSTRUCTED

Offered by: Public Safety and Ways & Means Committees

WHEREAS, the Sheriff’s Department is in the process of upgrading its E-911 system as part of a major grant received for such purpose, and

WHEREAS, in order to assure proper radio coverage throughout the County, a number of new radio towers will need to be constructed, and

WHEREAS, a site in the Town of Angelica has been located which is suitable for the construction of one of these radio towers, and

WHEREAS, the landowners have agreed to lease the property to the County, and

WHEREAS, the County intends to lease this property for an initial period of twenty-five years with the right to renew for an additional twenty-five years, now therefore, be it

RESOLVED:
1. A lease of land between Dean R. & Kirsten L. Salyer and the County of Allegany for a .961 acre +/- parcel in the Town of Angelica at 5627 Baylor Hill Road for the sum of Eight Thousand Five Hundred Dollars ($8,500) is hereby approved.

2. The Chairman of this Board is authorized to sign the lease agreement and any other documents necessary for recording the lease agreement in the County Clerk’s Office.

3. That entry into this lease is in lieu of the lease of a parcel of land from Lisa & David Hooker for the same amount, heretofore approved by resolution number 95 – 16.

Moved by: Mr. Curran
Seconded by: Mr. Decker

Adopted: Roll Call
13 Ayes, 1 No, 1 Absent
Voting No: Ungermann

RESOLUTION NO. 190-16

ACCEPTANCE OF MOTOROLA SOLUTIONS PROPOSAL FOR THE RADIO DISPATCH CONSOLE SYSTEM; AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE THE COMMUNICATIONS SYSTEM AGREEMENT

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. The County hereby accepts the Motorola Solutions proposal set forth in their proposal of July 22, 2016, for an installed Radio Dispatch Console System at a total cost of $819,995.04

2. That the Chairman of this Board is authorized to execute the Communications System Agreement relating to that proposal.

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

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

Comments made regarding Resolution No. 190-16 included: Legislator Pullen stated that the funds for the purchase of this important component of the E-911 system is coming from a grant. That grant was secured through the efforts of the Sheriff’s Office. Legislator Ungermann remarked that it may be grant money, but it’s still tax dollars. It was funded through a NYS Inoperable Communications Grant. He said, “I’m not sure we’re totally inoperable over there.” Legislator Graves stated that it’s much better that the money comes from all New Yorkers rather than just Allegany County residents. Legislator Graves gave his support of the resolution.
RESOLUTION NO. 191-16

APPROVAL OF AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND THE COUNTY OF WYOMING FOR HOUSING WYOMING COUNTY MALE AND FEMALE PRISONERS IN THE ALLEGANY COUNTY JAIL

Offered by: Public Safety Committee

Pursuant to Corrections Law § 504

RESOLVED:

1. That the Agreement between the County of Allegany and the County of Wyoming in relation to the housing in of Wyoming County male and female prisoners in the Allegany County Jail for period January 1, 2016, to December 31, 2016, is approved.

Moved by: Mr. Curran
Seconded by: Mr. Fanton
Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 191-16 included: Legislator Decker remarked that he was completely in favor of this agreement, but asked why it was just now being approved. Sheriff Whitney stated that we just recently received the contract from Wyoming County.

Resolution Intro. No. 195-16 (URGING GOVERNOR CUOMO TO SIGN INTO LAW PUBLIC DEFENSE MANDATE RELIEF ACT (S.8114/A.10706)) was not pre-filed and was considered from the floor on a motion made by Legislator Curran, seconded by Legislator Decker, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 192-16

URGING GOVERNOR CUOMO TO SIGN INTO LAW PUBLIC DEFENSE MANDATE RELIEF ACT (S.8114/A.10706)

Offered by: Public Safety Committee

WHEREAS, it is a fundamental right of all persons in the United States to be represented by counsel in all criminal prosecutions; and in the case of Gideon vs. Wainwright, 372 U.S. 335, the United States Supreme Court ruled that persons who were unable to afford counsel had a constitutional right to be defended by an appointed attorney paid by the State, and
WHEREAS, the New York State Senate and Assembly have passed historic legislation entitled Public Defense Mandate Relief Act (S.8114/A.10706) which will require New York State to reimburse counties for expenditures made fulfilling the State's obligation to provide representation for those financially unable to afford counsel commencing in 2017 and incrementally reaching 100% in 2023 and thereafter, and

WHEREAS, the Public Defense Mandate Relief Act (S.8114/A.10706) will give the Indigent Legal Service Office the authority "to adopt, promulgate, amend or rescind rules and regulations to carry out the provisions of [Executive Law 832], and

WHEREAS, the Public Defense Mandate Relief Act (S.8114/A.10706) also requires that the various counties and New York City receive an amount equal to the amount paid from the Indigent Legal Services Fund to the counties and NYC in March 2010, and

WHEREAS, New York State has previously entered into an agreement to settle the *Hurrell-Harring vs. State of New York* class action lawsuit and has begun to expend substantial amounts of State funds to create a more equitable and Constitutional system of representation in only the five settlement counties and creating an unequal system of justice in the remaining counties of the State, and

WHEREAS, by entering into such agreement and funding additional services in only the five settlement counties, the State acknowledges that it is constitutionally required to fund public defense services for mandated representation, and

WHEREAS, requiring counties subject to a State-imposed tax cap to finance the State's obligation to provide public defense services imposes a significant, uncontrollable financial burden on counties dependent on real property taxes to fund needed services; both problems would be remedied under the Public Defense Mandate Relief Act (S.8114/A.10706) as passed by the New York State Senate and Assembly, now therefore, be it

RESOLVED:

1. That the Allegany County Legislature hereby strongly urges Governor Cuomo to sign the Public Defense Mandate Relief Act (S.8114/A.10706) when it is delivered to him, fulfilling the State's obligation under *Gideon vs. Wainwright*, 372 U.S. 335, relieving the taxpayers of Allegany County and the other counties of the State and New York City to fund this State mandate.

2. That the Clerk of the Board is hereby authorized and directed to forward a certified copy of this resolution to Governor Andrew Cuomo, Senate Majority Leader Flanagan, Assembly Speaker Carl Heastie, Senator Catharine Young, Assemblyman Joseph Giglio, the New York State Office of Indigent Legal Services (ILS), the New York State Defenders Association (NYSDA), the Chief Defenders Association of New York (CDANY), and the New York State Association of Counties (NYSAC).
Moved by: Mr. Curran  
Seconded by: Mr. Healy  
Adopted: Voice Vote  

Comments made regarding Resolution No. 192-16 included: Legislator Pullen remarked on the settlement for the five counties that were part of the lawsuit against the State. The State dictates the amount of representation that has to be provided, but the cost of the representation is born by the counties not the State. In the settlement, the State conceded to provide full funding for their public defense programs. Unfortunately, the solution is only for those five counties. The rest of the counties have to put forward a large portion of their budget. Allegany County has to spend $682,000 to fund ours. We’re just not a big enough county for the State to take us seriously. This also impacts every other county in New York State except for those five that were part of the lawsuit. Hopefully the Governor will address this. Legislator Pullen offered his support of the resolution. Legislator Decker added that this resolution goes directly to the Governor’s office. If other counties do the same, hopefully he will be inundated with resolutions. Legislator Decker offered his support of the resolution. Legislator Healy agreed with Legislator Pullen and Legislator Decker and added, “There should be no State mandates without State funding.” Legislator Burt thanked Legislator Pullen for explaining this to the group during their caucus. He said that if the Governor chooses to ignore the resolution, Allegany County should group with other small counties to create clout. After the vote on the resolution, Chairman Crandall reminded everyone of the big eight mandated programs. The cost to take care of this program is $682,000. Chairman Crandall went on to say that the big eight consume 57% percent of our local tax dollars. The public defense program comprises two percent of that. He added, “Shame on Governor Cuomo if he doesn’t sign this into law.” Legislator Pullen stated, “When the tax cap was put in place, it was coupled with mandate relief; they got what they wanted but there’s been no mandate relief.”

AUDITS:

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

A motion was made by Legislator Jessup, seconded by Legislator Root, and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims, totaling $3,157,597.19 including prepaid expenses, be approved for payment as recommended by the County Administrator. (Allegany County’s Local Dollar Share of the NYS Medicaid Program paid year-to-date is $6,568,324.)

COMMENTS:

Chairman Crandall announced that a Committee of the Whole meeting would follow the Board meeting.

ADJOURNMENT: The meeting was adjourned at 3:06 p.m. on a motion made by Legislator Graves, seconded by Legislator Burt, and carried.
ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION
SEPTEMBER 12, 2016

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:07 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Marine Corps Lance Corporal Ronald Z. Atzrott.

INVOCATION: The Invocation was given by Legislator Pullen.


APPROVAL OF MINUTES:

The Board meeting minutes of August 22, 2016, were approved on a motion made by Legislator Graves, seconded by Legislator Root, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Ronald K. Atzrott, former United States Marine Corps Lance Corporal, in grateful appreciation of his service to our country. Mr. Atzrott’s service dates were from January 24, 1968, to February 16, 1970. Following Basic Training at Parris Island, assignments included: Camp Lejeune, Camp Pendleton, and Vietnam. Commendations he received included: National Defense Service Medal, Vietnam Campaign Medal with device, Vietnam Service Medal with one star, and Rifle Marksmanship Badge. Mr. Azrott led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans’ Honorary Pledge of Allegiance Program.

Chairman Crandall invited Jack Wood to share some information regarding economic development in Allegany County. Mr. Wood remarked on a partnership between Alfred State College and Allegany County that has helped to bring all areas of economic development in the County together with common goals. Mr. Wood announced that he was stepping down as Chairman and CEO of the Allegany County Industrial Development Agency and Dr. Craig Clark will take his place. He also stated he plans to end his consulting contract with the County by the end of this year. He feels it’s a positive change, and the partnership with Alfred State College and Craig Clark is a good move forward. He will continue to assist Craig Clark through the end of the year, but Mr. Clark is now in the driver’s seat. He thanked the Board for the incredible experience he’s had working to promote economic development in the County. He remarked that he is incredibly proud of what’s been accomplished. He noted how the population size has changed in Allegany County over the years, and remarked on
the unfortunate circumstances of Medicaid and Medicare getting larger. He said that they’ve
gotten "wound up" over hotels and other types of business, but what’s really needed right
now is to get a 1,000 person factory to come to Allegany County. Chairman Crandall thanked
Mr. Wood for his dedication and remarked on some of the many things Mr. Wood has done to
develop the economy in Allegany County. Mr. Wood put together a team of people and
they’ve got a lot of things that are “teed up” for us. He said, “We have Jack to thank
personally for that.” Chairman Crandall presented Jack Wood with a plaque expressing
thanks for his dedication and passionate leadership in recent economic development efforts.

Catherine Schuyler NSDAR (National Society Daughters of the American Revolution)
Regent Joan Sinclair spoke to those in attendance in commemoration of Constitution Week.
Constitution Week is being celebrated from September 17 through September 24, with the
day following, September 25 marking the 225th anniversary of the adoption of the Bill of
Rights by the first Congress. The DAR adopted a resolution in 1955 to establish Constitution
Week. A resolution was adopted and signed into Public Law 915 on August 2, 1956. Ms.
Sinclair stated that the Rushford Public Library will be hosting a Constitution Week display
this coming week. Ms. Sinclair distributed leaflets telling about George Mason and his role in
establishing the Bill of Rights. Chairman Crandall read a proclamation declaring September
17-24, 2016, as Constitution Week in Allegany County.

Cornell Cooperative Extension Executive Director Laura Hunsberger shared
information and upcoming events related to our local Cornell Cooperative Extension. The
annual Farmer Neighbor Dinner will take place on September 28. She encouraged everyone
to attend the dinner because “…it’s an opportunity during harvest time to celebrate and
express thanks to our local farmers and producers, and educate the community about the
many advantages of purchasing and consuming locally grown or raised food.” She noted that
the hundreds of farms in Allegany County produce $73.3 million dollars in agricultural
products; and that money is recirculated throughout our communities creating jobs and
supporting other local business. Ms. Hunsberger also spoke about local food being more
nutritious. Much of the food we eat travels an average of 1,500 miles to reach us. This
lengthy travel results in extensive fuel consumption and requires fruits and vegetables to be
picked before they are ripe. Additionally, Ms. Hunsberger mentioned the economic impact of
supporting our local agriculture. She stated, “Did you know that for every dollar produced in
the local agricultural economy, another $0.43 is generated in a non-agricultural industry?
That multiplier effect translates into another $31.5 million in local economic activity and
makes Allegany Agriculture a nine-figure industry… Every local agricultural production job
requires another 1.45 jobs to support that output and for every job in agricultural
manufacturing, another 2.83 jobs are needed to support that position. Ag means local jobs,
and those jobs mean a productive and sustainable tax-paying citizenry.” She mentioned that
the Allegany County 4-H program has doubled in participants in the past year. The 4-H
program teaches life skills, leadership, time-management, decision making and goal setting.
She thanked everyone for their continued support of the agricultural producers and
manufacturers in Allegany County.

Sheriff Ricky Whitney addressed those in attendance in honor of Sheriff’s Week. The
Office of Sheriff was established in New York State’s first Constitution in 1777, and has
existed continuously ever since. The Sheriff is the only law enforcement office in New York State to be directly elected by those he serves; “...He is a true public servant, directly accountable to the people of his community.” Sheriff Whitney noted that this is the thirty-first annual celebration of Sheriff’s Week in New York State. He congratulated his fifty-six colleagues who are the elected Sheriffs in their respective counties across New York State. Chairman Crandall read a proclamation declaring September 18-24, 2016, as Sheriff’s Week in Allegany County. He thanked Sheriff Whitney for his service in operating the Sheriff’s Office and the Jail.

Sheriff Whitney also announced a new service to the County, the CodeRED Community Notification System. CodeRED is an emergency notification service that allows emergency officials to notify residents and businesses by telephone, cell phone, text message, email and social media regarding time-sensitive general and emergency notifications. He stated that automated calls would be going out to County residents this week notifying them of the service.

William Heaney addressed the group regarding Allegany County History Week. This event will take place September 21-24, 2016. Displays including national and local history items, Lincoln memorabilia, Allegany County artifacts, and replicas of the Hamilton-Burr dueling pistols will be on display at the David A. Howe Library in Wellsville. School children from around the County will have the opportunity to visit the library to see the displays. On September 21, Craig Braack will speak about the creation of County towns. Jim Pomeroy will speak about the Genesee River Valley on September 22, and Brendan Heaney will portray John L. Sullivan on September 23. All of these presentations will take place at 7 p.m. at the library. On Sunday, September 25, “Voice from Our Past” will be presented from 2-4 p.m. at the Palmer Opera House in Cuba. This will include first person narratives of historic characters with music from the past. Many town museums throughout the County will be open as part of the event. Mr. Heaney noted that the concept came about because the Fireball Run is going to be coming through Allegany County at the same time. He remarked, “It’s a very historic time for everyone in Allegany County and I hope you’re all a part of it.”

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Report of Intrafund Transfers Approved by the County Administrator in August.

2. Report of Tax Bill Corrections Approved by the County Administrator in August

PROCLAMATION:

Chairman Curtis Crandall proclaimed September 17-24, 2016, as Constitution Week in Allegany County. September 17, 2016, marks the 225th Anniversary of the Adoption of the Bills of Rights by the first Congress.

Chairman Crandall proclaimed September 22, 2016, as Fall Prevention Awareness Day in Allegany County, and urges health and human service organizations to continue
developing and evaluating strategies to prevent falls among older adults that will translate into effective fall prevention interventions.

Chairman Crandall proclaimed September 18-24, 2016, as Sheriff’s Week in Allegany County.

RESOLUTIONS:

RESOLUTION NO. 193-16

RESOLUTION SETTING DATE OF PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING THE APPROPRIATION OF $230,000 FROM THE GENERAL FUND REPAIR RESERVE TO ACCOUNTS ESTABLISHED TO REPLACE THE BOILERS AND STORAGE TANKS AT THE ALLEGANY COUNTY JAIL

Offered by: Public Works and Ways & Means Committees

WHEREAS, it will be necessary to set a date for a public hearing for the purpose of considering an appropriation of $230,000 from General Fund Repair Reserve to established accounts for the replacement of the three remaining original boilers and four original storage tanks at the Allegany County Jail, now, therefore, be it

RESOLVED:

1. That a public hearing shall be held on September 26, 2016, at 2:00 p.m. in the County Legislators’ Chambers, Room 221, 7 Court Street, County Office Building, Belmont, New York 14813, before the Allegany County Board of Legislators, for the purpose of considering the appropriation of $230,000 from the General Fund Repair Reserve to accounts established for the replacement of the three remaining original boilers and four original storage tanks at the Allegany County Jail.

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. Fanton
Seconded by: Mr. Jessup

Adopted: Voice Vote
RESOLUTION NO. 194-16

DESIGNATING STEUBEN TRUST COMPANY AS DEPOSITORY FOR COUNTY CLERK FUNDS; AUTHORIZING COUNTY CLERK AND DEPUTY COUNTY CLERKS TO ACCESS SUCH FUNDS

Offered by: Personnel Committee

RESOLVED:

1. That Steuben Trust Company, of Hornell, New York, be, and is hereby designated as a depository in which funds of the Allegany County Clerk may be deposited.

2. That Allegany County Clerk Robert L. Christman, Deputy County Clerk Linda K. Healy, Deputy County Clerk II Jessica L. Lynch, Deputy County Clerk III Wanda F. Bise, and Ryan M. Keib (pending Deputy County Clerk) each be, and they hereby are, jointly and severely, authorized to sign checks and orders for the payment of money, withdrawing funds so deposited and that said Trust Company shall be, and hereby is, authorized and directed to honor and pay any checks and orders so drawn, when so signed, whether such checks be payable to the order of the officers signing them, or any of said officers, in their official capacity, or not.

3. That a certified copy of this resolution be filed with the said Trust Company and that said Trust Company be promptly notified in writing, of any change or changes from time to time in this resolution or in the instructions given herein, or in the personnel of any of the county officers named herein.

Moved by: Mr. Fanton
Seconded by: Mr. O’Grady

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

RESOLUTION NO. 195-16

APPROVAL OF SALE OF 2016 TAX SALE PROPERTY

Offered by: Ways & 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 the tax delinquent properties shown below, to the owner and purchaser 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 the below mentioned properties which is subject to the 2014 and/or back to the year 1995 (TF95 up to and including TF2014) tax foreclosure proceedings and the subsequent execution of a deed of all of the 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 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 consideration.

<table>
<thead>
<tr>
<th>New Owner</th>
<th>County title</th>
<th>Recorded Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bolivar-Richburg Foundation</td>
<td>County of Allegany</td>
<td></td>
</tr>
<tr>
<td>100 School Street Bolivar, NY 14715</td>
<td>Parcel ID:023889;272.8-1-18</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Property loc: 560 S Main St</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Assessed Value: 17,800</td>
<td></td>
</tr>
<tr>
<td></td>
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<tr>
<td>Tax sale amount: 25</td>
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</table>

Moved by: Mr. Jessup
Seconded by: Mrs. Root
Adopted: Roll Call
13 Ayes, 2 Noes, 0 Absent
Voting No: Burt, Decker

Comments made regarding Resolution No. 195-16 included: Legislator Burt remarked on the low selling price, but found even more troubling the second sentence in the letter from the bidder in which they ask for the one-year County tax charge to be waived. He’s concerned it could set a precedent for future sales. He indicated he wouldn’t be supporting the resolution.

RESOLUTION NO. 196-16

AUTHORIZING THE PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE OF THE COUNTY BOARD OF LEGISLATORS TO ACT AS TOURIST PROMOTION AGENCY AND TO APPLY FOR STATE FUNDS FOR TOURISM PROMOTION PURPOSES

Offered by: Planning & Economic Development and Ways & Means Committees
Pursuant to Article 5-A of the Economic Development Law

RESOLVED:
1. That the Planning & Economic 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 $236,625 for tourism promotion purposes.

2. That if the application for the funding is approved, such Committee, or its designee, shall submit the grant agreement to this Board for approval and appropriation of such funds prior to commencing any work pursuant to the terms of the grant agreement or expending any of such funds.

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: Mrs. Root  Adopted: Roll Call
Seconded by: Mr. Fanton  15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 197-16

APPROVAL OF APPROPRIATION SUPPLEMENT FOR THE PROGRAM OF CORNELL COOPERATIVE EXTENSION; TRANSFER OF FUNDS FROM CONTINGENCY ACCOUNT; AUTHORIZING COUNTY TREASURER TO PAY THE SUPPLEMENTAL APPROPRIATION AMOUNT TO SUCH ASSOCIATION

Offered by: Resource Management and Ways & Means Committees

Pursuant to County Law § 224 (8)

WHEREAS, Cornell Cooperative Extension of Allegany County (CCE-AC) has requested an appropriation supplement of $49,000, and

WHEREAS, this amount had originally been included in the CCE-AC 2016 budget request, but not included in the County’s 2016 Budget, and

WHEREAS, due to the recent creation of a single county association, it was recommended that CCE-AC return to the Legislature mid-year to review its finances, and

WHEREAS, it has become apparent that supplemental funding is necessary to cover salaries of existing staff in the program areas of 4-H, agriculture, horticulture and finance, and

WHEREAS, this Board believes that in order to allow CCE-AC to continue to offer programs that benefit Allegany County residents, CCE-AC will require additional funds, and

WHEREAS, CCE-AC has indicated that by taking a one-day furlough each week the sum of $35,000 in additional funds would be sufficient to meet its needs, now, therefore, be it

RESOLVED:
1. That an appropriation supplement of $35,000 for the Cornell Cooperative Extension program, is approved.

2. That the sum of $35,000 is transferred from Account No. A1990.4 (Contingency) to A8751.4 (Cooperative Extension).

3. That the County Treasurer is authorized and directed to pay the supplemental amount appropriated of $35,000 to the duly bonded Treasurer of such Association.

Moved by: Mr. Graves  
Seconded by: Mr. Fanton  
Adopted: Roll Call  
12 Ayes, 3 Noes, 0 Absent  
Voting No: Burt, O’Grady, Ungermann

Comments made regarding Resolution No. 197-16 included: Legislator Pullen stated that from communications with other Legislators, he knows not everyone will be supporting this resolution. We are facing some tight times financially; sales tax revenue is down, and we have other expenses to consider. Legislator Pullen would like to encourage support of the programs Cooperative Extension offers. He understands differences of opinion but feels the extension programs are valuable in supporting residents and urged support of the resolution. Legislator Decker thanked Laura Hunsberger for her updates on the programs. The Allegany County 4-H Program has doubled in size since splitting from Cattaraugus County. He said, “If we don’t support our youth in agriculture, we won’t have agricultural business in Allegany County.” He feels that there is a period of adjustment after splitting from Cattaraugus County and that our local office is taking steps to adjust to a new financial situation. Our local office is taking a one day per week furlough to cut costs. Legislator Decker indicated he would be supporting the resolution. Legislator Healy thanked Legislator Pullen for his optimistic remarks about the program and he said he’d like to see the program succeed. He stated that he would support the resolution, but will be watching carefully to see what progress is being made financially. Legislator O’Grady indicated that he would not be supporting the resolution. He said it’s mainly due to economic reasons. He’s not debating the merit of Cooperative Extension, it comes down to finances. Legislator Burt stated that Ms. Hunsberger’s efforts are commendable, but he believes in only a portion of the programs and feels the program needs a complete overhaul. He indicated that he wouldn’t be supporting the resolution.

RESOLUTION NO. 198-16

TRANSFER OF FUNDS WITHIN WEIGHTS AND MEASURES ACCOUNTS

Offered by: Public Safety Committee

RESOLVED:

1. That the transfer of $1,100 within Weights and Measures accounts for the purchase of a slide bed for the work truck is approved as follows:
From Account No.                              To Account No.                              Amount  
A6610.404 Consumer Affairs – Maintenance    A6610.201 Consumer Affairs – Equip.         $250    
A6610.408 Consumer Affairs – Supplies        A6610.201 Consumer Affairs – Equip.         100    
A6610.411 Consumer Affairs – Repairs         A6610.201 Consumer Affairs – Equip.         250    
A6610.419 Consumer Affairs – Printing        A6610.201 Consumer Affairs – Equip.         300    
A6610.421 Consumer Affairs – Education       A6610.201 Consumer Affairs – Equip.         200    

Total $1,100

Moved by: Mr. Curran                            Adopted: Roll Call
Seconded by: Mr. Pullen                          13 Ayes, 2 Noes, 0 Absent
          Voting No: Burt, Ungermann

Comments made regarding Resolution No. 198-16 included: Legislator Burt noted that these transfers don’t cover the entire cost of the slide bed. The cost is actually almost $3,000. The purpose of the slide bed is to ward off possible falls but Mr. Burt suggested a set of steps that would fit into the hitch, costing around $100, might be a better option. He’s also concerned other employees may want the same things for their vehicles. Mr. Burt questioned the durability of the slide bed.

RESOLUTION NO. 199-16

ACCEPTANCE OF INSURANCE PAYMENT FROM NYMIR AND APPROPRIATION OF FUNDS TO RISK RETENTION ACCOUNTS

Offered by: Ways & Means Committee

WHEREAS, a check in the amount of $6,593.83; representing the cost less a $500 deductible, to repair a DPW 2012 Peterbilt Tractor Trailer (#9792) that was damaged by a falling tree on July 14, 2016, has been offered by NYMIR (New York Municipal Insurance Reciprocal) in settlement for such damage, now, therefore, be it

RESOLVED:

1. That the sum of $6,593.83 representing the settlement on a DPW 2012 Peterbilt Tractor Trailer (#9792) that was damaged on July 14, 2016, is accepted.

2. That the sum of $6,593.83 is placed in Account No. CS1931.429 (Risk Retention - Uninsured Property Loss) with a like sum credited to Revenue Account No. CS1930.2680.00 (Insurance Recovery).

Moved by: Mr. Jessup                            Adopted: Roll Call
Seconded by: Mr. Curran                          15 Ayes, 0 Noes, 0 Absent
RESOLUTION NO. 200-16

ACCEPTANCE OF SECTION 5311 CAPITAL MOBILITY MANAGEMENT FUNDING FOR THE ALLEGANY COUNTY PUBLIC TRANSPORTATION SYSTEM FOR CALENDAR YEARS 2015 AND 2016 THROUGH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION (NYSDOT)

Offered by: Ways & Means Committee

RESOLVED:

1. That the sum of $475,379 in Section 5311 Capital Mobility Management Funding for the Allegany County Public Transportation System for the 2015 and 2016 calendar years from the New York State Department of Transportation, is accepted.

Moved by: Mr. Jessup
Seconded by: Mr. Healy
Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 200-16 included: Legislator O’Grady expressed his concerns about taxis that are becoming a common sight in Wellsville. There seem to be more taxis transporting residents to doctor appointments. A public transportation system was developed to help the County save money on transporting Medicaid patients to appointments, but now the people are using taxi service. New York State has contracted with a company who is arranging transportation to doctor appointments. Legislator O’Grady suggested they need to take a look at this and push for legislation to request the County gain control of Medicaid transportation in order to keep our costs low. Otherwise, we may lose our public transportation system. Chairman Crandall indicated that the taxi service being seen in the area is located in Syracuse. He suggested that the topic could be brought up during committee meetings so they can collectively take a position on the topic. Legislator Ungermann asked Larry Kaminski, Mobility Management Planner for Ardent Solutions, Inc., to provide ridership figures for the County’s public transportation system. Legislator Ungermann stated that the County’s share of the cost for the system is roughly $53,000, which isn’t a lot. Chairman Crandall stated that previously the County had been paying more than $400,000 to transport Medicaid recipients to appointments.

RESOLUTION NO. 201-16

APPROVAL OF AGREEMENT BETWEEN COUNTY OF ALLEGANY AND ALLEGANY COUNTY FEDERATION OF SNOWMOBILERS, INC.; APPROPRIATION OF STATE GRANT-IN-AID

Offered by: Planning & Economic Development and Ways & Means Committees

RESOLVED:
1. That the Agreement between the County of Allegany and Allegany County Federation of Snowmobilers, Inc., is approved.

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

3. That the sum of $125,000 in State grant-in-aid will be appropriated in the 2017 Budget to Account No. A7185.483 (NYS OPRHP Funding Award), with a like sum credited to Revenue Account A7185.3089.00 (AC Snowmobile Association – State Aid). No budget adjustments are necessary at this time.

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

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

Comments made regarding Resolution No. 201-16 included: Legislator Ungermann stated that this is simply a pass-through and the money for this comes directly from snowmobile registration fees.

RESOLUTION NO. 202-16

APPROVAL OF AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND SYSTEMS DEVELOPMENT GROUP, INC., FOR THE PURCHASE OF THE SDG IMO-TCS TAX COLLECTION MODULE

Offered by: Ways & Means Committee

RESOLVED:

1. That the Agreement with Systems Development Group, Inc., for the purchase of the SDG IMO–TCS Tax Collection Module for $3,000 per year for five years, is approved.

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

Moved by: Mr. Jessup
Seconded by: Mr. Graves

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

Comments made regarding Resolution No. 202-16 included: Legislator Decker asked if there were additional maintenance costs for this. Real Property Tax Director Joe Budinger stated that they already have a standard maintenance agreement with them and this is just an add on feature.

Resolution Intro. No. 206-16 (RESOLUTION REQUESTING THAT THE WESTERN REGIONAL EMERGENCY MEDICAL ADVISORY COMMITTEE [WREMAC] NOT ELIMINATE THE EMT-CC LEVEL OF CERTIFICATION) was not pre-filed and was considered from the floor on a motion made by Legislator Curran, seconded by Legislator
Decker, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 203-16

RESOLUTION REQUESTING THAT THE WESTERN REGIONAL EMERGENCY MEDICAL ADVISORY COMMITTEE (WREMAC) NOT ELIMINATE THE EMT—CC LEVEL OF CERTIFICATION

Offered by: Public Safety Committee

WHEREAS, this Board has been contacted by a number of Emergency Medical Technicians (EMTs) and ambulance companies regarding a matter being considered by the Western Regional Emergency Medical Advisory Committee (WREMAC) relating to the EMT-CC level of certification, and

WHEREAS, there is great concern that WREMAC will vote to eliminate the EMT-CC level of certification, and

WHEREAS, if eliminated, advanced life support, (ALS), would need to be provided by a paramedic holding an EMT-P certification, and

WHEREAS, rural ambulance services serving Allegany County are primarily staffed by volunteers and tend to have EMT-CCs as the providers of ALS, and

WHEREAS, there are very few individuals serving in Allegany County who are paramedics holding the EMT-P level of certification, and

WHEREAS, the vast majority of EMTs active in Allegany County are volunteers with other full-time work, and

WHEREAS, obtaining EMT-P certification requires a substantial commitment of time and money that most of these volunteer EMTs will be unable or unwilling to pursue, and

WHEREAS, due to the large geographic size of Allegany County and its distance from major metropolitan areas, few if any paramedics are currently available or will become available to respond to the emergency medical needs of County residents, and

WHEREAS, EMT-CCs are able to provide advance care on par with that provided by paramedics, and

WHEREAS, if EMT-CC certification is eliminated, it is highly likely that advanced life support will be unavailable in emergency response situations and people will die or suffer serious medical complications, now therefore, be it

RESOLVED:

1. That this Board strongly urges the Western Regional Emergency Medical Advisory Committee to refrain from eliminating EMT-CC certification as there is a lack of viable alternatives for providing ALS emergency response services in rural Allegany County.
2. That certified copies of this resolution be sent to Governor Andrew Cuomo; Senator Catharine M. Young; Assemblyman Joseph M. Giglio; Dr. Howard A. Zucker, Commissioner of Health for New York State; Dr. Brian M. Walters, Director WREMAC, the New York State Association of Counties and the Inter-County Association of Western New York.

Moved by: Mr. Curran  
Seconded by: Mr. Graves  
Adopted: Voice Vote

Comments made regarding Resolution No. 203-16 included: Legislator Ungermann said that from what he understands the full-fledged EMT has 1,100 hours of training. He feels we’re beginning to see the end of volunteers. He stated, “We’re going to be in a position of more tax dollars going out the window.” He urged everyone to support this resolution. Legislator Decker agreed. From what he understood, based on material presented during committee meetings, was that comparing an EMT-CC to a Paramedic, there’s only one medication an EMT-CC can’t administer that a Paramedic can. Legislator Decker feels that eliminating this position would be an elimination of the volunteer program. These volunteers have spent a tremendous amount of time getting and keeping their certifications. We won’t have a volunteer service in anything; it will be State mandated. Legislator Healy remarked that volunteers are the backbone of our local area and other rural counties. Instead of making things difficult for them, we should be making things easier for them. Legislator Pullen expressed his thanks to our volunteers for the amount of dedication and sacrifice they put in. We have been tremendously blessed by these people and their dedication.

AUDITS:

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

A motion was made by Legislator Jessup, seconded by Legislator Root, and adopted on a roll call vote of 15 Ayes, 0 Noes, 0 Absent, that the audit of claims, totaling $4,897,702.15 including prepaid expenses, be approved for payment as recommended by the County Administrator. (Allegany County’s Local Dollar Share of the NYS Medicaid Program paid year-to-date is $7,147,882.)

COMMENTS:

Legislator Ungermann reminded everyone that the Cuba Garlic Festival takes place September 17 & 18. This is the 12th annual event.

ADJOURNMENT: The meeting was adjourned at 3:34 p.m. on a motion made by Legislator Graves, seconded by Legislator Burt, and carried.
ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION

SEPTEMBER 26, 2016

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:06 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by United States Army National Guard Specialist Fourth Class Joel B. Culbertson.

INVOCATION: The Invocation was given by Legislator Pullen.


APPROVAL OF MINUTES:

The Board meeting minutes of August 22, 2016, were amended on a motion made by Legislator Root, seconded by Legislator Curran, and carried to correct the vote on Resolution Nos. 181-16 and 192-16 to reflect a voice vote rather than a roll call vote. A motion was made by Legislator Graves, seconded by Legislator Decker, and carried to approve the amended minutes.

The Committee of the Whole meeting minutes of August 22, 2016, were approved on a motion made by Legislator Fanton, seconded by Legislator Graves, and carried.

The Board meeting minutes of September 12, 2016, were approved on a motion made by Legislator Pullen, seconded by Legislator Curran, and carried.

The Committee of the Whole meeting minutes of September 12, 2016, were approved on a motion made by Legislator Curran, seconded by Legislator Root, and carried.

The Committee of the Whole meeting minutes of September 21, 2016, were approved on a motion made by Legislator Curran, seconded by Legislator Fanton, and carried.

PUBLIC HEARING:

Chairman Crandall closed the regular meeting to hold a public hearing on a transfer of funds from the General Fund Repair Reserve. (An appropriation of $230,000 from the General Fund Repair Reserve is needed for the Replacement of the boilers and storage tanks at the Allegany County Jail.)
There being no one desiring to speak, the public hearing was declared closed and the Board reconvened in regular session.

**PRIVILEGE OF THE FLOOR:**

Chairman Crandall presented a certificate to Joel B. Culbertson, United States Army National Guard Specialist Fourth Class, in grateful appreciation of his service to our country. Mr. Culbertson's service dates are from October 26, 2010, to October 26, 2016. Following Basic Training at Fort Benning, GA, assignments include: Ithaca Mechanized Infantry Reserve and Afghanistan. Commendations he's received include: Afghanistan Campaign Medal with Campaign Star, Army Achievement Medal, National Defense Service Medal, Global War on Terrorism Service Medal, Armed Forces Reserve Medal with M Device, Combat Infantry Badge, Army Service Ribbon, and Overseas Service Ribbon. Mr. Culbertson led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans’ Honorary Pledge of Allegiance Program.

Chairman Crandall commented on the new “In God We Trust” sign that hangs in the Legislative Chambers. He acknowledged Legislator Mike Healy for his generosity in paying to have the sign made. In April the Board passed a resolution to display the sign in the Chambers. Chairman Crandall commented on how nice the sign looked and how well it goes with the County seal that hangs on the front of the dais. Chairman Crandall also mentioned the judicial portraits that were recently hung in Judge Brown’s courtroom.

Supervising Public Health Educator Theresa K. Moore spoke about Lead Poisoning Prevention. She stated that a blood test is the only way to find out if someone has lead poisoning. Children should be tested at age one and again at age two. Childhood lead exposure can lead to a lifetime of health issues. Most lead poisoning occurs when children lick, swallow, or breathe in dust from old lead paint. An older home should be kept in good repair. Be sure to wash dust off hands, toys, and floors. Be careful not to bring toys or jewelry into the home that may contain lead. Keep lead out of food by letting tap water run and be careful not to use pottery or other dishes that may contain lead. Serve foods that are rich in calcium, iron, and vitamin C which help keep lead from being stored in a child’s body.

**ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:**

1. October 2016 Calendar.

2. Allegany County Mutual Self-Insurance Plan (Workers’ Compensation) 2017 Budget together with the apportionment of costs of the budget to the County, Towns, and Villages of Allegany County approved by the Personnel Committee on September 12, 2016.

4. Notice of Public Hearing from Richardson & Pullen stating that there will be a public hearing at the Caneadea Town Hall on September 29, 2016, at 7:00 p.m. regarding the Town of Caneadea Zoning Law.

APPOINTMENTS:

County Administrator Timothy T. Boyde’s appointed H. Robert Budinger as Deputy County Administrator.

PROCLAMATION:

Chairman Curtis Crandall declared September 19-25, 2016, as ALLEGANY COUNTY HISTORY AWARENESS WEEK.

Chairman Crandall proclaimed September 23 through October 1, 2016, as FIREBALL RUN – THE RACE TO RECOVER AMERICA’S MISSING CHILDREN WEEK.

RESOLUTIONS:

RESOLUTION NO. 204-16

CREATION OF FOUR PERMANENT FULL-TIME POSITIONS OF EMERGENCY SERVICES DISPATCHER WITHIN THE SHERIFF’S OFFICE

Offered by: Public Safety Committee

RESOLVED:

1. That four full-time permanent positions of Emergency Services Dispatcher (AFSCME, Grade 13) are created.

2. This resolution shall take effect immediately.

Moved by: Mr. Curran
Seconded by: Mr. Decker

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

RESOLUTION NO. 205-16

CREATION OF ONE TEMPORARY FULL-TIME POSITION OF SPECIALIST, SERVICES FOR THE AGING, WITHIN THE OFFICE FOR THE AGING

Offered by: Human Services Committee

RESOLVED:
RESOLUTION NO. 206-16
CREATION OF ONE POSITION OF NUTRITION SERVICES COORDINATOR WITHIN THE OFFICE FOR THE AGING

Offered by: Human Services Committee

RESOLVED:

1. That one position of Nutrition Services Coordinator (PEF, Grade 6) is created.

2. That this position shall be a temporary full-time position effective September 1, 2016, through November 30, 2016.

3. Effective December 1, 2016, the temporary full-time position of Nutrition Services Coordinator will become a permanent part-time position.

4. This resolution shall take effect immediately.

Moved by: Mr. LaForge
Seconded by: Mr. Jessup

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

RESOLUTION NO. 207-16
APPROVAL FOR GRANT APPLICATION TO NYS STOP-DWI FOUNDATION CRACKDOWN GRANT FOR THE FEDERAL FISCAL YEAR 2016-17

Offered by: Public Safety and Ways & Means Committees

WHEREAS, the STOP-DWI Program is seeking approval to apply for grant funds from the NYS STOP-DWI Foundation Crackdown grant for the federal fiscal year 2016-17, and
WHEREAS, this grant provides funding for additional DWI Crackdown Patrols in addition to locally budgeted enforcement money, and

WHEREAS, if approved, the grant would provide $9,999 for these additional patrols, now, therefore, be it

RESOLVED:

1. That the STOP-DWI Coordinator is authorized to act on behalf of the County of Allegany to apply for grant funds through the NYS STOP-DWI Foundation Crackdown grant.
   Moved by: Mr. Curran
   Adopted: Roll Call
   Seconded by: Mr. Fanton
   15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 208-16

ACCEPTANCE OF INSURANCE PAYMENT FROM NYMIR AND APPROPRIATION OF FUNDS TO RISK RETENTION ACCOUNTS

Offered by: Ways & Means Committee

WHEREAS, a check in the amount of $21,607.71, representing the cost less a $500 deductible, to repair a DPW 2017 Kenworth Tractor Trailer that was damaged in a motor vehicle accident on August 24, 2016, has been offered by NYMIR (New York Municipal Insurance Reciprocal) in settlement for such damage, now, therefore, be it

RESOLVED:

1. That the sum of $21,607.71 representing the settlement on a DPW 2017 Kenworth Tractor Trailer that was damaged on August 24, 2016, is accepted.

2. That the sum of $21,607.71 is placed in Account No. CS1931.429 (Risk Retention - Uninsured Property Loss) with a like sum credited to Revenue Account No. CS1930.2680.00 (Insurance Recovery).
   Moved by: Mr. Jessup
   Adopted: Roll Call
   Seconded by: Mrs. Root
   15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 208-16 included: Legislator Ungermann asked what caused the damage to the tractor trailer. Board Clerk Riehle indicated that a private citizen had pulled out in front of our truck.
RESOLUTION NO. 209-16

ACCEPTANCE OF INSURANCE PAYMENT FROM NYMIR AND APPROPRIATION OF FUNDS TO RISK RETENTION ACCOUNTS

Offered by: Ways & Means Committee

WHEREAS, a check in the amount of $5,716.53, representing the cost less a $200 deductible, to repair a Sheriff’s Office 2015 Ford Explorer (#7478) that was damaged in a motor vehicle/deer accident on August 9, 2016, has been offered by NYMIR (New York Municipal Insurance Reciprocal) in settlement for such damage, now, therefore, be it

RESOLVED:

1. That the sum of $5,716.53 representing the settlement on a Sheriff’s Office 2015 Ford Explorer (#7478) that was damaged on August 9, 2016, is accepted.

2. That the sum of $5,716.53 is placed in Account No. CS1931.429 (Risk Retention - Uninsured Property Loss) with a like sum credited to Revenue Account No. CS1930.2680.00 (Insurance Recovery).

Moved by: Mr. Jessup
Seconded by: Mr. Curran
Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 210-16

ACCEPTANCE AND APPROPRIATION OF UNALLOCATED FUNDS FOR THE WIC PROGRAM FOR THE 2016 BUDGET YEAR

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. That the sum of $26,050 in unallocated funds for the WIC Program for the 2016 budget year is accepted.

2. That the accepted sum of $26,050 shall be appropriated to the following accounts:

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<tr>
<th>Account</th>
<th>Description</th>
<th>Amount</th>
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<td>A4190.201</td>
<td>WIC – Office Equipment</td>
<td>$4,000</td>
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<tr>
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<td>WIC – Health Equipment</td>
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<td>WIC – Postage</td>
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<tr>
<td>A4190.407</td>
<td>WIC – Office Supplies</td>
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A4190.408  WIC – General Supplies  
A4190.409  WIC – Fees  
A4190.414  WIC – Rentals: Real Property  
A4190.419  WIC – Printing  
A4190.424  WIC – Advertising  
A4190.427  WIC – Electricity  

TOTAL  $26,050

with a like sum credited to Revenue Account No. A4190.4452.00 (Federal Aid – WIC).

Moved by:  Mr. LaForge  
Seconded by:  Mr. Fanton  
Adopted:  Roll Call  
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 211-16

ACCEPTANCE AND APPROPRIATION OF COLA FUNDS FOR THE CANCER SERVICES PROGRAM

Offered by:  Human Services and Ways & Means Committees

RESOLVED:

1. The sum of $14,008 in COLA funds for the County Health Department Cancer Services Program is accepted.

2. The sum of $14,008 shall be appropriated to the following accounts:

A4071.201  Cancer Screening – Office Equipment  $1,000
A4071.401  Cancer Screening – Postage  6,443
A4071.407  Cancer Screening – Office Supplies  21
A4071.408  Cancer Screening – General Supplies  2,527
A4071.409  Cancer Screening – Fees  156
A4071.424  Cancer Screening – Legal Advertising  3,861

TOTAL  $14,008

with a like sum credited to Revenue Account No. A4071.3401.00 (State Aid – Cancer Screening).

Moved by:  Mr. LaForge  
Seconded by:  Mr. Graves  
Adopted:  Roll Call  
14 Ayes, 1 No, 0 Absent  
Voting No:  Burt
RESOLUTION NO. 212-16

ACCEPTANCE AND APPROPRIATION OF RED TEAM GRANT SH15-1085-D00 FOR THE SHERIFF’S OFFICE

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. The sum of $2,507 in Red Team Grant SH15-1085-D00 funds for the Sheriff’s office is accepted.

2. The sum of $2,507 shall be appropriated to the following accounts:

   A3658.103 Homeland Security – Premium Pay $1,884
   A3658.802 Homeland Security – Retirement 370
   A3658.803 Homeland Security – FICA 170
   A3658.806 Homeland Security – Hosp/Med Ins. 83
   TOTAL $2,507

with a like sum credited to Revenue Account No. A3658.3306.REDT (State Aid – REDT).

Moved by: Mr. Curran          Adopted: Roll Call
Seconded by: Mrs. Root         15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 213-16

BUDGET TRANSFERS WITHIN OFFICE FOR THE AGING ACCOUNTS

Offered by: Human Services Committee

RESOLVED:


Moved by: Mr. LaForge          Adopted: Roll Call
Seconded by: Mr. Jessup        15 Ayes, 0 Noes, 0 Absent
RESOLUTION NO. 214-16

BUDGET TRANSFER WITHIN COMMUNITY SERVICES ACCOUNTS

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. That the sum of $2,400 shall be transferred from Account No. A4310.409 (Mental Health Administration - Fees) to Account No. A4315.464 (Mental Health Reinvestment – Contractual).

Moved by: Mr. LaForge
Seconded by: Mr. Fanton
Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 215-16

BUDGET TRANSFER WITHIN DEPARTMENT OF PUBLIC WORKS ACCOUNTS

Offered by: Public Works and Ways & Means Committees

RESOLVED:

1. That the sum of $23,000 shall be transferred from Account No. D5110.422 (Maintenance Roads & Bridges – Gasoline/Oil) to Account No. D3310.465 (Traffic Control – Transportation Contracts - Striping) to cover additional striping of centerline and edgeline miles on County Road.

Moved by: Mr. Fanton
Seconded by: Mr. Graves
Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 216-16

APPROVAL OF FBI ANTENNA SITE LICENSE AGREEMENT RENEWAL FOR COMMUNICATIONS SYSTEM SITE BETWEEN COUNTY OF ALLEGANY AND U. S. DEPARTMENT OF JUSTICE FEDERAL BUREAU OF INVESTIGATION

Offered by: Public Safety Committee

RESOLVED:

1. That FBI Antenna Site License Agreement 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, 2016 through September 30, 2026, at the annual initial rate of $1,576.82, with a 3 percent increase per year, is approved.
2. That the Chairman of this Board is authorized to execute said Agreement.

Moved by: Mr. Curran
Seconded by: Mr. Healy
Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 217-16

APPROVAL OF AGREEMENTS WITH THE VILLAGES OF BOLIVAR AND WELLSVILLE; AND THE TOWNS OF CANEADEA AND FRIENDSHIP, IN RELATION TO THE DISPOSAL OF COUNTY LANDFILL LEACHATE AT THE VILLAGE AND TOWN WASTE WATER TREATMENT PLANTS; AUTHORIZING BOARD CHAIRMAN TO EXECUTE AGREEMENTS

Offered by: Public Works Committee

RESOLVED:

1. That Agreements between the County of Allegany and the Villages of Bolivar, Wellsville; Towns of Friendship and Caneadea; in relation to the County's disposal of leachate at the respective Village, Town, and City waste water treatment plants at the rate of $.025 per gallon for period January 1, 2017, to December 31, 2017, are approved.

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

Moved by: Mr. Fanton
Seconded by: Mr. Pullen
Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 218-16

APPROVAL OF RENEWAL AGREEMENT BETWEEN THE NEW YORK STATE UNIFIED COURT SYSTEM AND THE COUNTY OF ALLEGANY FOR SFY 2016-2017 MAINTENANCE AND OPERATION OF COURT FACILITIES

Offered by: Public Works Committee

RESOLVED:

1. That the 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, 2016, to March 31, 2017, is approved.

2. That the Chairman of this Board is authorized to execute such Agreement.
RESOLUTION NO. 219-16

APPROVAL OF AMENDMENT TO AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND KVR SERVICES LLC INCREASING THE 2017 PRICE PER MEAL

Offered by: Human Services and Ways & Means Committees

WHEREAS, the original agreement between the County of Allegany and KVR Services LLC, approved pursuant to Resolution No. 94-2012 and subsequently assigned to KVR Services LLC, was last amended by Resolution No. 187-2015 to adjust 2016 meal prices to $4.15 per meal; and

WHEREAS, the agreement as amended provided a mechanism after 2013 to review meal prices prior to June 1 of each year for the following year and modify the per meal price if agreed to by both parties; and

WHEREAS, the Office for the Aging met with KVR Services LLC prior to June 1 of this year and agreed to modify the price per meal for the year 2017 from the original price of $4.15 per meal to an amended price of $4.40 per meal; and

WHEREAS, an amendment to the agreement between the County of Allegany and KVR Services LLC, increasing the price per meal for 2017 to $4.40, needs to be approved, now, therefore, be it

RESOLVED:

1. That the agreement between the County of Allegany and KVR Services LLC, is hereby amended to increase the price per meal to $4.40 for the period January 1, 2017, to December 31, 2017.

2. That the Director of the Allegany County Office for the Aging is authorized to execute the agreement increasing the 2017 price per meal to $4.40.

Moved by: Mr. LaForge
Seconded by: Mr. Jessup
Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Resolution Intro. No. 223-16 (DESIGNATING THE ALFRED SUN AS A SUBSTITUTE NEWSPAPER FOR THE WEEK OF OCTOBER 9, 2016, TO OCTOBER 15, 2016) was not pre-filed and was considered from the floor on a motion made by Legislator
Jessup, seconded by Legislator Curran, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

**RESOLUTION NO. 220-16**

**DESIGNATING THE ALFRED SUN AS A SUBSTITUTE OFFICIAL NEWSPAPER FOR THE WEEK OF OCTOBER 9, 2016, TO OCTOBER 15, 2016**

Offered by: Ways & Means Committee

WHEREAS, the Clerk of this Board was informed that the Cuba Patriot & Free Press, one of the official newspapers, will not be publishing on October 12, 2016, now, therefore, be it

RESOLVED:
1. Notwithstanding the provisions of Section 1. of Resolution No. 302-15, the newspaper the Alfred Sun is designated as a substitute official newspaper to publish local laws, notices and other matters required by law to be published during the period of October 9, 2016, to October 15, 2016.

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

Adopted: Voice Vote

Resolution Intro. No. 224-16 (SUPPORT OF AND URGING THE WALMART PROJECT IN WELLSVILLE TO MOVE FORWARD) was not pre-filed and was considered from the floor on a motion made by Legislator Root, seconded by Legislator Graves, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

**RESOLUTION NO. 221-16**

**SUPPORT OF AND URGING THE WALMART PROJECT IN WELLSVILLE TO MOVE FORWARD**

Offered by: Planning & Economic Development Committee

WHEREAS, the Allegany County Board of Legislators recognizes that economic development is vital to the Wellsville area and all of Allegany County and have made economic development within the County a priority; and

WHEREAS, private investment and development of a Walmart in Wellsville will produce needed jobs, increase commerce and other retail activity from surrounding areas, leading to further development; and

WHEREAS, the people of Wellsville and Allegany County are supportive of Walmart coming to our area and recognize that jobs and increased business will improve quality of life,
help support other retail establishments, and would add a vibrancy to Wellsville by attracting more visitors to this commercial hub; and

    WHEREAS, we support the Town of Wellsville and their efforts to attract Walmart to their Township, now therefore, be it

    RESOLVED:

    1. The Allegany County Board of Legislators supports and urges Walmart to expand their operations into Wellsville, New York.

    2. That contacts, available development tools, and County planning and development personnel might be utilized to help this project become a reality.

    3. That certified copies of this resolution shall be sent to Walmart, the Wellsville Town Supervisor, and Federal and State representatives for any assistance they might be able to provide.

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

    AUDITS:

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

    A motion was made by Legislator Root, seconded by Legislator Fanton, and adopted on a roll call vote of 15 Ayes, 0 Noes, 0 Absent, that the audit of claims, totaling $2,955,948.82 including prepaid expenses, be approved for payment as recommended by the County Administrator. (Allegany County’s Local Dollar Share of the NYS Medicaid Program paid year-to-date is $7,534,254.)

    COMMENTS:

    Chairman Crandall reminded everyone that there would be a Committee of the Whole meeting following today’s Board meeting.

    Legislator Decker remarked on the FireBall Run which recently passed through Allegany County. He noted that it was the tenth year of the FireBall Run and the teams involved sponsor missing children in hopes of raising awareness and locating those children. In the past ten years, they have located forty-eight missing children.

    Legislator Ungeremann said that the Cuba Garlic Festival was very successful in spite of the five inches of rain they received.
Legislator Pullen commented on a “Voices from the Past” program held this past Sunday at the Palmer Opera House in Cuba. This event was part of a week-long series of events to celebrate history in Allegany County. He indicated that it was very well attended and the performers did an outstanding job. He expressed his thanks to those who put the performance together. Chairman Crandall remarked on the events that took place at the David A. Howe Public Library in Wellsville this past week in commemoration of Allegany County History Week. The unveiling of the replica dueling pistols used by Alexander Hamilton and Aaron Burr in 1804 kicked things off on Tuesday night. There were some very impressive displays and artifacts at the library. Legislator Ungermann noted that Jim Pomeroy gave a presentation on “Restless Water, Nature’s Determination and Ingenuity on Display, Past and Present, in the Genesee River Valley” which was very interesting. Legislator Ungermann said he learned that during the last ice age, 10,000 years ago, this area was under a mile of ice. He also learned that the Lower Falls at Letchworth State Park have eroded back 1,000 feet since 1920. Legislator Burt stated, “You don't have to have economic development to have history.” He expressed his thanks to Bill Heaney and our county historians. Over 1,000 students were able to see the displays at the library in Wellsville.

**ADJOURNMENT:** The meeting was adjourned at 2:53 p.m. on a motion made by Legislator Graves, seconded by Legislator Curran, and carried.
CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:03 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Army Specialist Fourth Class Richard L. Blouvet, Jr.

INVOCATION: The Invocation was given by Legislator Pullen.


APPROVAL OF MINUTES:

The Board meeting minutes of September 26, 2016, were approved on a motion made by Legislator Graves, seconded by Legislator Burt, and carried.

The Committee of the Whole meeting minutes (p.m. meeting) of September 26, 2016, were approved on a motion made by Legislator Curran, seconded by Legislator Pullen, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Richard L. Blouvet, Jr., former United States Army Specialist Fourth Class, in grateful appreciation of his service to our country. Mr. Blouvet’s service dates were from January 28, 1974, to January 19, 1976. Following Basic Training at Fort Dix, NJ, assignments included: Fort Sill, OK; and Nuremberg, Germany. Commendations he received included: National Defense Service Medal, Expert M16 Rifle and Expert Hand Grenade. Mr. Blouvet led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans’ Honorary Pledge of Allegiance Program.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. 2017 Tentative Budget.

2. Draft copy of our Resolution Making Appropriations for the Conduct of the County Government for Fiscal Year 2017 that will be considered for adoption later in the year.
3. Report of IntraFund Transfers Approved by the County Administrator in September.

4. Report of Tax Bill Corrections Approved by the County Administrator in September.

5. County Treasurer Terri Ross filed a copy of the County Financial Statements as of December 31, 2015, prepared by EFPR Group in the Clerk of the Board’s Office on October 5, 2016.

6. Notice of next InterCounty meeting to be hosted by Genesee County at Mercy Grove in LeRoy, New York, on October 21, 2016.

7. Correspondence from Senator Catharine Young acknowledging receipt and support of our resolution calling on New York to restore funding parity between the capital plans of the Metropolitan Transportation Authority (MTA) and the New York State Department of Transportation (NYS DOT).

8. Correspondence from Senator Catharine Young acknowledging receipt and support of our resolution urging the Western Regional Emergency Medical Advisory Committee (WREMAC) to not eliminate the EMT-CC level of certification.

APPOINTMENTS:

Chairman Curtis Crandall appointed Ravo Root of Fillmore, New York, as a member of the ALLEGANY COUNTY TELECOMMUNICATIONS DEVELOPMENT CORPORATION for a two-year term effective October 1, 2016, and expiring September 30, 2018. This appointment is subject to confirmation by the Board of Legislators.

PROCLAMATION:

Chairman Crandall proclaimed October 22, 2016, as MAKE A DIFFERENCE DAY in Allegany County. October 22, marks the fifth annual “Celebrate Service/Celebrate Allegany” Day.

INTRODUCTION OF LEGISLATION:

Legislator Charles Jessup introduced Local Law Intro. No. 4-2016, Print No. 1 – A Local Law to Provide Increases in the Compensation of Certain County Officers.

RESOLUTIONS:

RESOLUTION NO. 222-16

RESOLUTION SETTING DATE OF PUBLIC HEARING ON
A LOCAL LAW TO PROVIDE INCREASES IN THE COMPENSATION OF CERTAIN COUNTY OFFICERS

Offered by: Ways & Means Committee

WHEREAS, on this 11th day of October, 2016, a local law (Intro. No. 4-2016, Print No. 1) was introduced to provide increases in the compensation of certain county officers, 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 October 24, 2016, at 2:00 p.m. in the County Legislators’ Chambers, Room 221, County Office Building, 7 Court Street, Belmont, New York, before the Allegany County Board of Legislators, in relation to proposed Local Law Intro. No. 4-2016, 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. Jessup
Seconded by: Mr. Healy

Adopted: Voice Vote

RESOLUTION NO. 223-16

REAPPOINTMENT OF RICHARD G. HOLLIS AS COMMISSIONER OF ELECTIONS

Offered by: Personnel Committee

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

WHEREAS, the Chairman of the Allegany County Republican Committee has filed with the Clerk of this Board a certificate in accordance with Election Law § 3-204 that recommends the reappointment of Richard G. Hollis to the office of Commissioner of Elections, and

WHEREAS, the Personnel Committee has determined that Richard G. Hollis is qualified to hold such office, now, therefore, be it

RESOLVED:

RESOLUTION NO. 224-16

APPOINTMENT OF ONE MEMBER TO THE ALLEGANY COUNTY INDUSTRIAL DEVELOPMENT AGENCY AND COMMERCIAL INCENTIVE BOARD

Offered by: Planning & Economic Development Committee

Pursuant to Title 1 of Article 18-A
and Section 906-a of the General Municipal Law

RESOLVED:

1. That Randy Shayler of Wellsville, New York, is appointed as a member of the Allegany County Industrial Development Agency and Industrial and Commercial Incentive Board with term of office commencing immediately and expiring December 31, 2017, to fill the remainder of Jack Wood’s four-year term.

2. That the Clerk of this Board is directed to send a certified copy of this resolution to the Secretary of State for filing pursuant to Section 856(2) of the General Municipal Law.

Moved by: Mrs. Root
Seconded by: Mr. Graves
Adopted: Voice Vote

RESOLUTION NO. 225-16

APPROVAL OF SEVEN-YEAR AGREEMENT BETWEEN COUNTY OF ALLEGANY AND THE PUBLIC EMPLOYEES FEDERATION, AFL-CIO; IMPLEMENTING 2016 COMPENSATION NOTWITHSTANDING PROVISIONS OF RESOLUTION NO. 246-15

Offered by: Personnel and Ways & Means Committees

RESOLVED:

1. That the Agreement between the County of Allegany and the Public Employees Federation, AFL-CIO, covering the period January 1, 2013, to December 31, 2019, is approved.

2. That notwithstanding the provisions of section 4 of Resolution No. 246-15 to the contrary, retroactive to and from January 1, 2013, each employee occupying a position set forth in the Agreement between the County of Allegany and the Public Employees
Federation, AFL-CIO, 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 such Agreement, and which salary or rate of compensation such employee is entitled to receive commencing January 1, 2013, pursuant to such Agreement; the increment recommendations from the department heads for each employee under their jurisdiction receiving such recommendation being approved.

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

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

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

Comments made regarding Resolution No. 225-16 included: Legislator Pullen remarked on what a long process it was putting an agreement together. There are elements to the agreement that no one is particularly happy with, as is the case with most compromises. But it is a fair agreement. He strongly encouraged his fellow Legislators to approve the resolution. Following the vote on the resolution, Chairman Crandall thanked both sides involved in the process for such a long period of time. Coming to a mutually acceptable agreement is not perfect, but it gives us something we can work with. He said, “We look forward to working with PEF members as well as other units going forward.”

RESOLUTION NO. 226-16

AMENDMENT OF PUBLIC EMPLOYEES FEDERATION, AFL-CIO, 35-HOUR PER WEEK SALARY PLAN TO INCLUDE ADDITIONAL SALARY GRADES 12, 13 AND 14

Offered by: Personnel and Ways & Means Committees

WHEREAS, due to a recent resignation, the position of County Engineer has become vacant,

WHEREAS, the position of County Engineer is a vital position required in maintaining the infrastructure of the Allegany County Public Works Department, and

WHEREAS, the County has been unsuccessful in recruiting qualified candidates for the position at the current salary range, and

WHEREAS, the position of County Engineer requires a candidate to be a Licensed Professional Engineer in New York State, and

WHEREAS, the current salary offered is not commensurate with the requirements necessary to fill the position of County Engineer, and

WHEREAS, the addition of Grades 12, 13, and 14 to the Public Employees Federation, AFL-CIO, 35-hour per week Salary Plan would allow the regrading of the County
Engineer position to a higher salary grade to successfully recruit a qualified candidate, now, therefore, be it

RESOLVED:

1. The Public Employees Federation, AFL-CIO, 35-hour per week Salary Plan shall be amended to add the salary grades of 12, 13, and 14.

2. The salary for grades 12, 13 and 14 shall be established according to the 2016 Allegany County Public Employees Federation, AFL-CIO, 35-hour per week Salary Plan upon approval of the agreement between the County of Allegany and the Public Employees Federation, AFL-CIO.

Moved by: Mrs. Root  
Seconded by: Mr. Curran  
Adopted: Roll Call  
13 Ayes, 0 Noes, 2 Absent

Comments made regarding Resolution No. 226-16 included: Legislator Pullen noted that the marketplace really sets the limits on what we have to do. The County was unsuccessful in finding a candidate. He urged support of the resolution. Legislator Burt asked the County Administrator if he would comment on the resolution. County Administrator Boyde stated that he was comfortable with the recommendation.

RESOLUTION NO. 227-16

AMENDMENT OF PUBLIC EMPLOYEES FEDERATION, AFL-CIO, SALARY PLAN

Offered by: Personnel and Ways & Means Committees

RESOLVED:

1. The title of County Engineer in the Public Employees Federation Salary Plan shall be changed from Grade 11 of the Salary Plan to Grade 14 of the Salary Plan, effective immediately.

Moved by: Mrs. Root  
Seconded by: Mr. Fanton  
Adopted: Roll Call  
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 228-16

AUTHORIZING THE APPROPRIATION OF FUNDS IN THE GENERAL FUND RESERVE ACCOUNT FOR REPAIRS FOR REPLACEMENT OF BOILERS AND STORAGE TANKS AT THE COUNTY JAIL; TRANSFER OF FUNDS FROM THE GENERAL FUND RESERVE FOR REPAIRS TO CAPITAL ACCOUNTS
Offered by: Public Works and Ways & Means Committees

Pursuant to §6-d of the General Municipal Law

WHEREAS, this Board had heretofore established a Repair Reserve Fund for repairs of capital improvements or equipment at the new Public Safety Facility, and

WHEREAS, the three remaining original boilers and four original storage tanks servicing the Public Safety Facility need to be replaced, and

WHEREAS, the cost of replacing the boilers and storage tanks is estimated to cost from $185,000 to $210,000, and

WHEREAS, it is anticipated that there will be additional capital repair expenditures at the Public Safety Facility in an amount of approximately $20,000, and

WHEREAS, there is approximately $244,000 in the Repair Reserve Fund established for said Facility, and

WHEREAS, moneys in the Repair Reserve Fund may only be appropriated for repairs of capital improvements or equipment which are of a type not recurring annually or at shorter intervals, and

WHEREAS, absent an emergency, prior to the adoption of a resolution approving the appropriation of money from a Repair Reserve Fund, a public hearing must be held, and

WHEREAS, notice of a public hearing related to the expenditure of funds from the Repair Reserve Fund was timely published and the public hearing held, and

WHEREAS, it appears that the expenditure of a total of $230,000 from the Repair Reserve Fund is warranted and consistent with legal requirements related to the use of those funds, now therefore, be it

RESOLVED:

1. That this Board hereby authorizes the appropriation of the sum of $230,000 from the Repair Reserve Fund established for capital repairs at the Public Safety Facility to cover the cost of the repair and replacement of boilers and storage tanks together with related repairs of capital improvements or equipment at said Facility.

2. That the sum of $230,000 is hereby appropriated from Reserve Account A882.000 and that amount transferred from Account No. A14.511.00 (Appropriate Reserve-General Fund Reserve for Repairs) with the sum of $20,000 transferred to Account No. H1630.200 (Capital-Misc Building Repairs-Employment & Training) and the balance of $210,000 transferred to Account No. H3201.200 (Capital-Public Safety Bldg Repairs-Jail-Boiler Replacement Project).
RESOLUTION NO. 229-16

CORRECTING WELLSVILLE CENTRAL SCHOOL TAX BILL FOR PROPERTY OWNED BY NIAGARA MOHAWK A NATIONAL GRID COMPANY, DIRECTING MAILING OF NOTICE OF APPROVAL OF APPLICATION FOR CORRECTED TAX ROLLS AND ORDERING THE TOWN TAX COLLECTOR TO CORRECT THE TAX ROLLS; PROVIDING FOR CHARGE BACKS OR CREDITS

Offered by: Ways & Means Committee

Pursuant to Real Property Tax Law § 554

WHEREAS, an application for the taxpayer hereafter described, has been made to the County’s Director of Real Property Tax Service Agency, for the correction of a certain error affecting their real property on the various tax rolls, and

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

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

RESOLVED:

1. That with regard to the application for the named taxpayer pertaining to claimed errors regarding their real property on the tax roll of the Wellsville Central School, this Board of Legislators does determine that the claimed error as alleged in the application exists and does approve the application.

2. That the Chairman of this Board is authorized and directed to make a notation on the application and the duplicates thereof that it is 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 taxpayer 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 the taxpayer of the applicable provisions of subdivision seven of Section 554 of the Real Property Tax.
4. That the Tax Assessor for the Town of Willing is ordered and directed to correct in the 2016-2017 Wellsville Central School Tax Roll the assessment or taxes, or both, of the property assessed to the following taxpayer and described as follows:

Niagara Mohawk, P.C.: Parcel 500.-1-997
Assessment: $1,004,717

In that the assessment on this parcel was incorrect due to the parcel not being taxed at an appropriate equalized amount, thereby reducing the Total Taxable Value to $864,057, and correcting the taxes as follows;

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>School</td>
<td>$22,124.50</td>
</tr>
<tr>
<td>Library</td>
<td>$1,126.19</td>
</tr>
<tr>
<td>Total</td>
<td>$23,250.69</td>
</tr>
</tbody>
</table>

5. That the Clerk of this Board is directed to forthwith mail a certified copy of this resolution to the Tax Collector for the Wellsville Central School District together with the original copy of the application completed in accordance with section two of this resolution.

6. That the Clerk of this Board shall mail a copy of this resolution to the above named school and the amount to be charged to the 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 the school as a result of school taxes returned after the date such amount is charged and which shall be paid to the school after May 1, 2017. The County Treasurer shall send a written notice to the school of the amount of such deduction prior to May 1, 2017.

Moved by: Mr. Jessup
Seconded by: Mr. Graves
Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 230-16

BUDGET TRANSFER WITHIN EMPLOYMENT AND TRAINING ACCOUNTS

Offered by: Planning & Economic Development and Ways & Means Committees

RESOLVED:

1. That the sum of $2,750 shall be transferred from Account No. CD16795.802 (TANF – Part. Retirement) to Account No. CD16794.408 (TANF – General Supplies) because of the overestimated number of participants in the Summer Youth Employment Program which enrolled in the retirement system.

Moved by: Mrs. Root
Seconded by: Mr. Curran
Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent
RESOLUTION NO. 231-16

APPROVAL OF LEASE BETWEEN DONALD BALDWIN AND COUNTY OF ALLEGANY FOR PREMISES AT 3453B NYS ROUTE 417, WELLSVILLE, NEW YORK

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. That the Lease between Donald Baldwin and the County of Allegany for the term October 1, 2016, through September 20, 2017, for premises located at 3453B NYS Route 417, with a monthly rental rate of $2,100 for use by the Allegany County Department of Health WIC/Cancer Services, is approved.

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

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

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

Resolution Intro. No. 235-16 (AUTHORIZATION FOR THE SUBMISSION OF GRANT APPLICATIONS FOR ACCELERATED TRANSIT CAPITAL PROGRAM FOR THE ALLEGANY COUNTY PUBLIC TRANSPORTATION SYSTEM FOR SFY 2015-16 AND SFY 2016-17 THROUGH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION) was not pre-filed and was considered from the floor on a motion made by Legislator Jessup, seconded by Legislator Curran, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 232-16

AUTHORIZATION FOR THE SUBMISSION OF GRANT APPLICATIONS FOR ACCELERATED TRANSIT CAPITAL PROGRAM FOR THE ALLEGANY COUNTY PUBLIC TRANSPORTATION SYSTEM FOR SFY 2015-16 AND SFY 2016-17 THROUGH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION

Offered by: Ways & Means Committee

WHEREAS, the County of Allegany is authorized to submit grant applications for funding to the New York State Department of Transportation (NYSDOT) for Accelerated Transit Capital (ATC) for the Allegany County public transportation system for SFY 2015-16 and SFY 2016-17, and

WHEREAS, the total amount being sought for both fiscal years is $113,436, now, therefore, be it
RESOLVED:

1. That the Chairman of the Board is authorized to act on behalf of the County of Allegany to sign the grant applications for ATC funding from the NYSDOT.

Moved by: Mr. Jessup  Adopted: Roll Call
Seconded by: Mr. Curran  13 Ayes, 0 Noes, 2 Absent

Comments made regarding Resolution No. 232-16 included: Legislator Ungermann asked if it was known what the money was going to be used for. Larry Kaminski, Mobility Management Planner for Ardent Solutions gave a lengthy list of items it would be used to purchase including: bus stop signs, bus stop shelters, trash receptacles, etc. Chairman Crandall noted that this is 100 percent funded and no local match is required.

AUDITS:

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

A motion was made by Legislator Root, seconded by Legislator Jessup, and adopted on a roll call vote of 13 Ayes, 0 Noes, 2 Absent, that the audit of claims, totaling $2,645,847.40 including prepaid expenses, be approved for payment as recommended by the County Administrator. (Allegany County’s Local Dollar Share of the NYS Medicaid Program paid year-to-date is $8,113,812.)

COMMENTS:

Chairman Crandall reminded the group that there would be a Committee of the Whole meeting following today’s Board meeting.

Legislator Pullen commented on the Board’s decision to use money from the Reserve Account to pay for the replacement of boilers and tanks at the Public Safety Facility. He said that if we aren’t careful to keep our reserves strong, we won’t have that money in the future. The money only gets in the “piggy bank” if we put it there. It’s nice to have a reserve for repairs. There’s no magic to coming up with the money to put in there. Legislator Ungermann agreed with what Legislator Pullen said about the reserve. While in some people’s minds the Jail is an “old building,” in his mind it’s still pretty new. He’d like to see better quality things put in place initially so they aren’t running into repair issues.

Legislator Burt reminded everyone that there is a great deal of discussion that goes on in committee meetings before things are voted on at Board meetings.

Legislator LaForge stated that there would be another meeting of the Allegany County Land Bank Corporation on October 24 at 10 a.m.
Chairman Crandall remarked on the Allegany Artisans Studio Tour that will be taking place this weekend saying, “There are a number of talented people scattered around Allegany County.”

Legislator Root reminded everyone of the Ridge Walk that takes place in Wellsville this weekend.

**ADJOURNMENT:** The meeting was adjourned at 2:41 p.m. on a motion made by Legislator Graves, seconded by Legislator Fanton, and carried.
ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION

OCTOBER 24, 2016

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:02 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Navy Boilermaker Petty Officer Third Class Charles C. Wallace.

INVOCATION: The Invocation was given by Legislator Pullen.


APPROVAL OF MINUTES:

The Committee of the Whole meeting minutes of September 26, 2016, (a.m. meeting), were approved on a motion made by Legislator Graves, seconded by Legislator Root, and carried.

The Committee of the Whole meeting minutes of September 26, 2016, (p.m. meeting) were amended on page 2 to change the pay rate for Election Coordinator – Primary from $132.50/day to $137.50/day and Election Coordinator – General from $212/day to $220/day, on a motion made by Legislator Decker, seconded by Legislator Curran, and were reapproved on a motion made by Legislator Graves, seconded by Legislator Pullen, and carried.

Approval of the Board meeting minutes of October 11, 2016, was tabled (Legislator Ungermann stated that the minutes were missing comments he and Legislator Pullen had made on Resolution No. 228-16.) on a motion made by Legislator Burt, seconded by Legislator Pullen, and carried.

The Committee of the Whole meeting minutes of October 11, 2016, were approved on a motion made by Legislator Hopkins, seconded by Legislator Graves, and carried.

PUBLIC HEARING:

Chairman Crandall closed the regular meeting to hold a public hearing on Local Law Intro. No. 4-2016, entitled “To Provide Increases in the Compensation of Certain County Officers.” Comments from the public included the following:
Mindy Harmon from Wellsville, New York, accompanied by AFSCME President Elizabeth Gugino from Angelica, New York, read the following statement:

“Thank you for allowing us privilege of the floor. We are here on behalf of our union brothers and sisters of AFSCME Local 2574. We are here to express our concern of the non-negotiated blanket raises for the department heads. We are not stating they don’t deserve a raise; however, we are here to reiterate that there are also 209 union members that also deserve a raise. These employees directly face the under-served and the hard to serve. Our brothers and sisters go out there every day and build and erect signs to make sure you are traveling on the roads safely. They build and repair our bridges. They make sure that the services in this community are understandable and help those in need. We are the front line workers, and we feel that we should also be given the same treatment as the department heads, by receiving fair wages and increases, or at least enough to cover the cost of rising health care benefits. We feel we deserve the same fair labor rights of our fellow brothers and sisters in the Sheriff’s union. The County and their union were able to successfully ratify a contract. At this point, AFSCME Local 2574 and the County have not come to an agreement. We have not had a contract in nearly two years; therefore, we have had no increases to our wages. Our union is currently in the position to go to fact finding. The County has hired a law firm out of Buffalo to assist them with negotiations over these past years. This is costing the County a lot of money and this expense will continue to grow. It seems that the County would take more pride in paying their employees this money instead of sending it out of our County. While you are agreeing or disagreeing to these raises for department heads, we ask that you carefully consider the same treatment for all employees that serve our community and do it with pride and dignity even though our employer, the County does not feel our worth. Thank you for your time.”

As there were no further comments, the public hearing was declared closed, and the Board reconvened in regular session.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Charles C. Wallace, former United States Navy Boilermaker Petty Officer Third Class, in grateful appreciation of his service to our country. Mr. Wallace’s service dates were from May 21, 1951, to May 18, 1955. Following Basic Training at Newport, RI, assignments included: USS Turner, USS Knapp, US Naval Station Treasure Island, and San Francisco, CA. Commendations he received included: National Defense Service Medal and European Navy Occupation Service Medal. Mr. Wallace led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans’ Honorary Pledge of Allegiance Program.

Cancer Services Program Coordinator Madelyn Thornton addressed the audience in recognition of Breast Cancer Awareness Month. October is Breast Cancer Awareness Month. Allegany County has 39.8 residents diagnosed with breast cancer every year. There are approximately six deaths from breast cancer per year in the County. One of the biggest barriers to screening is that people aren’t able to take time off from work to get screened. We
are lucky here at the County. County employees are given time off to be screened each year. Ms. Thornton urged everyone to get their screenings.

Public Health Director Lori Ballengee spoke about the Cancer Services Program. She reminded those in attendance that the Cancer Services Program is a not-for-profit, community based, totally donation funded organization. She announced that the organization has hit a milestone. As of September 30, they have distributed $200,000 to individuals in the County who are being treated for cancer in order to help with their expenses. The group’s major fund raiser for the year will take place on December 3. They will be having a gun raffle and Chinese auction. Chairman Crandall thanked Ms. Ballengee for all of her work and presented her with a $500 check for the Cancer Services Program. This money is raised by the Legislators through their Clambake. Legislator Decker commented that some area schools have been wearing pink jerseys during the month of October.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. November 2016 Calendar.

2. Correspondence from the NYS Department of Public Service indicating that the Public Service Commission will be sponsoring public statement hearings regarding proposed increases for National Fuel Gas Distribution Corporation’s (NFG) gas delivery rates. In April 2016, the company filed for new gas delivery rates to be effective April 1, 2017.

APPOINTMENTS:

Chairman Curtis Crandall appointed Debra Root as a Legislative member of the ALLEGANY COUNTY COMPREHENSIVE PLANNING BOARD, to fill the remainder of Theodore Hopkins’ unexpired two-year term effective immediately and expiring December 31, 2016.

PROCLAMATION:

Chairman Crandall proclaimed the month of October as BREAST CANCER AWARENESS MONTH in Allegany County.

RESOLUTIONS:

RESOLUTION NO. 233-16

ADOPTION OF LOCAL LAW INTRO. NO. 4-2016, PRINT NO.1, TO PROVIDE INCREASES IN THE COMPENSATION OF CERTAIN COUNTY OFFICERS

Offered by: Ways & Means Committee
RESOLVED:

1. That proposed Local Law, Intro. No. 4-2016, Print No. 1, is adopted without any change in language, to wit:

COUNTY OF ALLEGANY

Intro. No. 4-2016 ........................................ Print No. 1

A LOCAL LAW TO PROVIDE INCREASES IN THE COMPENSATION OF CERTAIN COUNTY OFFICERS

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

Section 1. Commencing January 1, 2017, the annual salary of the incumbents of the following County offices shall be as follows: County Attorney - $106,626; County Clerk - $72,345; Employment & Training Director - $64,090; Personnel Officer - $71,746; Public Defender - $101,123; Public Health Director - $79,374; Public Works Superintendent - $88,304; Real Property Tax Director - $70,533; Sheriff - $73,954; Social Services Commissioner - $81,768; Treasurer - $83,400.

Section 2. This local law shall take effect on the date of its filing with the Secretary of State.

Moved by: Mr. Jessup
Seconded by: Mr. Fanton

Adopted: Roll Call
10 Ayes, 4 Noes, 1 Absent
Voting No: Burt, Decker, Graves, Ungermann

Comments made regarding Resolution No. 233-16 included: Legislator Ungerer remarked that he has been a Legislator for eleven years and consistently there’s been a 2.0 to 3.0 percent raise annually for these individuals. He wonders when the taxpayer is going to be given a break. Legislator Graves remarked that the County does have employees who do great work. He stated that his concern is the senior citizens. They are getting less than a one percent increase and yet we expect them to pay their taxes. Employees in private industry won’t get anywhere near this amount. We’ve increased next years’ budget by some $1.6 million. My hope is that my colleagues will see the light of day and send this back to committee.

RESOLUTION NO. 234-16

SETTING DATE OF A PUBLIC HEARING ON 2017 COUNTY TENTATIVE BUDGET AND PROVIDING CONTENTS OF SUCH NOTICE
Offered by: Ways & Means Committee

WHEREAS, the 2017 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 2017 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 2017 County Tentative Budget shall be held in the Legislators' Chambers, Room 221, at the County Office Building, 7 Court Street, Belmont, New York, at 7:00 p.m. on November 10, 2016.

2. That the notice of public hearing shall include a statement that the 2017 maximum salary for members of the Board of Legislators and the maximum salary that may be fixed and payable during said fiscal year 2017 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. Jessup                         Adopted: Voice Vote
   Seconded by: Mr. Healy

RESOLUTION NO. 235-16

APPOINTMENT OF ONE MEMBER TO THE ALLEGANY COUNTY
TELECOMMUNICATIONS DEVELOPMENT CORP.

Offered by: Facilities & Communications Committee

RESOLVED:
1. That the appointment by the Chairman of the Board of Ravo Root of Fillmore, New York, to the Allegany County Telecommunications Development Corp., for a two-year term effective October 1, 2016, and expiring September 30, 2018, is confirmed.

Moved by: Mr. Pullen
Seconded by: Mr. Graves

Adopted: Voice Vote

Comments made regarding Resolution No. 235-16 included: Legislator Burt asked Legislator Pullen to give him some background information on Dr. Root. Legislator Pullen explained that Dr. Root is the Superintendent of Fillmore Central School and is very interested in this area. He serves in a similar function on a committee of superintendents. He has knowledge and a passion for this. He's especially interested because there are many students who do not have internet access once they leave school for the day.

RESOLUTION NO. 236-16

ESTABLISHING SOLID WASTE RESIDENTIAL USER FEES FOR YEAR 2017

Offered by: Public Works and Ways & Means Committees

RESOLVED:

1. The following solid waste residential user fee shall be charged to users of the Allegany County Solid Waste System during the year 2017:

One-time Residential user fee:

$200.00 per year with no need to purchase separate disposal tickets - no proration.

2. Solid Waste Identification Tags will be issued upon payment of the applicable user fee. A Residential Disposal Ticket shall be deemed to constitute a Solid Waste Identification Tag for purposes of disposing of solid waste at an Allegany County Solid Waste Management Facility. No user fee will be charged to individuals who will only be disposing of recyclable materials at County facilities. A Recyclables Only Identification Tag will be issued without charge to individuals who will only be disposing of recyclable materials upon the completion by such individuals of the appropriate application form. In the event a Residential Identification Tag is lost or stolen, a replacement Residential Identification Tag will be issued for a fee of $100.

Moved by: Mr. Fanton
Seconded by: Mr. Jessup

Adopted: Roll Call
12 Ayes, 1 No, 1 Absent
Abstain: LaForge
Voting No: O’Grady
Comments made regarding Resolution No. 236-16 included: Legislator Graves made a motion, which was seconded by Legislator Burt, and carried to allow Legislator LaForge to abstain from the vote. Legislator Fanton stated that they’ve looked at other options. They’ve discussed possibly closing some transfer stations or having bag rates. The input they’ve received from residents is that they would rather pay $200 per year than by the bag. Legislator Fanton mentioned that solid waste is now being taken to a private landfill, and they are paying by the ton for its disposal. He feels that most people consider $200 to be a bargain, and he’s going to support the resolution. Legislator Decker stated that he agreed with Legislator Fanton. Speaking from his own personal experience, he was paying over $30 per month to have his trash picked up. Legislator Fanton mentioned that a punch card will still be available for low-volume users. Legislator Burt thanked Legislator Fanton for the time he has spent on this. He also expressed his concern that people have shared tags in the past. He asked how tag users were identified. Public Works Superintendent Guy James indicated that the last name is written on the tag. Legislator Fanton added that another option they’ve discussed is including a disclosure that you agree you won’t be hauling other people’s garbage or letting other people use your tag.

RESOLUTION NO. 237-16

ESTABLISHING SOLID WASTE USER FEE FOR YEAR 2017

Offered by: Public Works and Ways & Means Committees

RESOLVED:

1. The following user fees shall be charged to users of the Allegany County Solid Waste System during the year 2017:

   Landfill User Fee - $50 per ton user fee paid at the Landfill at the time of disposal of solid waste or at such other time as shall be specified by the Superintendent of Public Works. The minimum scale fee shall be $20 as previously set by Resolution No. 220-15.

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

Adopted: Roll Call
13 Ayes, 0 Noes, 1 Absent
Abstain: LaForge

Comments made regarding Resolution No. 237-16 included: Legislator Fanton made a motion to amend the resolution to say that the scale fee will be $20. The motion was seconded by Legislator Decker, and carried. Legislator Ungermann asked how much it would cost if someone wanted to have an empty truck weighed. Public Works Superintendent Guy James indicated it would be $5. Legislator Graves made a motion, which was seconded by Legislator Burt, and carried to allow Legislator LaForge to abstain from the vote.
RESOLUTION NO. 238-16

ESTABLISHING A CAPITAL PROJECT ACCOUNT FOR REPLACEMENT OF COUNTY ROAD 16 BRIDGE OVER BLACK CREEK IN THE TOWN OF BIRDSCALL, (BIN 3047860), (PIN 6754.96); APPROPRIATING FEDERAL AND STATE AID FOR CAPITAL PROJECT

Offered by: Public Works and Ways & Means Committees

RESOLVED:

1. A Capital Project Account is established within the Capital Fund for the bridge replacement on County Road 16 in the Town of Birdscall.

2. That the sum of $701,000 for funding for Bridge Replacement (BIN 3047860) County Road 16 over Black Creek in the Town of Birdsall, Allegany County, (P.I.N. 6754.96) is appropriated to Capital Project Account H5949.200 with $560,800 credited to Revenue Account No. H5949.4097.00 (Federal Aid-County Road 16 Bridge) and $140,200 credited to Revenue Account No. H5949.3097.00 (State Aid-County Road 16 Bridge).

Moved by: Mr. Fanton
Seconded by: Mr. Graves
Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 239-16

COUNTY ROAD 16 BRIDGE REPLACEMENT, BIN 3047860; AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE OF 100 PERCENT OF THE FEDERAL-AID AND STATE “MARCHISELLI” PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT; APPROPRIATING FUNDS THEREFOR

Offered by: Public Works and Ways & Means Committees

WHEREAS, a Project for the Bridge Replacement (BIN 3047860) County Road 16 over Black Creek in the Town of Birdsall, Allegany County, P.I.N. 6754.96 (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 Bridge Replacement (BIN 3047860) on County Road 16 in the Town of Birdsall, Allegany County, PIN 6754.96, now, therefore, be it

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

2. That this Board hereby 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 Right-of-Way Incidentals work for the Project or portions thereof.

3. That the sum of $701,000 is appropriated from Capital Project Account No. H5949.200 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 New York State Department of Transportation 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. That this resolution shall take effect immediately.

Moved by: Mr. Fanton
Seconded by: Mr. Graves

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

RESOLUTION NO. 240-16

ESTABLISHING A CAPITAL PROJECT ACCOUNT FOR PINE STREET BRIDGE REPLACEMENT IN THE TOWN AND VILLAGE OF ALFRED, (BIN 2329770), (PIN 6754.94); APPROPRIATING FEDERAL AND STATE AID FOR CAPITAL PROJECT

Offered by: Public Works and Ways & Means Committees

RESOLVED:

1. A Capital Project Account is established within the Capital Fund for the bridge replacement on Pine Street in the Town and Village of Alfred.
2. That the sum of $440,000 for funding the Bridge Replacement (BIN 2329770) Pine Street over Canacada Creek in the Town and Village of Alfred, Allegany County, (P.I.N. 6754.94) is appropriated to Capital Project Account H5948.200 with $352,000 credited to Revenue Account No. H5948.4097.00 (Federal Aid-Pine Street Bridge) and $88,000 credited to Revenue Account No. H5948.3097.00 (State Aid-Pine Street Bridge).

Moved by: Mr. Fanton
Seconded by: Mr. Jessup

14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 240-16 included: Legislator Fanton noted that this bridge will be paid for entirely by Federal and New York State funds.

RESOLUTION NO. 241-16

PINE STREET BRIDGE REPLACEMENT, BIN 2329770; AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE OF 100 PERCENT OF THE FEDERAL-AID AND STATE “MARCHISELLI” PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT; APPROPRIATING FUNDS THEREFOR

Offered by: Public Works and Ways & Means Committees

WHEREAS, a Project for the Bridge Replacement (BIN 2329770) Pine Street over Canacada Creek in the Town and Village of Alfred, Allegany County, P.I.N. 6754.94 (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 Bridge Replacement (BIN 2329770) Pine Street over Canacada Creek in the Town and Village of Alfred, Allegany County, P.I.N. 6754.94, now, therefore, be it

RESOLVED:

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

2. That this Board hereby 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 Right-of-Way Incidental work for the Project or portions thereof.
3. That the sum of $440,000 is appropriated from Capital Project Account No. H5948.200 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 New York State Department of Transportation 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. That this resolution shall take effect immediately.

Moved by: Mr. Fanton
Seconded by: Mr. Jessup
Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 242-16

ACCEPTANCE OF INSURANCE PAYMENT FROM NYMIR AND APPROPRIATION OF FUNDS TO RISK RETENTION ACCOUNTS

Offered by: Ways & Means Committee

WHEREAS, a check in the amount of $3,521.50; representing the cost less a $500 deductible, to repair an Office for the Aging 2013 Ram C/V Tradesman (#5770) that was damaged in an accident on August 31, 2016, has been offered by NYMIR (New York Municipal Insurance Reciprocal) in settlement for such damage, now, therefore, be it

RESOLVED:

1. That the sum of $3,521.50 representing the settlement on an Office for the Aging 2013 Ram C/V Tradesman (#5770) that was damaged on August 31, 2016, is accepted.
2. That the sum of $3,521.50 is placed in Account No. CS1931.429 (Risk Retention - Uninsured Property Loss) with a like sum credited to Revenue Account No. CS1930.2680.00 (Insurance Recovery).

Moved by: Mr. Jessup
Seconded by: Mr. Curran
Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 243-16

ACCEPTANCE AND APPROPRIATION OF ADDITIONAL MONIES FOR THE PUBLIC HEALTH EMERGENCY PREPAREDNESS, EBOLA PREPAREDNESS, AND RESPONSE ACTIVITIES GRANT FOR THE 2016 BUDGET YEAR

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. That the sum of $10,494 in additional monies for the Public Health Emergency Preparedness, Ebola Preparedness, and Response Activities Grant for the 2016 Budget year is accepted.

2. The funds shall be appropriated as follows:

Appropriation Accounts:
A4188.201 (Health Department – Office Equipment) $ 406
A4188.206 (Health Department – Health Equipment) 1,108
A4188.407 (Health Department – Office Supplies) 7,405
A4188.409 (Health Department – Fees) 1,575
$10,494

Revenue Account:
A4188.4401.00 (Federal Aid – Ebola – HRI C#5024-01) $10,494

Moved by: Mr. LaForge
Seconded by: Mr. Fanton
Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 243-16 included: Legislator Ungermann asked how many Ebola cases there have been in Allegany County. He also asked how much time is spent administering this or dealing with this grant. Public Health Director Lori Ballengee responded that fortunately, there have been no cases in Allegany County. Some time was spent preparing. Mostly this was getting supplies ready. A couple of Surface Pros were purchased because we’ve been cited by the State for poor connectivity because of our poor equipment. Legislator Graves asked if this was mandated. Ms. Ballengee stated that they could have turned the money down. Some of it was turned down. They didn’t take all that was available. Legislator Ungermann asked if there were any Ebola cases in nearby
counties. Ms. Ballengee indicated that there were no cases in neighboring counties. Legislator Healy pointed out that there are a large number of students from other areas because of our three colleges in the County. Some of these students are international students. He feels it’s probably wise to be prepared rather than “…trying to close the barn door after the fact.” Legislator Pullen added, “An ounce of prevention is worth a pound of cure.” Legislator Graves agreed saying that Ms. Ballengee does recommend things that make good business sense.

RESOLUTION NO. 244-16

ACCEPTANCE AND APPROPRIATION OF COLA FUNDS FOR THE COUNTY HEALTH DEPARTMENT FAMILY PLANNING PROGRAM

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. The sum of $10,127 in COLA funds for the County Health Department Family Planning Program is accepted.

2. That the sum of $10,127 is placed in Account No. A4035.206 (Family Planning – Health Equipment) with a like sum credited to Revenue Account No. A4035.3450.00 (State Aid – Public Health Other).

Moved by: Mr. LaForge
Seconded by: Mr. Healy

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

RESOLUTION NO. 245-16

ACCEPTANCE OF GRANT FUNDS AND RENEWAL OF THE NEW YORK STATE PROBATION BLOCK GRANT

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That the renewal of the New York State Probation Block Grant from the New York State Department of Criminal Justice Services in the amount of $151,101, is approved.

2. No budget adjustments are necessary as the funds are already included in the 2017 budget.

Moved by: Mr. Curran
Seconded by: Mr. Graves

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent
RESOLUTION NO. 246-16

BUDGET ADJUSTMENTS WITHIN THE DEPARTMENT OF SOCIAL SERVICES ACCOUNTS

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. The following 2016 budget adjustments within Department of Social Services accounts are requested:

   Increase Appropriation Acct A6010.477 (DSS Admin – Contractual – Early Intervention) $95,000

   Increase Revenue Acct A6010.3610.00 (State Aid – DSS Admin) $47,500
   Increase Revenue Acct A6010.4610.00 (Fed Aid – DSS Admin) $47,500

Moved by: Mr. LaForge
Seconded by: Mr. Pullen
Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 247-16

BUDGET ADJUSTMENTS WITHIN COMMUNITY SERVICES ACCOUNTS DUE TO AN INCREASE IN STATE FUNDING FROM THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. The following 2016 budget adjustments within Community Services accounts for the Allegany Council on Alcoholism and Substance Abuse (ACASA) Program are as follows:

<table>
<thead>
<tr>
<th>Appropriation Accounts</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A4220.456 (ACASA – Substance Abuse)</td>
<td>$10,494</td>
</tr>
<tr>
<td>A4220.457 (ACASA – Alcohol)</td>
<td>6,682</td>
</tr>
<tr>
<td>A4220.458 (ACASA – Community Residence)</td>
<td>19,055</td>
</tr>
<tr>
<td>A4220.460 (ACASA – Vocational Ed.)</td>
<td>911</td>
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<tr>
<td></td>
<td>$37,142</td>
</tr>
</tbody>
</table>
Revenue Account

A4220.3486.00 (ACASA – State Aid ) $37,142

Moved by: Mr. LaForge
Seconded by: Mr. Graves

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

RESOLUTION NO. 248-16

BUDGET TRANSFER WITHIN PROBATION DEPARTMENT ACCOUNTS

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That the sum of $500 shall be transferred from Account No. A3140.413 (Probation – Rentals) to Account No. A3140.201 (Probation – Equipment) to cover a 2015 invoice received in 2016 for computer monitors.

Moved by: Mr. Curran
Seconded by: Mr. Pullen

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

RESOLUTION NO. 249-16

BUDGET TRANSFERS WITHIN DEPARTMENT OF PUBLIC WORKS CAPITAL ACCOUNTS

Offered by: Public Works and Ways & Means Committees

RESOLVED:

1. That the sum of $1,370 shall be transferred from Account No. H5197.200 (Highway Equipment & Capital Outlays) to Account No. H5132.200 (DPW Main Shop Friendship).

2. That the sum of $21,880.95 shall be transferred from Account No. H1621.200 (Asbestos Abatement/Building Improvements - Equipment) to Account No. H5132.200 (DPW Main Shop Friendship).

Moved by: Mr. Fanton
Seconded by: Mr. Graves

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent
Comments made regarding Resolution No. 249-16 included: Legislator Burt asked if this was the result of a project that we are no longer going to do. Mr. James stated that they funds leftover from capital projects.

RESOLUTION NO. 250-16

APPROVAL OF LEASE BETWEEN E & L HOLDINGS, LLC AND THE COUNTY OF ALLEGANY FOR PREMISES AT 112 PARK AVENUE, WELLSVILLE, NEW YORK

Offered by: Human Services Committee

RESOLVED:

1. That the Lease between E & L Holdings, LLC and the County of Allegany for the term December 1, 2016, through September 30, 2020, for premises located at 112 Park Avenue, Wellsville, NY, with a monthly rental rate of $2,250 for use by the Allegany County Department of Health WIC Program, is approved.

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

Moved by: Mr. LaForge
Seconded by: Mr. Fanton
Adopted: Roll Call
13 Ayes, 0 Noes, 1 Absent
Abstain: Ungermann

Comments made regarding Resolution No. 250-16 included: A motion was made by Legislator Graves, seconded by Legislator Healy, and carried to allow Legislator Ungermann to abstain from the vote.

RESOLUTION NO. 251-16

APPROVAL OF THE 2017 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: Public Safety and Ways & Means Committees

Pursuant to Vehicle and Traffic Law § 1197

RESOLVED:

1. That the Allegany County 2017 STOP-DWI Plan is approved.
2. That the Chairman of this Board is authorized to sign the Allegany County 2017 STOP-DWI Plan.

3. 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: Mr. Curran                                      Adopted: Roll Call
Seconded by: Mr. Pullen                                   14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 252-16

APPROVAL OF TOTAL SENIOR CARE CONTRACT FOR HOME DELIVERED MEALS AND CONGREGATE MEALS; AUTHORIZING DIRECTOR OF THE OFFICE FOR THE AGING TO EXECUTE AGREEMENT

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. That the Total Senior Care of Olean contract to supply home delivered meals and congregate meals to clients of the Office for the Aging effective January 1, 2017, through December 31, 2017, is approved.

2. That the Director of the Office for the Aging is authorized to execute said contract.

Moved by: Mr. LaForge                                      Adopted: Roll Call
Seconded by: Mr. Jessup                                    14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 253-16

APPROVAL OF AGREEMENT WITH LABELLA ASSOCIATES, D.P.C. TO CONDUCT THE ENVIRONMENTAL MONITORING PROGRAM AT THE COUNTY LANDFILL

Offered by: Public Works and Ways and Means Committees

RESOLVED:

1. That the agreement with LaBella Associates, D.P.C., to conduct the environmental monitoring program at the County Landfill for an annual fee of $66,100, commencing January 1, 2017, through December 31, 2017, is approved.

2. That the Chairman of this Board is authorized to execute the agreement.
Moved by: Mr. Fanton  
Seconded by: Mr. Graves 

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

Comments made regarding Resolution No. 253-16 included: Legislator Burt asked if the County had gotten a second bid on this. Legislator Fanton remarked that this saved the County about $36,000. Mr. James indicated that the County had received multiple quotes on this.

RESOLUTION NO. 254-16

APPROVING SUPPLEMENTAL AGREEMENT #1 BETWEEN COUNTY OF ALLEGANY AND NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR RIGHT-OF-WAY ACQUISITION FUNDING OF THE BRIDGE REPLACEMENT (BIN 3329980) COUNTY ROAD 43 OVER ANGELICA CREEK, TOWN OF ANGELICA, COUNTY OF ALLEGANY

Offered by: Public Works and Ways & Means Committees

WHEREAS, a Project for the Bridge Replacement (BIN 3329980) County Road 43 over Angelica Creek in the Town of Angelica, Allegany County, P.I.N. 6754.70 (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 Right-of-Way phase work for the Project or portions thereof, with the federal share of such costs to be applied directly by the New York State Department of Transportation ("NYSDOT") pursuant to Agreement, now, therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators hereby approves the Project.

2. That this Board hereby authorizes the County of Allegany to pay in the first instance the full non-federal share of the cost of Right-of-Way Incidents work for the Project or portions thereof.

3. That the sum of $24,853 is hereby made available to cover the cost of participation in the above phase of the Project; and that the sum of $3,970 covering the non-federal share will be deposited with the New York State Department of Transportation.

4. That in the event the non-federal share of the costs of the project exceed the amount appropriated above, this Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of
Transportation thereof.

5. That the Chairman 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 NYSDOT 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 the non-federal share 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 therefore 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. Fanton  Adopted: Roll Call
Seconded by: Mr. Hopkins 14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 254-16 included: Legislator Decker asked if this was the final step in approving this bridge. Mr. James stated that yes it was the final step for the right-of-way. We still have to get the bridge construction agreement. We hope to go to bid as early as December, but it might possibly be as late as February.

Resolution Intro. No. 258-16 (AUTHORIZING COUNTY ADMINISTRATOR TO APPLY FOR FUNDING FROM NEW YORK STATE UNDER THE POLICE PROTECTIVE EQUIPMENT PROGRAM) was not pre-filed and was considered from the floor on a motion made by Legislator Curran, seconded by Legislator Decker, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 255-16

AUTHORIZING COUNTY ADMINISTRATOR TO APPLY FOR FUNDING FROM NEW YORK STATE UNDER THE POLICE PROTECTIVE EQUIPMENT PROGRAM

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That the County Administrator, with the assistance of the Allegany County Sheriff, is authorized to apply for funding from New York State under the Police Protective Equipment Program which will provide up to a maximum of $25,000 in funding for the Sheriff’s Office and local police departments in Allegany County.
2. That the County Administrator is authorized to sign all documents necessary to apply for the grant.

Moved by: Mr. Curran                          Adopted: Roll Call
Seconded by: Mr. Decker                     14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 255-16 included: Legislator Ungermann asked if there would be any additional training required to use the equipment. Sheriff Whitney stated that they already do annual training and this shouldn’t require any extra.

AUDITS:

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

Legislator Ungermann asked what the Connect NY charges in the audit included. Legislator Curran stated that it includes salaries and expenses, such as travel expenses, for the Director of the Allegany County Telecommunications Corp.

A motion was made by Legislator Jessup, seconded by Legislator Fanton, and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims, totaling $3,959,598.60 including prepaid expenses, be approved for payment as recommended by the County Administrator. (Allegany County’s Local Dollar Share of the NYS Medicaid Program paid year-to-date is $8,306,998.)

COMMENTS:

Legislator Fanton announced to the Board that Arvos, Inc. (formerly ALSTOM Air Preheater) had extended an invitation to the Board of Legislators to tour their facility on November 3 at 9 o’clock. Legislators should RSVP to the Clerk of the Board.

ADJOURNMENT: The meeting was adjourned at 3:12 p.m. on a motion made by Legislator Graves, seconded by Legislator Pullen, and carried.
CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:03 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Army Specialist Fourth Class Richard L. Blouvet, Jr.

INVOCATION: The Invocation was given by Legislator Pullen.

ROLL CALL: 13 Legislators Present: Scott Burt, Curtis Crandall, Philip Curran, David Decker, Dwight Fanton, Karl Graves, Dwight “Mike” Healy, Judith Hopkins, Charles Jessup, Kevin LaForge, David Pullen, Debra Root, Norman Ungermann, Jr.
Absent: Aaron McGraw, Timothy O’Grady

APPROVAL OF MINUTES:

The Board meeting minutes of September 26, 2016, were approved on a motion made by Legislator Graves, seconded by Legislator Burt, and carried.

The Committee of the Whole meeting minutes (p.m. meeting) of September 26, 2016, were approved on a motion made by Legislator Curran, seconded by Legislator Pullen, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Richard L. Blouvet, Jr., former United States Army Specialist Fourth Class, in grateful appreciation of his service to our country. Mr. Blouvet’s service dates were from January 28, 1974, to January 19, 1976. Following Basic Training at Fort Dix, NJ, assignments included: Fort Sill, OK; and Nuremberg, Germany. Commendations he received included: National Defense Service Medal, Expert M16 Rifle and Expert Hand Grenade. Mr. Blouvet led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans’ Honorary Pledge of Allegiance Program.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. 2017 Tentative Budget.

2. Draft copy of our Resolution Making Appropriations for the Conduct of the County Government for Fiscal Year 2017 that will be considered for adoption later in the year.
3. Report of IntraFund Transfers Approved by the County Administrator in September.

4. Report of Tax Bill Corrections Approved by the County Administrator in September.

5. County Treasurer Terri Ross filed a copy of the County Financial Statements as of December 31, 2015, prepared by EFPR Group in the Clerk of the Board’s Office on October 5, 2016.

6. Notice of next InterCounty meeting to be hosted by Genesee County at Mercy Grove in LeRoy, New York, on October 21, 2016.

7. Correspondence from Senator Catharine Young acknowledging receipt and support of our resolution calling on New York to restore funding parity between the capital plans of the Metropolitan Transportation Authority (MTA) and the New York State Department of Transportation (NYS DOT).

8. Correspondence from Senator Catharine Young acknowledging receipt and support of our resolution urging the Western Regional Emergency Medical Advisory Committee (WREMAC) to not eliminate the EMT-CC level of certification.

APPOINTMENTS:

Chairman Curtis Crandall appointed Ravo Root of Fillmore, New York, as a member of the ALLEGANY COUNTY TELECOMMUNICATIONS DEVELOPMENT CORPORATION for a two-year term effective October 1, 2016, and expiring September 30, 2018. This appointment is subject to confirmation by the Board of Legislators.

PROCLAMATION:

Chairman Crandall proclaimed October 22, 2016, as MAKE A DIFFERENCE DAY in Allegany County. October 22, marks the fifth annual “Celebrate Service/Celebrate Allegany” Day.

INTRODUCTION OF LEGISLATION:

Legislator Charles Jessup introduced Local Law Intro. No. 4-2016, Print No. 1 – A Local Law to Provide Increases in the Compensation of Certain County Officers.

RESOLUTIONS:

RESOLUTION NO. 222-16

RESOLUTION SETTING DATE OF PUBLIC HEARING ON
A LOCAL LAW TO PROVIDE INCREASES IN THE
COMPENSATION OF CERTAIN COUNTY OFFICERS

Offered by: Ways & Means Committee

WHEREAS, on this 11th day of October, 2016, a local law (Intro. No. 4-2016, Print No. 1) was introduced to provide increases in the compensation of certain county officers, 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 October 24, 2016, at 2:00 p.m. in the County Legislators’ Chambers, Room 221, County Office Building, 7 Court Street, Belmont, New York, before the Allegany County Board of Legislators, in relation to proposed Local Law Intro. No. 4-2016, 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. Jessup
Seconded by: Mr. Healy

Resolved: Voice Vote

RESOLUTION NO. 223-16

REAPPOINTMENT OF RICHARD G. HOLLIS AS COMMISSIONER OF ELECTIONS

Offered by: Personnel Committee

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

WHEREAS, the Chairman of the Allegany County Republican Committee has filed with the Clerk of this Board a certificate in accordance with Election Law § 3-204 that recommends the reappointment of Richard G. Hollis to the office of Commissioner of Elections, and

WHEREAS, the Personnel Committee has determined that Richard G. Hollis is qualified to hold such office, now, therefore, be it

RESOLVED:

RESOLUTION NO. 224-16

APPOINTMENT OF ONE MEMBER TO THE ALLEGANY COUNTY INDUSTRIAL DEVELOPMENT AGENCY AND COMMERCIAL INCENTIVE BOARD

Offered by: Planning & Economic Development Committee

Pursuant to Title 1 of Article 18-A and Section 906-a of the General Municipal Law

RESOLVED:

1. That Randy Shayler of Wellsville, New York, is appointed as a member of the Allegany County Industrial Development Agency and Industrial and Commercial Incentive Board with term of office commencing immediately and expiring December 31, 2017, to fill the remainder of Jack Wood’s four-year term.

2. That the Clerk of this Board is directed to send a certified copy of this resolution to the Secretary of State for filing pursuant to Section 856(2) of the General Municipal Law.

RESOLUTION NO. 225-16

APPROVAL OF SEVEN-YEAR AGREEMENT BETWEEN COUNTY OF ALLEGANY AND THE PUBLIC EMPLOYEES FEDERATION, AFL-CIO; IMPLEMENTING 2016 COMPENSATION NOTWITHSTANDING PROVISIONS OF RESOLUTION NO. 246-15

Offered by: Personnel and Ways & Means Committees

RESOLVED:

1. That the Agreement between the County of Allegany and the Public Employees Federation, AFL-CIO, covering the period January 1, 2013, to December 31, 2019, is approved.

2. That notwithstanding the provisions of section 4 of Resolution No. 246-15 to the contrary, retroactive to and from January 1, 2013, each employee occupying a position set forth in the Agreement between the County of Allegany and the Public Employees
Federation, AFL-CIO, 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 such Agreement, and which salary or rate of compensation such employee is entitled to receive commencing January 1, 2013, pursuant to such Agreement; the increment recommendations from the department heads for each employee under their jurisdiction receiving such recommendation being approved.

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

Moved by: Mrs. Root  
Seconded by: Mr. Jessup  
Adopted: Roll Call  
13 Ayes, 0 Noes, 2 Absent

Comments made regarding Resolution No. 225-16 included: Legislator Pullen remarked on what a long process it was putting an agreement together. There are elements to the agreement that no one is particularly happy with, as is the case with most compromises. But it is a fair agreement. He strongly encouraged his fellow Legislators to approve the resolution. Following the vote on the resolution, Chairman Crandall thanked both sides involved in the process for such a long period of time. Coming to a mutually acceptable agreement is not perfect, but it gives us something we can work with. He said, “We look forward to working with PEF members as well as other units going forward.”

RESOLUTION NO. 226-16

AMENDMENT OF PUBLIC EMPLOYEES FEDERATION, AFL-CIO, 35-HOUR PER WEEK SALARY PLAN TO INCLUDE ADDITIONAL SALARY GRADES 12, 13 AND 14

Offered by: Personnel and Ways & Means Committees

WHEREAS, due to a recent resignation, the position of County Engineer has become vacant,

WHEREAS, the position of County Engineer is a vital position required in maintaining the infrastructure of the Allegany County Public Works Department, and

WHEREAS, the County has been unsuccessful in recruiting qualified candidates for the position at the current salary range, and

WHEREAS, the position of County Engineer requires a candidate to be a Licensed Professional Engineer in New York State, and

WHEREAS, the current salary offered is not commensurate with the requirements necessary to fill the position of County Engineer, and

WHEREAS, the addition of Grades 12, 13, and 14 to the Public Employees Federation, AFL-CIO, 35-hour per week Salary Plan would allow the regrading of the County
Engineer position to a higher salary grade to successfully recruit a qualified candidate, now, therefore, be it

RESOLVED:

1. The Public Employees Federation, AFL-CIO, 35-hour per week Salary Plan shall be amended to add the salary grades of 12, 13, and 14.

2. The salary for grades 12, 13 and 14 shall be established according to the 2016 Allegany County Public Employees Federation, AFL-CIO, 35-hour per week Salary Plan upon approval of the agreement between the County of Allegany and the Public Employees Federation, AFL-CIO.

Moved by: Mrs. Root  Adopted: Roll Call
Seconded by: Mr. Curran  13 Ayes, 0 Noes, 2 Absent

Comments made regarding Resolution No. 226-16 included: Legislator Pullen noted that the marketplace really sets the limits on what we have to do. The County was unsuccessful in finding a candidate. He urged support of the resolution. Legislator Burt asked the County Administrator if he would comment on the resolution. County Administrator Boyde stated that he was comfortable with the recommendation.

RESOLUTION NO. 227-16

AMENDMENT OF PUBLIC EMPLOYEES FEDERATION, AFL-CIO, SALARY PLAN

Offered by: Personnel and Ways & Means Committees

RESOLVED:

1. The title of County Engineer in the Public Employees Federation Salary Plan shall be changed from Grade 11 of the Salary Plan to Grade 14 of the Salary Plan, effective immediately.

Moved by: Mrs. Root  Adopted: Roll Call
Seconded by: Mr. Fanton  13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 228-16

AUTHORIZING THE APPROPRIATION OF FUNDS IN THE GENERAL FUND RESERVE ACCOUNT FOR REPAIRS FOR REPLACEMENT OF BOILERS AND STORAGE TANKS AT THE COUNTY JAIL; TRANSFER OF FUNDS FROM THE GENERAL FUND RESERVE FOR REPAIRS TO CAPITAL ACCOUNTS
Offered by: Public Works and Ways & Means Committees

Pursuant to §6-d of the General Municipal Law

WHEREAS, this Board had heretofore established a Repair Reserve Fund for repairs of capital improvements or equipment at the new Public Safety Facility, and

WHEREAS, the three remaining original boilers and four original storage tanks servicing the Public Safety Facility need to be replaced, and

WHEREAS, the cost of replacing the boilers and storage tanks is estimated to cost from $185,000 to $210,000, and

WHEREAS, it is anticipated that there will be additional capital repair expenditures at the Public Safety Facility in an amount of approximately $20,000, and

WHEREAS, there is approximately $244,000 in the Repair Reserve Fund established for said Facility, and

WHEREAS, moneys in the Repair Reserve Fund may only be appropriated for repairs of capital improvements or equipment which are of a type not recurring annually or at shorter intervals, and

WHEREAS, absent an emergency, prior to the adoption of a resolution approving the appropriation of money from a Repair Reserve Fund, a public hearing must be held, and

WHEREAS, notice of a public hearing related to the expenditure of funds from the Repair Reserve Fund was timely published and the public hearing held, and

WHEREAS, it appears that the expenditure of a total of $230,000 from the Repair Reserve Fund is warranted and consistent with legal requirements related to the use of those funds, now therefore, be it

RESOLVED:

1. That this Board hereby authorizes the appropriation of the sum of $230,000 from the Repair Reserve Fund established for capital repairs at the Public Safety Facility to cover the cost of the repair and replacement of boilers and storage tanks together with related repairs of capital improvements or equipment at said Facility.

2. That the sum of $230,000 is hereby appropriated from Reserve Account A882.000 and that amount transferred from Account No. A14.511.00 (Appropriate Reserve-General Fund Reserve for Repairs) with the sum of $20,000 transferred to Account No. H1630.200 (Capital-Misc Building Repairs-Employment & Training) and the balance of $210,000 transferred to Account No. H3201.200 (Capital-Public Safety Bldg Repairs-Jail-Boiler Replacement Project).
RESOLUTION NO. 229-16

CORRECTING WELLSVILLE CENTRAL SCHOOL TAX BILL FOR PROPERTY OWNED BY NIAGARA MOHAWK A NATIONAL GRID COMPANY, DIRECTING MAILING OF NOTICE OF APPROVAL OF APPLICATION FOR CORRECTED TAX ROLLS AND ORDERING THE TOWN TAX COLLECTOR TO CORRECT THE TAX ROLLS; PROVIDING FOR CHARGE BACKS OR CREDITS

Offered by: Ways & Means Committee

Pursuant to Real Property Tax Law § 554

WHEREAS, an application for the taxpayer hereafter described, has been made to the County’s Director of Real Property Tax Service Agency, for the correction of a certain error affecting their real property on the various tax rolls, and

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

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

RESOLVED:

1. That with regard to the application for the named taxpayer pertaining to claimed errors regarding their real property on the tax roll of the Wellsville Central School, this Board of Legislators does determine that the claimed error as alleged in the application exists and does approve the application.

2. That the Chairman of this Board is authorized and directed to make a notation on the application and the duplicates thereof that it is 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 taxpayer 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 the taxpayer of the applicable provisions of subdivision seven of Section 554 of the Real Property Tax.
4. That the Tax Assessor for the Town of Willing is ordered and directed to correct in the 2016-2017 Wellsville Central School Tax Roll the assessment or taxes, or both, of the property assessed to the following taxpayer and described as follows:

Niagara Mohawk, P.C.: Parcel 500.-1-997
Assessment: $1,004,717

In that the assessment on this parcel was incorrect due to the parcel not being taxed at an appropriate equalized amount, thereby reducing the Total Taxable Value to $864,057, and correcting the taxes as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>School</td>
<td>$22,124.50</td>
</tr>
<tr>
<td>Library</td>
<td>$1,126.19</td>
</tr>
<tr>
<td>Total</td>
<td>$23,250.69</td>
</tr>
</tbody>
</table>

5. That the Clerk of this Board is directed to forthwith mail a certified copy of this resolution to the Tax Collector for the Wellsville Central School District together with the original copy of the application completed in accordance with section two of this resolution.

6. That the Clerk of this Board shall mail a copy of this resolution to the above named school and the amount to be charged to the 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 the school as a result of school taxes returned after the date such amount is charged and which shall be paid to the school after May 1, 2017. The County Treasurer shall send a written notice to the school of the amount of such deduction prior to May 1, 2017.

Moved by: Mr. Jessup
Seconded by: Mr. Graves
Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 230-16

BUDGET TRANSFER WITHIN EMPLOYMENT AND TRAINING ACCOUNTS

Offered by: Planning & Economic Development and Ways & Means Committees

RESOLVED:

1. That the sum of $2,750 shall be transferred from Account No. CD16795.802 (TANF – Part. Retirement) to Account No. CD16794.408 (TANF – General Supplies) because of the overestimated number of participants in the Summer Youth Employment Program which enrolled in the retirement system.

Moved by: Mrs. Root
Seconded by: Mr. Curran
Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent
RESOLUTION NO. 231-16

APPROVAL OF LEASE BETWEEN DONALD BALDWIN AND COUNTY OF ALLEGANY FOR PREMISES AT 3453B NYS ROUTE 417, WELLSVILLE, NEW YORK

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. That the Lease between Donald Baldwin and the County of Allegany for the term October 1, 2016, through September 20, 2017, for premises located at 3453B NYS Route 417, with a monthly rental rate of $2,100 for use by the Allegany County Department of Health WIC/Cancer Services, is approved.

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

Moved by: Mr. LaForge
Seconded by: Mr. Pullen
Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

Resolution Intro. No. 235-16 (AUTHORIZATION FOR THE SUBMISSION OF GRANT APPLICATIONS FOR ACCELERATED TRANSIT CAPITAL PROGRAM FOR THE ALLEGANY COUNTY PUBLIC TRANSPORTATION SYSTEM FOR SFY 2015-16 AND SFY 2016-17 THROUGH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION) was not pre-filed and was considered from the floor on a motion made by Legislator Jessup, seconded by Legislator Curran, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 232-16

AUTHORIZATION FOR THE SUBMISSION OF GRANT APPLICATIONS FOR ACCELERATED TRANSIT CAPITAL PROGRAM FOR THE ALLEGANY COUNTY PUBLIC TRANSPORTATION SYSTEM FOR SFY 2015-16 AND SFY 2016-17 THROUGH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION

Offered by: Ways & Means Committee

WHEREAS, the County of Allegany is authorized to submit grant applications for funding to the New York State Department of Transportation (NYSDOT) for Accelerated Transit Capital (ATC) for the Allegany County public transportation system for SFY 2015-16 and SFY 2016-17, and

WHEREAS, the total amount being sought for both fiscal years is $113,436, now, therefore, be it
RESOLVED:

1. That the Chairman of the Board is authorized to act on behalf of the County of Allegany to sign the grant applications for ATC funding from the NYSDOT.

Moved by: Mr. Jessup  
Seconded by: Mr. Curran  
Adopted: Roll Call  
13 Ayes, 0 Noes, 2 Absent

Comments made regarding Resolution No. 232-16 included: Legislator Ungermann asked if it was known what the money was going to be used for. Larry Kaminski, Mobility Management Planner for Ardent Solutions gave a lengthy list of items it would be used to purchase including: bus stop signs, bus stop shelters, trash receptacles, etc. Chairman Crandall noted that this is 100 percent funded and no local match is required.

AUDITS:

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

A motion was made by Legislator Root, seconded by Legislator Jessup, and adopted on a roll call vote of 13 Ayes, 0 Noes, 2 Absent, that the audit of claims, totaling $2,645,847.40 including prepaid expenses, be approved for payment as recommended by the County Administrator. (Allegany County’s Local Dollar Share of the NYS Medicaid Program paid year-to-date is $8,113,812.)

COMMENTS:

Chairman Crandall reminded the group that there would be a Committee of the Whole meeting following today’s Board meeting.

Legislator Pullen commented on the Board’s decision to use money from the Reserve Account to pay for the replacement of boilers and tanks at the Public Safety Facility. He said that if we aren’t careful to keep our reserves strong, we won’t have that money in the future. The money only gets in the “piggy bank” if we put it there. It’s nice to have a reserve for repairs. There’s no magic to coming up with the money to put in there. Legislator Ungermann agreed with what Legislator Pullen said about the reserve. While in some people’s minds the Jail is an “old building,” in his mind it’s still pretty new. He’d like to see better quality things put in place initially so they aren’t running into repair issues.

Legislator Burt reminded everyone that there is a great deal of discussion that goes on in committee meetings before things are voted on at Board meetings.

Legislator LaForge stated that there would be another meeting of the Allegany County Land Bank Corporation on October 24 at 10 a.m.
Chairman Crandall remarked on the Allegany Artisans Studio Tour that will be taking place this weekend saying, “There are a number of talented people scattered around Allegany County.”

Legislator Root reminded everyone of the Ridge Walk that takes place in Wellsville this weekend.

**ADJOURNMENT:** The meeting was adjourned at 2:41 p.m. on a motion made by Legislator Graves, seconded by Legislator Fanton, and carried.
ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION

NOVEMBER 14, 2016

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:09 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Army Sergeant John H. Plummer.

INVOCATION: The Invocation was given by Legislator Pullen.


APPROVAL OF MINUTES:

The Board meeting minutes of October 11, 2016, were approved on a motion made by Legislator Graves, seconded by Legislator Root, and carried.

The Board meeting minutes of October 24, 2016, were approved on a motion made by Legislator Curran, seconded by Legislator LaForge, and carried.

The Committee of the Whole meeting minutes of November 9, 2016, were approved on a motion made by Legislator Pullen, seconded by Legislator Fanton, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to John H. Plummer, former United States Army Sergeant, in grateful appreciation of his service to our country. Mr. Plummer’s service dates were from October 4, 1966, to October 3, 1969. Following Basic Training at Fort Dix, assignments included: Fort Hood, TX (AIT); Fort Sill, OK; Blanding, UT; and Chu Lai, Vietnam. Commendations he received included: National Defense Service Medal, Republic of Vietnam Campaign Medal, Vietnam Service Medal, Marksmanship Badge, and Overseas Service Bar with two devices. Mr. Plummer led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans’ Honorary Pledge of Allegiance Program.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Report of IntraFund Transfers Approved by the County Administrator in October.
2. Report of Tax Bill Corrections Approved by the County Administrator in October.

3. Pursuant to Subdivision 5 of Section 502 of the NYS County Law, County Attorney Thomas Miner filed a designation of succession to the Office of Allegany County Attorney in the Clerk of the Board’s Office on November 9. Carissa M. Knapp has been named First Assistant County Attorney, Nora K. Carnes as Second Assistant County Attorney, and Ian M. Jones as Third Assistant County Attorney.

4. Pursuant to Article 11 of the NYS Real Property Tax Law, Deputy County Treasurer Jenna Kelley filed a Certificate of Withdrawal of Delinquent Tax Lien for property in the Town of Birdsall in the Clerk of the Board’s Office on October 31, 2016.

5. Correspondence from Allegany County Cancer Services President and Founder Lori BALLengee thanking the Board for its recent donation.

6. Notice of next InterCounty Association meeting to be hosted by Cattaraugus County on November 18 at Gowanda’s Historic Hollywood Theater.

7. Pursuant to HAVA Grant requirements, Commissioner of Elections Rick Hollis forwarded a statement indicating that his office purchased 28 black ink cartridges for the voting machines and 24 ballot marking sharpie fine point markers.

8. Correspondence signed by 20 residents from Birdsall, Scio, Ward, and Wellsville requesting the Board to investigate ways to lower the County property tax rate.

APPOINTMENTS:

Kevin S. LaForge, Chairman of the Human Services Committee of the Allegany County Board of Legislators, appointed Rod Ballengee, Associate Executive Director of Allegany Rehabilitation Services, to fill the unexpired term of Michael Damiano on the ALLEGANY COUNTY HEROIN AND OPIOID ABUSE AD HOC COMMITTEE, effective immediately, to serve at his pleasure.

RESOLUTIONS:

RESOLUTION NO. 256-16

ESTABLISHING THIRD ASSISTANT DISTRICT ATTORNEY POSITION AS A FULL-TIME POSITION; RETAINING THE POSITION OF FOURTH ASSISTANT DISTRICT ATTORNEY AS PART-TIME, BUT UNFILLED

Offered by: Public Safety and Personnel Committees

RESOLVED:
1. Effective January 1, 2017, the position of Third Assistant District Attorney shall become a full-time position at an annual salary of eighty-five thousand dollars ($85,000).

2. The position of Fourth Assistant District Attorney shall remain on the books as “part-time, not authorized to fill.”

Moved by: Mr. Curran                          Adopted: Roll Call
Seconded by: Mr. O’Grady                      15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 257-16

RELEVY OF RETURNED SCHOOL TAXES

Offered by: Ways & 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 relieved upon the real property upon which the same were imposed.

2. This resolution shall take effect on November 1, 2016.

Moved by: Mr. Jessup                          Adopted: Roll Call
Seconded by: Mr. Pullen                       15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 258-16

RELEVY OF RETURNED VILLAGE TAXES

Offered by: Ways & 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 relieved upon the real property upon which the same were originally imposed by each such respective village.
2. This resolution shall take effect on November 1, 2016.

Moved by: Mr. Jessup  
Seconded by: Mr. Healy  
Adopted: Roll Call  
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 259-16

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 & 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 16, 2016, and November 1, 2016, 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. Jessup  
Seconded by: Mr. Fanton  
Adopted: Roll Call  
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 260-16

AUTHORIZING THE ACCEPTANCE OF MAINTENANCE JURISDICTION FROM NYSDOT WITH INTENT TO QUIT CLAIM COUNTY INTEREST TO ADJACENT LANDOWNER

Offered by: Public Works and Ways & Means Committees

RESOLVED:
1. That the County of Allegany agrees to accept the transfer of maintenance jurisdiction from the New York State Department of Transportation, NYSDOT, for property at and/or near the intersection of NYS Route 305 and North Shore Road (County Road 7) which property is more particularly described in a letter dated December 4, 2007, from James D. Dimassimo of NYSDOT to the County Attorney.

2. That the County of Allegany intends to quit claim its interest in this property to Stewart A. Freeman, an adjoining property owner, upon payment to Allegany County of the sum of $1,000 with the cost of such transfer, including the preparation of any appraisals or surveys, to be fully borne by the said Stewart A. Freeman.

3. That this resolution reaffirms the decision of this Board as heretofore set forth in Resolution 261-07 which was delayed due to mapping issues.

Moved by: Mr. Fanton  
Seconded by: Mr. Pullen  
Adopted: Roll Call  
15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 260-16 included: Legislator Burt asked for clarification that this property would go back on the tax roll. Chairman Crandall indicated that it would indeed go back on the tax roll.

RESOLUTION INTRO. No. 264-16 (APPROVAL OF MEMORANDUM OF AGREEMENT BETWEEN ALLEGANY COUNTY DEPUTY SHERIFFS’ ASSOCIATION, COUNCIL 82, LOCAL 3989, AND THE ALLEGANY COUNTY SHERIFF’S OFFICE) was TABLED following a motion made by Legislator Pullen, seconded by Legislator Graves, and carried.

Prior to tabling, comments made regarding Resolution Intro. No. 264-16 included: Legislator Pullen asked if it was possible to propose changes to the agreement. County Attorney Miner stated that the agreement would have to go back to the union for consideration.

RESOLUTION INTRO. No. 265-16 (CREATION OF FIVE PART-TIME DEPUTY SHERIFFS WITHIN THE SHERIFF’S OFFICE AND ESTABLISHMENT OF RATE OF PAY FOR SUCH POSITIONS) was TABLED following a motion made by Legislator O’Grady, seconded by Legislator Decker, and carried.

Prior to tabling, comments made regarding Resolution Intro. No. 265-16 included: Legislator O’Grady suggested that because the prior resolution was tabled, this one ought to be as well.

RESOLUTION NO. 261-16

APPROVAL OF AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND THE GREATER ALLEGANY COUNTY CHAMBER OF COMMERCE TO ADMINISTER COUNTY TOURISM; AUTHORIZING BOARD CHAIRMAN
TO EXECUTE SAID AGREEMENT

Offered by: Planning & Economic Development Committee

RESOLVED:

1. That an Agreement between the County of Allegany and the Greater Allegany County Chamber of Commerce to administer tourism as the County Tourism Promotion Agency for an annual fee of $80,000, commencing January 1, 2017, and ending on December 31, 2017, is approved.

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

Moved by: Mrs. Root
Seconded by: Mr. Fanton
Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 262-16

APPROVAL OF AGREEMENT BETWEEN COUNTY OF ALLEGANY AND ALLEGANY REHABILITATION ASSOCIATES FOR A FORENSIC CRISIS COUNSELOR

Offered by: Public Safety Committee

RESOLVED:

1. That the Agreement between the County of Allegany and Allegany Rehabilitation Associates (ARA), to provide a Forensic Crisis Counselor within the Allegany County Jail, is approved.

2. That the Allegany County Sheriff is authorized to execute such Agreement.

Moved by: Mr. Curran
Seconded by: Mr. Fanton
Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 262-16 included: Legislator Burt stated that although there were no numbers in the resolution itself, there was a discrepancy in the numbers on the Memorandum of Explanation and the Agreement. He asked which number was the correct amount. County Attorney Tom Miner indicated that $76,314 is the correct amount of the agreement with twelve monthly installments of $6,359.50 and a per diem rate of $209.08. Because the resolution contains no dollar amounts, the Board can go ahead and approve it. Chairman Crandall reiterated the amounts for the Board and stated that the County Attorney will correct the agreement. Legislator Graves commended the County Sheriff and Dr. Anderson for working out the agreement. He feels it’s a win for the taxpayers.
AUDITS:

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

A motion was made by Legislator Jessup, seconded by Legislator Fanton, and adopted on a roll call vote of 15 Ayes, 0 Noes, 0 Absent, that the audit of claims, totaling $3,391,821.24 including prepaid expenses, be approved for payment as recommended by the County Administrator. (Allegany County’s Local Dollar Share of the NYS Medicaid Program paid year-to-date is $8,886,556.)

ADJOURNMENT: The meeting was adjourned at 2:36 p.m. on a motion made by Legislator Graves, seconded by Legislator Burt, and carried.
ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION

NOVEMBER 28, 2016

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:12 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by retired United States Air Force Technical Sergeant and Army National Guard 58th Bravo Company Andrew J. Hurd.

INVOCATION: The Invocation was given by Legislator Pullen.


APPROVAL OF MINUTES:

The minutes from the Public Hearing on the 2017 Tentative Budget of November 10, 2016, were approved on a motion made by Legislator Graves, seconded by Legislator Curran, and carried.

The Board meeting minutes of November 14, 2016, were approved on a motion made by Legislator Decker, seconded by Legislator Pullen, and carried.

The Committee of the Whole meeting minutes of November 14, 2016, were approved on a motion made by Legislator Curran, seconded by Legislator Graves, and carried.

PRIVILEGE OF THE FLOOR:

Medal with 2 hourglass devices, USAF NCO PME Graduate Ribbon, Air Force Training Ribbon, and Army Service Ribbon. Mr. Hurd led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans’ Honorary Pledge of Allegiance Program.

Chairman Curtis W. Crandall presented a $500 check to the Allegany Senior Foundation on behalf of the Allegany County Board of Legislators. The money comes from the Board’s flower fund which is replenished each year from proceeds from the Legislators’ Clambake. Kim Toot and several members of the Allegany Senior Foundation were present to accept the donation. Chairman Crandall noted that the Senior Foundation is able to help fill some of the voids for the senior population that government can’t provide. Ms. Toot expressed her gratitude for the donation. She stated that the Allegany Senior Foundation is able to raise money to help provide services that the government can’t or shouldn’t provide for seniors. Close to 500 meals a day are served to seniors in our communities. She remarked on the importance of providing healthy meals to residents.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. December 2016 Calendar

2. Pursuant to Article 11 of the NYS Real Property Tax Law, Deputy County Treasurer Jenna Kelley filed Certificates of Withdrawal of Delinquent Tax Liens for properties in the Town of Wellsville in the Clerk of the Board’s Office on November 16, 2016.

3. County Treasurer Terri Ross filed a list of Delinquent Taxes in the Clerk of the Board’s Office on November 16, 2016.

4. Invitation to attend the Three Chamber Christmas Reception on Tuesday, December 6, 2016, at 6:00 p.m. at the Wellsville Country Club.

RESOLUTIONS:

RESOLUTION NO. 263-16

RESOLUTION DIRECTING NOTICE OF DISTRICT REVIEW OF AGRICULTURAL DISTRICT NUMBER FOUR PURSUANT TO SECTION 303-a OF THE AGRICULTURE AND MARKETS LAW

Offered by: Resource Management Committee

WHEREAS, Agricultural District Number Four, being within the Towns of Alfred, Alma, Andover, Bolivar, Genesee, Independence, Ward and Willing, was originally created as Agricultural District Number Six on August 7, 1977, and renamed Agricultural District Number Four on May 28, 2002, and modified and continued on February 25, 2008 by Resolution No. 36-2008, and
WHEREAS, section 303-a of the Agriculture and Markets Law requires that the County Board of Legislators review such district eight years after the date of its creation and every eight years thereafter to determine whether such district should be continued, modified or terminated, subject to the modification and termination powers of the State Commissioner of Agriculture and Markets, and

WHEREAS, such district was reviewed in 2008 and modified and continued, and

WHEREAS, such section requires that a 30 day legal notice of an eight year review is required to be published and posted, and

WHEREAS, such section requires that a county legislative body shall direct the County Agricultural and Farmland Protection Board to prepare a report and make recommendations to the county legislative body, now, therefore, be it

RESOLVED:

1. That the Clerk of the Board of Legislators is directed to provide proper notice of such district review and thirty day public comment period commencing December 1, 2016, by preparing such notice as provided for in Section 303-a subdivision 2(a) of the Agriculture and Markets Law and (a) publishing said notice in a newspaper having general circulation within the district; (b) publishing said notice on the home page of the County’s website; (c) posting said notice in at least five conspicuous places within the district; (d) providing said notice in writing by first class mail to those municipalities whose territory encompasses the district.

2. That the County Agricultural and Farmland Protection Board is directed to prepare and file with the Board of Legislators a report in accordance with Section 303-a subdivision 2(b) of the Agriculture and Markets Law.

Moved by: Mr. Graves
Seconded by: Mr. Fanton
Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 264-16

APPROVAL OF SALE OF 2016 TAX SALE PROPERTY

Offered by: Ways & 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 the tax delinquent properties shown below, to the owner and purchaser 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 the below mentioned properties which is subject to the 2014 and/or back to the year 1995 (TF95 up to and including TF2014) tax foreclosure proceedings and the subsequent execution of a deed of all of the 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 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 consideration.

<table>
<thead>
<tr>
<th>New Owner</th>
<th>County title</th>
<th>Recorded Date</th>
<th>Liber, Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frutiger Dustless Blasting 84 West Main Street Friendship, NY 14739</td>
<td>County of Allegany</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parcel ID:025000;183.5-1-1 Property loc: 6888 County Road 20 Assessed Value: 25,000 Acres: 1</td>
<td></td>
<td>Book: 1104 Page: 44</td>
<td></td>
</tr>
<tr>
<td>Tax sale amount: 1</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Moved by: Mr. Jessup  
Seconded by: Mr. Healy

Adopted: Roll Call  
13 Ayes, 1 Noes, 1 Absent  
Voting No: Burt

Comments made regarding Resolution No. 264-16 included: Legislator Burt remarked that he’s very happy this business is coming to the area. He does, however, have a problem with the fact that there is no minimum bid requirement for these tax sale properties. He would like to work with the County Attorney to come up with a solution for this. Chairman Crandall stated that discussion on the matter has already begun.

RESOLUTION NO. 265-16

A RESOLUTION IN RELATION TO THE COMPENSATION OF COUNTY OFFICERS AND EMPLOYEES

Offered by: Ways & Means Committee

RESOLVED:
1. That commencing January 1, 2017, 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-3" or in "Appendix B-3" of Agreement approved by Resolution No. 36-2011, and which salary or rate of compensation such unit employee is entitled to receive commencing January 1, 2017, 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, 2017, 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. 25-2012, 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, 2017, 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 her jurisdiction receiving such recommendation being approved.

3. That commencing January 1, 2017, 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. 96-2015, 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, 2017, 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, 2017, each employee occupying a position set forth in Agreement between the County of Allegany and the New York State Public Employees Federation, which Agreement was approved by Resolution No. 225-2016, shall receive the salary or rate of compensation for the step of the Grade of the position occupied that is set forth in said Agreement, and which salary or rate of compensation such employee is entitled to receive commencing January 1, 2017, pursuant to said Agreement and pursuant to the “County Unit Salary Plan”; the increment recommendations from the department heads for each such employee under their jurisdiction receiving such recommendation being approved.

5. That commencing January 1, 2017, 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. 247-2015, and which salary such non-unit employee is entitled to receive commencing January 1, 2017; the increment recommendations from the department heads for each such non-unit employee under their jurisdiction receiving such recommendation being approved.
6. 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, four and five of this resolution to the County officers who are responsible for preparing the payrolls of such employees.

7. That commencing January 1, 2017, 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:

**SECTION IV (NON-GRADED) POSITIONS – 2017 SALARIES**

<table>
<thead>
<tr>
<th>TITLE</th>
<th>BASE SALARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>County Legislators</td>
<td>8,500</td>
</tr>
<tr>
<td>Chairman of the Board</td>
<td>8,500</td>
</tr>
<tr>
<td>Majority Leader</td>
<td>300</td>
</tr>
<tr>
<td>Minority Leader</td>
<td>300</td>
</tr>
<tr>
<td>Deputy Budget Officer</td>
<td>2,500</td>
</tr>
<tr>
<td>County Administrator</td>
<td>97,375</td>
</tr>
<tr>
<td>Deputy County Administrator</td>
<td>10,000</td>
</tr>
<tr>
<td>Clerk of the Board</td>
<td>67,000</td>
</tr>
<tr>
<td>District Attorney</td>
<td>183,350</td>
</tr>
<tr>
<td>Assistant District Attorney (1st)</td>
<td>40,360</td>
</tr>
<tr>
<td>Assistant District Attorney (2nd)</td>
<td>37,452</td>
</tr>
<tr>
<td>Assistant District Attorney (3rd)</td>
<td>85,000</td>
</tr>
<tr>
<td>Assistant District Attorney (5th) V&amp;T</td>
<td>26,585</td>
</tr>
<tr>
<td>Assistant District Attorney (6th) Welfare</td>
<td>24,000</td>
</tr>
<tr>
<td>District Attorney Investigator (PT)</td>
<td>15,000</td>
</tr>
<tr>
<td>Crime Victims Coordinator</td>
<td>32,061</td>
</tr>
<tr>
<td>Assistant Public Defender (1st)</td>
<td>85,086</td>
</tr>
<tr>
<td>Assistant Public Defender (2nd)</td>
<td>76,890</td>
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<tr>
<td>Assistant Public Defender (3rd)</td>
<td>75,015</td>
</tr>
<tr>
<td>Deputy County Auditor</td>
<td>1,200</td>
</tr>
<tr>
<td>Assistant County Attorney (1)</td>
<td>82,000</td>
</tr>
<tr>
<td>Assistant County Attorney (2)</td>
<td>76,875</td>
</tr>
<tr>
<td>Assistant County Attorney (3)</td>
<td>71,750</td>
</tr>
<tr>
<td>Director of Planning</td>
<td>68,163</td>
</tr>
<tr>
<td>Information Technology Director</td>
<td>77,900</td>
</tr>
<tr>
<td>Election Commissioners (2)</td>
<td>17,554</td>
</tr>
<tr>
<td>Election Technicians</td>
<td></td>
</tr>
<tr>
<td>Election Machine Tech 1</td>
<td>17.66/hr.</td>
</tr>
<tr>
<td>Election Machine Tech 2</td>
<td>19.32/hr.</td>
</tr>
<tr>
<td>Election Inspectors – Primary</td>
<td>112.50/day</td>
</tr>
<tr>
<td>Election Inspectors – General</td>
<td>180/day</td>
</tr>
<tr>
<td>Election Inspectors – Training</td>
<td>39.50/day</td>
</tr>
<tr>
<td>Election Coordinator – Primary</td>
<td>137.50/day</td>
</tr>
<tr>
<td>Election Coordinator – General</td>
<td>220/day</td>
</tr>
</tbody>
</table>
Seasonal Laborers (Public Works) 10.25/hr.
Laborers (Gatekeepers) Part-time 12.45/hr.
Undersheriff 67,004
Probation Director 68,890
STOP-DWI Coordinator 17,421
Youth Director 35,517
Emergency Management and Fire Director 55,527
E911 Enumerator (Part-time) 10/hr.
Medical Director 20,000
Physical Therapist (EI Part-time) 10/hr.
Occupational Therapist (EI Part-time) 10/hr.
Speech-Language Pathologist (EI Part-time) 10/hr.
Special Education Teacher (EI Part-time) 10/hr.
Community Services Director 43,722
Development Director
Office for the Aging Director 61,000
Office for the Aging:
   Site Managers 10-12/hr.
   Drivers and Aides 10-12/hr.
Rushford Lake:
   Youth Agencies Director 550/wk.
   Lifeguards 10.75/hr.
SYEP Summer Counselors 5,040
Coroners:
   Local Transport 300 p/d
   Autopsy Transport-Monroe Co. 600 p/d
   Autopsy Transport-Olean General 450 p/d

Moved by: Mr. Jessup
Seconded by: Mr. Pullen
Adopted: Roll Call
11 Ayes, 3 Noes, 1 Absent
Voting No: Burt, Graves, Ungermann

Comments made regarding Resolution No. 265-16 included: Legislator Jessup made a motion to amend the resolution. On page 3 of the resolution, the Election Coordinator - Primary Salary should be $137.50, and the Election Coordinator – General should be $220. The proposed amendment was seconded by Legislator Curran, and carried. Legislator Burt remarked that he knows the resolution will pass without any problem. He mentioned the Legislators salaries of $8,500 per year which have not changed since they were elected. He would like there to be a discussion sometime about other elected officials' salaries and whether those should be allowed to change during their term of office. He also expressed his concern with the mandated salary for the District Attorney. He feels our District Attorney does a great job, but doesn't think the State should dictate the pay for that position. Legislator Graves stated that he doesn't like blanket raises. It penalizes the employees who have made an extra effort to do their job. He's also concerned with the raise being greater than the rate of inflation. Legislator Graves expressed his concern for senior citizens who are not seeing the same type of increase. Legislator Decker indicated he was a reluctant “yes"
on this resolution because he knows it’s the end of the year and it needs to be taken care of. He feels the Board should be able to set salaries and not have its hands tied by the State.

RESOLUTION NO. 266-16

AMENDMENT OF RESOLUTION NO. 297-75 TO PROVIDE NEW SALARY GRADE SCHEDULE IN COUNTY NON-UNIT SALARY PLAN

Offered by: Ways & Means Committee

RESOLVED:

1. That effective January 1, 2017, Section 6 of Resolution No. 297-75, as last amended by Resolution No. 247-2015, is amended to read as follows:

Section 6. The following salary grades are hereby established for use in determining the compensation for the positions graded in Section Three of this resolution:

<table>
<thead>
<tr>
<th>Grade</th>
<th>Base</th>
<th>Step 1</th>
<th>Step 2</th>
<th>Step 3</th>
<th>Step 4</th>
<th>Step 5</th>
<th>Step 6</th>
<th>Step 7</th>
<th>Step 8</th>
<th>Step 9</th>
<th>Step 10</th>
<th>Step 11</th>
<th>Avg Inc</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>30,345</td>
<td>31,247</td>
<td>32,192</td>
<td>33,158</td>
<td>34,146</td>
<td>35,177</td>
<td>36,229</td>
<td>37,324</td>
<td>38,441</td>
<td>39,601</td>
<td>40,782</td>
<td>42,006</td>
<td>1,060</td>
</tr>
<tr>
<td>2</td>
<td>32,192</td>
<td>33,158</td>
<td>34,146</td>
<td>35,177</td>
<td>36,229</td>
<td>37,324</td>
<td>38,441</td>
<td>39,601</td>
<td>40,782</td>
<td>42,006</td>
<td>43,273</td>
<td>44,562</td>
<td>1,125</td>
</tr>
<tr>
<td>3</td>
<td>34,146</td>
<td>35,177</td>
<td>36,229</td>
<td>37,324</td>
<td>38,441</td>
<td>39,601</td>
<td>40,782</td>
<td>42,006</td>
<td>43,273</td>
<td>44,562</td>
<td>45,893</td>
<td>47,268</td>
<td>1,193</td>
</tr>
<tr>
<td>4</td>
<td>36,229</td>
<td>37,324</td>
<td>38,441</td>
<td>39,601</td>
<td>40,782</td>
<td>42,006</td>
<td>43,273</td>
<td>44,562</td>
<td>45,893</td>
<td>47,268</td>
<td>48,706</td>
<td>50,167</td>
<td>1,267</td>
</tr>
<tr>
<td>5</td>
<td>38,441</td>
<td>39,601</td>
<td>40,782</td>
<td>42,006</td>
<td>43,273</td>
<td>44,562</td>
<td>45,893</td>
<td>47,268</td>
<td>48,706</td>
<td>50,167</td>
<td>51,670</td>
<td>53,216</td>
<td>1,343</td>
</tr>
<tr>
<td>7</td>
<td>43,273</td>
<td>44,562</td>
<td>45,893</td>
<td>47,268</td>
<td>48,706</td>
<td>50,167</td>
<td>51,670</td>
<td>53,216</td>
<td>54,806</td>
<td>56,459</td>
<td>58,156</td>
<td>59,895</td>
<td>1,511</td>
</tr>
<tr>
<td>8</td>
<td>45,893</td>
<td>47,268</td>
<td>48,706</td>
<td>50,167</td>
<td>51,670</td>
<td>53,216</td>
<td>54,806</td>
<td>56,459</td>
<td>58,156</td>
<td>59,895</td>
<td>61,678</td>
<td>63,546</td>
<td>1,605</td>
</tr>
<tr>
<td>9</td>
<td>48,706</td>
<td>50,167</td>
<td>51,670</td>
<td>53,216</td>
<td>54,806</td>
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<td>59,895</td>
<td>61,678</td>
<td>63,546</td>
<td>65,436</td>
<td>67,412</td>
<td>1,701</td>
</tr>
<tr>
<td>10</td>
<td>51,670</td>
<td>53,216</td>
<td>54,806</td>
<td>56,459</td>
<td>58,156</td>
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<td>63,546</td>
<td>65,436</td>
<td>67,412</td>
<td>69,431</td>
<td>71,514</td>
<td>1,804</td>
</tr>
<tr>
<td>11</td>
<td>54,806</td>
<td>56,459</td>
<td>58,156</td>
<td>59,895</td>
<td>61,678</td>
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<td>65,436</td>
<td>67,412</td>
<td>69,431</td>
<td>71,514</td>
<td>73,661</td>
<td>75,873</td>
<td>1,915</td>
</tr>
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</table>

Moved by: Mr. Jessup  
Seconded by: Mr. Fanton  
Adopted: Roll Call  
12 Ayes, 2 Noes, 1 Absent  
Voting No: Graves, Ungermann
RESOLUTION NO. 267-16

REAPPOINTMENT OF FOUR INCUMBENT MEMBERS AND ONE NEW MEMBER TO COUNTY TRAFFIC SAFETY BOARD

Offered by: Public Safety Committee

Pursuant to Local Law No. 2 of 1972

RESOLVED:

1. That Dustin Burch, Ray M. Parlett, Linda Edwards, and Rick Whitney are reappointed to the County Traffic Safety Board, with terms of office for each to commence January 1, 2017, and expire December 31, 2019.

2. That Willy Weaver is appointed to complete Jay Ballard’s unexpired three-year term on the County Traffic Safety Board, commencing immediately and expiring December 31, 2018.

Moved by: Mr. Curran
Seconded by: Mr. Healy
Adopted: Voice Vote

RESOLUTION NO. 268-16

AMENDMENT OF 2017 COUNTY TENTATIVE BUDGET

Offered by: Ways & Means Committee

RESOLVED:

1. That the 2017 County Tentative Budget dated September 26, 2016 is amended as follows:

**General Fund “A”**

Appropriations:

<table>
<thead>
<tr>
<th>Account No.</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1165.101</td>
<td>Change from $517,552 to $512,552</td>
</tr>
<tr>
<td>A3112.103</td>
<td>Change from $145,000 to $100,000</td>
</tr>
<tr>
<td>A3112.425</td>
<td>Change from $5,000 to $2,500</td>
</tr>
<tr>
<td>A3150.448</td>
<td>Change from $71,000 to $76,000</td>
</tr>
<tr>
<td>A6610.425</td>
<td>Change from $500 to $250</td>
</tr>
<tr>
<td>A9560.904</td>
<td>Change from $150,000 to $125,000</td>
</tr>
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</table>
County Road Fund “D”

Appropriations:

<table>
<thead>
<tr>
<th>Account No.</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>D5110.408</td>
<td>Change from $1,050,000 to $1,100,000</td>
</tr>
<tr>
<td>D9553.904</td>
<td>Change from $821,350 to $1,096,750</td>
</tr>
</tbody>
</table>

Revenues:

<table>
<thead>
<tr>
<th>Account No.</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>D15.599.00</td>
<td>Change from $0 to $325,400</td>
</tr>
</tbody>
</table>

Capital Fund “H”

Appropriations:

<table>
<thead>
<tr>
<th>Account No</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>H5120.200</td>
<td>Change from $1,041,000 to $1,365,000</td>
</tr>
<tr>
<td>H5997.200</td>
<td>Change from $150,000 to $125,000</td>
</tr>
</tbody>
</table>

Revenues:

<table>
<thead>
<tr>
<th>Account No</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>H5120.5031.00</td>
<td>Change from $961,350 to $1,236,750</td>
</tr>
<tr>
<td>H5120.2300.00</td>
<td>Change from $79,650 to $128,250</td>
</tr>
<tr>
<td>H5997.5031.00</td>
<td>Change from $150,000 to $125,000</td>
</tr>
</tbody>
</table>

Moved by: Mr. Jessup
Seconded by: Mr. Curran
Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 268-16 included: Legislator Burt asked that someone explain the changes to the Budget for anyone in the audience who may not be familiar with what’s being changed. Legislator Fanton explained that during the budget process, a bridge project was removed. They have now decided to put the bridge project back into the Budget. It will not cause the tax rate to go up and it will not cause the Budget to go over the established cap. County Administrator Tim Boyd further explained that the funds were already in the Highway Fund Reserve. They will be pulled out of there and put into the capital account for the bridge. The bridge is located in the Town of New Hudson. Legislator Graves stated that although he is opposed to the proposed 2017 Budget, he’s in favor of taking care of this bridge. He feels the Department of Public Works does a good job. He indicated he will vote in favor of this but not the overall Budget.

RESOLUTION NO. 269-16

ADOPTION OF 2017 COUNTY FINAL BUDGET
RESOLVED:

1. That the 2017 County Tentative Budget, as amended and revised, dated September 26, 2016, is adopted as the 2017 County Final Budget.

Moved by: Mr. Jessup  
Seconded by: Mr. Curran  
Adopted: Roll Call  
11 Ayes, 3 Noes, 1 Absent  
Voting No: Burt, Graves, Ungermann

Comments made regarding Resolution No. 269-16 included: Legislator Decker stated that he was going to be a reluctant “yes” vote on approving the Budget. Six months ago he stated that he wanted to see a 5 percent decrease on the overall Budget. After speaking with the new County Administrator Tim Boyde, he understands that in the next year they can work on making some adjustments to the Budget. Legislator Healy agreed with Legislator Decker saying that it was too late in the year to change much. The goal for next year should be to reduce the Budget. He would like to see Department Heads work at reducing their budgets. Legislator Pullen stated that a budget is a best guess for what next year will be like. It’s a guess at revenues and expenses. He feels a good job has been done the last few years. He congratulated the Budget Officers for that. He also mentioned the great deal of shopping that is done online for the holidays and stated that very little sales tax revenue is derived from that for Allegany County. A decrease in the price of fuel, as well as changes at the Landfill have also had an impact on the County Budget. He hopes that economic development in the County will help. Legislator O’Grady agreed with Legislator Pullen. He noted that he was originally not going to support the Budget, but after some explanation, he changed his thoughts. He hopes that down the road they can reduce the amount that needs to be levied. Legislator Graves expressed his appreciation for the efforts of the Budget Officers. He stated that the Board has a sense of hope that things will right themselves. He stated that the Budget includes borrowing $3 million from surplus in the hopes that it won’t actually have to be used. He expressed his concerns with no cuts in programs or services. He feels there is a duplication of services that isn’t being addressed. He is also bothered by the fact that senior citizens aren’t getting the same increase as some County employees. Legislator Burt stated that he’s a proponent of zero-based budgeting. It may be more difficult, but it’s worth the effort. The group discussed what happens if the Budget were to get voted down. Legislator Decker added that the Budget is something that is constantly being looked at by the Budget Officers. Legislator Ungermann stated that in April, 2015, the Legislators sat down the town supervisors and village mayors to do a government efficiency plan. At that time, the group identified over $1 million at the County level that could be saved. Legislator Ungermann questioned how much of that had been implemented. He also questioned the use of the Fund Balance. There are rules in place for what a fund balance can be used for and how much of a balance should be carried. After the vote, Chairman Crandall noted that copies of the Final Budget will be available later in the week. It will also be posted on the County website for easy access. He expressed his opinion that the Budget was a good one. The County is in overall better financial position than it was several years ago. He reiterated that putting together this budget is a year-round process and not a knee jerk reaction. He
thanked the budget officers as well as Department Heads and financial personnel for their part.

RESOLUTION NO. 270-16

RESOLUTION MAKING APPROPRIATIONS FOR THE CONDUCT OF THE COUNTY GOVERNMENT FOR FISCAL YEAR 2017

Offered by: Ways & Means Committee

WHEREAS, this Board, by Resolution No. 269-16, has adopted a budget for the fiscal year 2017, now, therefore, be it

RESOLVED:

1. That the several amounts specified in the 2017 County Final Budget in the column entitled “Final Budget 2017” be and they hereby are appropriated for the objects and purposes specified.

2. This resolution shall take effect on January 1, 2017.

Moved by: Mr. Jessup
Seconded by: Mr. Pullen

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

RESOLUTION NO. 271-16

RESOLUTION LEVYING COUNTY TAXES

Offered by: Ways & Means Committee

Pursuant to County Law § 360 and Real Property Tax Law § 900

WHEREAS, this Board, by Resolution No. 269-16, has adopted a final budget for the fiscal year 2017, and

WHEREAS, this Board, by Resolution No. 270-16, made appropriations for the conduct of the County Government for the fiscal year 2017, 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 $30,372,335 upon all the taxable real property in the County liable therefor.
Moved by: Mr. Jessup  
Seconded by: Mr. Fanton  
Adopted: Roll Call  
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 271-16 included: Legislator Burt asked if the blanks on the resolution would be filled in. Board Clerk Brenda Rigby Riehle stated that the blanks are filled in with resolution numbers once the resolutions have been adopted.

RESOLUTION NO. 272-16

RESOLUTION LEVYING TOWNS’ 2017 SHARE OF ALLEGANY COUNTY MUTUAL SELF-INSURANCE PLAN

Offered by: Ways & 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 $343,200 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. Jessup  
Seconded by: Mr. Fanton  
Adopted: Roll Call  
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 272-16 included: Legislator Ungermann asked if this was for Workers’ Compensation. Chairman Crandall indicated that it was for Workers’ Compensation. Legislator Ungermann stated that he’s been suggesting for years that the County join a safety group to see about getting the rates lowered. He said that there are numerous safety groups that cater to municipalities. Legislator Fanton stated that this also covers fire companies, towns, etc. He doesn’t disagree but they’ve looked into it before. Legislator Graves said he doesn’t think it would hurt to get another quote. Chairman Crandall agreed that it wouldn’t hurt to take another look at this. Legislator Decker asked if there was a formula used to determine the towns’ share. County Attorney Tom Miner indicated that there is a formula in a local law. It is based on population, claims history, number covered, etc.

RESOLUTION NO. 273-16

CHARGEBACK TO TOWNS OF COST OF VARIOUS TAX SUPPLIES PURCHASED OR PROVIDED BY COUNTY

Offered by: Ways & 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 2017 tax rolls, as follows:

<table>
<thead>
<tr>
<th>Town</th>
<th>Amount</th>
<th>Town</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alfred</td>
<td>1,556.40</td>
<td>Friendship</td>
<td>1,582.80</td>
</tr>
<tr>
<td>Allen</td>
<td>723.60</td>
<td>Genesee</td>
<td>1,448.40</td>
</tr>
<tr>
<td>Alma</td>
<td>1,270.80</td>
<td>Granger</td>
<td>718.80</td>
</tr>
<tr>
<td>Almond</td>
<td>1,392.00</td>
<td>Grove</td>
<td>852.00</td>
</tr>
<tr>
<td>Amity</td>
<td>1,700.40</td>
<td>Hume</td>
<td>1,426.80</td>
</tr>
<tr>
<td>Andover</td>
<td>1,665.40</td>
<td>Independence</td>
<td>1,034.20</td>
</tr>
<tr>
<td>Angelica</td>
<td>1,446.00</td>
<td>New Hudson</td>
<td>909.60</td>
</tr>
<tr>
<td>Belfast</td>
<td>1,430.40</td>
<td>Rushford</td>
<td>2,054.40</td>
</tr>
<tr>
<td>Birdsall</td>
<td>727.20</td>
<td>Scio</td>
<td>1,468.80</td>
</tr>
<tr>
<td>Bolivar</td>
<td>1,875.60</td>
<td>Ward</td>
<td>543.60</td>
</tr>
<tr>
<td>Burns</td>
<td>951.60</td>
<td>Wellsville</td>
<td>4,404.00</td>
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<tr>
<td>Caneadea</td>
<td>1,786.80</td>
<td>West Almond</td>
<td>673.20</td>
</tr>
<tr>
<td>Centerville</td>
<td>771.60</td>
<td>Willing</td>
<td>1,260.00</td>
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<tr>
<td>Clarksville</td>
<td>1,362.00</td>
<td>Wirt</td>
<td>1,204.80</td>
</tr>
<tr>
<td>Cuba</td>
<td>2,722.80</td>
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<td></td>
</tr>
</tbody>
</table>

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

RESOLUTION NO. 274-16

APPROVAL OF APPORTIONMENT OF MORTGAGE TAX TO TAX DISTRICTS AND AUTHORIZING WARRANT THEREFOR

Offered by: Ways & Means Committee

Pursuant to Tax Law § 261 (3)

RESOLVED:
1. That the Semi-Annual Report for the period April 1, 2016, through September 30, 2016, 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. Jessup
Seconded by: Mr. Graves
Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 275-16

AUTHORIZING PAYMENT TO TOWNS AND VILLAGES FROM ADDITIONAL MORTGAGE TAX FEE RETAINAGE BY COUNTY CLERK; APPROPRIATING FUNDS THEREFOR

Offered by: Ways & Means Committee

WHEREAS, by Resolution No. 214-2004 the County Clerk was authorized pursuant to Section 262 of the Tax Law to request and receive reimbursement from the State of New York for all of his necessary expenses incurred in the administration of the Mortgage Tax Program on behalf of the State of New York, and

WHEREAS, it was the intent of this Board in adopting such resolution that the Towns and Villages of the County would not suffer any adverse financial consequences as a result of any increased retained expense reimbursement to the County Clerk, and

WHEREAS, the County Clerk has received reimbursement of his necessary expenses incurred in the administration of the Mortgage Tax Program, and

WHEREAS, this Board wishes to appropriate part of such reimbursement of necessary expenses received by the County Clerk for the administration of the Mortgage Tax Program to the Towns and Villages of the County, now, therefore, be it

RESOLVED:

1. The amount of $25,384.87 is appropriated from Account No. A1410.432 (County Clerk – Contractual) and shall be distributed to the Towns and Villages of the County as follows:

   AMOUNT
   RETAINED BY
   COUNTY
   CLERK’S
<table>
<thead>
<tr>
<th>TOWNS</th>
<th>OFFICE FOR MORTGAGE TAX FEE</th>
<th>REBATE AMT TO TOWN</th>
<th>REBATE AMT TO VILLAGE</th>
<th>VILLAGES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alfred</td>
<td>1,599.07</td>
<td>1,285.18</td>
<td>313.89</td>
<td>Alfred</td>
</tr>
<tr>
<td>Allen</td>
<td>191.54</td>
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<td>Alma</td>
<td>358.25</td>
<td>358.25</td>
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<td>1,583.58</td>
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<td>Amity</td>
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<td>433.57</td>
<td>81.49</td>
<td>Belmont</td>
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<tr>
<td>Andover</td>
<td>1,175.91</td>
<td>978.76</td>
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<td>Angelica</td>
<td>739.43</td>
<td>614.04</td>
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<td>Angelica</td>
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<td>Belfast</td>
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<td></td>
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<tr>
<td>Birdsall</td>
<td>130.77</td>
<td>130.77</td>
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<tr>
<td>Bolivar</td>
<td>1,650.30</td>
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<td>675.17</td>
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<td>Canaseraga</td>
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<td>Clarksville</td>
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<td>1,399.45</td>
<td>225.07</td>
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<td>Friendship</td>
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<td>Grove</td>
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</tr>
<tr>
<td>Hume</td>
<td>926.07</td>
<td>926.07</td>
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<td></td>
</tr>
<tr>
<td>Independence</td>
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<td>527.41</td>
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<td></td>
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<tr>
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<tr>
<td>Rushford</td>
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<td>Scio</td>
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<td>669.64</td>
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<tr>
<td>Ward</td>
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<tr>
<td>Wellsville</td>
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<td>West Almond</td>
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<tr>
<td>Willing</td>
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<td>322.64</td>
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<tr>
<td>Wirt</td>
<td>323.28</td>
<td>300.50</td>
<td>22.78</td>
<td>Richburg</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td><strong>25,384.87</strong></td>
<td><strong>22,742.47</strong></td>
<td><strong>2,642.40</strong></td>
<td></td>
</tr>
</tbody>
</table>

2. The Chairman of this Board, Allegany County Clerk, and Allegany County Treasurer are authorized to execute any and all vouchers, warrants, and other necessary documents of every nature and kind in order to affect the purpose of this resolution.
Moved by: Mr. Jessup  
Seconded by: Mr. Fanton  
Adopted: Roll Call  
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 276-16

BUDGET TRANSFER FROM CONTINGENCY FUND FOR THE FOUR NEW E-911 DISPATCHER POSITIONS

Offered by: Public Safety and Ways & Means Committee

RESOLVED:

1. That the sum of $22,000 shall be transferred from Account No. A1990.429 (Contingency) to Account No. A3112.101 (911 Dispatch) to fund the first two months of salary for the four newly created E-911 Dispatcher positions.

Moved by: Mr. Curran  
Seconded by: Mr. Decker  
Adopted: Roll Call  
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 277-16

ACCEPTANCE OF INSURANCE PAYMENT FROM NYMIR AND APPROPRIATION OF FUNDS TO RISK RETENTION ACCOUNTS

Offered by: Ways & Means Committee

WHEREAS, a check in the amount of $235, representing the cost to replace a windshield on an Office for the Aging, 2009 Dodge Caravan that was damaged on November 2, 2016; has been offered by NYMIR in settlement for such damage, now, therefore, be it

RESOLVED:

1. That the amount of $235 from NYMIR, representing the cost to replace a windshield on a 2009 Dodge Caravan, is accepted.

2. That the sum of $235 is placed in Account No. CS1931.429 (Risk Retention - Uninsured Property Loss) with a like sum credited to Revenue Account No. CS1930.2680.00 (Insurance Recovery).

Moved by: Mr. Jessup  
Seconded by: Mr. Graves  
Adopted: Roll Call  
14 Ayes, 0 Noes, 1 Absent
RESOLUTION NO. 278-16

ACCEPTANCE AND APPROPRIATION OF NEW YORK STATE FY 2016-2017 PUBLIC SAFETY ANSWERING POINTS SUSTAINMENT GRANT

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That the sum of $181,551 from New York State for FY 2016-2017 Public Safety Answering Points Sustainment Grant, is accepted.

2. That the sum of $181,551 shall be placed in Account No. H3025.200 (Capital Projects – PSAP-911 FY17) with a like sum credited to Revenue Account No. H3025.3097.00 (State Aid).

Moved by: Mr. Curran
Seconded by: Mr. Decker
Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 279-16

ACCEPTANCE AND APPROPRIATION OF ADDITIONAL REVENUE RECEIVED FROM FEDERAL AND STATE GRANTS AND MANAGED LONG-TERM CARE FUNDING TO OFFICE FOR THE AGING ACCOUNTS

Offered by: Human Services and Ways & Means Committees

RESOLVED:

RESOLVED:

1. The sum of $27,392 in additional revenue from federal and state grants and Managed Long-Term Care funding is accepted and appropriated as follows:

Appropriations:
- A6772.408 (OFA Nutrition – General Supplies) $ 1,444
- A6772.474 (OFA Nutrition – Contractor) $ 6,000
Total: $ 7,444

- A6776.401 (OFA Community Services for Elderly – Postage) $ 1,000
- A6776.402 (OFA Community Services for Elderly – Mileage/Tran) $ 1,022
- A6776.409 (OFA Community Services for Elderly – Lifeline Fees) $ 4,000
- A6776.419 (OFA Community Services for Elderly – Printing) $ 2,000
Total: $ 8,022
A6779.474 (OFA Wellness in Nutrition – Home Del. Meals Contr.) $ 11,926
Total: $ 11,926

Revenues:
A6772.1972.01 (C2-MLTC – Medicaid) $ 6,000
A6772.4772.00 (Title III-C1 – Federal) $ 1,444
A6776.3772.00 (CSE – State) $ 8,022
A6779.1972.00 (WIN-MLTC – Medicaid) $ 10,000
A6779.4772.00 (NSIP – Federal) $ 1,926
Total: $ 27,392

Moved by: Mr. LaForge
Seconded by: Mr. Pullen
Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 280-16

ACCEPTANCE AND APPROPRIATION OF PERFORMANCE INCENTIVE INITIATIVE MONIES FOR THE GENERAL FUND

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. The sum of $1,500 in Performance Incentive Initiative monies for the General Fund for the 2016 budget year is accepted.

2. The sum of $1,500 shall be placed in Account No. A4010.409 (Health Department – Fees) with the like sum of $1,500 credited to Revenue Account No. A4010.3450.00 (State Aid Other – Public Health).

Moved by: Mr. LaForge
Seconded by: Mr. Decker
Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 281-16

ACCEPTANCE AND APPROPRIATION OF COLA FUNDS TO THE FAMILY PLANNING PROGRAM IN THE DEPARTMENT OF HEALTH

Offered by: Human Services and Ways & Means Committees

RESOLVED:
1. The sum of $3,337 in COLA funds to the County Health Department Family Planning Program is accepted and appropriated to Account No. A4035.408 (Family Planning - General Supplies) with a like sum credited to Revenue Account No. A4035.3450.00 (State Aid).

Moved by: Mr. LaForge  
Seconded by: Mr. Curran  
Adopted: Roll Call  
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 282-16

ACCEPTANCE AND APPROPRIATION OF ADDITIONAL FUNDS RECEIVED DUE TO AN INCREASE IN STATE AID FOR COMMUNITY SERVICES ACCOUNTS

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. The sum of $29,334 in additional funds received from state aid are accepted and appropriated as follows:

**Appropriations:**

<table>
<thead>
<tr>
<th>Appropriation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A4313.456 (Mental Health Contracts – SCAP)</td>
<td>$ 9,124</td>
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<tr>
<td>A4313.457 (Mental Health Contracts – Fingerlakes)</td>
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</tr>
<tr>
<td>A4313.460 (Mental Health Contracts – ARA)</td>
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<tr>
<td>A4313.459 (Mental Health Contracts – ARA)</td>
<td>$  48</td>
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<tr>
<td>A4313.461 (Mental Health Contracts – ARC)</td>
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<td>A4313.462 (Mental Health Contracts – ARA)</td>
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<tr>
<td>A4313.463 (Mental Health Contracts – ARA)</td>
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</tr>
<tr>
<td>A4313.464 (Mental Health Contracts – ARA)</td>
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</tr>
<tr>
<td>A4314.456 (Mental Health CSS – ARA)</td>
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<tr>
<td>A4314.458 (Mental Health CSS – ARA)</td>
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<tr>
<td>A4314.460 (Mental Health CSS – LVA)</td>
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<tr>
<td>A4315.456 (Mental Health Reinvestment – ARA)</td>
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<td>A4315.457 (Mental Health Reinvestment – ARC)</td>
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<td>A4315.458 (Mental Health Reinvestment – SCAP)</td>
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<td>A4315.460 (Mental Health Reinvestment – Accord)</td>
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<td>A4315.461 (Mental Health Reinvestment – House Options)</td>
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<tr>
<td>A4315.464 (Mental Health Reinvestment – MHA)</td>
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<tr>
<td><strong>Total:</strong></td>
<td><strong>$29,334</strong></td>
</tr>
</tbody>
</table>

**Revenues:**

<table>
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<th>Revenue</th>
<th>Amount</th>
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<td>A4313.3490.1078 (Mental Health Contracts)</td>
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<td>A4313.3490.146L (Mental Health Contracts)</td>
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<tr>
<td>A4313.3490.139J (Mental Health Contracts)</td>
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</tr>
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<td>A4313.3490.1400 (Mental Health Contracts)</td>
<td>$     3</td>
</tr>
<tr>
<td>A4313.3490.1037 (Mental Health Contracts)</td>
<td>$    123</td>
</tr>
</tbody>
</table>
RESOLUTION NO. 283-16

ACCEPTANCE AND APPROPRIATION OF ADDITIONAL FUNDS RECEIVED DUE TO AN INCREASE IN STATE AID FOR THE COMMUNITY SERVICES ACCOUNTS

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. The sum of $23,550 in additional funds received from state aid are accepted and appropriated as follows:

   Appropriations:
   A4220.456 (Narcotic Addiction Control) $10,754
   A4220.457 (Narcotic Addiction Control) $ 682
   A4220.458 (Narcotic Addiction Control) $12,114
   Total: $23,550

   Revenue:
   A4220.3486.00 (Narcotic Addiction Control – Council on Abuse) $23,550

Moved by: Mr. LaForge  
Seconded by: Mr. Fanton  
Adopted: Roll Call  
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 283-16 included: Legislator Decker asked what the funds were going to be used for. Legislator Pullen stated that it was for Allegany Council (ACASA) for program funding.
RESOLUTION NO. 284-16

ACCEPTANCE AND APPROPRIATION OF FUNDS FROM ACCORD CORPORATION FOR THE ACT II BATTERERS’ PROGRAM

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That the sum of $4,550 from ACCORD Corporation for the continuation of the ACT II Batterers’ Program is accepted.

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

Moved by: Mr. Curran
Seconded by: Mr. Pullen
Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION INTRO. NO. 290-16 (ACCEPTANCE AND APPROPRIATION OF FUNDS FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICE NARCOTICS GRANT FOR THE SHERIFF’S DEPARTMENT) was WITHDRAWN and referred back to the Public Safety Committee for further discussion following a motion made by Legislator Pullen, seconded by Legislator Graves, and carried.

RESOLUTION NO. 285-16

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 Simonsen Enterprises in relation to Deer Carcass Removal Services for the period January 1, 2017, to December 31, 2020, is approved.

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

Moved by: Mr. Fanton
Adopted: Roll Call
Seconded by: Mr. Graves
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 285-16 included: Legislator Pullen stated he thinks it’s an important matter for our County. Legislator O’Grady asked what the average amount we pay per year for this service. Public Works Superintendent Guy James said that they’ve never exceeded the $10,000; it’s usually somewhere between $7,500 and $8,500 per year. Legislator Burt asked Mr. James how the numbers were recorded and if he was comfortable with the current system. Mr. James stated that his department calls or faxes the contractor when carcasses need to be picked up. Occasionally, the contractor will find another that needs to be picked up while he is out there. Legislator Decker stated that this is a thankless job in the middle of July. He’s thankful we have them to take care of this.

RESOLUTION NO. 286-16

APPROVAL OF AGREEMENT WITH EDWARD PEKAREK, ESQ. TO PROVIDE ADMINISTRATOR SERVICES UNDER ASSIGNED COUNSEL PLAN; AUTHORIZING PAYMENT TO JOSEPH MILLER, ESQ. ACTING AS INTERIM ADMINISTRATOR OF ASSIGNED COUNSEL PLAN

Offered by: Public Safety and Ways & Means Committees

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

WHEREAS, the untimely death of the incumbent Administrator created a vacancy in the position, and

WHEREAS, Edward Pekarek, Esq., has agreed to act as Administrator pursuant to such Plan beginning November 1, 2016, and expiring October 31, 2017, now, therefore be it

RESOLVED:

1. That Agreement between the County of Allegany and Edward Pekarek, Esq. in relation to the Assigned Counsel Plan for Indigent Persons, is approved.

2. That the amount of $14,400 to be paid pursuant to said Agreement shall be charged to Account No. A1171.431, Assigned Counsel.

3. That the amount of $2,666.66 shall be paid to Joseph Miller, Esq. who acted as interim Administrator of the Assigned Counsel Plan during the months of September and October.

Moved by: Mr. Curran
Moved by: Roll Call
14 Ayes, 0 Noes, 1 Absent
A motion was made by Legislator Pullen, seconded by Legislator Burt, and carried, to remove Resolution Intro. No. 264-16 from the table and address it. *(Memo: This resolution was tabled at the 11/14/16 Board meeting.)*

**RESOLUTION NO. 287-16**

**APPROVAL OF MEMORANDUM OF AGREEMENT BETWEEN ALLEGANY COUNTY DEPUTY SHERIFFS’ ASSOCIATION, COUNCIL 82, LOCAL 3989, AND THE ALLEGANY COUNTY SHERIFF’S OFFICE**

Offered by: Public Safety and Ways & Means Committees

WHEREAS, the Allegany County Sheriff’s Office has invested numerous resources in the training and retention of full-time Deputy Sheriffs, and

WHEREAS, the Allegany County Sheriff’s office is desirous of the continued use of the training and experience of retired Deputy Sheriffs, and

WHEREAS, upon the retirement of a full-time Deputy Sheriff the Sheriff’s Office may in its discretion retain that person as a part-time employee, and

WHEREAS, both parties agree that the use of part-time Deputy Sheriffs is allowed under the Collective Bargaining Agreement, now, therefore, be it

**RESOLVED:**

1. That the Memorandum of Agreement between the Allegany County Deputy Sheriffs’ Association, Council 82, Local 3989 and the Allegany County Sheriff’s Office to allow the use of part-time Deputy Sheriffs, is approved.

2. That the Chairman of this Board and the Allegany County Sheriff are authorized to execute such Agreement.

Moved by: Mr. Pullen  
Seconded by: Mr. Burt  
Adopted: Roll Call  
14 Ayes, 0 Noes, 1 Absent

A motion was made by Legislator Pullen, seconded by Legislator Decker, and carried, to remove Resolution Intro. No. 265-16 from the table and address it. *(Memo: This resolution was tabled at the 11/14/16 Board meeting.)*

**RESOLUTION NO. 288-16**

**CREATION OF FIVE PART-TIME DEPUTY SHERIFFS WITHIN THE SHERIFFS’ OFFICE AND ESTABLISHMENT OF RATE OF PAY FOR SUCH POSITIONS**
Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That five Part-Time Deputy Sheriff positions within the Allegany County Sheriffs’ Office are created in accordance with the Memorandum of Agreement between the Allegany County Deputy Sheriffs’ Association, Council 82, Local 3989 and the Allegany County Sheriffs’ Office.

2. The rate of pay for the five part-time Deputy Sheriff positions shall be established at $17 per hour.

3. This resolution shall take effect immediately.

Moved by: Mr. Pullen  
Seconded by: Mr. Decker  
Adopted: Roll Call  
14 Ayes, 0 Noes, 1 Absent

AUDITS:

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

Legislator Ungermaann asked whether the new central telephone upgrade was complete. Information Technology Director Keith Hooker stated that it was not complete but that they are working on it. Legislator Ungermaann asked why we would be paying for it if it’s not complete. Mr. Hooker stated the amount being paid for is half of the total. They are currently putting phones on desks and this payment is part of the contractual agreement.

A motion was made by Legislator Jessup, seconded by Legislator Fanton, and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims, totaling $3,306,370.52 including prepaid expenses, be approved for payment as recommended by the County Administrator. (Allegany County’s Local Dollar Share of the NYS Medicaid Program paid year-to-date is $9,272,928.)

COMMENTS: Legislator Healy reminded the Board that there would be a Republican caucus after the Board meeting.

ADJOURNMENT: The meeting was adjourned at 3:39 p.m. on a motion made by Legislator Graves, seconded by Legislator Burt, and carried.
CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:05 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Army Specialist Fifth Class William E. Locke.

INVOCATION: The Invocation was given by Legislator Pullen.


APPROVAL OF MINUTES:

The Board meeting minutes of November 28, 2016, were approved on a motion made by Legislator Graves, seconded by Legislator Decker, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to William E. Locke, former United States Army Specialist Fifth Class, in grateful appreciation of his service to our country. Mr. Locke’s service dates were from March 6, 1968, to December 17, 1969. Following Basic Training at Fort Dix, New Jersey, assignments included: Fort Sill, Oklahoma, and Binh Phước, Vietnam. Commendations he received included: National Defense Service Medal, Republic of Vietnam Campaign Medal, Vietnam Service Medal, and Army Commendation Medal. Mr. Locke led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans’ Honorary Pledge of Allegiance Program. Mr. Locke accepted the certificate on behalf of his dear friend Duane Scott, who lost his life while serving our country in Vietnam.

Chairman Crandall recognized several 30-Year employees:

Donna Dean – Employment Specialist, Department of Social Services
Marcie Willetts – Account Clerk Typist, Department of Social Services
Randy VanHousen – HMEO II, Department of Public Works
Jill Shelton – Senior Clerk, Employment & Training
Karen Elliott – Senior Motor Vehicle Cashier Examiner, County Clerk/DMV
Diane Langdon – Account Clerk Typist, Real Property Tax

(Mr. VanHousen and Ms. Langdon were in attendance to receive their plaques.)
STOP-DWI Program Coordinator Linda Edwards addressed the Board in support of Drunk and Drugged Driving Prevention Month. The Belmont BOCES Culinary Department served cookies and wassail as an example of a good alternative for a party without alcohol. Ms. Edwards read the following statement:

“The National Impaired Driving Prevention Month effort began in 1981 with a Presidential Proclamation to raise awareness about the consequences of driving while under the influence of alcohol and drugs. The holiday season is the time of the year when drunk and impaired driving accidents are most prevalent. Drug and alcohol use impair judgment, delay reaction times, and can result in deadly consequences when driving. According to the National Highway Traffic Safety Administration, drugs are involved in about 18 percent of motor vehicle driver deaths, while drunk-driving crashes account for 31 percent of all motor vehicle accidents. Additionally, thousands of drivers and passengers lose their lives each year because of drunk and drugged driving.’

‘What can you do to support National Drunk and Drugged Driving Prevention Month? Familiarize yourself with the definition of a standard drink. Understand how alcohol changes the brain and why staying within low-risk drinking limits is so important. Learn how it is impossible for a person to drink and “choose” to drive. Have a plan before you consume any alcohol. There are a number of simple tips for celebrating and driving safely this holiday season. If you are at a holiday party, think about how much alcohol you consume and have arrangements and back-up plans if you are impaired and unable to drive a vehicle. Other tips include allowing at least one hour between drinks, setting drink limits beforehand, alternating alcoholic drinks with non-alcoholic options, not mixing alcohol and drugs, and not riding with someone who is impaired. Recommit yourself to preventing the loss of life by reminding others to be sober and drug free, and use safe driving practices on the road. Please remember the 3-D slogan, “Don’t Drink, Don’t Drive, Don’t Die.” The Allegany County STOP-DWI Office will continue to work with our local agencies for enforcement, prosecution, supervision and education in an effort to address this issue. The current campaign of the New York State STOP-DWI Program is “Have a Plan, Don’t Drive, Get a Ride.” Know how you are going to get home safely before you consume alcohol and use a designated driver when necessary. Please have a safe and happy Christmas holiday.”

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. 2017 Allegany County Budget.

2. Report of IntraFund Transfers Approved by the County Administrator in November 2016.

3. Report of Tax Bill Corrections Approved by the County Administrator in November 2016.

4. Correspondence from the Allegany Senior Foundation thanking the Board for its recent donation.
(Board Clerk Brenda Riehle also announced the Board of Health will be holding its dinner on Wednesday, December 21. Additionally, a Public Safety Committee meeting will be held at 10:30 a.m. on December 21.)

APPOINTMENTS:

Curtis W. Crandall, Chairman of the Allegany County Board of Legislators appointed the following as members of the CITIZENS ADVISORY COUNCIL TO THE OFFICE FOR THE AGING for a term of three years commencing January 1, 2017, and expiring December 31, 2019, subject to confirmation by the Board of Legislators.

Over 60 Members
Gordon Grantier, Wellsville
Carole Onoda, Almond

Members
David Pullen, Fillmore
Mary Ann Trice, Wellsville
William Coch, MD, Alfred Station

PROCLAMATION:

Chairman Curtis Crandall proclaimed December 2016, as IMPAIRED DRIVING PREVENTION MONTH in Allegany County.

RESOLUTIONS:

RESOLUTION NO. 289-16

APPROVAL AND RATIFICATION OF FIVE-YEAR AGREEMENT BETWEEN COUNTY OF ALLEGANY AND NEW YORK STATE NURSES ASSOCIATION; IMPLEMENTING 2015 COMPENSATION NOTWITHSTANDING PROVISIONS OF RESOLUTION NO. 25-2012

Offered by: Personnel and Ways & Means Committees

RESOLVED:
1. That Agreement between the County of Allegany and the New York State Nurses Association covering the period January 1, 2015, to December 31, 2019, is approved.
2. That notwithstanding the provisions of section 2 of Resolution No. 25-2012 to the contrary, retroactive to and from January 1, 2015, each unit employee occupying a position set forth in Agreement between the County of Allegany and the New York State Nurses 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 Schedule A of such Agreement, and which salary or rate of compensation such unit employee is
entitled to receive commencing January 1, 2015, pursuant to such Agreement and pursuant to the County Unit Salary Plan; the increment recommendation from the Public Health Director for each such unit employee under her jurisdiction receiving such recommendation being approved.

3. That the Chairman of this Board is authorized to execute and ratify the Agreement upon its preparation and approval by the County Attorney’s Office.

Moved by: Mr. O’Grady
Seconded by: Mr. Pullen

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

Comments made regarding Resolution No. 289-16 included: Chairman Crandall noted that the resolution needed to be amended. Legislator Decker made a motion to change the title of the resolution to say “five-year” rather than “seven-year.” That motion was seconded by Legislator Pullen, and carried, to correct the term of the agreement in the title of the resolution. Legislator Burt asked for clarification on a portion of the agreement. The bereavement leave section of the agreement on page 2 defines what relatives are included in bereavement leave. Legislator Burt noted that it states “blood relatives.” He wondered how this would apply to children or parents who became a relative through adoption. County Attorney Tom Miner stated that generally adopted children are included in this. Legislator Pullen added that under New York State Law there is no distinction between children who are blood related and children who are adopted. They are treated the same. The agreement wants to distinguish between the employee’s relatives and the employee’s spouse’s relatives.

RESOLUTION NO. 290-16

ACCEPTANCE OF INSURANCE PAYMENT FROM NYMIR AND APPROPRIATION OF FUNDS TO RISK RETENTION ACCOUNTS

Offered by: Ways & Means Committee

WHEREAS, checks in the amount of $1,200 and $2,785.71, representing the reimbursement for towing fees and supplemental charges associated with repairs to a DPW 2017 Kenworth Tractor Trailer (VIN: #3WKDD40X9HF155042) that was damaged in a motor vehicle accident on August 24, 2016, have been offered by NYMIR (New York Municipal Insurance Reciprocal) in settlement for such damage, now, therefore, be it

RESOLVED:

1. That the sum of $3,985.71 representing the reimbursement for towing fees and supplemental charges associated with repairs on a DPW 2017 Kenworth Tractor Trailer (VIN: #3WKDD40X9HF155042) that was damaged on August 24, 2016, is accepted.

2. That the sum of $3,985.71 is placed in Account No. CS1931.429 (Risk Retention - Uninsured Property Loss) with a like sum credited to Revenue Account No. CS1930.2680.00 (Insurance Recovery).
RESOLUTION NO. 291-16

APPROVAL OF 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 & 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.

Moved by: Mr. Jessup
Seconded by: Mr. Pullen

RESOLUTION NO. 292-16

LEVYING TAXES AND ASSESSMENTS REQUIRED FOR PURPOSES OF ANNUAL BUDGETS OF THE TOWNS OF ALLEGANY COUNTY

Offered by: Ways & 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, 2017, now, therefore, be it

RESOLVED:

1. That there is levied, assessed and raised by tax and assessments upon the real property liable therefore situated 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:

<table>
<thead>
<tr>
<th>Town</th>
<th>General Fund</th>
<th>Highway Fund</th>
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</thead>
<tbody>
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<td>Almond</td>
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<td>Andover</td>
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<tr>
<td>Cuba</td>
<td>0.00</td>
<td>300,098.00</td>
</tr>
<tr>
<td>Wellsville</td>
<td>113,405.41</td>
<td>334,375.96</td>
</tr>
<tr>
<td>Wirt</td>
<td>3,722.95</td>
<td>119,626.46</td>
</tr>
</tbody>
</table>

2. That there is levied, assessed and raised by tax and assessments upon the real property liable therefore situated 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:

<table>
<thead>
<tr>
<th>Town</th>
<th>General Fund</th>
<th>Highway Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alfred</td>
<td>172,446.00</td>
<td>194,865.00</td>
</tr>
<tr>
<td>Allen</td>
<td>127,222.20</td>
<td>166,477.00</td>
</tr>
<tr>
<td>Alma</td>
<td>174,100.00</td>
<td>435,285.00</td>
</tr>
<tr>
<td>Almond</td>
<td>199,915.00</td>
<td>246,155.00</td>
</tr>
<tr>
<td>Amity</td>
<td>209,721.00</td>
<td></td>
</tr>
<tr>
<td>Andover</td>
<td>175,087.00</td>
<td>159,939.00</td>
</tr>
<tr>
<td>Angelica</td>
<td>165,224.00</td>
<td>66,656.00</td>
</tr>
<tr>
<td>Belfast</td>
<td>243,414.00</td>
<td>459,696.00</td>
</tr>
<tr>
<td>Birdsall</td>
<td>136,145.00</td>
<td>57,351.00</td>
</tr>
<tr>
<td>Bolivar</td>
<td>154,767.00</td>
<td>212,706.00</td>
</tr>
</tbody>
</table>
3. That there is levied, assessed and raised by tax and assessments upon the real property liable therefore 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:

<table>
<thead>
<tr>
<th>Town</th>
<th>District</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alfred</td>
<td>Fire Protection</td>
<td>38,100.00</td>
</tr>
<tr>
<td></td>
<td>Hydrant</td>
<td>352.00</td>
</tr>
<tr>
<td>Allen</td>
<td>Fire District</td>
<td>14,810.00</td>
</tr>
<tr>
<td>Alma</td>
<td>Fire Protection</td>
<td>61,326.00</td>
</tr>
<tr>
<td></td>
<td>Light District</td>
<td>2,000.00</td>
</tr>
<tr>
<td>Almond</td>
<td>Fire Protection</td>
<td>25,000.00</td>
</tr>
<tr>
<td>Amity</td>
<td>Fire District</td>
<td>48,000.00</td>
</tr>
<tr>
<td>Andover</td>
<td>Fire Protection</td>
<td>34,000.00</td>
</tr>
<tr>
<td>Angelica</td>
<td>Fire Protection District</td>
<td>33,600.00</td>
</tr>
<tr>
<td>Belfast</td>
<td>Light District #1</td>
<td>8,500.00</td>
</tr>
<tr>
<td></td>
<td>Fire Protection</td>
<td>65,740.00</td>
</tr>
<tr>
<td></td>
<td>Water District</td>
<td>95,976.00</td>
</tr>
<tr>
<td>Birdsall</td>
<td>Fire</td>
<td>19,860.00</td>
</tr>
<tr>
<td>Bolivar</td>
<td>Richburg-Wirt Fire District</td>
<td>4,408.00</td>
</tr>
<tr>
<td></td>
<td>Bolivar Joint Fire District</td>
<td>120,960.00</td>
</tr>
<tr>
<td>Burns</td>
<td>Canaseraga Fire Protection</td>
<td>30,000.00</td>
</tr>
<tr>
<td>Caneadea</td>
<td>Caneadea Water District</td>
<td>130,038.00</td>
</tr>
<tr>
<td>Town</td>
<td>District/Service</td>
<td>Amount</td>
</tr>
<tr>
<td>---------------------</td>
<td>-----------------------------------------</td>
<td>---------</td>
</tr>
<tr>
<td>Houghton</td>
<td>Sewer District</td>
<td>206,538.00</td>
</tr>
<tr>
<td>Caneadea</td>
<td>Light</td>
<td>3,000.00</td>
</tr>
<tr>
<td>Houghton</td>
<td>Light</td>
<td>18,000.00</td>
</tr>
<tr>
<td>Oramel</td>
<td>Light</td>
<td>1,100.00</td>
</tr>
<tr>
<td>Caneadea</td>
<td>Fire</td>
<td>112,914.00</td>
</tr>
<tr>
<td>Rushford Lake</td>
<td>District</td>
<td>63,718.00</td>
</tr>
<tr>
<td>Centerville</td>
<td>Fire District</td>
<td>25,450.00</td>
</tr>
<tr>
<td>Clarksville</td>
<td>Fire District</td>
<td>79,228.00</td>
</tr>
<tr>
<td>Cuba</td>
<td>Lake District</td>
<td>40,458.00</td>
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<tr>
<td></td>
<td>Water District</td>
<td>3,000.00</td>
</tr>
<tr>
<td></td>
<td>Fire Protection District</td>
<td>261,428.00</td>
</tr>
<tr>
<td></td>
<td>Sewer District</td>
<td>100,213.00</td>
</tr>
<tr>
<td>Friendship</td>
<td>Lighting District #1</td>
<td>27,000.00</td>
</tr>
<tr>
<td></td>
<td>Fire District</td>
<td>102,000.00</td>
</tr>
<tr>
<td></td>
<td>Sidewalks Fund</td>
<td>28,666.00</td>
</tr>
<tr>
<td></td>
<td>Refuse &amp; Garbage District</td>
<td>55,432.00</td>
</tr>
<tr>
<td>Genesee</td>
<td>Fire Protection 1 (Bolivar)</td>
<td>43,557.00</td>
</tr>
<tr>
<td></td>
<td>Fire Protection 2 (Portville)</td>
<td>33,838.00</td>
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<tr>
<td>Granger</td>
<td>Fire Protection</td>
<td>21,000.00</td>
</tr>
<tr>
<td>Grove</td>
<td>Lighting District</td>
<td>2,500.00</td>
</tr>
<tr>
<td></td>
<td>Canaseraga Fire District</td>
<td>30,000.00</td>
</tr>
<tr>
<td></td>
<td>Nunda Fire District</td>
<td>6,000.00</td>
</tr>
<tr>
<td>Hume</td>
<td>Fire Protection</td>
<td>88,694.00</td>
</tr>
<tr>
<td></td>
<td>Light District 1 (Hume)</td>
<td>3,700.00</td>
</tr>
<tr>
<td></td>
<td>Light District 2 (R &amp; W)</td>
<td>4,150.00</td>
</tr>
<tr>
<td></td>
<td>Light District 3 (Hume)</td>
<td>10,500.00</td>
</tr>
<tr>
<td></td>
<td>Sidewalk</td>
<td>9,000.00</td>
</tr>
<tr>
<td></td>
<td>Sewer District</td>
<td>0.00</td>
</tr>
<tr>
<td></td>
<td>Consolidated Water Dist.</td>
<td>0.00</td>
</tr>
<tr>
<td>Independence</td>
<td>Fire</td>
<td>56,532.00</td>
</tr>
<tr>
<td></td>
<td>Street Light (Whitesville)</td>
<td>8,000.00</td>
</tr>
<tr>
<td></td>
<td>Water District (Whitesville)</td>
<td>0.00</td>
</tr>
<tr>
<td>New Hudson</td>
<td>Light District 1</td>
<td>2,500.00</td>
</tr>
<tr>
<td></td>
<td>Fire District 1</td>
<td>41,000.00</td>
</tr>
<tr>
<td>Rushford</td>
<td>Fire District</td>
<td>87,650.00</td>
</tr>
<tr>
<td></td>
<td>Lighting District</td>
<td>8,500.00</td>
</tr>
<tr>
<td></td>
<td>Rushford Lake District</td>
<td>240,388.00</td>
</tr>
<tr>
<td>Scio</td>
<td>Consolidated Water Dist.</td>
<td>44,802.00</td>
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<tr>
<td></td>
<td>Light District 1</td>
<td>22,382.00</td>
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<td>Fire District 1</td>
<td>102,000.00</td>
</tr>
<tr>
<td>Ward</td>
<td>Fire Protection</td>
<td>9,350.00</td>
</tr>
<tr>
<td>Wellsville</td>
<td>Fire Protection District</td>
<td>121,000.00</td>
</tr>
<tr>
<td></td>
<td>Hillcrest Lighting District</td>
<td>175.00</td>
</tr>
</tbody>
</table>
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. Jessup
Seconded by: Mr. Graves
Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 292-16 included: Legislator Fanton noted a typo on page 4 of the resolution. Under the Sinclair Water District, the amount should be $21,436.68. Legislator Graves made a motion, seconded by Legislator Decker, and carried to amend the resolution to correct the amount.

Resolution Intro. No. 293-16 (APPROVAL OF NATURAL GAS PURCHASE AGREEMENT WITH DIRECT ENERGY BUSINESS MARKETING, LLC) was not pre-filed and was considered from the floor on a motion made by Legislator Pullen, seconded by Legislator Healy, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 293-16

APPROVAL OF NATURAL GAS PURCHASE AGREEMENT WITH DIRECT ENERGY BUSINESS MARKETING, LLC

Offered by: Public Works Committee

WHEREAS, the County had previously entered into a power purchase agreement for natural gas with Direct Energy Business Marketing, LLC (Direct Energy) covering a two year term, and

WHEREAS, that agreement is due to expire at the end on this year, and

WHEREAS, negotiations with Direct Energy have resulted in Direct Energy offering a new two year agreement to supply natural gas to the County at a fixed price which is less than the amount the County is currently paying for natural gas, and
WHEREAS, the County Administrator and Superintendent of Public Works believe that the price being offered by Direct Energy is fair and competitive and it is in the best interests of the County to lock in the price of natural gas being offered by Direct Energy, and

WHEREAS, the market for natural gas is very fluid and Direct Energy will not lock in the price being offered until a formal agreement is entered into between the County and Direct Energy, and

WHEREAS, in order to secure the cost savings to the County, the Board Chairman signed the agreement with Direct Energy with the understanding that the Board of Legislators would need to subsequently approve the agreement and ratify the Chairman’s signature to that agreement, now therefore, be it

RESOLVED:
1. That a power purchase agreement for natural gas from Direct Energy Business Marketing, LLC, for a two-year term commencing January 1, 2017, and ending December 31, 2018, is hereby approved.

2. That the Chairman of the Board’s signature to that agreement is hereby ratified and approved.

Moved by: Mr. Curran
Seconded by: Mr. Fanton
Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

AUDITS:

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

A motion was made by Legislator Jessup, seconded by Legislator Fanton, and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims, totaling $3,579,244.32 including prepaid expenses, be approved for payment as recommended by the County Administrator. (Allegany County’s Local Dollar Share of the NYS Medicaid Program paid year-to-date is $9,659,300.)

COMMENTS:

Legislator Pullen remarked on Resolution No. 289-16 (Approval and Ratification of Five-Year Agreement between County of Allegany and New York State Nurses Association; Implementing 2015 Compensation Notwithstanding Provisions of Resolution No. 25-2012) saying he believed the results achieved by this agreement are fair for both the employees and the County. He acknowledged County Administrator Tim Boyde, Deputy County Administrator Bob Budinger, and Public Health Director Lori Ballengee for their efforts in putting this together.
ADJOURNMENT: The meeting was adjourned at 2:40 p.m. on a motion made by Legislator Graves, seconded by Legislator Burt, and carried.
ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION

DECEMBER 27, 2016

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:07 p.m. by Chairman Curtis W. Crandall.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by retired United States Army Command Sergeant Major James H. Helms.

INVOCATION: The Invocation was given by Legislator Pullen.


APPROVAL OF MINUTES:

The Board meeting minutes of December 12, 2016, were approved on a motion made by Legislator Curran, seconded by Legislator Burt, and carried.

The Committee of the Whole meeting minutes of December 12, 2016, were approved on a motion made by Legislator Pullen, seconded by Legislator Fanton, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to James H. Helms, retired United States Army Command Sergeant Major, in grateful appreciation of his service to our country. Mr. Helm’s service dates were from December 14, 1991, to November 1, 2016. Mr. Helm’s initial assignment was to Higher Headquarters Detachment, 3rd Battalion, 4th Brigade, 98th Division, Olean, New York, where he served as a Food Service Specialist. In 1995, he transferred to the 2nd Battalion, 390th Regiment, 2nd Brigade, 98th Division and reclassified to 12B (Combat Engineer). One year later he was promoted to the rank of Sergeant and later became a Drill Sergeant. In 1999, at the rank of Staff Sergeant, he was chosen to serve in the 98th Division Drill Sergeant School as a Drill Sergeant Leader, and for the next six years trained Noncommissioned Officers to become Drill Sergeants. He served as the Senior Drill Sergeant Leader for Branch School #2, Niagara Falls, New York and Branch School #1 Mattydale, New York, for three of those years. During his time at the Drill Sergeant School, he was selected and served as the 98th Division Drill Sergeant of the Year. Upon being promoted to Master Sergeant in 2005, he transferred to Higher Headquarters Company, 7th Brigade, 98th Division where he served as the Brigade Operations NCO. He later returned to the 98th Division Drill Sergeant School in 2006 to serve as the Chief Instructor where he was a lead in the 98th Division Drill Sergeant School’s merger with the 84th Division and 108th Division. In 2007, he transferred from the 108th Division to the Charlie Company, 2nd
Battalion, 389th Regiment, 4th Brigade, 98th Division where he served as First Sergeant. In 2010, he deployed to Baghdad, Iraq, with Detachment 15, 1st Battalion, 390th Regiment, 4th Brigade, 98th Division attached to III Corps, and later XVIII Airborne Corp, as First Sergeant of a convoy operations and personal security detachment (PSD) cavalry troop. After returning from Iraq he was selected in January 2012 as the Battalion Command Sergeant Major for the 401st Civil Affairs Battalion and was later board selected in March 2014 to serve as the Brigade Command Sergeant Major for the 360th Civil Affairs Brigade (Airborne) at Fort Jackson, South Carolina, where he later retired. Commendations he received included: Bronze Star Medal, Meritorious Service Medal (4th award), Army Commendation Medal (4th award), Army Achievement Medal (6th award), Army Good Conduct Medal, Army Reserve Components Achievement Medal (7th award), National Defense Service Medal (2nd award), Iraq Campaign Medal (one bronze service star), Global War on Terrorism Service Medal, Armed Forces Reserve Medal (with silver hourglass M device), Noncommissioned Officers Professional Development Ribbon (4th award), Army Service Ribbon, Overseas Ribbon, and Drill Sergeant Identification Badge. Mr. Helms led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans’ Honorary Pledge of Allegiance Program.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:


2. Pursuant to Article 11 of the NYS Real Property Tax Law, Deputy County Treasurer Jenna Kelley filed Certificates of Withdrawal of Delinquent Tax Liens for a property in the town of Genesee in the Clerk of the Board’s Office on December 22, 2016.

3. Correspondence from the Farm Bureau inviting Legislators to attend their Annual Holiday Dinner Meeting at 6:30 p.m. on January 11.

4. Notice that the Allegany County Board of Legislators will hold their Organization Meeting at 2:00 p.m. on Tuesday, January 3, in the Legislative Board Chambers. (Contingent on Adoption of Resolution Intro. No. 299-16.)

APPOINTMENTS:

Chairman Curtis W. Crandall reappointed the following to new three-year terms as members of the ALLEGANY COUNTY PLANNING BOARD commencing January 1, 2017, and expiring December 31, 2019:

John Gorton, Grove (District V)
Aaron Dale Foster, Andover (District IV)
Valerie Perkins, Caneadea (District I)
Larry Kaminski, Wellsville (District III)
Chairman Crandall reappointed John Stoltzfus as a member of the ALLEGANY COUNTY PLANNING BOARD to fill an unexpired term commencing January 1, 2017, and expiring December 31, 2017: Subject to confirmation by the Board of Legislators.

Chairman Crandall also plans to make the annual ex-officio appointments to the Planning Board as follows:

Guy R. James, Public Works Superintendent, Scio
Terri L. Ross, County Treasurer, Angelica
Charles O. Jessup, Ways & Means Committee Chairman, Alfred Station

RESOLUTIONS:

RESOLUTION NO. 294-16

RESOLUTION CALLING UPON OUR UNITED STATES REPRESENTATIVES TO ENACT LEGISLATION MAKING IT A FEDERAL CRIME, WITH A MANDATORY DEATH PENALTY, FOR THE INTENTIONAL KILLING OF POLICE OFFICERS, PEACE OFFICERS, AND FIRST RESPONDERS

OFFERED BY: Ways & Means Committee

WHEREAS, there has been a breakdown of social order, responsibility, and consciousness which has resulted in an escalation of both the number and nature of violent attacks against police officers, peace officers, firefighters and medical first responders, which has even included their outright assassination, now, therefore, be it

RESOLVED:

1. The Allegany County Board of Legislators petitions our United States Representatives and requests that they immediately introduce legislation in Congress making it a Federal Crime, with a mandatory death penalty sentence, to intentionally cause the death of any police officer, peace officer, firefighter or any medical first responder while such are acting in their official capacity, or at any time thereafter, when such death is caused because of their status as a police officer, peace officer, fire fighter or medical first responder.

2. A certified copy of this Resolution shall be transmitted immediately after its adoption by the Allegany County Board of Legislators to Senator Charles Schumer; Senator Kirsten Gillibrand, and Congressman Tom Reed.

Moved by: Mr. Healy  Adopted: Voice Vote
Seconded by: Mr. Graves

Comments made regarding Resolution No. 294-16 included: Legislator Root remarked that she understood the importance of this, but couldn't support the resolution because she
doesn’t support the death penalty. Legislator Healy stated that unfortunately it appears to many, and personally saddens him, that with the history of the current outgoing administration in Washington, through both their words and actions, either directly or indirectly, that it has apparently contributed to the decline in social order which has resulted in a war on police officers and first responders which makes it necessary for such a resolution to begin with. He said that he hoped his fellow legislators could support this resolution. Legislator Burt remarked that when he first read the resolution he thought it was unintentionally asking him where he stood on the death penalty. After reading through it further, the reason he decided he could support this resolution is because of the idea that someone would intentionally kill another person because of the position they hold as a police officer or first responder. That part of it he can support. After the vote, Legislator Burt thanked Legislator Healy for bringing this resolution to the Board. Legislator Healy thanked the Board for their cooperation and understanding. Chairman Crandall remarked on a similar situation involving a resolution regarding gun control when he was first elected to the Board.

RESOLUTION NO. 295-16

RESOLUTION FIXING DATE OF 2017 ORGANIZATION MEETING

Offered by: Ways & Means Committee

RESOLVED:

1. That the Board of Legislators shall meet on Tuesday, January 3, 2017, at 2:00 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. Fanton
Seconded by: Mr. Curran

Adopted: Voice Vote

RESOLUTION NO. 296-16

SUSPENDING CERTAIN COUNTY BOARD RULES AFFECTING PROPOSED RESOLUTIONS REQUESTED TO BE SUBMITTED AT ORGANIZATION MEETING ON JANUARY 3, 2017

Offered by: Ways & 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 3, 2017.
RESOLUTION NO. 297-16

DELEGATING AUTHORITY FOR CERTAIN REAL PROPERTY TAX REFUNDS AND CORRECTION OF TAX BILLS AND TAX ROLLS

Offered by: Ways & Means Committee

Pursuant to Sections 554 (9) (a) and 556 (8) (a) of the Real Property Tax Law

WHEREAS, Sections 554 and 556 of the Real Property Tax Law authorize the County Board of Legislators to delegate the authority to make real property tax refunds and correct tax bills and tax rolls where the recommended refund or correction is $2,500 or less, and

WHEREAS, utilization of this option will save numerous resolutions per year, and

WHEREAS, it is proposed that the County Administrator, who is also the County Auditor, as the individual who audits bills for payments, would be the official to perform the delegated refund and correction duties, and

WHEREAS, should the County Administrator as County Auditor deny the refund, the application would then be presented to the County Board of Legislators for its consideration, and

WHEREAS, the delegation must be given each calendar year, now, therefore, be it

RESOLVED:

1. This Board does delegate the authority to make real property tax refunds and to correct tax bills and tax rolls to the County Administrator as County Auditor pursuant to the above sections of the Real Property Tax Law subject to the limitations in paragraphs 2. and 3. of this resolution for calendar year 2017.

2. That for calendar year 2017, the County Administrator as County Auditor is authorized to perform the duties of the County Board of Legislators in providing real property tax refunds, where the recommended refund is $2,500 or less, in accordance with Section 556 of the Real Property Tax Law.

3. That for calendar year 2017, the County Administrator as County Auditor is authorized to correct tax bills and tax rolls, where the recommended correction is $2,500 or less, in accordance with Section 554 of the Real Property Tax Law.
RESOLUTION NO. 298-16

CREATION OF ONE FULL-TIME POSITION OF BUILDING MAINTENANCE MECHANIC IN THE DEPARTMENT OF PUBLIC WORKS

Offered by: Public Works Committee

RESOLVED:

1. That one full-time position of Building Maintenance Mechanic (AFSCME, Grade 15) is created.

2. This resolution shall take effect immediately.

Moved by: Mr. Fanton
Seconded by: Mr. Pullen
Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

Comments made regarding Resolution No. 298-16 included: Legislator Healy stated that the position is truly needed and he plans to support the resolution. Legislator O’Grady remarked that he wasn’t going to support this initially, especially since we’ve been monitoring the number of employees and we seem to be continually growing. He said that after some discussion, it appears there could be a bit of a workforce reduction in the future so he will support this. Legislator Burt noted that this demonstrates the importance of their caucuses. This was discussed during a caucus and things were clarified.

RESOLUTION NO. 299-16

REAPPOINTMENT OF FIVE MEMBERS TO THE CITIZENS ADVISORY COUNCIL TO THE OFFICE FOR THE AGING

Offered by: Human Services Committee

Pursuant to Resolution No. 221-74

RESOLVED:

1. That the reappointments of Gordon Grantier (Over 60 Member) of Wellsville, New York, Carole Onoda (Over 60 Member) of Almond, New York, David Pullen of Fillmore, New York, Mary Ann Trice of Wellsville, New York, and William Coch, MD, of Alfred Station,
New York, to the Citizens Advisory Council to the Office for the Aging, with a term of office for each commencing January 1, 2017, and expiring December 31, 2019, are confirmed.

Moved by: Mr. LaForge  
Seconded by: Mr. Decker  
Adopted: Voice Vote

Comments made regarding Resolution No. 299-16 included: A motion was made by Legislator LaForge, seconded by Legislator Pullen, and carried to amend the resolution to replace Mona Pettit’s name with Gordon Grantier.

RESOLUTION NO. 300-16

REAPPOINTMENT OF TWO MEMBERS TO ALLEGANY COUNTY COMMUNITY SERVICES BOARD

Offered by: Human Services Committee

RESOLVED:


Moved by: Mr. LaForge  
Seconded by: Mr. Decker  
Adopted: Voice Vote

RESOLUTION NO. 301-16

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, 2017, and expire December 31, 2017:

   Kevin Gagne  
   Judson Stearns, Jr.  
   Richard Paul Edwards  
   Emily Ormsby  
   Brian Ennis  
   Alfred  
   Alfred Station  
   Allentown  
   Almond  
   Andover
<table>
<thead>
<tr>
<th>Name</th>
<th>Town</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rick Abbott</td>
<td>Angelica</td>
</tr>
<tr>
<td>David Jennings</td>
<td>Belfast</td>
</tr>
<tr>
<td>Brandon LaValley</td>
<td>Belmont</td>
</tr>
<tr>
<td>Terry Richardson</td>
<td>Bolivar</td>
</tr>
<tr>
<td>Scott Kenyon</td>
<td>Canaseraga</td>
</tr>
<tr>
<td>Scott Sharp</td>
<td>Clarksville</td>
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<tr>
<td>John Wilson</td>
<td>Cuba</td>
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<td>Gerald Gayford</td>
<td>Fillmore</td>
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<td>Carl Greene</td>
<td>Friendship</td>
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<td>Loren Luzier</td>
<td>New Hudson</td>
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<td>Lyle Champlin</td>
<td>Richburg</td>
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<td>Dan Metcalf</td>
<td>Rushford</td>
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<td>Tim Voss</td>
<td>Short Tract</td>
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<td>David Helmer, Sr.</td>
<td>Wellsville</td>
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<tr>
<td>Alan Mills</td>
<td>Wiscoy-Rossburg</td>
</tr>
<tr>
<td>Dennis Graves</td>
<td>Whitesville</td>
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Moved by: Mr. Curran
Seconded by: Mr. Healy

**RESOLUTION NO. 302-16**

**ACCEPTANCE OF INSURANCE PAYMENT FROM NYMIR AND APPROPRIATION OF FUNDS TO RISK RETENTION ACCOUNTS**

Offered by: Ways & Means Committee

WHEREAS, a check in the amount of $245, representing the cost to replace a windshield on an Office for the Aging, 2016 Dodge Caravan, has been offered by NYMIR in settlement for such damage, now, therefore, be it

RESOLVED:

1. That the amount of $245 from NYMIR, representing the cost to replace a windshield on a 2016 Dodge Caravan, is accepted.

2. That the sum of $245 is placed in Account No. CS1931.429 (Risk Retention - Uninsured Property Loss) with a like sum credited to Revenue Account No. CS1930.2680.00 (Insurance Recovery).

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

Adopted: Voice Vote

13 Ayes, 0 Noes, 2 Absent
RESOLUTION NO. 303-16

ACCEPTANCE OF COLA FUNDS FROM THE NEW YORK STATE DEPARTMENT OF HEALTH FOR THE WIC PROGRAM; APPROPRIATION OF FUNDS

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. The sum of $7,935 in COLA funds for the County Health Department WIC Program is accepted.

2. The sum of $7,935 shall be appropriated to the following accounts:

<table>
<thead>
<tr>
<th>Appropriation Accounts</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A4190.201 (WIC – Office Equipment)</td>
<td>$1,496</td>
</tr>
<tr>
<td>A4190.412 (WIC – Repairs: Real Property)</td>
<td>$6,439</td>
</tr>
<tr>
<td></td>
<td>$7,935</td>
</tr>
</tbody>
</table>

with a like sum credited to Revenue Account No. A4190.4452.00 (Federal Aid – WIC 4482).

Moved by: Mr. LaForge Adopted: Roll Call
Seconded by: Mr. Curran 13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 304-16

ACCEPTANCE AND APPROPRIATION OF A BEQUEST FROM THE ESTATE OF NANCY T. ROUSE FOR THE OFFICE FOR THE AGING

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. That the sum of $500 from the estate of Nancy T. Rouse is accepted.

2. That the accepted sum of $500 shall be placed in Account No. A6773.402 (OFA Supportive Services – Mileage) with a like sum credited to Revenue Account No. A6773.1972.00 (OFA Supportive Services – Charges for OFA Nutrition).

Moved by: Mrs. Root Adopted: Roll Call
Seconded by: Mrs. Hopkins 13 Ayes, 0 Noes, 2 Absent

Comments made regarding Resolution No. 304-16 included: Legislator Pullen said what a privilege it was to serve with Mrs. Rouse on the Advisory Council to the Office for the Aging.
RESOLUTION NO. 305-16

ACCEPTANCE AND APPROPRIATION OF FUNDS FROM ACCORD CORPORATION
AND USER FEES FOR THE ACT II BATTERERS PROGRAM

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That the sum of $2,275 from ACCORD Corporation for the Act II Batterers Program and the sum of $1,717.75 in user fees for such program, is accepted.

2. That the accepted sum of $2,275 for the Act II Batterers Program and $1,717.75 in user fees for such program is placed in Account No. A3117.449 (ACT II Batterers Program – Contractual) with a like sum credited to Revenue Account No. A3117.2260.00 (ACT II Batterers Program – Public Safety Services for Other Govt.).

Moved by: Mr. Curran
Seconded by: Mr. Fanton
Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

RESOLUTION NO. 306-16

BUDGET TRANSFER WITHIN PUBLIC WORKS ACCOUNTS

Offered by: Public Works and Ways & Means Committees

RESOLVED:

1. That the sum of $120,000 from Account No. D5110.408 (County Road – General Supplies) and the sum of $95,000 from Account No. D5110.422 (County Road – Fuel) shall be transferred to Account No. H5197.200 (Highway Equipment & Capital Outlay Force Feed Loader) to purchase a Force Feed Loader.

Moved by: Mr. Fanton
Seconded by: Mr. Curran
Adopted: Roll Call
15 Ayes, 0 Noes, 0 Absent

RESOLUTION NO. 307-16

APPROVAL OF INTERMUNICIPAL AGREEMENT BETWEEN MONROE
COUNTY AND ALLEGANY COUNTY FOR FORENSIC PATHOLOGY SERVICES
THROUGH THE MONROE COUNTY MEDICAL EXAMINER’S OFFICE

Offered by: Human Services Committee

Pursuant to County Law § 675
RESOLVED:

1. That the Intermunicipal Agreement between Monroe County and Allegany County for forensic pathology services for the period of January 1, 2017, to December 31, 2017, is approved.

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

Moved by: Mr. LaForge                               Adopted: Roll Call
Seconded by: Mr. Decker                             13 Ayes, 0 Noes, 2 Absent

Comments made regarding Resolution No. 307-16 included: Legislator Burt brought up the topic of the fees that would be charged in 2017. He noted that during a committee meeting it was discussed with Public Health Director Lori Ballengee and she was hopeful the fees would remain the same for 2017 as they were for 2016. Since that discussion, Monroe County has agreed to continue with the fees that were in place for 2016.

RESOLUTION NO. 308-16

APPROVAL OF AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND THE OLEAN GENERAL HOSPITAL FOR AUTOPSY WORK; AUTHORIZING BOARD CHAIRMAN TO EXECUTE SAID AGREEMENT

Offered by: Human Services Committee

RESOLVED:

1. That Agreement between the County of Allegany and the Olean General Hospital for performing autopsies commencing January 1, 2017, to December 31, 2019, is approved.

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

Moved by: Mr. LaForge                               Adopted: Roll Call
Seconded by: Mrs. Root                              13 Ayes, 0 Noes, 2 Absent

Comments made regarding Resolution No. 308-16 included: Legislator Decker thanked Lori Ballengee for initiating this renewal. He remarked that it saves the County a great deal of money. Chairman Crandall added, “It gives us an alternative to the previous resolution.”
RESOLUTION NO. 309-16

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. Curran
Seconded by: Mr. Pullen
Adopted: Roll Call
13 Ayes, 0 Noes, 2 Absent

Comments made regarding Resolution No. 309-16 included: Legislator Burt directed the Board’s attention to pages 53-61 of the agreement. He asked the County Attorney if it was common practice to include items such as solid waste disposal to this agreement. Legislator Burt also asked if Mr. Miner was comfortable with the agreement. County Attorney Tom Miner responded that he was comfortable with the agreement and that these types of things are often added to agreements. Legislator Burt asked if that meant the County could be liable for additional costs. Mr. Miner stated, “no.”

RESOLUTION NO. 310-16

APPROVAL OF ENTRY INTO AN INTER-MUNICIPAL MUTUAL AID AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND THE ALLEGANY COUNTY TOWN HIGHWAY SUPERINTENDENTS ASSOCIATION

Offered by: Public Works Committee

RESOLVED:

1. That entry into an Inter-Municipal Mutual Aid Agreement between the County of Allegany and the Allegany County Town Highway Superintendents Association for period January 1, 2017, to December 31, 2017, is approved.

2. That the Superintendent of the Department of Public Works is authorized to execute the agreement.
RESOLUTION NO. 311-16

APPROVAL OF AGREEMENT BETWEEN ALLEGANY COUNTY AND PITNEY BOWES
FOR LEASE/PURCHASE OF A POSTAGE METER

Offered by: Ways & Means Committee

RESOLVED:

1. That the Agreement between Allegany County and Pitney Bowes for a 48-month lease/purchase agreement for a SendPro P1500 Series Postage Meter for the period of January 1, 2017, to December 31, 2020, is approved.

2. That the Clerk of this Board’s signature to said agreement is hereby ratified and approved.

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

13 Ayes, 0 Noes, 2 Absent

Comments made regarding Resolution No. 311-16 included: Legislator Ungermann asked if the postage meter would belong to the County in 2020. Board Clerk Brenda Rigby Riehle stated that it could be ours, but we may want a new meter at that time. Legislator Ungermann asked if these meters wear out. Mrs. Riehle stated that belts wear out and there are other maintenance items to address. Legislator Ungermann asked if the postage meter saves time in processing mail. Mrs. Riehle stated that she believes so. It’s more efficient than each department processing their own mail. Legislator Burt thanked Mrs. Riehle for taking the time to educate him on this topic. He stated that he was torn. When postage meters first came out, there was a savings on postage. He also noted that over the course of 48 months, the cost will be $16,000. If the old postage rates applied, it would be correct to enter into this agreement. Legislator Graves stated that if the postage meter weighs the mail, it could save money on potentially wasted postage.

RESOLUTION NO. 312-16

TRANSFERS BETWEEN APPROPRIATION ACCOUNTS

Offered by: Ways & 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 2016 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 2016 proceedings of this Board following this resolution.

Moved by: Mr. Fanton  
Seconded by: Mrs. Root  
Adopted: Roll Call  
13 Ayes, 0 Noes, 2 Absent

Resolution Intro. No. 317-16 (RESOLUTION APPROVING A MASS TRANSPORTATION CAPITAL PROJECT AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR SECTION 5311 GRANT ASSISTANCE FOR THE PURPOSE OF CONSTRUCTING A PARK-AND-RIDE LOT IN ALLEGANY COUNTY; ACCEPTANCE OF FUNDS) was not pre-filed and was considered from the floor on a motion made by Legislator Fanton, seconded by Legislator Root, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.

RESOLUTION NO. 313-16

RESOLUTION APPROVING A MASS TRANSPORTATION CAPITAL PROJECT AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR SECTION 5311 GRANT ASSISTANCE FOR THE PURPOSE OF CONSTRUCTING A PARK-AND-RIDE LOT IN ALLEGANY COUNTY; ACCEPTANCE OF FUNDS

Offered by: Ways & Means Committee

WHEREAS, the United States Department of Transportation is authorized to make grants to states through the Federal Transit Administration to support eligible projects pursuant to Section 5311, Title 49, United States Code; and

WHEREAS, the New York State Department of Transportation (NYSDOT) has been designated by the Governor of the State of New York to administer Section 5311 Federal funds for projects; and

WHEREAS, NYSDOT has allocated Section 5311 consolidated grant funding in the amount of $767,700 to Allegany County for a mass transportation capital project; and
WHEREAS, the mass transportation capital project is identified as the Allegany County Park and Ride Construction; and

WHEREAS, Allegany County will enter into a contract with NYSDOT for Section 5311 consolidated grant assistance which authorizes the undertaking of the project and payment of the Federal and State shares for the project; and

WHEREAS, the total project is estimated at a cost of $853,000 with a 10% local share of $85,300; and

WHEREAS, the local share will be provided by the Allegany County Industrial Development Agency (IDA) in the form of in-kind (non-cash) contribution of $78,100 (representing the appraisal value of the IDA’s land) and a cash local contribution of $7,200; now therefore, be it

RESOLVED:

1. That the sum of $767,700 from the New York State Department of Transportation Consolidated Section 5311 Grant funds for the construction of a park-and-ride lot in Allegany County is accepted.

2. That the sum of $78,100 in in-kind contribution and the sum of $7,200 in cash local contribution from the IDA for the construction of a park-and-ride lot in Allegany County is accepted.

3. That Allegany County does hereby authorize the Chair of this Board to sign any and all agreements on behalf of Allegany County with the State of New York for the above named Project; any and all agreements on behalf of Allegany County and any third party subcontractors necessary to complete the Project; and any and all Agreements on behalf of Allegany County and any vendor for the purchase and/or installation of vehicles and/or equipment or facilities.

4. That this Board hereby certifies through this Resolution that the estimated local share of $85,300 is committed to this Project from the Allegany County Industrial Development Agency (IDA) in the form of in-kind and cash contributions.

Moved by: Mr. Fanton
Seconded by: Mr. Graves
Adopted: Roll Call
11 Ayes, 2 Noes, 2 Absent
Voting No: Decker, Ungermann

Comments made regarding Resolution No. 313-16 included: Legislator Decker stated that he would like to know how many people get on the bus at the Crossroads site. Larry Kaminski, Mobility Management Planner with Ardent Solutions, stated that he didn’t have the figure with him. He indicated that the Crossroads site is one of the most popular sites as it provides connectivity to other buses. Legislator Fanton stated that he doesn’t look at it as how many riders there are, but as getting the parking lot blacktopped and adding another entrance. He
doesn’t see ridership as being an issue. It benefits the Office for the Aging and the other offices down there. He stated that the parking lot can’t continue to be left as it is. Legislator Hopkins added that there will be numerous more parking spaces and added lighting at night. She urged approval of the resolution. Legislator Ungermann stated that he’d like to know the ridership numbers because tax dollars are being spent on this. Chairman Crandall asked how many riders there are at the Northern Lights Candles parking lot. Mr. Kaminski stated that there are five sites that were surveyed. He doesn’t have specific numbers, but the numbers were significant and supported the initiative and the need. Chairman Crandall added that part of the criteria for the grant was a demonstration of need. Legislator Fanton stated that once the lot is blacktopped the usage many go up. Legislator Decker remarked that he’s been told that the leach field for the septic system is under the parking lot. He wondered how that could be paved over. Legislator LaForge stated that he had installed the leach field and it’s not under the parking lot. It is immediately south and east of the parking lot. The pump system is under the parking lot but that is in a concrete vault that is traffic rated. Legislator Ungermann expressed his concern that the driveways for this lot are in a 55 mph speed zone. This will add more traffic. He feels they should have thought more about the condition of the parking lot before they built the building. Legislator Healy remarked that the buildings belong to the IDA. The numbers are there to justify the grant. Ardent Solutions could provide ridership numbers. Legislator Decker asked what type of lighting would be added. County Attorney Tom Miner indicated that they would be LED. Legislator Fanton remarked that they would light up the intersection as well. Legislator Decker responded that he’s just thinking about the cost of the lighting. Legislator Root stated that she thinks it’s a win-win. People are currently parking almost down into the main road. Legislator Pullen remarked on the Office for the Aging and that their current location is much improved over the house they used to operate out of. People remark on the great services offered by the Office for the Aging, but they also receive complaints about the terrible situation of the parking lot. The Veterans’ Service Agency is also in that building. The cost is minimal, and the gain is enormous. He doesn’t want to see someone trip and fall. The lot can’t be plowed and cleared in the same manner as it could if it were paved. Legislator O’Grady stated that he initially voted against renting that building and the addition to the building. That’s a facility that we rent. Why would we ever use taxpayer money to pave that lot? He stated that he was going to vote in favor of this. He doesn’t think it’s necessarily the right way to go about getting it paved, but it works. He went on to reiterate that the County doesn’t own the building, we rent it. He was in favor of doing a rent-to-own. We have over $1 million wrapped up in that building. Legislator Burt remarked that the parking lot is one of the most common complaints from constituents. He thanked Legislator LaForge for what he’s done to fix the parking lot.

Resolution Intro. No. 318-16 (APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH KHEOPS ARCHITECTURE, ENGINEERING & SURVEY, DPC TO PROVIDE FINAL ENGINEERING SERVICES RELATED TO THE CROSSROADS PARK-AND-RIDE PROJECT; AUTHORIZING CHAIRMAN TO EXECUTE SAID AGREEMENT) was not pre-filed and was considered from the floor on a motion made by Legislator Fanton, seconded by Legislator Healy, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.
RESOLUTION NO. 314-16

APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH KHEOPS ARCHITECTURE, ENGINEERING & SURVEY, DPC TO PROVIDE FINAL ENGINEERING SERVICES RELATED TO THE CROSSROADS PARK-AND-RIDE PROJECT; AUTHORIZING CHAIRMAN TO EXECUTE SAID AGREEMENT

Offered by: Ways & Means Committee

WHEREAS, the County has accepted a grant in the amount of $767,000 to be used to cover costs incurred in constructing a park-and-ride lot at the Crossroads Center; and

WHEREAS, said grant includes the final engineering costs for the project; and

WHEREAS, KHEOPS Architecture, Engineering & Survey, DPC provided preliminary engineering services for the park-and-ride project and is best qualified to provide final engineering services for this project; now therefore, be it

RESOLVED:

1. That a professional services agreement with KHEOPS Architecture, Engineering & Survey, DPC, to provide final engineering services for the design and construction phase of the Crossroads Park-and-Ride project, for a lump sum amount of $71,900, is approved.

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

Moved by: Mr. Jessup
Seconded by: Mr. Pullen

Adopted: Roll Call
11 Ayes, 2 Noes, 2 Absent
Voting No: Decker, Unger mann

Comments made regarding Resolution No. 314-16 included: Legislator Decker stated that without figures he cannot support this. Legislator Healy asked if the $78,100 was to come out of the grant. County Treasurer Terri Ross indicated that it would come from the grant. Legislator Graves asked what would happen if KHEOPS was unable to perform. County Attorney Tom Miner stated that would be a breach of contract, but he doesn’t see that happening.

Resolution Intro. No. 319-16 (ESTABLISHING A 2016 CAPITAL PROJECT ACCOUNT FOR CONSTRUCTION OF A PARK-AND-RIDE LOT AT THE CROSSROADS CENTER; PROVIDING FUNDING FOR SUCH CAPITAL ACCOUNT) was not pre-filed and was considered from the floor on a motion made by Legislator Fanton, seconded by Legislator Root, and carried by an affirmative voice vote of the requisite two-thirds of the Board membership.
RESOLUTION NO. 315-16

ESTABLISHING A 2016 CAPITAL PROJECT ACCOUNT FOR CONSTRUCTION OF A PARK-AND-RIDE LOT AT THE CROSSROADS CENTER;
PROVIDING FUNDING FOR SUCH CAPITAL ACCOUNT

Offered by: Ways & Means Committee

WHEREAS, Allegany County has accepted a grant in the amount of $767,700, consisting of federal funds in the amount of $682,400 and state funds in the amount of $85,300 to be used for the final stage of a project to construct a park-and-ride lot at the Crossroads Center, and

WHEREAS, in addition to the above described grant of $767,700, Allegany County has also accepted a cash contribution of $7,200 from the Allegany County Industrial Development Agency, IDA, to be used as part of the County’s local share of this project, and

WHEREAS, the balance of the County’s local share is covered by an in-kind contribution of the land on which the park-and-ride project is being constructed, the value of which was determined to be $78,100 by independent appraisal, and

WHEREAS, a capital project account needs to be created and the requisite funds appropriated for this project, now therefore, be it

RESOLVED:

1. A Capital Project Account, designated as Account No. H5998, Transportation Park & Ride-Crossroads Center, is hereby established.

Moved by: Mr. Fanton
Seconded by: Mrs. Root
Adopted: Roll Call
11 Ayes, 2 Noes, 2 Absent
Voting No: Decker, Ungermann

AUDITS:

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

Legislator Ungermann asked Legislator Curran how many people were signed up for broadband. Legislator Curran stated that the test site is not running yet. No one is signed up yet. Legislator Decker asked what the $90,101.90 under the Connect NY Grant was for. Legislator Curran stated that it was for the construction of the towers. It consists mostly of gravel costs. It’s not covered under the 911 grant, it comes out of the broadband grant.
Chairman Crandall pointed out the over $10 million Allegany County has paid for the NYS Medicaid Program in 2016.

A motion was made by Legislator Healy, seconded by Legislator Fanton, and adopted on a roll call vote of 13 Ayes, 0 Noes, 2 Absent, that the audit of claims, totaling $3,133,638.49 including prepaid expenses, be approved for payment as recommended by the County Administrator. (Allegany County’s Local Dollar Share of the NYS Medicaid Program paid year-to-date is $10,238,858.)

**ADJOURNMENT:** The meeting was adjourned at 3:21 p.m. on a motion made by Legislator Graves, seconded by Legislator Burt, and carried.