

**ALLEGANY COUNTY BOARD OF LEGISLATORS  
REGULAR SESSION**

**FEBRUARY 12, 2018**

**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 Tina A. Jackson.

**INVOCATION:** The Invocation was given by Legislator William Dibble.

**ROLL CALL:** 13 Legislators Present: Gary Barnes, Janice Burdick, Curtis Crandall, Philip Curran, David Decker, William Dibble, Karl Graves, Brooke Harris, Steven Havey, Dwight "Mike" Healy, Judith Hopkins, John Ricci, Philip Stockin Absent: Dwight Fanton, Debra Root

**APPROVAL OF MINUTES:**

The Board meeting minutes of January 22, 2018, were approved on a motion made by Legislator Dibble, seconded by Legislator Havey, and carried.

**PUBLIC HEARING:**

Chairman Crandall closed the regular meeting to hold a public hearing on Local Law Intro. No. 1-2018, entitled "A Local Law Amending Local Law No. 3 of 2008, Entitled, 'A Local Law to Allow Cold War Veterans a Limited County Tax Exemption Pursuant to Section §458-b of the Real Property Tax Law' in Relation to Applying the Exemption to Qualifying Owners of Qualifying Real Property for as Long as they Remain Qualifying Owners." Comments from the public included the following:

Mike Hennessy, Director of Veterans Services read the following statement.

"Mr. Chairman and Legislators. Thank you for the opportunity to address this legislature. In the military and Veterans Administration, things are broken down into eras. World War I, World War II, Korean War, Vietnam War, Lebanon, Grenada, Panama, Operation Enduring Freedom, Operation Iraqi Freedom, and the Persian Gulf Wars. There is also a timeframe for Cold War or peacetime veterans. Today I come before you representing veterans of Allegany County, and I strongly request on behalf of Allegany County veterans that you pass this resolution. For six years, I have had the honor of meeting with our veterans and listening to their stories. Some are comical, some sad, some very sad. But the one common denominator no matter what time frame they served, they were all prepared to give their life for our freedom. In times that our nation enjoyed peace, we still had soldiers standing guard around the world at three o'clock in the morning in temperatures ten degrees below zero. We had Marines stand tall in harm's way guarding our embassies in hostile

countries. We had sailors patrolling dangerous waters to ensure no harm came to our homeland. Airmen, were circling the globe for 24 hours at a time with no rest, protecting our airspace. We have all seen our Coast Guard flying and sailing into danger to rescue people in need. These brave veterans have missed births, deaths, joyous family gatherings, watching their children grow, and many more occasions just to stand guard and protect our way of life, and to ensure that we have the opportunity to gather in this room for a free and open meeting. By passing this resolution, you are letting our County heroes know that we as citizens of Allegany County appreciate their willingness to sacrifice their futures for our well-being. Thank you.”

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 Tina A. Jackson, former United States Army Specialist Fourth Class, in grateful appreciation of her service to our country. Ms. Jackson’s service dates were from October 5, 1983, to September 29, 1992. Following Basic Training at Fort Dix, NJ, and Advanced Individual Training at Fort Lee, VA, assignments included: Fort Hood, TX, Camp Pieri, Germany, and Fort Lewis, WA. Commendations she received included: National Defense Service Medal, Army Achievement Medal with three Oak Leaf Clusters, Army Good Conduct Medal (awarded twice), Overseas Service Ribbon, Army Service Ribbon, Marksmanship Badge (M-16 Rifle), Non-Commissioned Officer Professional Development Ribbon, and Army Lapel Button. Ms. Jackson 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 January 2018
2. Report of Tax Bill Corrections Approved by the County Administrator in January 2018
3. Pledge of Allegiance Cards
4. Notice of next InterCounty Association meeting to be hosted by Genesee County at Genesee Community College in Batavia on February 16.
5. NYS Board of Electric Generation Siting and the Environment Notice of Filing of Preliminary Scoping Statement relative to the Alle-Catt Wind Energy LLC application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 for a Proposed Wind Energy Project Located in Allegany, Cattaraugus, and Wyoming Counties.

**APPOINTMENTS:**

Chairman Crandall's reappointment of Kenneth David Porter to the Citizens Advisory Council to the Office for the Aging, subject to confirmation by the Board of Legislators.

Chairman Crandall's appointment of Janice L. Burdick to the Citizens Advisory Council to the Office for the Aging, subject to confirmation by the Board of Legislators.

**RESOLUTIONS:**

**RESOLUTION NO. 41-18**

**APPROVAL OF BOARD CHAIRMAN'S APPOINTMENT OF ONE MEMBER TO THE  
CHAUTAUQUA, CATTARAUGUS, ALLEGANY, AND STEUBEN SOUTHERN TIER  
EXTENSION RAILROAD AUTHORITY**

Offered by: Planning & Economic Development Committee

**RESOLVED:**

1. That Brooke Harris of Alfred, New York, is appointed to fill a three-year term on the Chautauqua, Cattaraugus, Allegany, and Steuben Southern Tier Extension Railroad Authority, commencing January 2, 2018, and expiring August 27, 2020.

Moved by: Mr. Barnes  
Seconded by: Mr. Dibble

Adopted: Voice Vote

**RESOLUTION NO. 42-18**

**REAPPOINTMENT OF TWO LEGISLATIVE MEMBERS AND ONE  
COUNTY GRANGE 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 Judith D. Hopkins of Fillmore, New York, and Karl Graves of Wellsville, New York, are reappointed to the Allegany County Soil and Water Conservation District Board as Legislative Members, with term of office commencing January 1, 2018, and expiring December 31, 2018.

2. That James Wilcox of Almond, New York, is reappointed to the Allegany County Soil and Water Conservation District Board as the County Grange appointee, for a three-year term commencing January 1, 2018, and expiring December 31, 2020.

Moved by: Mr. Decker  
Seconded by: Mr. Graves

Adopted: Voice Vote

**RESOLUTION NO. 43-18**

**APPROVAL OF BOARD CHAIRMAN'S REAPPOINTMENTS OF ONE MEMBER AND APPOINTMENT OF ONE MEMBER TO REGION NINE FISH AND WILDLIFE MANAGEMENT BOARD**

Offered by: Resource Management Committee

Pursuant to Environmental Conservation Law § 11-0501

**RESOLVED:**

1. That the reappointment by the Chairman of this Board of Dwight R. Fanton as Legislative Representative Member and appointment of Brooke Harris as Alternate Legislative Member, to the Region Nine Fish and Wildlife Management Board, with term of office commencing January 1, 2018, and expiring December 31, 2019, are approved.

Moved by: Mr. Decker  
Seconded by: Mr. Graves

Adopted: Voice Vote

**RESOLUTION NO. 44-18**

**APPROVAL OF SUB-RECIPIENT AGREEMENT WITH CATTARAUGUS COMMUNITY ACTION, INC.; AUTHORIZING BOARD CHAIRMAN TO EXECUTE SAID AGREEMENT**

Offered by: Ways & Means Committee

**WHEREAS:**

1. Resolution No. 30-18 approved the execution of an agreement accepting the New York State Community Development Block Grant (CDBG) Housing Award in the amount of \$850,000 in partnership with Cattaraugus Community Action Agency.

2. Cattaraugus Community Action, Inc. has the capacity to administer CDBG Funds in the best interests of the County of Allegany.

3. The County of Allegany desires to enter into a sub-recipient agreement for Cattaraugus Community Action, Inc. to administer CDBG Funds on behalf of the County of Allegany.

**RESOLVED:**

1. That the sub-recipient Agreement between the County of Allegany and Cattaraugus Community Action, Inc. is approved.

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

Moved by: Mr. Stockin

Seconded by: Mrs. Hopkins

Adopted: Roll Call

13 Ayes, 0 Noes, 2 Absent

Comments made regarding Resolution No. 44-18: Legislator Stockin made a motion to amend the agreement with Cattaraugus Community Action, Inc. On page 8, section 8.1, the word "Village" should be replaced with the word "County." The motion was seconded by Legislator Decker and carried.

**AUDITS:**

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

A motion was made by Legislator Dibble, seconded by Legislator Healy, and adopted on a roll call vote of 13 Ayes, 0 Noes, 2 Absent, that the audit of claims, totaling \$5,435,456.49 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 \$1,107,642.*)

**ADJOURNMENT:** The meeting was adjourned at 2:30 p.m. on a motion made by Legislator Graves, seconded by Legislator Stockin, and carried.