

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

JULY 18, 2019

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.

NATIONAL ANTHEM: The National Anthem was sung by Kaylin Kratts.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by former United States Army Specialist Third Class Henry Mercier, with the flag being presented by Angelica Boy Scout Troop 736 represented by Austin Ford, Noah Ford, and Jacob Bliss.

INVOCATION: The Invocation was given by Legislator Dwight R. Fanton.

RECITATION OF GETTYSBURG ADDRESS: Legislator Karl Graves recited the Gettysburg Address.

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

Chairman Crandall introduced Assemblyman Joseph Giglio, and Lee James who was representing Congressman Tom Reed. He also introduced Journal Clerk Sarah Decker, Clerk of the Board Brenda Rigby Riehle, County Administrator Deborah McDonnell, and County Attorney Carissa Knapp, who were sitting at the dais.

APPROVAL OF MINUTES:

The Board meeting minutes of July 8, 2019, were approved on a motion made by Legislator Graves, seconded by Legislator Dibble, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Crandall presented a certificate to Henry (Hank) Mercier, former United States Army Specialist Third Class, in grateful appreciation of his service to our country. Mr. Mercier's service dates were from September 27, 1954, to June 7, 1957. Following Basic and Advanced Training at Fort Dix, NJ, assignments included: Philadelphia, Quartermaster Depot, Philadelphia, PA, and Nike Base, Richboro, Pennsylvania. Commendations he received included: Expert Badge with Carbine Bar and Sharpshooter Badge with Rifle Bar. Mr. Mercier led the Pledge of Allegiance to the Flag at the beginning of the meeting as part of the Veterans' Honorary Pledge of Allegiance Program. Ms. Lee James thanked Mr. Mercier

for his service and presented him with a Congressional Proclamation on behalf of Congressman Tom Reed.

Chairman Crandall invited Allegany County Fair President Karen Tripp forward to join him and thank her and all of the directors of the Fair who are so dedicated. He remarked that they have had a couple of nights of poor weather which affected the horse pull and car show, but today is a beautiful day and hopefully they will have some more nice days for the Fair. Chairman Crandall said there are numerous people who spend a great deal of time over the course of the year organizing and putting the Fair together. Chairman Crandall read a proclamation declaring July 15-20, 2019, as Allegany County Fair Week in honor of its 175th Anniversary. He remarked that each year the Fair is dedicated to an individual, but this year the Fair Board decided to dedicate it to all individuals, past and present, who have made the Fair what it is today. Ms. Tripp stated that they've had good attendance. The rain has interfered with some of the scheduled events, but the weather has improved, and they have a rodeo scheduled for tonight. Friday night, country musician Keith Anderson will perform, followed by fireworks, and Saturday they will have the annual demolition derby. Ms. Tripp thanked the Board for holding its meeting at the Fair. She encouraged everyone to stay after the meeting and enjoy the Fair. Assemblyman Joe Giglio presented Ms. Tripp with a certificate commemorating the 175th anniversary of the Allegany County Fair. Lee James read a Congressional Proclamation she presented to Ms. Tripp on behalf of Congressman Tom Reed.

Chairman Crandall presented Kaylin Kratts with a certificate thanking her for singing the National Anthem. He stated that Miss Kratts is from Olean and has sung at many different events in Cattaraugus and Allegany County over the past few years. Lee James also presented a certificate to Kaylin from Congressman Tom Reed.

Angelica Boy Scout Troop 736 members were presented certificates for their participation in the meeting. Austin Ford is currently a Life Scout and is working towards earning the rank of Eagle Scout. Noah Ford is a First Class Scout, and Jacob Bliss is a Second Class Scout. Certificates were also presented to the scouts on behalf of Congressman Tom Reed.

Chairman Crandall invited 4-H Member Megan Jozwiak forward. He said, each year we recognize 4-H, and the great things happening in regards to youth at the Fair. He noted that Miss Jozwiak is an honor student having recently graduated from Hinsdale Central School. Miss Jozwiak has been involved in 4-H for many years and has been a member of the Cuba Gold Diggers 4-H Club. She will be attending Jamestown Community College in the Fall to study nursing with plans to become a certified midwife. Chairman Crandall read comments written by Megan's mother that talked about the positive role 4-H has had in helping to mold Megan into the person she is today. Chairman Crandall congratulated Megan on her accomplishments and presented her with a certificate. Lee James presented Miss Jozwiak with a certificate on behalf of Congressman Tom Reed.

Assemblyman Joseph Giglio was invited to address those in attendance. Assemblyman Giglio reminisced about the tornado that passed not far from the fairgrounds

during the legislative meeting a couple of years earlier. He spoke about our nation's history and the bravery of those who came before us. He noted that the Allegany County Fair began long before the Gettysburg Address. He remarked on how brave the President was at that time. It's interesting how history keeps evolving. Look at what we're doing here. You wonder what kind of responsibility is invested in us as representatives. How are we going to do the job and make them proud of us? That's one of the things that drives us. They entrust in us to do the same things George Washington, Abraham Lincoln, Theodore Roosevelt, and all of the wonderful Presidents who have served did. It's an awesome responsibility. He mentioned a plaque on his office wall that says, "Today, do something good," and that's what he tries to do. The Fair is a representation of who we are and what we do as a community. That's what makes us uniquely American.

Chairman Crandall introduced elected County Treasurer Terri Ross and recognized Allegany County Department Heads who were in attendance.

On behalf of Congressman Tom Reed, Lee James wished everyone well. She thanked the Legislators for bringing government to the people. Ms. James stated that Congressman Reed was in Washington, D.C., and regretted not being able to attend. She thanked everyone for their hard work and commitment to the County.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. August Calendar
2. 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 Amity in the Clerk of the Board's Office on July 10, 2019.
3. Reminder that the Allegany County Senior Picnic will be held on Wednesday, August 14, at the Fairgrounds in Angelica.
4. Correspondence from the NYS Homes and Community Renewal Office indicating that we were not awarded grants for the Allegany County Housing Rehabilitation Program or the Wells and Septic Replacement Program.

APPOINTMENTS:

Curtis W. Crandall, Chairman of the Allegany County Board of Legislators, appointed Robert Thompson of Scio to fill the unexpired term of William Emrick as a member of the **ALLEGANY COUNTY PLANNING BOARD** commencing August 12, 2019, and expiring December 31, 2021, subject to confirmation by the Board of Legislators.

PROCLAMATION:

Chairman Curtis W. Crandall proclaimed July 15-20, 2019, as **ALLEGANY COUNTY FAIR WEEK** in honor of the **175TH ANNIVERSARY OF THE ALLEGANY COUNTY FAIR**

and encouraged residents to visit the Allegany County Fair, to walk the grounds, and enjoy the many displays representing Allegany County. (The proclamation was read earlier in the meeting.)

RESOLUTIONS:

A motion was made by Legislator Hopkins, seconded by Legislator Burdick, and carried to withdraw Resolution Intro. No. 177-19. **Resolution Intro. No. 177-19 (CREATION OF ONE FULL-TIME POSITION OF PUBLIC HEALTH NURSE WITHIN THE DEPARTMENT OF SOCIAL SERVICES) was WITHDRAWN.**

RESOLUTION NO. 176-19

CREATION OF ONE FULL-TIME POSITION OF TAX MAP TECHNICIAN WITHIN THE REAL PROPERTY TAX SERVICES DEPARTMENT

Offered by: Personnel and Ways & Means Committees

RESOLVED:

1. That one full-time position of Tax Map Technician (AFSCME, Grade 15) in the Real Property Tax Services Department is created.
2. This resolution shall take effect July 19, 2019.

Moved by: Mr. Havey
Seconded by: Mr. Harris

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

RESOLUTION NO. 177-19

APPOINTMENT OF ANITA M. MATTISON AS DIRECTOR OF OFFICE FOR THE AGING; AMENDING RESOLUTION NO. 249-18 TO AMEND THE SALARY OF THE OFFICE FOR THE AGING DIRECTOR

Offered by: Human Services Committee

Pursuant to Local Law No. 8 of 1974

RESOLVED:

1. That Anita M. Mattison is appointed Director of the Office for The Aging to serve during the pleasure of this Board of Legislators and until a successor is appointed and qualified.

2. Paragraph number "7" of resolution No. 249-18 is hereby amended to show the annual base salary of the Office for the Aging Director as \$60,000.

3. That this resolution shall be effective July 31, 2019.

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

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

Comments made regarding Resolution No. 177-19: Chairman Crandall congratulated Anita Mattison on her appointment. Human Services Committee Chairperson Judy Hopkins thanked Madeleine Gasdik for her years of service to the County.

RESOLUTION NO. 178-19

**ACCEPTANCE AND APPROPRIATION OF ADDITIONAL LOCAL ASSISTANCE
GENERAL FUNDS FOR 2019 FOR EXPENDITURES RELATED TO THE FAMILY FIRST
TRANSITION FUND FOR THE DEPARTMENT OF SOCIAL SERVICES**

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. That the sum of \$30,000 in additional Local Assistance General Funds for 2019 for the Department of Social Services is accepted.

2. The sum of \$30,000 shall be appropriated as follows:

Appropriation:	Amount:
A6070.474 (Services for Recipients – Hillside One Family)	\$23,000
A6010.482 (DSS Admin – Recruitment/Retention Support & Incentives)	\$ 4,000
A6010.101 (DSS Admin – Staff Administration)	\$ 2,000
A6010.482 (DSS Admin – Mobility Mapping)	\$ 1,000
	Total: \$30,000

Revenue:	Amount:
A6070.4670.00 (Federal Aid – Family First Transition Funds)	\$23,000
A6010.4610 (DSS Admin – Family First Transition Funds)	\$ 7,000
	Total: \$30,000

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

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

RESOLUTION NO. 179-19

**ACCEPTANCE AND APPROPRIATION OF A DONATION FROM GRACE UNITED
CHURCH FOR THE OFFICE FOR THE AGING**

Offered by: Human Services and Ways & Means Committees

RESOLVED:

1. That the sum of \$1,000 from Grace United Church for the Office for the Aging is accepted.
2. That the accepted sum of \$1,000 is placed in Account No. A6779.422 (OFA Wellness in Nutrition – Gas & Oil) with a like sum credited to Revenue Account No. A6779.1972.PC (OFA Wellness in Nutrition – Local Contribution).

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

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

RESOLUTION NO. 180-19

**APPROVAL OF AGREEMENTS WITH PROVIDERS OF PROGRAMS, SPECIAL
EDUCATION ITINERANT SERVICES (SEIS) AND/OR EVALUATIONS FOR
PRESCHOOLERS WITH DISABILITIES**

Offered by: Human Services Committee

RESOLVED:

1. That Agreements titled "County of Allegany Contract for Approved Providers of Programs, SEIS and/or Evaluations for Preschoolers with Disabilities" with Catt-Allegany BOCES, The Children's League, and Pathways, Inc. for the period September 1, 2019, to August 31, 2024, are approved.
2. That the Chairman of this Board shall execute said Agreements.

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

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

RESOLUTION NO. 181-19

**APPROVAL OF AGREEMENTS WITH SPEECH LANGUAGE PATHOLOGISTS 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 Jillian Short and Tommie Pomeroy for the period June 15, 2019, to August 31, 2019, are approved.

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

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

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

RESOLUTION NO. 182-19

**APPROVAL OF AGREEMENTS WITH PROVIDERS FOR THERAPY SERVICES
PROVIDED TO PRESCHOOLERS WITH DISABILITIES**

Offered by: Human Services Committee

RESOLVED:

1. That Agreements titled "County of Allegany Contract for Therapy Services Provided to Preschoolers with Disabilities" with the following providers:

Speech Language Pathologists

Angela Baron
Jaime Beardsley
Sara Carbone
Jennifer Callahan
Maggie Pomeroy
Dena Hess
Renee Giardini
Caroline Painter
Ben Palmer
Tommie Pomeroy
Tanya Scholla
Jillian Short
Jean Walk
Jennifer Williamson
Kristina Waters
Building Blocks
Susan Cochrane, Freedom to Speak

Occupational Therapists

Brandi Duvall
Kirsten Clancy

Trey Marra, SDAA OT Solutions
Southtowns Children's Associates
Jones Memorial Hospital
Building Blocks

Physical Therapists

Denise Cornell
Rachael Martin
Candy Hodnett
Building Blocks
Maple City PT
Jones Memorial Hospital
Rehabilitation Today

Parent Trainers

Kelly Morehouse
Dr. Lynn O'Connell
Joanne Ross
Southtowns Children's Associates

Behavior Consultants

Southtowns Children's Associates

Special Education Itinerant Services

Friendship Central School

for the period September 1, 2019, to August 31, 2024, are approved.

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

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

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

RESOLUTION NO. 183-19

**APPROVAL OF AGREEMENTS WITH PROVIDERS FOR EVALUATION SERVICES FOR
PRESCHOOL CHILDREN WITH DISABILITIES**

Offered by: Human Services Committee

RESOLVED:

1. That Agreements titled "County of Allegany Contract for Evaluation Services for Preschool Children with Disabilities" with the following providers:

Faith Stewart (Social Histories)
Dr. Lynn O'Connell (Psychological Evaluations/ Social Histories)
Dr. Cindy Dodge (Psychological Evaluations/ Social Histories)
Renee Giardini (Speech and Language Evaluations)
Candy Hodnett (Physical Therapy Evaluations)
Trey Marra, SDAA OT Solutions (Occupational Therapy Evaluations)
Maggie Pomeroy (Speech and Language Evaluations)
Brandi Duvall (Occupational Therapy Evaluations)
Jones Memorial Hospital (All evaluation services)

for the period September 1, 2019, to August 31, 2024, are approved.

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

RESOLUTION NO. 184-19

URGING PASSAGE OF SENATE BILL S5472A AND ASSEMBLY BILL A706A THAT WOULD AMEND THE EDUCATION LAW, IN RELATION TO PROHIBITING SCHOOL DISTRICTS FROM DISALLOWING HOME-SCHOOLED STUDENTS FROM PARTICIPATING IN DISTRICT INTERSCHOLASTIC SPORTS

Offered by: Ways & Means Committee

WHEREAS, participation in athletics has the intrinsic value of increased physical and mental health, and

WHEREAS, participation in athletics is one of the most effective ways for students in the United States to develop leadership skills, self-discipline, initiative, and dedication, and

WHEREAS, the communication and cooperation skills learned through athletic experience play a key role in the contributions of athletes to the home, school, and community, and

WHEREAS, the additional benefits of athletics participation, including social interaction and teamwork, could be considered more vital for home-schooled students, who often lack the opportunity to otherwise enjoy those benefits due to the nature of their educational environment, and

WHEREAS, the current regulations of the New York State Public High School Athletics Association (NYSPHSAA) prohibit participation in high school athletics by home-school athletes, and

WHEREAS, those regulations run counter to the NYSPHSAA's stated objective to encourage as many students as possible to participate in athletic games, and

WHEREAS, public schools in New York enjoy the benefits of funding through taxation, which enables them to provide expensive athletic programming that home-schooled students are unable to fund independently, and

WHEREAS, the families of home-schooled children contribute to the funding of public school athletics programs at the same rate as other taxpayers, now, therefore, be it

RESOLVED:

1. That the Allegany County Board of Legislators hereby calls on the State lawmakers to amend the education law to allow home-schooled students to participate in interscholastic athletics, by enacting Senate Bill S5472A and Assembly Bill A706A into law.

2. That the Clerk of this Board is directed to send a certified copy of this resolution to Governor Andrew M. Cuomo; Assemblyman Joseph M. Giglio; New York Senate District 57 Office; State Senate Majority Leader Andrea Stewart-Cousins; State Assembly Speaker Carl E. Heastie; New York State Association of Counties; and InterCounty Association of WNY.

Comments made regarding Resolution No. 184-19: Legislator Harris thanked his fellow Board members for supporting the legislation. He noted that a similar resolution was passed last year. It's an important issue for all home-schooled children. He stated his personal opinion is that many parents of home-schooled children pay school taxes, and home-schooled children should be allowed to participate in school sports. Legislator Decker thanked Legislator Harris for pursuing this. He remarked that it's a big disservice to home-schooled children. Participating in sports is part of the school experience and every student should be able to participate.

AUDITS:

A motion was made by Legislator Stockin, 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 Fanton, and adopted on a roll call vote of 13 Ayes, 0 Noes, 2 Absent, that the audit of claims, totaling \$3,007,316.09 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 \$5,306,275.*)

COMMENTS:

Chairman Crandall thanked everyone for attending, in particular Assemblyman Giglio and Lee James for representing Congressman Reed.

ADJOURNMENT: The meeting was adjourned at 3:23 p.m. on a motion made by Legislator Graves, seconded by Legislator Decker, and carried.