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 Air Force Sergeant Steven L. Scott.

INVOCATION: The Invocation was given by Chairman Curtis W. Crandall.

ROLL CALL: 12 Legislators Present: Gary Barnes, Janice Burdick, Curtis Crandall, Philip Curran, David Decker, William Dibble, Brooke Harris, Steven Havey, Dwight “Mike” Healy, John Ricci, Debra Root, Philip Stockin (Absent: Dwight Fanton, Karl Graves, Judith Hopkins)

APPROVAL OF MINUTES:

The Board meeting minutes of February 10, 2020, were approved on a motion made by Legislator Dibble, seconded by Legislator Curran, and carried.

PUBLIC HEARING:

Chairman Crandall closed the regular meeting to hold a public hearing on Local Law Intro. No. 1-2020, titled “A Local Law Amending Local Law No. 2 of 2016 and Local Law 3 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.” 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 Steven L. Scott, former United States Air Force Sergeant, in grateful appreciation of his service to our country. Mr. Scott’s service dates were from April 29, 1980, to April 28, 1984. Following Basic Training at Lackland Air Force Base, TX, and Advanced Training at Sheppard Air Force Base, TX, Mr. Scott was assigned to Columbus Air Force Base, MS. Commendations he received included: Air Force Good Conduct Medal and Air Force Training Ribbon. Mr. Scott 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 noted that Mr. Scott was here a couple of years ago to lead us in the pledge in honor of his brother Duane Scott who was killed while serving in Vietnam. Route 275 between Friendship and Richburg has been named in honor of Duane.
ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. March 2020 Calendar

2. Correspondence from Lorraine Hasper thanking the Board for the Proclamation honoring her late husband John Hasper

3. Pursuant to Article 11 of the NYS Real Property Tax Law, County Treasurer Terri Ross filed a Certificate of Withdrawal of Delinquent Tax Lien for property in the Town of Andover in the Clerk of the Board’s Office on February 24, 2020.

APPOINTMENTS:

Chairman Curtis W. Crandall in a joint measure with Howard V. VanRensselaer, Chair of the Cattaraugus County Board of Legislators, appointed Carissa M. Knapp to serve on the CATTARAUGUS-ALLEGANY WORKFORCE DEVELOPMENT BOARD for an indefinite period of time coterminous with her appointment as County Administrator.

Chairman Curtis W. Crandall appointed Carissa M. Knapp as a member of the ALLEGANY COUNTY LAND BANK CORPORATION BOARD OF DIRECTORS for the remainder of Deborah McDonnell’s two-year term effective February 24, 2020, and expiring September 30, 2021, subject to confirmation by the Board of Legislators.

Curtis W. Crandall appointed Nick Massal of Scio, New York, as the Sportsmen’s Representative Member and John Tucker of Belmont, New York, as the Alternate Sportsmen’s Representative Member of the REGION 9 FISH & WILDLIFE MANAGEMENT BOARD, for a term of two years, commencing February 24, 2020, and expiring December 31, 2021, subject to confirmation by the Board of Legislators.

RESOLUTIONS:

RESOLUTION NO. 48-20
REQUESTING STATE LEGISLATIVE REPRESENTATIVES TO INTRODUCE AND SEEK PASSAGE OF LEGISLATION AUTHORIZING ALLEGANY COUNTY TO CONTINUE THE ADDITIONAL ONE AND ONE-HALF PERCENT COUNTY SALES TAX FOR THREE YEARS

Offered by: Ways & Means Committee

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

WHEREAS, Allegany County is at its sales tax limit, and
WHEREAS, by Chapter 61 of the 2017 Laws of the State of New York, the County of Allegany was authorized to impose an additional one and one-half percent sales tax for the period December 1, 2017, to November 30, 2020, and

WHEREAS, by Resolution No. 169-2017, such additional sales tax was imposed for such period, and

WHEREAS, Allegany County is presently at 82.33 percent of its constitutional taxing limit for real estate taxes, and

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

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

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

RESOLVED:

1. That the Allegany County Board of Legislators requests our State legislative representatives to introduce and seek passage, in the State Senate and Assembly, legislation to authorize Allegany County to continue the additional County sales tax of one and one-half percent for at least the period December 1, 2020, to November 30, 2023.

2. That the Clerk of this Board is directed to send copies of this resolution to Senator George Borrello and Assemblyman Joseph M. Giglio.

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

Adopted: Roll Call
11 Ayes, 1 No, 3 Absent
Voting No: Barnes

Comments made regarding Resolution No. 48-20: Legislator Havey said that he will reluctantly support this. He feels it would not be in the County's best interest to lose this at this time. We need to eventually figure out a way to reduce the rate. Legislator Dibble agreed saying that now's not the time to get rid of the additional tax. Legislator Decker stated that this dates back to 1913 when sales tax was one percent. Now we have all kinds of taxes including income, estate, inheritance, property, etc. We are taxed to death. He feels sales tax is the most equitable. Mr. Decker said he'd like to see our rate similar to our neighboring counties, but now is not the time. Legislator Healy added by saying that our only tax revenue sources are sales and property taxes. If we didn't continue with this additional tax rate we'd have to increase property taxes. Legislator Barnes stated that he opposes the resolution and
was going to propose it be reduced to 8.4 percent but after going over the figures with
Legislator Harris he realizes that won't be enough. He feels it’s a black eye for Allegany
County to have a higher tax rate than surrounding counties. Legislator Stockin stated that he
is in favor of the resolution. He fears that if we don’t have this additional revenue, we will
have to cut programs and services that are offered here in the County.

RESOLUTION NO. 49-20

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 $43,373.70, representing the settlement for the
July 28, 2019, lightning strike claim, 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 $43,373.70 representing the settlement for damages due to a
lightning strike on July 28, 2019, is accepted.

2. That the sum of $43,373.70 is placed in Revenue Account No. CS1930.2680.00
(Insurance Recovery).

Moved by: Mr. Stockin
Seconded by: Mr. Curran
Adopted: Roll Call
12 Ayes, 0 Noes, 3 Absent

RESOLUTION NO. 50-20

RE-APPROPRIATION OF UNSPENT FUNDS FROM THE 2019 WIC BUDGET

Offered by: Human Services and Ways & Means Committees

WHEREAS, it is necessary to re-appropriate the unexpended funds from the 2019
WIC budget from October 1, 2019, through December 31, 2019, which is part of the WIC
Programs Federal Fiscal Year Funds that runs from October 1, 2019, through September 30,
2020, now, therefore, be it

RESOLVED:

1. That the sum of $12,732 in unexpended funds from the 2019 WIC budget shall
be re-appropriated as follows:

A4190.405    WIC – Conference Expense  $3,240
RESOLUTION NO. 51-20

BUDGET TRANSFER WITHIN OFFICE FOR THE AGING ACCOUNTS TO TRANSFER UNEXPENDED FUNDS ON EMPLOYEE BENEFITS WITHIN THE UNMET NEEDS GRANT

Offered by: Human Services Committee

RESOLVED:

1. That the sum of $9,400 shall be transferred from Account No. A6792.806 (OFA Unmet Needs Grant 2019 – Health Insurance) to the following accounts:

   A6792.474 OFA Unmet Needs Grant 2019 – Contractual Expenses $5,900
   A6792.475 OFA Unmet Needs Grant 2019 – Contractual Expenses 1,000
   A6792.476 OFA Unmet Needs Grant 2019 – Contractual Expenses 2,500
   Total: $9,400

Moved by: Mrs. Burdick
Seconded by: Mr. Decker
Adopted: Roll Call
12 Ayes, 0 Noes, 3 Absent

RESOLUTION NO. 52-20

BUDGET TRANSFER WITHIN OFFICE FOR THE AGING ACCOUNTS TO TRANSFER FUNDS WITHIN THE HEAP GRANT

Offered by: Human Services Committee

RESOLVED:

1. That the sum of $7,922 shall be transferred from Account No. A6777.474 (OFA Home Energy Assistance Program – Contractual Expenses) to the following accounts:

   A6777.101 OFA Home Energy Assistance Program – Reg. Pay $7,200

Moved by: Mrs. Burdick
Seconded by: Mr. Decker
Adopted: Roll Call
12 Ayes, 0 Noes, 3 Absent
RESOLUTION NO. 53-20

2020 BUDGET ADJUSTMENT TO MOVE THE CURRENT BUDGET FOR THE COUNTY CLERK COPIER AND APPROPRIATE THE FUNDS IN THE NEW ACCOUNT FOR CENTRALIZED COPIERS

Offered by: Ways & Means Committee

RESOLVED:

1. That the sum of $720 shall be transferred from Account No. A1410.413 (County Clerk – Rentals Personal Property) to the following accounts:

   A1681.413 Central Service Copiers – Rentals Personal Property $340
   A1681.419 Central Service Copiers – Printing 380
   Total: $720

Moved by: Mr. Stockin
Seconded by: Mr. Dibble
Adopted: Roll Call
12 Ayes, 0 Noes, 3 Absent

RESOLUTION NO. 54-20

APPROVAL OF AGREEMENT BETWEEN ELDERWOOD AT HORNELL, LLC, AND THE COUNTY OF ALLEGANY FOR OVERNIGHT RESPITE

Offered by: Human Services Committee

RESOLVED:

1. That the Agreement for overnight respite services between the County of Allegany and Elderwood at Hornell, LLC, for the period of January 1, 2020, to December 31, 2020, is approved.

2. The provider agrees to accept, and the County agrees to pay for such care as follows:
DAILY RATE: The daily rate (24-hour stay) for such services will be $341 for a private room and $278 for a semi-private room.

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

Moved by: Mrs. Burdick  
Seconded by: Mr. Havey  
Adopted: Roll Call  
12 Ayes, 0 Noes, 3 Absent

Comments made regarding Resolution No. 54-20: Legislator Decker remarked on the importance of offering respite to family members who are caring for loved ones.

RESOLUTION NO. 55-20

APPROVAL OF AGREEMENT BETWEEN THE CENTER FOR ELDER LAW & JUSTICE AND THE COUNTY OF ALLEGANY FOR LEGAL SERVICES FOR ALLEGANY COUNTY RESIDENTS

Offered by: Human Services Committee

RESOLVED:

1. That the Agreement for legal services to residents of Allegany County aged sixty and over between the County of Allegany and Center for Elder Law & Justice, for the period of January 1, 2020, to December 31, 2020, is approved.

2. That services will be paid at the rate of $75 per unit of service up to a maximum amount of $4,000 annually.

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

Moved by: Mrs. Burdick  
Seconded by: Mr. Havey  
Adopted: Roll Call  
12 Ayes, 0 Noes, 3 Absent

RESOLUTION NO. 56-20

APPROVAL OF AGREEMENTS WITH TWO NEW PROVIDERS FOR RELATED SERVICES PROVIDED TO PRESCHOOLERS WITH DISABILITIES

Offered by: Human Services Committee

RESOLVED:

1. That Agreements titled "County of Allegany Contract for Related Services Provided to Preschoolers with Disabilities" with the following providers:
Speech Language Pathologists:
Jill Lorryn Campbell

1:1 Aide:
ACCORD Corporation

for the period March 1, 2020, to August 31, 2024, are approved.

2. That the Chairman of this Board shall execute said Agreements.

Moved by: Mrs. Burdick
Seconded by: Mrs. Root
Adopted: Roll Call
12 Ayes, 0 Noes, 3 Absent

RESOLUTION NO. 57-20

APPROVAL OF AGREEMENTS WITH PROVIDERS FOR EARLY INTERVENTION EVALUATIONS AND SERVICES

Offered by: Human Services Committee

RESOLVED:

1. That Agreements titled "County of Allegany for Early Intervention Program Service Evaluator and Service Provider" with the following providers:

   Speech Language Pathologists
   Jaime Beardsley
   Jennifer Callahan
   Renee Giardini

   Occupational Therapists
   Brandi Duvall
   Anthony Marra

   Physical Therapist
   Candy Hodnett

   Special Instructor
   Kelly Masman-Smith

   for the period April 1, 2020, to August 31, 2024, are approved.

   2. That the Chairman of this Board shall execute said Agreements.
RESOLUTION NO. 58-20

APPROVAL OF AGREEMENT WITH UR MEDICINE - JONES MEMORIAL HOSPITAL FOR PRE- AND POST-EXPOSURE PROPHYLAXIS TO RABIES; AUTHORIZING CHAIRMAN TO EXECUTE AGREEMENT

Offered by: Human Services Committee

RESOLVED:

1. That the agreement with UR Medicine - Jones Memorial Hospital for pre- and post-exposure prophylaxis to rabies, effective January 1, 2020, through December 31, 2020, is approved.

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

RESOLUTION NO. 59-20

APPROVAL OF AGREEMENT BETWEEN CATHOLIC CHARITIES OF BUFFALO AND THE ALLEGANY COUNTY PROBATION DEPARTMENT TO PROVIDE MULTI-SYSTEMIC THERAPY SERVICES; ADJUSTMENT TO THE 2020 BUDGET AS A RESULT OF TRANSFERRING THE AGREEMENT PREVIOUSLY ADMINISTERED BY THE DEPARTMENT OF SOCIAL SERVICES TO THE PROBATION DEPARTMENT

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That the Agreement for Multi-Systemic Therapy (MST) services between Catholic Charities of Buffalo and the Allegany County Probation Department, for the period of January 1, 2020, to December 31, 2020, is approved.

2. That the Allegany County Probation Department shall pay to Catholic Charities a sum not to exceed $153,459.

3. That the Chairman of this Board is authorized to execute said Agreement.
4. That the following adjustments shall be made to the 2020 budget as a result of transferring the Catholic Charities Agreement previously administered by the Department of Social Services to the Probation Department:

**Expenses**

<table>
<thead>
<tr>
<th>From:</th>
<th>To:</th>
</tr>
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<tbody>
<tr>
<td>A6010.482 Social Service Admin – Contractual (MST)</td>
<td>A3147.447 Probation Juvenile Services – Contractual (MST)</td>
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<td>$154,459</td>
<td>$154,459</td>
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**Revenues**

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<thead>
<tr>
<th>From:</th>
<th>To:</th>
</tr>
</thead>
<tbody>
<tr>
<td>A6010.3610.00 Social Service Admin – State Aid</td>
<td>A3147.3310.00 Probation Juvenile Services – State Aid</td>
</tr>
<tr>
<td>$96,765</td>
<td>$96,765</td>
</tr>
</tbody>
</table>

Moved by: Mr. Healy
Seconded by: Mr. Dibble
Adopted: Roll Call
12 Ayes, 0 Noes, 3 Absent

Comments made regarding Resolution No. 59-20: A motion was made by Legislator Healy, seconded by Legislator Decker, and carried to amend the resolution by adding Ways & Means as a sponsor, and adding the revenue and expense accounts that are impacted. Legislator Barnes asked the reason for the change from Social Services to Probation. Social Services Commissioner Edna Kayes stated that with PINS reform it’s more appropriate for Probation to take the lead on this. They are better equipped.

RESOLUTION NO. 60-20

APPROVAL OF AGREEMENT BETWEEN REHABILITATING & EMPOWERING DISADVANTAGED YOUTH AND THE ALLEGANY COUNTY PROBATION DEPARTMENT TO PROVIDE MENTORING SERVICES; ADJUSTMENT TO THE 2020 BUDGET AS A RESULT OF TRANSFERRING THE AGREEMENT PREVIOUSLY ADMINISTERED BY THE DEPARTMENT OF SOCIAL SERVICES TO THE PROBATION DEPARTMENT

Offered by: Public Safety and Ways & Means Committees

RESOLVED:

1. That the Agreement for mentoring services between Rehabilitating & Empowering Disadvantaged Youth (R.E.D.Y.) and the Allegany County Probation Department, for the period of January 1, 2020, to December 31, 2020, is approved.
2. That the Allegany County Probation Department shall pay to R.E.D.Y. a sum not to exceed $29,101.

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

4. That the following adjustments shall be made to the 2020 budget as a result of transferring the R.E.D.Y. Agreement previously administered by the Department of Social Services to the Probation Department:

   Expenses
   From:
   A6070.474 Services for Recipients – Contractual (REDY) $29,101
   To:
   A3147.448 Probation Juvenile Services – Contractual (REDY) $29,101

   Revenues
   From:
   A6070.3670.00 Services for Recipients – State Aid $18,043
   To:
   A3147.3310.11 Probation Juvenile Services – State Aid $18,043

Moved by: Mr. Healy
Seconded by: Mr. Dibble
Adopted: Roll Call
12 Ayes, 0 Noes, 3 Absent

Comments made regarding Resolution No. 60-20: A motion was made by Legislator Healy, seconded by Legislator Decker, and carried to amend the resolution by adding Ways & Means as a sponsor, and adding the revenue and expense accounts that are impacted.

RESOLUTION NO. 61-20

APPROVAL OF AGREEMENT WITH NEWCASTLE COMMUNICATIONS FOR THE RENEWAL OF THE SERVICE CONTRACT FOR THE SUPPORT OF THE COUNTY NEC UNIVERGE 3C PHONE SYSTEM

Offered by: Ways & Means Committee

RESOLVED:

1. That the agreement with Newcastle Communications for the renewal of the service contract for support of the County NEC Univerge 3C phone system is approved.
2. Newcastle Communications will provide support 24/7/365 for the County NEC Univerge 3C phone system at a cost of $19,195 for a one-year term commencing March 22, 2020, and expiring March 21, 2021.

3. That the Director of Information Technology shall be authorized to execute said Agreement.

4. No budget adjustments are necessary as the funds are already included in the 2020 Budget.

Moved by: Mr. Stockin  
Seconded by: Mr. Dibble  
Adopted: Roll Call

12 Ayes, 0 Noes, 3 Absent

AUDITS:

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

Legislator Barnes asked why the total for account A3145 is around half of what it usually is. County Treasurer Terri Ross stated that the County usually receives two invoices, but has only received one so far. She said that there will likely be three invoices in the next audit.

A motion was made by Legislator Root, seconded by Legislator Havey, and adopted on a roll call vote of 12 Ayes, 0 Noes, 3 Absent, that the audit of claims, totaling $3,498,549.20 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 $2,195,700.)

MEDIA:

Rich Mangels (WJQZ) asked if there is a way to get our sales tax rate down and when the Board would expect to be able to do so. Chairman Crandall stated he doesn’t see that happening in the short term. If we were to lower our sales tax rate we’d have to raise property taxes. Currently, New York State is taking around $500,000 out of our sales tax revenue for AIM payments. They may look to take even more in the future. Legislator Harris said that if New York State would fulfill its responsibility to take care of the Medicaid costs we could eliminate the extra sales tax rate. There are a lot of unfunded mandated programs that should be taken care of by the State as well. Mr. Mangels asked how other counties are able to have lower tax rates? Chairman Crandall said one reason is they have more tax revenue because they have more places to shop.

Mr. Mangels asked for an explanation of the constitutional limit on property taxes. County Treasurer Terri Ross stated that each year her office has to fill out a report for New York State. Several factors, including total assessed value, are taken into consideration
when that limit is calculated. Our State Constitution places a limit on what we’re able to impose for property taxes.

Mr. Mangels asked if the agreements approved in Resolution No. 54-20 and 55-20 are mandated. Chairman Crandall stated he doesn’t believe they are mandated. He said there are a lot of programs, especially in Office for the Aging, that aren’t mandated, but we feel they are a good investment to keep people in their homes. Legislator Root added that just because something isn’t mandated doesn’t mean it’s not funded.

COMMENTS:

Legislator Dibble congratulated Legislator Harris on being chosen to serve as President of the InterCounty Association of Western New York. Legislator Dibble stated that the most recent meeting, hosted by Allegany County, was well done. He thanked Brenda Rigby Riehle and Jodi Adams for their help in putting the meeting together.

ADJOURNMENT: The meeting was adjourned at 2:52 p.m. on a motion made by Legislator Decker, seconded by Legislator Harris, and carried.