

**ALLEGANY COUNTY BOARD OF LEGISLATORS  
REGULAR SESSION**

**FEBRUARY 26, 2018**

**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 Chairman Crandall.

**INVOCATION:** The Invocation was given by Clerk of the Board Brenda Rigby Riehle.

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

**APPROVAL OF MINUTES:**

The Committee of the Whole meeting minutes of February 7, 2018, were approved on a motion made by Legislator Root, seconded by Legislator Dibble, and carried.

The Committee of the Whole (Legislators/Department Heads @ Crossroads) meeting minutes of February 8, 2018, were approved on a motion made by Legislator Havey, seconded by Legislator Decker, and carried.

The Board meeting minutes of February 12, 2018, were approved on a motion made by Legislator Stockin, seconded by Legislator Dibble, and carried.

**PRIVILEGE OF THE FLOOR:**

Chairman Crandall recognized Richard "Rick" G. Hollis for his service to Allegany County. Mr. Hollis is retiring from the position of Elections Commissioner; a position he has held since 2012. Chairman Crandall remarked on the changes that have taken place with elections over the last several years. Mechanical voting machines have been replaced with ballots read by computers. They've had to keep up with ADA (Americans with Disabilities Act) requirements at the polling sites, as well as maintaining a group of elections inspectors for each site. Chairman Crandall remarked that Mr. Hollis is a great source of information and has done an excellent job carrying out his duties.

Youth Bureau Director Linda Edwards introduced two students from Belfast Central School who had recently attended the New York State Youth Leadership Forum in Albany. Ashley Estabrook and Aidan Heaney both attended and addressed the Board regarding their experience. Aidan Heaney remarked that it was her first time visiting the State Capitol. She

appreciated being able to discuss issues that students are facing with State representatives. She also enjoyed the diversity she was exposed to interacting with students from all over New York State. She thanked Linda Edwards for the opportunity to participate and said she hopes to be involved for many years to come. Ashley Estabrook said that it's an important experience for youth, especially those from rural areas. She enjoyed the team building exercises. Chairman Crandall noted that both of these students come from a background of public service. Aiden Heaney is a granddaughter of Bill Heaney who works for Senator Cathy Young and also worked for Congressman Amory Houghton, Jr. Ashley Estabrook is a great-granddaughter of June Estabrook who served on the Caneadea Town Board.

Ardent Solutions Associate Director Helen Evans addressed the Board regarding the 2018-2019 Allegany County Heroin & Opioid Abuse Ad Hoc Committee Strategic Plan. She read the following statistics, "According to the National Institute on Drug Abuse, every day, more than 115 Americans die after overdosing on opioids. The misuse of and addiction to opioids, including prescription pain relievers, heroin, and synthetic opioids such as fentanyl, is a serious national crisis that affects public health as well as social and economic welfare. The Centers for Disease Control and Prevention estimate that the total 'economic burden' of prescription opioid misuse alone in the United States is \$78.5 billion a year, including the costs of healthcare, lost productivity, addiction treatment, and criminal justice involvement. Nationally, roughly 21 to 29 percent of patients prescribed opioids for chronic pain misuse them. Between 8 and 12 percent develop an opioid use disorder. An estimated 4 to 6 percent who misuse prescription opioids transition to heroin. About 80 percent of people who use heroin first misused prescription opioids." She then spoke about the Strategic Sharpening Plan submitted by the Allegany County Heroin and Opioid Abuse Ad Hoc Committee. She noted the four strategic priorities of the Plan.

Strategic Priority 1. To continuously reassess administrative structures to keep pace with changes in the environment while providing a sound infrastructure that supports the operation of the initiatives and to ensure sustainability of local efforts to address the heroin and opioid crisis.

Strategic Priority 2. To build a strong, dedicated workforce of professionals and community individuals/stakeholders representing all sectors that can directly impact the heroin and opioid crisis in Allegany County through increased professional development and educational training, skill building, and best-practice strategies.

Strategic Priority 3. To Increase awareness of, and access to, primary and secondary prevention efforts leading to a decrease in use, misuse and abuse of heroin and opioids, enable people who start misusing opioids to quickly quit, and expand harm reduction practices with opioid misuse.

Strategic Priority 4. To support long-term recovery for individuals struggling with heroin and opioid addiction and provide resources for those impacted by a loved-one's addiction.

Ms. Evans thanked the Board of Legislators, and in particular Legislator Hopkins for her leadership.

Chairman Crandall welcomed legislative intern students who were in attendance. He noted that formal introductions of those students will take place in the near future.

**ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:**

1. March 2018 Calendar
2. 2017 Annual Reports for Review: County Attorney, County Clerk, Probation, Public Works, Information Technology, and Cooperative Extension
3. NYS Board of Electric Generation Siting and the Environment Issued a Notice of Pre-Application Conference to Consider Intervenor Funding Requests and to Initiate the Stipulations Process on February 21, 2018.

**RESOLUTIONS:**

**RESOLUTION NO. 45-18**

**ADOPTION OF LOCAL LAW INTRO. NO. 1-2018, PRINT NO.1, 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**

Offered by: Ways & Means Committee

**RESOLVED:**

1. That proposed Local Law, Intro. No. 1-2018, Print No. 1, is adopted without any change in language, to wit:

**COUNTY OF ALLEGANY**

Intro. No. 1-2018

Print No. 1

**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**

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

SECTION 1. Section 1 of Local Law No. 3 of 2008 is amended by adding a subparagraph as follows:

- a. Pursuant to subsection 2(a)(iii) of §458-b of the NYS Real Property Tax Law, the exemption authorized shall apply to qualifying owners of qualifying real property for as long as they remain qualifying owners, without regard to such ten year limitation.

SECTION 2. This Local Law shall take effect immediately upon its filing with the Secretary of State and shall be applicable to all assessment rolls prepared pursuant to the first taxable status date occurring on or after the effective date of this local law.

Moved by: Mr. Stockin  
Seconded by: Mr. Havey

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

Comments made regarding Resolution No. 45-18: Legislator Harris stated that while he is thankful for the service of our veterans, he is opposed to piecemeal tax exemptions. He would rather see an overall reduction in taxes. Therefore, he will be a "no" vote.

### **RESOLUTION NO. 46-18**

#### **APPOINTMENT OF ONE MEMBER AND REAPPOINTMENT 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 Janice L. Burdick of Alfred Station, New York, to the Citizens Advisory Council to the Office for the Aging, with term of office commencing immediately, and to continue until another Legislator has been appointed, or until she no longer serves as a member of the Human Services Committee, is confirmed.

2. That the reappointment of Kenneth David Porter of Wellsville, New York, to the Citizens Advisory Council to the Office for the Aging, with term of office commencing January 1, 2018, and expiring December 31, 2020, is confirmed.

Moved by: Mrs. Hopkins  
Seconded by: Mr. Decker

Adopted: Voice Vote

**RESOLUTION NO. 47-18**

**A RESOLUTION DETERMINING THAT AN ERROR EXISTS ON THE 2018 COUNTY AND TOWN TAX ROLLS FOR THE TOWN OF WELLSVILLE WITH REGARD TO REAL PROPERTY OF A TAXPAYER THEREIN; DIRECTING MAILING OF NOTICES OF APPROVAL OF APPLICATION FOR CORRECTED TAX ROLLS AND ORDERING THE TOWN TAX COLLECTOR TO CORRECT THE TAX ROLLS; PROVIDING FOR CHARGEBACKS 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 2018 County and Town 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 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 a claimed error regarding its real property on the tax roll of the Town of Wellsville, 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 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 the 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 Collector for the Town of Wellsville is ordered and directed to correct in the 2018 County and Town Tax Roll the assessment or taxes, or both, of the property assessed to the following taxpayer and described as follows:

Educational Foundation of Alfr: Parcel 252.-1-21  
Assessment: \$8,070,000

by removing the unlawful entry of the Sinclair Water District charge and the County Treasurer is directed to make the following chargebacks:

Town of Wellsville \$20,573.09

5. That the Clerk of this Board is directed to mail a certified copy of this resolution to the Tax Collector for the Town of Wellsville together with the original copy of the application completed in accordance with section two of this resolution.

Moved by: Mr. Stockin  
Seconded by: Mr. Barnes

Adopted: Roll Call  
12 Ayes, 0 Noes, 3 Absent

#### **RESOLUTION NO. 48-18**

#### **RE-APPROPRIATION OF UNSPENT FUNDS FROM THE 2017 NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICE NARCOTICS GRANT**

Offered by: Public Safety and Ways & Means Committees

**WHEREAS**, by Resolution No. 92-17, the 2017 New York State Division of Criminal Justice Service (DCJS) Narcotics Grant in the amount of \$45,000 was accepted and appropriated for the 2017 budget year, and

**WHEREAS**, it is necessary to re-appropriate the unexpended 2017 New York State DCJS Narcotics Grant funds in the amount of \$34,636, now, therefore, be it

#### **RESOLVED:**

1. That the sum of \$34,636 in unexpended 2017 New York State DCJS Narcotics Grant funds shall be re-appropriated to Account No. A3111.208 (Sheriff Drug Program – Equipment/Police) with a like sum credited to Revenue Account No. A3111.3324.DCJS (State Aid – Sheriff Narcotics Grant).

Moved by: Mr. Healy  
Seconded by: Mr. Dibble

Adopted: Roll Call  
12 Ayes, 0 Noes, 3 Absent

**RESOLUTION NO. 49-18**

**ACCEPTANCE AND APPROPRIATION OF GRANT FUNDS RECEIVED  
FROM THE RURAL COMMUNITY OF PRACTICE INITIATIVE GRANT FOR THE  
ALLEGANY COUNTY DEPARTMENT OF PROBATION**

Offered by: Public Safety and Ways & Means Committees

**RESOLVED:**

1. That the sum of \$48,000 in grant funds from the Rural Community Practice Initiative for the Allegany County Department of Probation, is accepted.
2. The sum of \$48,000 shall be placed in Account No. A3146.447 (Probation – Public Safety Contract), with a like sum credited to Revenue Account No. A3146.4389.00 (Federal Aid – Probation Juvenile Justice DCJS Grant).

Moved by: Mr. Healy  
Seconded by: Mr. Dibble

Adopted: Roll Call  
12 Ayes, 0 Noes, 3 Absent

**RESOLUTION NO. 50-18**

**ACCEPTANCE AND APPROPRIATION OF UNALLOCATED FUNDS FOR THE WIC  
PROGRAM FOR THE 2018 BUDGET YEAR**

Offered by: Human Services and Ways & Means Committees

**RESOLVED:**

1. That the sum of \$10,826 in unallocated funds for the WIC Program for the 2018 budget year is accepted.
2. That the accepted sum of \$10,826 shall be appropriated to the following accounts:

A4010.101	Health Dept. – Regular Pay	\$2,426
A4190.409	WIC – Fees	1,200
A4190.424	WIC – Legal/Advertising	<u>7,200</u>
	TOTAL	\$10,826

with a like sum credited to Revenue Account No. A4190.4452.00 (Federal Aid – WIC).

Moved by: Mr. Hopkins

Adopted: Roll Call

Seconded by: Mr. Barnes

12 Ayes, 0 Noes, 3 Absent

## **RESOLUTION NO. 51-18**

### **APPROVAL OF THE 2018-2019 ALLEGANY COUNTY HEROIN AND OPIOID ABUSE AD HOC COMMITTEE STRATEGIC PLAN**

Offered by: Human Services Committee

#### **RESOLVED:**

1. That the 2018-2019 Allegany County Heroin and Opioid Abuse Ad Hoc Committee Strategic Plan is approved.

Moved by: Mrs. Hopkins  
Seconded by: Mrs. Burdick

Adopted: Roll Call  
12 Ayes, 0 Noes, 3 Absent

Comments made regarding Resolution No. 51-18: Legislator Stockin expressed his appreciation to Legislator Hopkins and members of the Allegany County Heroin and Opioid Abuse Ad Hoc Committee. Legislator Hopkins noted that the group started working together in April 2016 as a response to constituents concerns. Ardent Solutions began working with them in 2017 to put together this plan. Mrs. Hopkins stated that the Plan was unanimously approved by the Human Services Committee. If it's approved today, it will become part of Allegany County's Comprehensive Plan. Legislator Healy remarked he had noticed in the news over the weekend that it appears several states have filed suits against the drug industry. He suggested maybe there will be financial assistance for us as a result of this. Legislator Hopkins showed a recent copy of Time magazine that discussed the opioid crisis. Legislator Decker said some news outlets are reporting the opioid problem is lessening. He doesn't see it. He noted several funerals of young people in the area that were the result of overdose. He suggested the work has to continue to combat the problem.

#### **AUDITS:**

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

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 \$3,470,886 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 \$1,476,856.*)

**ADJOURNMENT:** The meeting was adjourned at 2:43 p.m. on a motion made by Legislator Dibble, seconded by Legislator Ricci, and carried.