

**WAYS & MEANS COMMITTEE  
JANUARY 14, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Fanton, D. Burdick, K. LaForge, T. O'Grady, D. Pullen, F. Sinclair, C. Crandall (Absent: D. Healy)

**Others Present:** M. Alger, H. Budinger, D. Cady, R. Christman, P. Curran, L. Edwards, K. Graves, L. Gridley, T. Hull, G. James, N. Koegel, J. Margeson, T. Miner, S. Presutti, B. Riehle, T. Ross, C. Santora, K. Toot, N. Ungermann, C. Whitwood

**Media Present:** No media present.

**Call to Order:** The meeting was called to order at 1:00 p.m. by Ways & Means Committee Chairman Theodore Hopkins.

**Approval of Minutes**

A motion was made by Legislator Pullen, seconded by Legislator Sinclair, and carried to approve the Ways & Means Committee minutes of December 19, 2012, and December 21, 2012.

**Request to Fill Real Property Tax Service Aide**

Real Property Tax Director Steve Presutti requested approval to hire a Real Property Tax Service Aide (AFSCME, Grade 10). The vacancy occurred as a result of the untimely death of the incumbent. This position is responsible for tax and assessment preparation, tax bills, rolls, and working closely with the assessors in all 29 towns plus the schools and villages. The request was approved on a motion by Legislator Fanton, seconded by Legislator Sinclair, and carried. **Notify Human Resources**

**Opposition to An Act to Amend Election Law A00689/S1461**

Board Chairman Curt Crandall suggested the Committee consider a resolution opposing A00689/S1461—An Act to Amend the Election Law in Relation to Early Voting. Discussion followed regarding the burden in terms of expense and staffing such a law would cause to Allegany County. Some of the issues related to the proposal sponsored by State Assembly Speaker Sheldon Silver included that every County have early voting in at least five polling sites across the County for 14 days prior to a General Election or seven days prior to a Primary Election. Concerns were raised regarding the cost of this proposed endeavor as well as the difficulty in getting inspectors to work that many days in a row. Legislator Pullen, noting that he had done some quick calculations, said that such actions could cost the County as much as \$135,000 for the General Election alone, characterizing it as of "little benefit at outrageous expense." Chairman Crandall referred to the Help Americans Vote Act (HAVA) that required new voting machines, etc. At the time, he said, counties were assured that the cost of implementing the new system would be minimal, but that has since not been the case. Chairman Crandall went on to say we should be tracking the costs relevant to the new voting system and it would be a good idea to see that information put together and distributed. He said that the road so far has not been inexpensive, and that as the machines age, expenses could only increase. It was suggested that a copy of the proposed resolution be sent not only to Senator Young and Mr. Silver, but also to Senators Schumer and Gillibrand, and Congressman Reed. The issue of home rule for Allegany County was raised, but County Attorney Thomas Miner speculated that constitutionality issues might arise in that instance. The request was

approved on a motion by Legislator Sinclair, seconded by Legislator Burdick, and carried.

**Prepare Resolution to Come off the Floor at January 14 Board Meeting**

**Signature Authority on Section 5311 Grant Monies for Public Transit System**

County Administrator John Margeson requested the repeal of Resolution No. 213-12 and 214-12 and Consideration of Resolution Intro Nos. 14-13 and 15-13 regarding the signature authority on the submission of grant applications for two separate funding streams of Federal Transportation Section 5311 Monies to operate the Public Transit System. The request to repeal Resolution Nos. 213-12 and 214-12 was approved on a motion by Legislator Pullen, seconded by Legislator Hopkins, and carried. The request to move Resolution Intro Nos. 14-13 and 15-13 to the full Board was approved on a motion by Legislator Fanton, seconded by Legislator Pullen, and carried. **Prepare Resolutions**

**REFERRALS FROM OTHER COMMITTEES**

**Public Safety Committee**

**STOP-DWI**

STOP-DWI Program Coordinator Linda Edwards requested a resolution to re-appropriate unexpended funds from the STEPS in Safety Grant (Safety on Wheels) from the Governor's Traffic Safety Program due to overlapping fiscal years. The grant period runs from October 1, 2012, through September 30, 2013. The funds should be re-appropriated for 2013 as follows:

Appropriations

A3114.402	(Traffic Program – Mileage)	\$ 200
A3114.408	(Traffic Program - General Supplies [Helmets])	\$1,000
A3114.421	(Traffic Program - Educational Materials)	\$ 800
A3114.452	(Traffic Program - Public Info [Promotional Items])	<u>\$ 400</u>
		\$2,400

Revenues

A3114.3389.00	(State Aid-Traffic Program)	\$2,400
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The request was approved on a motion by Legislator Hopkins, seconded by Legislator Fanton, and carried. **Prepare Resolution**

Mrs. Edwards also requested a resolution to re-appropriate unexpended funds from the NYS STOP-DWI Association for Crackdown Enforcement due to overlapping fiscal years. The grant period runs from October 1, 2012, through September 30, 2013. The funds should be re-appropriated for 2013 as follows:

Appropriations

A3141.447	(STOP-DWI Program – Contractual)	\$54,800
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Revenues

A3141.2615.R1	(STOP-DWI Reserve)	\$54,800
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The request was approved on a motion by Legislator Fanton, seconded by Legislator O'Grady, and carried. **Prepare Resolution**

**Sheriff's Office**

Sheriff Rick Whitney requested a resolution to re-appropriate unexpended funds from the 2010 SLETPP Homeland Security Grant (DCJS Project #LE10-1039-E00) due to overlapping fiscal years. The grant period funds from August 1, 2012, through July 31, 2013, and the grant was originally accepted by Resolution No. 64-11. The funds should be re-appropriated for 2013 as follows:

Appropriations

A 3645.2.17 (Homeland Security – Equipment)	\$9,649
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Revenues

A3645.3306.SHF7 (State Aid – Homeland Security – Sheriff)	\$9,649
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Sheriff Whitney requested a resolution to re-appropriate unexpended funds from the 2011 SLETPP Homeland Security Grant (DCJS Project #LE11-1043-E00) due to overlapping fiscal years. The contract period runs from September 1, 2011, through August 31, 2014, and the grant was originally accepted by Resolution No. 64-12. The funds should be re-appropriated for 2013 as follows:

Appropriations

A 3645.217 (Homeland Security – Equipment)	\$31,722
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Revenues

A.3645.3306 SHF7 (State Aid - Homeland Security – Sheriff)	\$31,722
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Sheriff Whitney also requested a resolution to re-appropriate unexpended funds from the 2012 SLETPP Homeland Security Grant (DCJS Project #LE12-1002-D00) due to overlapping fiscal years. The contract period runs from September 1, 2012, through August 30, 2014, and the grant was originally accepted by Resolution No. 152-12. The funds should be re-appropriated for 2013 as follows:

Appropriations

A3645.217 (Homeland Security - Equipment)	\$13,750
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Revenues

A3645.3306.SHF7 (State Aid - Homeland Security - Sheriff)	\$13,750
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The request for a resolution for all three transfers was approved on a motion by Legislator Hopkins, seconded by Legislator Sinclair, and carried. **Prepare Resolution**

**Public Works Committee****Town of Friendship, North Branch Road, Culvert Project**

Public Works Superintendent Guy James requested a resolution establishing a Capital Project for the Town of Friendship, North Branch Road, Culvert Project. Mr. James also requested a resolution transferring \$266,100 to fund the project as follows:

FROM: H5120.200 (Maintenance of Bridges)	\$266,100
TO: H5631.200 (Friendship, Culvert, North Branch Road)	\$266,100

In addition, the \$39,915 representing the town's share of the project should be transferred as follows:

FROM: H5120.2300 (Revenues-Intergovernmental Charges)	\$ 39,915
TO: H5631.2300 (Town Share)	\$ 39,915

The request was approved on a motion by Legislator Fanton, seconded by Legislator Pullen, and carried. **Prepare Resolution**

#### **Town of Caneadea, Council House Road, Bridge #12-03 Project**

Mr. James requested a resolution establishing a Capital Project for the Town of Caneadea, Council House Road, Bridge #12-03 Project. Mr. James also requested a resolution transferring \$224,500 to fund the project as follows:

FROM: H5120.200 (Maintenance of Bridges)	\$224,500
TO: H5630.200 (Caneadea, BR #12-03, Council House Road)	\$224,500

In addition, the \$33,675 representing the town's share of the project should be transferred as follows:

FROM: H5120.2300 (Revenues-Intergovernmental Charges)	\$ 33,675
TO: H5630.2300 (Town Share)	\$ 33,675

The request was approved on a motion by Legislator Fanton, seconded by Legislator Sinclair, and carried. **Prepare Resolution**

#### **County Bridge #08-02, County Road 41, Belfast**

Mr. James requested a resolution establishing a Capital Project for the County Bridge #08-02, CR41, Belfast Project. Mr. James also requested a resolution transferring \$326,000 to fund the project as follows:

FROM: H5120.200 (Maintenance of Bridges)	\$326,000
TO: H5632.200 (County Bridge #08-02, CR42, Belfast)	\$326,000

The request was approved on a motion by Legislator Fanton, seconded by Legislator Sinclair, and carried. **Prepare Resolution**

#### **Approval of Legislators' Expense Vouchers**

The Committee reviewed the Legislative expense vouchers for the month of December 2012 as well as additions to the months of August through November 2012. A motion was made by Legislator Fanton, seconded by Legislator O'Grady, and carried to approve the vouchers for payment.

#### **Approval of Audit**

Committee members reviewed the January 14, 2013, audit of claims in the amount of \$3,785,588.83 (including prepaid bills). A motion was made by Legislator Fanton, seconded by Legislator Pullen, and carried to forward the audit to the full Board for approval of payment.

#### **Good of the Order**

Legislator Sinclair informed the group that he had received a letter and a resolution (#27-

2012) supporting the continuation of the *ad valorem* tax and the addition of a severance tax on the gas and oil industry from the Town Board of the Town of Ward which was to be read into the minutes. The letter (which is also attached) stated:

“Dear Legislator Sinclair

“Please have read into the minutes of the County Legislator Meeting the following resolution passed at a duly convened meeting of the Town Board of the Town of Ward. We strongly encourage you to support the *continuation* of the *ad valorem* tax and to enact an *additional* severance tax on the gas and oil industry.

“The *ad valorem* tax will benefit the local communities directly impacted by drilling. A severance tax would be a means of funding the protection of our future from the unknown and long lasting effects of drilling for oil and gas in New York State.

“Respectfully,

“James Lucey, Supervisor”

The Resolution:

Resolution #27-2012 Supporting the Continuation of the *Ad Valorem* Tax and the Addition of a Severance Tax on the Gas & Oil Industry

“WHEREAS, the Town Board of the Town of Ward with the understanding that New York State is considering enacting a Severance Tax to be levied against the extraction of oil and gas resources, and;

“WHEREAS, following investigation, we also support the continuation of the *ad valorem* tax currently in place, as we feel this tax is distributed directly to the communities where the drilling will be taking place and will be of great benefits to these communities.

“THEREFORE, BE IT RESOLVED that the Town Board of the Town of Ward does hereby support a severance tax on the Gas and Oil Industry only as an addition to and not a replacement of the current *ad valorem* tax.

“Votes taken: Ayes-5 Lucey, Decker, Deichmann, Patello, Flanagan-Watson; Noes-0

“Motion carried.”

The request to move this resolution on to the Energy & Resources Ad Hoc Committee for support was approved on a motion by Legislator Sinclair, seconded by Legislator LaForge, and carried. **Refer to Energy & Resources Ad Hoc Committee**

Legislator LaForge raised the issue of the controversy surrounding the FOIL (Freedom of Information Law) release of information in several downstate counties of pistol permit holders. He told the Committee that Allegany County needs to take a stand against being forced to release that information and enacting legislation making gun permit holders exempt from FOIL. County Clerk Rob Christman noted that there was a great deal of support at the recent 8<sup>th</sup> District meeting to not have those records available to “FOIL.” He noted that there was sentiment among his peers that only law enforcement officials and district attorneys’ offices

should have the ability to FOIL such records. There is, he feels, no legitimate reason for these records to be made public.

Chairman Crandall noted that there is a lot of “bundled” legislation regarding gun control currently being pushed through the State government. Some of it, he said, is good legislation, and some of it is not. His objection is the bundling of the good and the bad, and would rather see each piece of legislation dealing with gun control be vetted separately so distinctions can be made. He indicated that such a radical (bundling) approach would be detrimental to the sportsmen and women of New York State. His preference would be to have all gun legislation looked at individually to remove the radical from the reasonable. He noted that NYS Governor Cuomo, in his recent State-of-the State address, wanted New York State to have the strongest gun legislation in the country.

There was also discussion regarding the role media plays in the glamorization of guns and violence and that changes in society, not only in gun control, are necessary before we see the end of this senseless violence (e.g., Newtown, CT, and Webster, NY).

A request to have County Attorney Tom Miner prepare a resolution opposing bundling legislation as it deals with gun control was approved on a motion by Chairman Crandall, seconded by Legislator O’Grady, and carried. **Prepare Resolution**

### **Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:40 p.m. following a motion by Legislator Fanton, seconded by Legislator Burdick, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE**  
**JANUARY 23, 2013**  
**\*\* NOT APPROVED \*\***

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**Committee Members Present:** D. Burdick, D. Healy, K. LaForge, T. O'Grady, D. Pullen, F. Sinclair, C. Crandall (Absent: T. Hopkins, D. Fanton)

**Others Present:** M. Alger, H. Budinger, J. Luckey, J. Margeson, T. Miner, S. Presutti, B. Riehle, T. Ross, C. Santora, C. Whitwood

**Media Present:** No media present

**Call to Order:** The meeting was called to order at 1:08 p.m. by Chairman of the Board Curt Crandall.

**Approval of Minutes**

A motion was made by Legislator Sinclair, seconded by Legislator O'Grady, and carried to approve the Ways & Means Committee minutes of January 14, 2013.

**Acceptance of Insurance Payment**

Clerk of the Board Brenda Rigby Riehle requested a resolution accepting a check in the amount of \$7,150 from NYMIR (New York Municipal Insurance Reciprocal) representing the settlement less a \$500 deductible on a 2007 Dodge Caliber (#4807) operated by the Office for the Aging that was totaled as the result of a motor vehicle accident on December 21, 2012. The funds should be appropriated to H5997.2 (Vehicle Purchase/Replacement) with a like sum placed in revenue account H07.2680.00 (Insurance Recoveries). The request was approved on a motion by Legislator Burdick, seconded by Legislator Pullen, and carried. **Prepare**

**Resolution**

**Request to Fill Account Clerk/Typist Position**

County Treasurer Terri Ross requested permission to fill a part-time Account Clerk/Typist position in her office. This is a non-union, Grade 7, Step B position. The vacancy occurred as a result of the incumbent's resignation. The County Treasurer notes that without this position, timely delinquent tax bill processing would be compromised. It was also noted that the Account Clerk Typist exam will be administered February 9, 2013, and Ms. Ross would like to have the results from that test before hiring. The request was granted on a motion Legislator O'Grady, seconded by Legislator Burdick, and carried. **Notify Human Resources**

**Sales Tax Report**

County Treasurer Terri Ross distributed the Sales Tax Report reflecting receipts through January 14, 2013, totaling \$917,236.04. Receipts for the current period indicate a decrease of \$27,119.29 (-2.872 percent) from one year ago for the same period.

**Tax Rates**

Real Property Tax Director Steve Presutti presented the group with a spreadsheet illustrating the tax rates by town. It shows town, school, library, and village rates. He prepared this document at the request of Ways & Means Committee Chairman Ted Hopkins. Some discussion followed, including a suggestion that a column showing equalization rates would be helpful. It was noted that 21 of the 29 towns represented on the spreadsheet are assessed at full value and that several of the remainder are in the process of re-assessment. It was also noted that the towns which are not at full assessment have the higher tax rates based on the

drop in their equalization rates. Chairman Crandall was of the opinion that this is valuable information to have at the ready, particularly when constituents have questions.

### **Renewal of Agreement with Allegany-Western Steuben Rural Health Network for Mobility Management Services**

County Administrator John Margeson requested a resolution to continue the contract with Allegany-Western Steuben Rural Health Network for Mobility Management Services. He presented a brief history of the agreement, saying the current agreement had expired at the end of August 2012. At that time, it was decided to defer renewal until the State Department of Transportation had made its funding intentions known. Discussion followed, noting that the network had been providing services for four years (as a result of two 2-year contracts) and that funding is realized through the State DoT, DSS, the JARC (Job Access and Reverse Commute)/New Freedoms Grant, and Section 5311. Mr. Margeson went on to say that is in the County's best interest to renew this agreement despite the fact that we still do not know what funds will be available from the State. A copy of the contract's deliverables was provided with the information that they are the same as the previous contract's. The new contract will run through December 31, 2014. Other discussion revolved around ridership numbers. Carrie Whitwood, Allegany/Western Steuben Rural Health Network Executive Director, indicated that ridership has steadily increased, and currently there are probably between 7,000 and 8,000 riders per month. The request was approved on a motion by Legislator Sinclair, seconded by Legislator Healy, and carried. **Prepare Resolution**

### **Placement of Communications Equipment on Alfred State Tower**

County Administrator John Margeson led the discussion on this topic, noting that the issue is a high-band radio dead spot in the middle of Alfred, that it was predicted, could be remedied by the installation of equipment on the Alfred State tower (the use of which had been offered to the County free of charge). The estimated cost was \$150,000. However, Mr. Margeson revealed that the cost, per SAIA Communications, would in actuality be closer to \$185,000. Additionally, he said, the propagation studies indicated that the ASC tower could not hit the dead spot, and thus, would not provide the needed "fix." There was talk about a "hop;" that is, "bounce" the signal from tower to tower in order to address the dead spot. That being the case, Mr. Margeson recommended tabling the issue until more precise information is available. Discussion followed regarding other towers located in Alfred (Moland Road and Sugar Hill), their ownership, and potential workability. Again, no definitive answer was available at the time of the meeting. Therefore, the issue was tabled until the next regular Ways & Means meeting on a motion by Legislator Pullen, seconded by Legislator Sinclair, and carried.

### **Referrals from Other Committees**

#### **Public Safety Committee**

#### **Re-appropriation of 2012 Homeland Security Grant Funds due to Overlapping Fiscal Year-Fire & Emergency Services**

Fire and Emergency Services Director Jeff Luckey requested a resolution to re-appropriate unexpended funds from the 2012 Homeland Security Grant #C838200. The original Resolution for the grant was #31-10. The grant period runs from August 1, 2010, through July 31, 2013. The funds should be re-appropriated for 2013 as follows:

#### **Appropriations**

A3645.218 Homeland Security Emerg Serv (CBRNE Mobile Command Vehicle  
w/ Computer Hardware and Related Equipment)

\$42,422



A3645.219 Homeland Security Hlth Dept (Portable Generator)	\$ 2,000
A3645.219 (Homeland Security Hlth Dept (Credentialing Sys)	\$11,750
A3645.219 (Homeland Security Hlth Dept (Portable Lights)	\$ 500

Revenues

A3645.3306.EMG8 Homeland Security St. Aid Emerg Seerv	\$43,422
A3645.3306.HLT9 Homeland Security St. Aid Health Dept	\$14,250

<u>Total</u>	\$57,672
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The request was approved on a motion by Legislator Sinclair, seconded by Legislator Healy, and carried. **Prepare Resolution**

Mr. Luckey requested a resolution to re-appropriate unexpended funds from the 2012 Homeland Security Grant #C838290 due to overlapping fiscal years. (Refer to original acceptance of this grant #C838280. The grant was originally accepted by Resolution No. 41-09. The grant period runs from February 24, 2011, through February 28, 2013. The funds should be re-appropriated for 2013 as follows:

Appropriations

A3645.218 Homeland Security (Interoperable Comm)	\$11,825.94
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Revenues

A3645.3306.EMG8 Homeland Security St. Aid Emerg Serv	\$11,825.94
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The request was approved on a motion by Legislator Healy, seconded by Legislator O'Grady, and carried. **Prepare Resolution**

Mr. Luckey also requested a resolution to re-appropriate unexpended funds from the 2012 Homeland Security Grant #C969110, due to overlapping fiscal years. The grant period runs from September 1, 2011, through August 31, 2014, and the grant was originally accepted by Resolution no. 96-12. The funds should be re-appropriated for 2013 as follows:

Appropriations

A3645.218 Homeland Security (Interoperable Communications)	\$35,128
A3645.218 Homeland Security (High Density Data Storage & Cyber Security Protection	\$27,100

Revenues

A3645.3306.EMG8 Homeland Security St Aid Emerg Serv	\$53,128
A3645.3306.EMG8 Homeland Security St Aid Emerg Serv	\$27,100

<u>Total</u>	\$62,228
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The request was approved on a motion by Legislator Healy, seconded by Legislator Pullen, and carried. **Prepare Resolution**

**Attorney Client Session**

County Attorney Tom Miner requested an attorney/client session. The Committee entered into attorney/client session at 1:50 p.m. on a motion by Legislator Burdick, seconded by Legislator Pullen, and carried. The group exited attorney/client session at 2:29 p.m. on a motion by Legislator Sinclair, seconded by Legislator O'Grady, and carried.

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 2:30 p.m. following a motion by Legislator Pullen, seconded by Legislator Sinclair, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE  
JANUARY 28, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Fanton, D. Burdick, D. Healy, K. LaForge, T. O'Grady, D. Pullen, F. Sinclair, C. Crandall

**Others Present:** M. Alger, G. Benson, P. Curran, K. Graves, J. Margeson, T. Miner, B. Riehle, T. Ross, C. Santora, N. Ungermann

**Media Present:** No media present

**Call to Order:** The meeting was called to order at 1:00 p.m. by Ways & Means Committee Chairman Theodore Hopkins.

**Approval of Audit**

Committee members reviewed the January 28, 2013, audit of claims in the amount of \$2,843,659.87 (including prepaid bills). A motion was made by Legislator Sinclair, seconded by Legislator Healy, and carried to forward the audit to the full Board for approval of payment.

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:03 p.m. following a motion by Legislator LaForge, seconded by Legislator Fanton, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE  
FEBRUARY 11, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** D. Fanton, D. Burdick, D. Healy, K. LaForge, T. O'Grady F. Sinclair, C. Crandall (Absent T. Hopkins, D. Pullen)

**Others Present:** M. Alger, L. Ballengee, H. Budinger, P. Curran, K. Graves, L. Gridley, J. Margeson, B. Riehle, T. Ross, C. Santora, D. Scholes

**Media Present:** No media present

**Call to Order:** The meeting was called to order at 1:04 p.m. by Ways & Means Committee Vice Chairman Dwight Fanton.

**Approval of Minutes**

A motion was made by Legislator O'Grady, seconded by Legislator Sinclair, and carried to approve the Ways & Means Committee minutes of January 23 and January 28, 2013.

**Resolution Calling for the Repeal of the New York SAFE (Secure Ammunition & Firearms Enforcement) Act of 2013**

A copy of the Resolution sponsored by the Inter-County Association of Western New York and the Inter-County Committee of the Adirondacks calling for the Repeal of the New York Safe Act of 2013 was distributed to Committee members. A motion to sponsor a resolution in support of the Inter-County Association of WNY and the Inter-County Committee of the Adirondacks resolution was made by Legislator O'Grady, seconded by Legislator LaForge, and carried. **Prepare Resolution**

**Approval of Audit**

Committee members reviewed the February 11, 2013, audit of claims in the amount of \$2,976,742.14 (including prepaid bills). A motion was made by Legislator O'Grady, seconded by Legislator Fanton, and carried to forward the audit to the full Board for approval of payment.

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:10 p.m. following a motion by Legislator Sinclair, seconded by Legislator O'Grady, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE  
FEBRUARY 20, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Burdick, D. Healy, K. LaForge, T. O'Grady, D. Pullen, F. Sinclair, C. Crandall (Absent: D. Fanton)

**Others Present:** M. Alger, L. Ballengee, P. Curran, L. Kaminski, J. Margeson, T. Miner, B. Riehle, T. Ross, C. Santora, R. Starks, K. Toot, J. Weeks

**Media Present:** No media present

**Call to Order:** The meeting was called to order at 1:15 p.m. by Ways & Means Committee Chairman Theodore Hopkins.

**Approval of Minutes**

A motion was made by Legislator Sinclair, seconded by Legislator Healy, and carried to approve the Ways & Means Committee minutes of February 11, 2013.

**Board Meeting at the Fair**

Clerk of the Board Brenda Rigby Riehle requested a resolution changing the second Board meeting in July from Monday, July 22, 2013, to Thursday, July 18, 2013, and the location from the Board Chambers to the Allegany County Fairgrounds in Angelica so that the Legislative Board meeting can be held in conjunction with the Allegany County Fair. The request was approved on a motion by Legislator Burdick, seconded by Legislator O'Grady, and carried.

**Prepare Resolution**

**Acceptance of Insurance Reimbursement**

Mrs. Riehle requested a resolution accepting a check in the amount of \$893 from New York Municipal Insurance Reciprocal (NYMIR) representing the settlement less a \$500 deductible on a Dell Mobile Precision M6600 laptop used by Dr. Robert Anderson with Community Services that was dropped on January 15, 2013. The funds should be appropriated to CS1931.429 (Risk Retention-Uninsured Property Loss) with a like sum placed in revenue account CS1930.2680.00 (Insurance Recovery). After discussion on whether the laptop in question could be repaired and determination that it couldn't, the request was approved on a motion by Legislator Pullen, seconded by Legislator Burdick, and carried. **Prepare Resolution**

**Extension of Additional 1.5% Sales Tax**

A resolution requesting our state legislative representatives to introduce and seek passage of the required legislation to extend the additional one-and-one-half percent sales tax for three years beyond the November 30, 2013, expiration date as set forth in Resolution No. 120-11 (originally changed by Resolution No. 118-67), was approved on a motion by Legislator O'Grady, seconded by Legislator Pullen, and carried. Based on sales tax revenue receipts of \$18,222,546.45 for 2012, the additional one-and-one-half percent (1.5%) sales tax resulted in \$6.07 million revenue. During discussion of the topic, Chairman Crandall noted that this increase in sales tax helps offset the two percent (property) tax cap imposed by the State. It was also noted that because obtaining this extension is a six to seven-month process, the County cannot wait for the Governor's budget to be passed despite the fact that the proposed budget may allow locals to exercise home rule on this issue. **Prepare Resolution**

## **REFERRALS FROM OTHER COMMITTEES**

### **Human Services Committee**

#### **Health Department**

#### **Approval of SEIT Contracts**

Lori Ballengee, Public Health Director, requested approval of SEIT contracts for Preschoolers with disabilities. These contracts are between the Health Department and Cattaraugus Rehabilitation Center, League for the Handicapped, Inc., Portville Central School, Cattaraugus-Allegany BOCES, and Pathways for the period beginning September 1, 2012, through August 31, 2013. The contracts were approved on a motion by Legislator Sinclair, seconded by Legislator Burdick, and carried. **Prepare Resolution**

#### **Office for the Aging**

#### **Request to Fill Two Substitute Positions**

Ms. Toot requested permission to fill two substitute positions: Luncheon Center Manager and a Meals-on-Wheels Driver (both non-union). Filling these positions will have no fiscal impact on the budget. Approval to fill the positions was granted on a motion by Legislator Burdick, seconded by Legislator Healy, and carried. **Notify Human Resources**

### **Personnel Committee**

#### **Allegany County Mutual Self-Insurance Plan**

#### **Budget Transfer**

Allegany County Mutual Self-Insurance Plan Office Manager Sharon Keib requested a resolution to transfer \$15,500 from S1720.406 (Self - Insurance Fund-Benefits & Awards-Claimant Indemnity) to S1710.406 (Self-Insurance Fund-Administration-Employers' Excess Liability) to cover insufficient funds in the latter account in order to secure Employer's Excess Liability in the amount of \$100,561 for the period February 15, 2013, through February 15, 2014, with Safety National Casualty Corp. The request was approved on a motion by Legislator O'Grady, seconded by Legislator Pullen, and carried. **Prepare Resolution**

### **Board of Elections**

#### **Purchase of New Scanner**

Board of Elections Commissioner Richard Hollis requested permission to purchase two new scanners on state contract for a cost of \$2,580. It was noted that after buying the Image-It system, and, per IT recommendation, two new, dual-monitor computers at \$950 each, the purchase will result in a \$2,500 budget shortfall. Mr. Margeson indicated that funding would be found for this project by the end of the week and recommended the issue go forward. Mr. Margeson noted that the County Treasurer and he are currently reviewing the Board of Elections accounts, and it may be necessary to make additional transfers; if so, they could all be done at the same time. Approval for the purchase and transfer of funds from accounts designated by the County Administrator was granted on a motion by Legislator O'Grady, seconded by Legislator Burdick, and carried. **Prepare Resolution**

### **Public Safety Committee**

#### **Probation Department**

#### **Acceptance of Governor's Safety Committee Ignition Interlock Device Monitoring Project Award**

Probation Director Robert Starks requested a resolution to accept a Governor's Safety Committee Ignition Interlock Device Monitoring Project Award of \$11,461. Mr. Starks reported that the award of \$11,461 represents an increase of \$1,142 over last year, and \$3,461 more than the \$8,000 that was budgeted for 2013. In addition to accepting the grant funds, the

additional \$3,461 should be appropriated to A3140.101 (Probation - Personnel) and revenue account A3140.3310.07 (State Aid - Probation Ignition Interlock). The contract period is October 1, 2012, through September 30, 2013. Approval to accept and appropriate funding was given on a motion by Legislator Healy, seconded by Legislator Pullen, and carried. **Prepare Resolution**

### **Public Works Committee**

The Sheriff's Office, via the Public Works Committee, requested approval to purchase two Chevrolet transport vans to replace the two existing transport vans used for transporting federal inmates. The existing vans have over 100,000 miles each. The state bid cost of the vans plus the cost of removing and installing the inserts and emergency equipment is \$31,800 per van, for a total of \$63,600. There was some discussion regarding the process for departments wishing to purchase vehicles and why those requests were channeled through the Department of Public Works. Chairman Crandall noted that there is some confusion related to the process which needs to be clarified. He indicated he is pursuing this issue and will have a determination in a month or so. In the meantime, the request to use the Vehicle Replacement Capital Fund (H5997.2) for the purchase was approved on a motion by Legislator Hopkins, seconded by Legislator Healy, and carried. **Prepare Resolution**

### **Access Allegany Transit Route Update-Larry Kaminski**

Access Allegany Mobility Management Planner Larry Kaminski provided an update regarding route changes and a joint collaboration with the Olean Area Transit System (OATS) to make travel more accessible to Allegany County residents, including the ability to transfer without additional cost to passengers. Mr. Kaminski indicated that because County Route 19 is the most popular ridership route, patrons can travel from Belvidere to Wellsville nine times a day. (Previously only six round trips had been scheduled.) Round trips have also been increased on other routes such as County Route 417 (from four to five) and County Route 20 (from six to nine). Wait times for those needing to transfer have been reduced to a maximum of 30 minutes. Additionally, he noted, schedules have been upgraded and made easier to read for patrons, so they need only consult one schedule to find the appropriate route. Eventually, the maps will be made into poster-sized signs to be placed in a variety of venues allowing for riders to plan their routes accordingly. He said that more "tweaking" continues to occur.

### **Approval of Legislators' Expense Vouchers**

The Committee reviewed the Legislative expense vouchers for the month of January 2013. A motion was made by Legislator Hopkins, seconded by Legislator Pullen, and carried to approve the vouchers for payment.

### **Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:43 p.m. following a motion by Legislator LaForge, seconded by Legislator O'Grady, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE  
FEBRUARY 25, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Burdick, D. Healy, K. LaForge, T. O'Grady, F. Sinclair, C. Crandall (Absent: D. Fanton, D. Pullen)

**Others Present:** M. Alger, L. Ballengee, J. Budinger, H. Budinger, **D. Cady, P. Curran, K. Graves,** L. Gridley, J. Hopkins, G. James, J. Margeson, T. Miner, B. Riehle, C. Santora, K. Toot

**Media Present:** Bob Clark, *Olean Times Herald*; B. Quinn, *Wellsville Daily Reporter*

**Call to Order:** The meeting was called to order at 1:00 p.m. by Ways & Means Committee Chairman Theodore Hopkins.

**Approval of Audit**

Committee members reviewed the February 25, 2013, audit of claims in the amount of \$2,904,389.26 (including prepaid bills). A motion was made by Legislator LaForge, seconded by Legislator O'Grady, and carried to forward the audit to the full Board for approval of payment.

**Referrals from Other Committees**

**Human Services**

**Office for the Aging**

Office for the Aging Director Kimberley Toot requested permission to purchase two mini-vans for Meals-on-Wheels delivery (one van replaces a car that was totaled in December 2012). Some discussion followed regarding the insurance reimbursement from the totaled car. It was noted that a sum of \$7,378 had been placed into the Vehicle Replacement Fund. The cost of each mini-van on state contract would be \$20,511 for a total of \$41,022. The request was approved on a motion by Legislator Burdick, seconded by Legislator Sinclair, and carried.

**Prepare Resolution**

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:08 p.m. following a motion by Legislator laForge, seconded by Legislator Hopkins, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators



**WAYS & MEANS COMMITTEE  
MARCH 11, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** D. Burdick, D. Healy, K. LaForge, T. O'Grady, F. Sinclair, C. Crandall (Absent: T. Hopkins, D. Fanton, D. Pullen)

**Others Present:** M. Alger, L. Ballengee, T. Brown, H. Budinger, D. Cady, P. Curran, K. Graves, L. Gridley, J. Margeson, T. Miner, C. Plaisted, B. Riehle, T. Ross, C. Santora, N. Ungermann

**Media Present:** No media present

**Call to Order:** The meeting was called to order at 1:00 p.m. by Chairman of the Board of Legislators Curt Crandall.

**Approval of Minutes**

A motion was made by Legislator O'Grady, seconded by Legislator Sinclair, and carried to approve the Ways & Means Committee minutes of February 20, and 25, 2013.

**Resolution in Support of A.88 and A.824**

**Resolution A.88 and A.824**

Chairman Crandall noted that the County Attorney and the County Treasurer had received information from Assemblyman Michael P. Kearns, 142<sup>nd</sup> District, looking for support for Assembly Bills 88 and 824. Mr. Crandall asked County Treasurer Terri Ross to explain the two bills. Ms. Ross indicated that these bills, if passed, would provide neighbors of neglected and foreclosed/abandoned properties to find out the name of the owner (e.g., a bank) so that they could get the property mowed/cleaned up, etc. in order to maintain the integrity and value of their own properties. The following passage is taken from the e-mail message from Assemblyman Kearns: "Resolutions A.88 and A.824, are foreclosure bills currently referred to the Judiciary Committee in the NYS Assembly. Last session the NY Assembly joined the list of states that have passed foreclosure bills making it mandatory for banks to provide municipalities with contact information of property managers or other parties responsible for upkeep and maintenance of foreclosed or abandoned properties. The companion bill in the NYS Senate was referred to the Senate Committee on Housing and received no further action including no vote on the floor of the Senate." Michael P. Kearns, Assemblyman, 142<sup>nd</sup> District, requested support and participation via resolution by the county's governing body to "add depth and resonance to committee deliberations as well as establish a robust and persuasive record based on the facts and the needs of the people." It was decided, on a motion by Legislator O'Grady, seconded by Legislator LaForge, and carried to prepare a resolution similar to the sample provided by Assemblyman Kearns in support of Bills A.88 and A.824, and forward that resolution to our elected State Officials, Inter-County, and NYSAC (New York State Association of Counties).

**Prepare Resolution**

**Resolution for a Budget Adjustment to Correct an Error in the Mental Health Budget-  
County Treasurer Terri Ross**

County Treasurer Ross informed the group that this transfer is a "housekeeping" issue. When Community Services presented its budget, a portion of the funds was placed in A4316 and part in A4311, but it all should have been put in A4316. Approval to adjust the budget, transferring \$12,121 from A4311.457 (Mental Health-Adult ICM-Contractual) to A4316.457

(Mental Health-ICM-Contractual), was given on a motion by Legislator Burdick, seconded by Legislator O'Grady, and carried. **Prepare Resolution**

**Acceptance & Appropriation of NYSERDA "Cleaner, Greener Communities Grant"**

County Administrator John Margeson requested that this agenda item be tabled until Southern Tier West provides him with an exact amount of the total grant. The sum of \$455,965.44 is just a portion of the grant, so until he has the final numbers, he requested the agenda item be tabled. There was some discussion regarding the grant. The purpose of the grant, it was noted, is to establish proposed projects in the five involved counties with regard to energy sustainability, economic development, and sustainability of agriculture. The issue was tabled on a motion by Legislator Sinclair, seconded by Legislator LaForge, and carried.

**Approval of Audit**

Committee members reviewed the March 11, 2013, audit of claims in the amount of \$3,853,275.41 (including prepaid bills). A motion was made by Legislator Sinclair, seconded by Legislator O'Grady, and carried to forward the audit to the full Board for approval of payment.

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:20 p.m. following a motion by Legislator LaForge, seconded by Legislator O'Grady, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE  
MARCH 20, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** D. Fanton, D. Burdick, D. Healy, K. LaForge, D. Pullen, F. Sinclair, C. Crandall (Absent: T. Hopkins, T. O'Grady)

**Others Present:** M. Alger, H. Budinger, K. Graves, J. Margeson, T. Miner, B. Riehle, T. Ross, C. Santora, K. Toot

**Media Present:** No media present

**Call to Order:** The meeting was called to order at 1:05 p.m. by Ways & Means Committee Vice Chairman Dwight Fanton.

**Approval of Minutes**

A motion was made by Legislator Sinclair, seconded by Legislator Burdick, and carried to approve the Ways and Means Committee minutes of March 11, 2013.

**Sales Tax Report**

Because the Budget Meeting had been cancelled, County Treasurer Terri Ross distributed the 2013 Allegany County Sales Tax Report reflecting receipts through March 20, 2013, totaling \$3,525,009.60. Receipts for the current period indicate an \$85,000 (2.35 percent) decrease from one year ago for the same period.

**Budget Review Schedules**

Ms. Ross also noted that she had prepared the schedule for budget review for the "Big 5" and that Clerk of the Board Brenda Rigby Riehle would distribute appropriately.

**Upcoming Tax Sale Auction**

Ms. Ross distributed the listing of Allegany County Delinquent Real Property Tax Auction parcels, noting that the booklet was being printed. She informed the group that the County Tax Auction Buyer Info Seminar would be held Wednesday, March 27, 2013, at 6 p.m. in the Legislative Chambers, and that the Tax Auction would be held Saturday, May 4, 2013, at 9:30 a.m. at the Genesee Valley School. Details are available on the County Treasurer's Website.

**Acceptance of Insurance Reimbursement**

Clerk of the Board Brenda Rigby Riehle requested a resolution accepting a check in the amount of \$265 from NYMIR (New York Municipal Insurance Reciprocal) representing the cost to replace a windshield on a 2010 Dodge Caravan (VIN #2D4RN4DE0AR412502) assigned to the Office for the Aging. The cracked windshield was discovered on or around March 1, 2013. The funds should be appropriated to CS1931.429 (Risk Retention-Uninsured Property Loss) with a like sum placed in revenue account CS1930.2680.00 (Insurance Recovery). The request was approved on a motion by Legislator Sinclair, seconded by Legislator Healy, and carried.

**Prepare Resolution**

**Referrals from Other Committees**

**Human Services /Department of Health  
Acceptance of COLA Money for Various Grant Programs**

Ms. Ballengee requested a resolution to accept and appropriate COLA money for the following programs:

WIC Program

Revenue Account A4190.4452.00 Federal Aid	\$23,147
Appropriation Accounts	
A4190.201 (WIC-Equipment)	\$ 8,428
A4190.405 (WIC-Conference Expense)	\$ 1,586
A4190.408 (WIC-General Supplies)	\$ 2,651
A4190.409 (WIC-Fees)	\$ 319
A4190.419 (WIC-Printing/Microfilming)	\$ 280
A4190.456 (WIC-Health Contracts)	<u>\$ 9,883</u>
	\$23,147

The request was approved on a motion by Legislator Burdick, seconded by Legislator Healy, and carried. **Prepare Resolution**

Cancer Services Program

Revenue Account A4071.3401.00 State Aid	\$11,404
Appropriation Accounts	
A4071.201 (Cancer Services-Equipment)	\$ 5,085
A4071.401 (Cancer Services-Postage)	\$ 639
A4071.407 (Cancer Services-Office Supplies)	\$ 1,479
A4071.408 (Cancer Services-Gen. Supplies)	\$ 3,074
A4071.419 (Cancer Services-Printing)	<u>\$ 1,127</u>
	\$11,404

The request was approved on a motion by Legislator Burdick, seconded by Legislator Healy, and carried. **Prepare Resolution**

**Approval of Legislators' Expense Vouchers**

The Committee reviewed the Legislative expense vouchers for the month of February 2013. A motion was made by Legislator Sinclair, seconded by Legislator Burdick, and carried to approve the vouchers for payment.

**NYSERDA "Cleaner, Greener Communities" Grant**

County Administrator John Margeson requested a resolution to appropriate monies the County had received for acting as the lead agency on the NYSERDA "Cleaner, Greener Communities" Grant. The budget adjustment of \$998,224 will allow the County to pass the funding to Southern Tier West who is administering the grant on the County's behalf in cooperation with other Western New York municipalities. The request for a resolution to accept and appropriate the funds as indicated below, was granted on a motion by Legislator Sinclair, seconded by Legislator Fanton, and carried.

Appropriations A1340.419 (Gen Govt Support Cont) [new account]	\$998,224
Revenues A1340.3089.00 (State Aid-Other)	\$998,224

**Prepare Resolution**

**Attorney/Client Session**

County Attorney Thomas Miner requested an attorney/client session to discuss potential litigation. The group entered attorney/client session at 1:15 p.m. on a motion by Legislator LaForge, seconded by Legislator Pullen, and carried. The Committee exited attorney/client session at 1:25 p.m. on a motion by Legislator LaForge, seconded by Legislator Burdick, and carried.

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:26 p.m. following a motion by Legislator Pullen, seconded by Legislator LaForge, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE  
MARCH 25, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Fanton, D. Burdick, D. Healy, K. LaForge, T. O'Grady, D. Pullen, F. Sinclair, C. Crandall

**Others Present:** M. Alger, G. Benson, R. Benson, H. Budinger, P. Curran, K. Graves, L. Gridley, R. Hollis, J. Hopkins, J. Margeson, T. Miner, B. Riehle, T. Ross, C. Santora, D. Scholes, N, Ungermann

**Media Present:** No media present

**Call to Order:** The meeting was called to order at 1:00 p.m. by Ways & Means Committee Chairman Theodore Hopkins.

**Approval of Audit**

Committee members reviewed the March 25, 2013, audit of claims in the amount of \$3,401,967.36 (including prepaid bills). Following a question regarding a \$317,808.24 charge for the courthouse addition/renovation, which was, per County Administrator John Margeson, the final payment on the project, a motion was made by Legislator Fanton, seconded by Legislator Pullen, and carried to forward the audit to the full Board for approval of payment.

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:05 p.m. following a motion by Legislator LaForge, seconded by Legislator Fanton, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE**  
**APRIL 8, 2013**  
**\*\* AMENDED & APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Fanton, D. Burdick, D. Healy, K. LaForge, T. O'Grady, D. Pullen, F. Sinclair, C. Crandall

**Others Present:** M. Alger, L. Ballengee, H. Budinger, P. Curran, K. Graves, G. Green, L. Gridley, D. Hanchett, G. James, J. Luckey, T. Miner, K. Monroe, B. Riehle, T. Ross, C. Santora, D. Scholes, K. Toot, N. Ungermann, R. Whitney (Government Interns: K. Adams, E. Barner, J. Bennett, J. Bridge, E. Davis, K. Gregory, A. Grossman, R. Klein, C. Miller, C. Noneiwicz, A. Staba, C. Stever, and Instructor J. Malachowsky)

**Media Present:** No media present

**Call to Order:** The meeting was called to order at 1:00 p.m. by Ways & Means Committee Chairman Theodore Hopkins.

**Approval of Minutes**

A motion was made by Legislator Sinclair, seconded by Legislator Fanton, and carried to approve the Ways & Means Committee minutes of March 20 and March 25, 2013.

**Purchase of Vehicles—Chairman Crandall**

Several vehicle purchase requests had come before their respective committees of jurisdiction; however, it was noted previously that there was some confusion regarding the proper procedure for making these requests. Chairman Crandall addressed the group, outlining the actual procedure to be followed per a 2005 Resolution. A Vehicle Replacement Fund has been established and funds are entered into that account at budget time. Department Heads submit vehicle requests in their annual budgets; the Budget Officer/County Administrator will cull the list, and those that made the "cut" will be funded through the Vehicle Replacement Fund. After the budget is adopted, the Budget Officer/County Administrator will bring the requests to the Ways & Means Committee for approval. Obviously, these requests will occur throughout the year (e.g., in the case of an accident or irreparable breakdown). The requests are not to go to the Department of Public Works. This confusion resulted from past practices where DPW would help spec out a vehicle for the Department in need. The Department is still willing to help in this manner, but will not be responsible for any other vehicle purchase request activity. It was also noted that the language may yet be revised for further clarity. That being said, four vehicle requests came before the Committee.;

**Emergency & Fire Services—Chevy Tahoe**

Emergency & Fire Services Director Jeff Luckey requested permission to purchase a Chevy Tahoe for his use, not only for transportation, but also to serve as a "mobile" office. Mr. Luckey advised the Committee that the purchase price will be fully reimbursed by the State Homeland Security Program (SH10-1079-D00; C838200). He also noted that the bid he had been working on had expired on April 4, 2013, and that he had no concrete numbers at this time. He was granted approval to purchase a Chevy Tahoe, the price of which is not to exceed \$43,422, on a motion by Legislator Fanton, seconded by Legislator Healy, and carried. (One opposed: Legislator O'Grady) **Prepare Resolution**

**Sheriff's Office—Chevy Tahoe**

Sheriff Rick Whitney requested approval to purchase a Chevy Tahoe to replace a Jeep Grand Cherokee that was taken out of service in April 2011. The state bid cost of the Tahoe plus the cost of emergency equipment is \$36,500. Approval was granted on a motion by Legislator Healy, seconded by Legislator Fanton, and carried. (One opposed: Legislator O'Grady) **Prepare Resolution**

### **Department of Public Works**

Deputy Superintendent of Public Works Dean Scholes requested approval to purchase a 2013 Ford pickup truck with lift gate and plow package to be used by the Buildings and Grounds Department to replace a 1991 pickup which was scrapped in 2012. The purchase of the pickup was approved in the 2012 budget as a purchase out of H5997—the Capital for Vehicle Replacement. It was not purchased in 2012 as the Department was waiting for the NYS OGS Bid to be released. The State bid is now available. The cost of the pickup as above is \$28,956.58. Approval was granted on a motion by Legislator Fanton, seconded by Legislator Pullen, and carried. **Prepare Resolution**

### **Weights & Measures**

Director of Weights and Measures Gilbert Green requested a 2013 Ford F-350 XL Crew Cab truck with utility box to replace the van he is currently using. He indicated a new truck will resolve the problem of the fuel fumes infiltrating the cab and affecting the operator and any passengers. He added that the bigger cab and utility box will allow him to carry almost all of his equipment at once. The better storage areas will keep that equipment more protected. Additionally, the utility box should outlast a couple of chassis. Mr. Green noted that he had requested approximately \$25,000 in the current budget. The cost of the truck minus the sale price of his van will equal the budgeted amount. The request was approved on a motion by Legislator Healy, seconded by Legislator Pullen, and carried. **Prepare Resolution**

### **Alfred Tower**

County Administrator Mitch Alger, on behalf of the Public Safety and Facilities and Communications committees, presented an MOE indicating the need to improve the radio communication capabilities and boost the strength of the signal in the Village of Alfred. In order to accomplish this, funds need to be located and appropriated to purchase radio communication equipment that will improve the signal in downtown Alfred. Mr. Alger proposed that the funds be appropriated either from Contingency or from surplus funds from completed bridge projects. There is \$735,250 currently in Contingency (\$14,750 had been used to cover the cost of Board of Elections equipment earlier this year); there is approximately \$313,000 in surplus bridge funds. Legislator O'Grady requested to abstain from the vote. His request was approved on a motion by Legislator Sinclair, seconded by Legislator Fanton, and carried. Following discussion on the pros and cons of removing money from the DPW bridge accounts, a motion to transfer \$148,000 from the Contingency Fund, Account A1990.429 (Contingency) to a new account to be established for this reason, A3021.203 (Public Safety-Communication) was made by Legislator Fanton, seconded by Legislator Sinclair, and carried. **Prepare Resolution**

### **Referrals from Other Committees**

#### **Public Safety**

#### **Acceptance & Appropriation of a Local Emergency Management Planning Grant**

Mr. Lucky requested a resolution authorizing the Chairman to execute the contract for the acceptance and appropriation of the 2013 Local Emergency Management Planning Grant in the amount of \$22,880 as required by the NYS Emergency Management Office. This will allow



the Allegany County Office of Emergency Management to receive the funding from the LEMG FFY 2013. This grant is used to offset operational costs within the Office of Emergency Services. The County has participated in this program for over 20 years. The grant runs from October 2012 through September 2013. The sum of \$22,800 is to be placed in Appropriations Account A3640.101 (Homeland Security-All-Hazard Planning) with a like sum to be placed in Revenue Account A3640.4305.00 (Homeland Security-St Aid Emerg Serv). The request was approved on a motion by Legislator Healy, seconded by Legislator Pullen, and carried. **Prepare Resolution**

### **Re-appropriation of 2010 and 2012 Homeland Security Grant**

Mr. Luckey also requested a resolution for acceptance, appropriation, and ratification of the Chairman's signature on Homeland Security Contract #T969120 for \$41,250 that the Chairman executed on January 24, 2013. (Project #: SH12-1001-D00 SHSP) the funds should be budgeted as follows:

Appropriations	
A3645.218 (Homeland Security-Mobile Data Terminals [MDTs])	\$30,000
A3645.218 (Homeland Security-Personal Protective Equipment [PPEs])	\$10,000
A3645.448 (Homeland Security-Connectivity Service for Personal Digital Assistant [PDA])	\$ 1,250
Revenues	
A3645.3306 (Homeland Security-St Aid Emerg Serv)	\$41,250

The request was granted on a motion by Legislator Healy, seconded by Legislator Fanton, and carried. **Prepare Resolution**

### **Public Works**

#### **Request to Fill Transfer Station Operator**

Mr. Scholes requested permission to fill a Transfer Station Operator position (AFSCME, Grade 11) to fill a current vacancy. The request was granted on a motion by Legislator Fanton, seconded by Legislator Healy, and carried. **Notify Human Resources**

#### **Request to Fill Summer Help (All Divisions)**

DPW requested approval to hire 19 summer helpers in all divisions of the Department, noting that these positions have been budgeted for 2013. The request was approved on a motion by Legislator Fanton, seconded by Legislator Pullen, and carried. **Notify Human Resources**

#### **Transfer of Funds from Capital Project SW Landfill Storm Water Pipe to Motor Vehicles**

Mr. Scholes requested a transfer of \$23,989.65 from H8164.200 (Capital Project-SW Landfill Storm Water Pipe) to A8160.204 (Solid Waste-Motor Vehicles) to supplement funds for the purchase of a Loader and attachments to be used in the Solid Waste Division. Mr. Scholes informed the Committee that the machines on state bid that he is looking at cost anywhere from \$130,000 to \$135,000, though that number could rise. He reminded the group that last year, \$50,000 had been budgeted for the storm water pipe project at the Landfill. That job was completed in-house and under budget. Mr. Scholes would like to transfer the unused portion of that \$50,000 (\$23,989.65) to the Motor Vehicle account to purchase the Loader. The request

was approved on a motion by Legislator Fanton, seconded by Legislator Healy, and carried.

**Prepare Resolution**

**Approval of Audit**

Committee members reviewed the April 8, 2013, audit of claims in the amount of \$2,857,979.49 (including prepaid bills). A motion was made by Legislator LaForge, seconded by Legislator Pullen, and carried to forward the audit to the full Board for approval of payment.

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:25 p.m. following a motion by Legislator LaForge,, seconded by Legislator Hopkins, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE**  
**April 17, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Fanton, D. Healy, K. LaForge, T. O'Grady, D. Pullen, F. Sinclair, C. Crandall (Absent: D. Burdick)

**Others Present:** M. Alger, R. Alsworth, L. Ballengee, D. Cady, K. Graves, R. Hollis, G. James, J. Luckey, T. Miner, S. Presutti, B. Riehle, T. Ross, C. Santora, D. Scholes, J. Tomasi, K. Toot, J. Wood

**Media Present:** No media present

**Call to Order:** The meeting was called to order at 1:00 p.m. by Ways & Means Committee Chairman Theodore Hopkins.

**Amendment & Approval of Minutes**

Weights & Measures Director Gilbert Green would also like "on the record" that the prime reason for requesting a new truck is to keep the fuel fumes away from the operator. The proposed change to the minutes is underlined below:

Director of Weights and Measures Gilbert Green requested a 2013 Ford F-350 XL Crew Cab truck with utility box to replace the van he is currently using. **He indicated a new truck will resolve the problem of the fuel fumes infiltrating the cab and affecting the operator and any passengers. He added** that the bigger cab and utility box will allow him to carry almost all of his equipment at once. The better storage areas will keep that equipment more protected. Additionally, the utility box should outlast a couple of chassis.

A motion was made by Legislator Sinclair, seconded by Legislator Fanton, and carried to amend the Ways & Means Committee minutes of April 8, 2013.

Subsequently, a motion was made by Legislator Fanton, seconded by Legislator Sinclair, and carried to approve the Ways & Means Committee minutes of April 8, 2013, as amended.

**Sales Tax Extension**

Clerk of the Board Brenda Rigby Riehle requested a resolution approving and requesting passage of the Senate and Assembly bills (S.4454 and A.6645 respectively, pursuant to Municipal Home Rule Law §40) authorizing an extension of the one-and one-half percent county sales tax for two years through November 30, 2015. This is the second step in a three-step process. Based on sales tax revenue receipts of \$18,222,546.45 for 2012, the additional one-and-one-half percent sales tax resulted in \$6.07 million revenue. The request for a resolution was approved on a motion by Legislator Pullen, seconded by Legislator Fanton, and carried. **Prepare Resolution**

**Request to Fill Journal Clerk Position**

Ms. Riehle also requested approval to fill the position of Journal Clerk in her Office which will become available when the incumbent retires, effective June 30, 2013. Additionally, she requests that the new hire train for three weeks with the incumbent prior to her retirement. Ms. Riehle stated that this position is crucial to the operation of the office. Some discussion followed regarding whether this is a "tested" position. Ms. Riehle stated that it is not a tested position and

is appointed by the Board. The request to fill the position was approved on a motion by Legislator Fanton, seconded by Legislator O'Grady, and carried. **Notify Human Resources Approval of Legislators' Expense Vouchers**

The Committee reviewed the Legislative expense vouchers for the month of March 2013. A motion was made by Legislator Sinclair, seconded by Legislator Pullen, and carried to approve the vouchers for payment.

### **Allentown School-Jack Wood, IOC (Individual & Organizational Contracting) Services, LLC**

Allentown resident and guest speaker Jack Wood addressed the Committee, requesting access to the Allentown School in order to clean it up and to improve its appearance as well as safety. Mr. Wood indicated that he had met with County Administrator Mitch Alger, County Attorney Tom Miner, and County Treasurer Terri Ross regarding this proposal. Mr. Miner has crafted a contract providing Mr. Wood and volunteers access to the building to patch the roof, mow the grounds, board up the windows, install new lighted clocks, and raise the flag with 24/7 solar lighting. The terms of the contract state that Mr. Wood will report to the Superintendent of Public Works in advance of any and all activity. Mr. Wood indicated that his LLC is working on a \$1 million clean-up grant to assist with this work. In the meantime, he stated that he has enlisted the help of the County Planning Office, the Town of Alma Board, several Town of Alma Volunteers, TVGA, and the Landmark Society in this project. Mr. Wood also indicated that he would like to see the work completed prior to an upcoming reunion on June 1, 2013. Legislator Hopkins commended his efforts. Discussion also revolved around the School's appearance on the tax sale list. Chairman Crandall voiced his support for this project, hoping that this effort will result in a plan for the building for the future. After some discussion regarding the pros and cons of leaving it on the list (which, if it were sold, would halt Mr. Wood's efforts) Legislator Fanton moved to remove the Allentown School from the tax sale list for 2013 and proceed with the contract with Mr. Wood. The motion was seconded by Legislator O'Grady, and carried. **Prepare Resolution**

### **Announcement of Retirement of Real Property Services Director**

Real Property Services Director Steve Presutti addressed the Committee to inform its members of his intention to retire on June 30, 2013. The Committee expressed regret at seeing him leave, but also wished him well.

### **Proposed Advanced Refunding of 2011 Bonds**

County Treasurer Terri Ross requested a resolution for May 13, 2013, authorizing the refunding of the County's 2001 Serial Bonds. There is an estimated \$900,000 owing on this bond through the maturity date of June 15, 2016. This bond is currently callable on any interest payment date on or after June 15, 2013. The County's financial consultant Municipal Solutions has advised the County that there are considerable savings at this point if the balance is refinanced. A new rate of 1.75 percent has been estimated which would result in a net savings of \$32,000. This is net of all costs of the issuance. Bond Counsel has been contacted and has forwarded the necessary resolution and additional paperwork for publications, etc. The closing would need to take place prior to June 15, 2013. The request was approved on a motion by Legislator Sinclair, seconded by Legislator Healy, and carried. **Prepare Resolution**

### **Tax Sale Auction 2013 Executive Session**

County Treasurer Ross requested an executive session to discuss the sale of real property. The Committee entered executive session at 1:50 p.m. on a motion by Legislator Fanton, seconded by Legislator Sinclair, and carried.

The Committee exited executive session at 2:05 p.m. on a motion by Legislator Sinclair, seconded by Legislator Fanton, and carried.

Following executive session, it was decided to allow the particular properties in Scio and Wellsville to move off of the tax sale list as part of the owner reacquisition program provided the taxes and fees are paid in full by 5 p.m. Tuesday, April 23, 2013, on a motion by Legislator Pullen, seconded by Legislator Sinclair, and carried. If the appropriate taxes and fees are paid, these parcels will be included on a resolution with the other parcels that were withdrawn due to the owner reacquisition program.

### **Good of the Order**

Legislator Sinclair informed the group of the County's responsibility under the Hazard Mitigation Plan to make contact with the 28 towns, 10 villages, and handful of municipal entities that are signed onto the plan to do a yearly review of their status and ask for updates or changes they want to put into the yearly review process. It's something we told FEMA we would do when they approved our plan. To do that, we need to activate the Hazard Mitigation budget line and put a couple hundred dollars in it for postage. So we're asking for sanction to do that. County Treasurer Ross indicated that there is enough money in the Fire & Emergency Services budget to cover the postage. It was determined that group consensus was enough at this time to go ahead with the project.

### **Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 2:09 p.m. following a motion by Legislator LaForge, seconded by Legislator O'Grady, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE  
APRIL 22, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** D. Fanton, D. Burdick, D. Healy, K. LaForge, T. O'Grady, D. Pullen, F. Sinclair, C. Crandall (Absent: T. Hopkins)

**Others Present:** M. Alger, L. Ballengee, H. Budinger, K. Graves, L. Gridley, T. Miner, B. Riehle, T. Ross, C. Santora, N. Ungermann

**Media Present:** No media present

**Call to Order:** The meeting was called to order at 1:00p.m. by Ways & Means Committee Vice Chairman Dwight Fanton.

**Tax Sale Refund**

County Treasurer Terri Ross requested a resolution to refund \$1,155.72 to Frederick and Dawn Cook, Belfast, NY, for property (.86 acre; Hicks Hill Road; Tax Map # 207.-3-11) they purchased at the County tax sale auction in 2011. When trying to clear title to this property to sell it to Tony France of Friendship, NY, in February 2012, an abstractor and surveyor were hired and determined that the location could not be found. Letters from Allegany County Real Property Tax Service and from Michael Roeske, the land surveyor, verify that the location cannot be identified after a tax sale proceeding in 1945. Mr. Cook has requested refund of the following: Bid: \$311; 2011 Taxes: \$251.72; Filing Fees: \$295; Additional Deed Fees from Cook to France: \$298. The request was approved on a motion by Legislator Pullen, seconded by Legislator Burdick, and carried. **Prepare Resolution**

**Approval of Audit**

Committee members reviewed the April 22, 2013, audit of claims in the amount of \$2,213,030.71 (including prepaid bills). A motion was made by Legislator Sinclair, seconded by Legislator Pullen, and carried to forward the audit to the full Board for approval of payment.

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:08 p.m. following a motion by Legislator Burdick, seconded by Legislator Healy, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE SPECIAL MEETING  
MAY 1, 2013  
\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Fanton, D. Burdick, D. Healy, K. LaForge, T. O'Grady, D. Pullen, F. Sinclair, C. Crandall

**Others Present:** M. Alger, H. Budinger, J. Budinger, K. Dirlam, K. Graves, S. Presutti, B. Riehle, T. Ross, C. Santora

**Media Present:** No media present

**Call to Order:** The meeting was called to order at 9:00 a.m. by Ways & Means Committee Chairman Theodore Hopkins.

**"Mayday for Mandate Relief"**

For the second year in a row, NYSAC (New York State Association of Counties) sponsored a resolution, "Mayday for Mandate Relief," urging the Mandate Relief Council to take swift action in submitting a package of mandate relief proposals to Governor Cuomo and the State Legislature. NYSAC encouraged counties across the state to pass similar legislation. It was the consensus of the Committee that this remains a good idea and that it is an issue that needs to be "hammered away at." On a motion by Legislator Sinclair, seconded by Legislator Pullen, and carried, the resolution was referred to the full Board. **Prepare Resolution**

**Tax Sale-Municipal Bid**

The Town of Caneadea submitted a request/bid to obtain ownership of the Anthony Holmes property, Tax ID # 78.1-1-52, on Route 19 in the Town of Caneadea. This property is contiguous to the Town Hall and Town Highway Department properties. The Town's primary interest in the property is for additional space for the Highway Department. The offer made by the Town of Caneadea was \$5,000 which would include the current year's taxes and any recording fees. Concern was voiced by some Committee members that if this request were approved, Caneadea could turn around and sell the property for more than they had paid for it. Additionally, it was brought up that a similar situation had arisen in the past with Andover with a different outcome. Other opinions indicated that the parcel would be too close to the Caneadea Highway Department and the accompanying noise to invite buyers. It was also said that it is the purview of the County to assist the local municipalities when it can. Following much discussion, the Town of Caneadea's request to purchase the property was approved on a motion by Legislator Sinclair, seconded by Legislator Pullen, and carried. (Two opposing votes: Legislators LaForge and O'Grady) **Prepare Resolution**

**Executive Session**

The Committee members voted to go into executive session to discuss the employment history of a particular employee at 9:17 a.m. on a motion by Legislator Fanton, seconded by Legislator O'Grady, and carried. The Committee exited executive session at 9:37 a.m. on a motion by Legislator Pullen, seconded by Legislator Fanton, and carried.

**Real Property Tax Director Position**

Following executive session, County Administrator Mitchell Alger was authorized to advertise for the position of Director of Real Property Services, which will become vacant at the end of June when the incumbent retires; advertise that the salary would be determined "DoQ" (depending on qualifications); use his discretion regarding advertising venues; and working with Personnel Officer Harold Budinger, will cull the applications for a list of viable candidates to be

brought back to the Committee on a motion by Legislator Pullen, seconded by Legislator Fanton, and carried.

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 9:38 a.m. following a motion by Legislator LaForge, seconded by Legislator Hopkins, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators



**WAYS & MEANS COMMITTEE  
MAY 13, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Fanton, D. Burdick, D. Healy, K. LaForge, T. O'Grady, D. Pullen, F. Sinclair, C. Crandall

**Others Present:** M. Alger, L. Ballengee, H. Budinger, D. Cady, P. Curran, K. Graves, R. Hollis, T. Miner, B. Riehle, T. Ross, C. Santora, N. Ungermann, L. Wilcox

**Media Present:** No media present

**Call to Order:** The meeting was called to order at 1:00 p.m. by Ways & Means Committee Chairman Theodore Hopkins.

**Approval of Minutes**

A motion was made by Legislator Fanton, seconded by Legislator Burdick, and carried to approve the Ways & Means Committee minutes of April 22, 2013, and May 1, 2013.

**Mortgage Tax Apportionment**

Clerk of the Board Brenda Rigby Riehle reported that the mortgage tax figures for the period October 1, 2012, through March 31, 2013, have been received and the apportionment to the towns and villages has been calculated. Mrs. Riehle requested a resolution approving the apportionment of mortgage tax to the tax districts and authorizing the warrant. The request was approved on a motion by Legislator Pullen, seconded by Legislator Burdick, and carried.

**Prepare Resolution**

**Payment of Mortgage Tax Fees to Towns and Villages**

*(Collection of fees was authorized by Resolution No. 214-2004 pursuant to Section 262 of the Tax Law)*

Mrs. Riehle requested a resolution authorizing the payment to the towns and villages of the Mortgage Tax fees retained by the County Clerk's Office to cover the necessary expenses incurred for the period October 1, 2012, through March 31, 2013, in the administration of the Mortgage Tax Program. The amount of \$25,807.66 should be appropriated from A1410.432 (County Clerk - Contractual) and distributed to the towns and villages as summarized on the attached Memorandum of Explanation. The request was approved on a motion by Legislator Pullen, seconded by Legislator Burdick, and carried. **Prepare Resolution**

**Acceptance & Appropriation of Insurance Recovery Check**

Mrs. Riehle also requested a resolution accepting a check in the amount of \$225 from NYMIR (New York Municipal Insurance Reciprocal) representing the cost to replace a windshield on a 2004 Chevrolet Trailblazer (VIN # GNPT135842241883) assigned to the Sheriff's Office. The window was damaged while an enumeration measuring unit was being installed. The funds should be appropriated to CS1931.429 (Risk Retention Uninsured Property Loss) with a like sum placed in revenue account CS1930.2680.00 (Insurance Recovery). The request to accept and appropriate the insurance check was approved on a motion by Legislator Fanton, seconded by Legislator Pullen, and carried. **Prepare Resolution**

**Approval of Audit**

Committee members reviewed the May 13, 2013, audit of claims in the amount of \$4,430,595.99 (including prepaid bills). A motion was made by Legislator Sinclair, seconded by Legislator Pullen, and carried to forward the audit to the full Board for approval of payment.

**Executive Session**

Public Health Director Lori Ballengee requested that the Committee go into executive session to discuss the employment history of a particular employee. The Committee entered executive session at 1:05 p.m. on a motion by Legislator Burdick, seconded by Legislator Pullen, and carried.

The Committee exited executive session at 1:12 p.m. on a motion by Legislator Healy, seconded by Legislator Pullen, and carried.

**Request to Fill Early Intervention Services Coordinator Position**

Following executive session, Ms. Ballengee requested approval to fill an Early Intervention Services Coordinator (non-union, Grade 16) which is vacant due to a resignation. The position is funded by the state; however, the benefits are 100 percent County-funded and are budgeted for 2013. Additionally, NYS passed a law to comply with Federal regulations. As of September 2010, the County is required to have two Early Intervention Service Coordinators in place at least 20 hours per week each, to be in compliance. Early Intervention Service Coordinators ensure that only children meeting the regulation guidelines receive services and those services are delivered in the most cost-effective and efficient manner possible. The majority of these services are billable, which will generate revenue to fund the salaries. In addition to billable units generated, salaries will be covered by Article 6, General Public Health Work Grant funds. Ms. Ballengee's request was approved, contingent upon approval by the upcoming special Human Services Committee meeting, on a motion by Legislator Burdick, seconded by Legislator Fanton, and carried. **Notify Human Resources**

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:17 p.m. following a motion by Legislator LaForge, seconded by Legislator O'Grady, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE**  
**MAY 15, 2013**  
**\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Fanton, D. Burdick, K. LaForge, T. O'Grady, D. Pullen, F. Sinclair, C. Crandall (Absent: D. Healy)

**Others Present:** M. Alger, L. Ballengee, H. Budinger, D. Cady, K. Graves, L/ Kaminski, R. Lynch, T. Miner, T. Ross, C. Santora, R. Whitney

**Media Present:** No media present

**Call to Order:** The meeting was called to order at 1:15 p.m. by Ways & Means Committee Chairman Theodore Hopkins.

**Tax Sale Update**

County Treasurer Terri Ross presented a preliminary summary of the results of the recent tax sale. According to Ms. Ross, the initial offering included 119 parcels to be sold. Prior to the actual sale date (May 4), 45 of those parcels had been removed from the sale for a variety of reasons (e.g., owner reacquisitions, court orders, municipal bid, etc.). The remaining 74 parcels brought in bids of \$412,000 which covered all outstanding back taxes. The bidders have until Friday (May 17) to pay; if some default, then the County approaches the second bidder. Three parcels had no bidders at all. Ms. Ross indicated that more concrete information would be available by the next meeting and is hoping to use a Monday W&M meeting in order to have the sales go before the Board in June. Ms. Ross was congratulated on conducting a successful sale.

**Coordinated Public Transit-Human Services Transportation Plan for Allegany County 2013 Update**

Allegany/Western Steuben Rural Health Network Mobility Management Planner Larry Kaminski presented the final draft of the "Coordinated Public Transit-Human Services Transportation Plan for Allegany County" 2013 Update. Mr. Kaminski indicated that the plan includes new profile and demographic information relating to the County, as well as a "roadmap" outlining the goals and objectives for the future. He also indicated that the process is essential in order to receive additional funding resulting in a decrease of the local share responsibility. The plan, he said, has been reviewed and approved by the Access Allegany Mobility Advisory Council and the Allegany County Mobility Management Committee with recommendation to be submitted and adopted by the Allegany County Legislature and to be included in the County's Comprehensive Plan. Mr. Kaminski also sought approval by the Ways & Means Committee prior to the plan's being sent to the full board. The Plan was approved to become an appendix of the County Comprehensive Plan in order to receive grant funds and approved for resolution on a motion by Legislator Sinclair, seconded by Legislator Fanton, and carried. **Prepare Resolution**

**Request from National Fuel for a Storage Grant**

County Attorney Thomas Miner informed the Committee that he had been approached by Jason Crater of National Fuel for permission to use a 1.3-acre parcel of County-owned land in Willing (Yorks Corners) to store natural gas. Mr. Miner indicated that he had conferred with Superintendent of Public Works Guy James to ascertain if that parcel could be used by National Fuel and if so, what, if any, effect it would have on the County. It was determined that it would not affect County business in any way. National Fuel is offering a one-time sum of \$100 for the storage grant, which is basically the right to store gas under there until National Fuel decides it no longer needs to store gas in that location. Legislator LaForge speculated that National Fuel is

most likely expanding the third-ring buffer zone already in use. He noted he's more curious about what activity is going on with the tracks of land around that County parcel. The motion to approve National Fuel's request and refer it to the Department of Public Works prior to sending it on to the full Board was made by Legislator LaForge, seconded by Legislator Fanton, and carried. **Refer to DPW**

## **REFERRALS FROM OTHER COMMITTEES**

### **HUMAN SERVICES**

#### **Department of Social Services**

##### **Request to Fill Senior Caseworker Position**

Ms. Grant requested permission to fill a Senior Caseworker (AFSCME, Grade 17) vacancy (and any vacancy that may result from filling this position) due to a retirement. She noted that this position is vital to the operation of the office and performs child protective investigations and safety assessments as well as works with families to keep children safe. It was also noted that this position ensures the Department's ability to meet state and federal requirements. The position is 50 percent federally funded, 25 percent State-funded; and 25 percent County-funded. The request was granted; however, Ms. Grant will need to return to the W&M Committee for approval to fill any vacancies that result from filling this position, on a motion by Legislator Burdick, seconded by Legislator Fanton, and carried. **Notify Human Resources**

#### **Office for the Aging**

##### **Acceptance and Appropriation of Unbudgeted Donations**

Ms. Toot requested a resolution to accept the following donations: \$2,000 from the Oriana Grove Lodge (Fillmore Masons), \$1,500 from National Fuel for Meals-on-Wheels, and \$676 from the Alfred-Alfred Station Community Chest for Lifeline, to be budgeted as follows:

##### Increase Expenditure Account

A6776.409 (OFA-Community Services for Elderly-Fees)	\$ 676
A6779.474 (OFA-Community Services for Elderly-Caterer)	\$3,500

##### Increase Revenue Account

A6776.1972.00 (CSE-Local Contrib)	\$ 676
A6779.2801.00 (SNAP-Local Contrib)	\$3,500

The request to accept and appropriate the unbudgeted donations was approved on a motion by Legislator Burdick, seconded by Legislator Sinclair, and carried. **Prepare Resolution**

## **PUBLIC WORKS**

### **Department of Public Works**

#### **Acceptance & Appropriation of Funds Due to an Increase in CHIPS Accounts**

Department of Public Works Superintendent Guy James requested that \$368,997.50 be appropriated to D5112.223 (County Road CHIPS Paving) with a like sum credited to D5110.3501.00 (State Aid CHIPS Revenue). This change is the result of an increase in the State Fiscal Year 2013-14 Consolidated Highway Improvement Program Funds. The request to accept and appropriate the increase in CHIPS funding was approved on a motion by Legislator Fanton, seconded by Legislator O'Grady, and carried. **Prepare Resolution**

**PUBLIC SAFETY****Sheriff's Office****Request to Fill Corrections Lieutenant and Corrections Captain Positions**

Sheriff Whitney requested permission to fill the position of Corrections Lieutenant in the Sheriff's Office which will replace the existing title of Corrections Master Sergeant which previously replaced the title of Assistant Jail Administrator. He also requested approval to fill the position of Corrections Captain to replace the existing title of Jail Administrator. These requests would abolish the titles of Corrections Master Sergeant, Jail Administrator, and Assistant Jail Administrator. Allegany County is the only county in the State at this time to retain the titles of Jail Administrator and Assistant Jail Administrator. The others use some sort of ranking. The Jail Administrator (and Assistant) titles preclude the incumbents from membership in the Police and Fire 89P Retirement System. Sheriff Whitney characterized this request as a simple title change. Chairman Crandall said that this is needed in order to conform with other state entities. The request to fill the positions contingent upon being created was approved on a motion by Legislator Fanton, seconded by Legislator Sinclair, and carried. (Opposed: Legislators O'Grady and Burdick) **Notify Human Resources upon Creation of Positions by the Board**

**Approval of Legislators' Expense Vouchers**

The Committee reviewed the Legislative expense vouchers for the month of April 2013. A motion was made by Legislator LaForge, seconded by Legislator Burdick, and carried to approve the vouchers for payment.

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:50 p.m. following a motion by Legislator LaForge, seconded by Legislator O'Grady, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE  
MAY 28, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Fanton, D. Burdick, D. Healy, T. O'Grady, D. Pullen, F. Sinclair, C. Crandall (Absent: K. LaForge)

**Others Present:** M. Alger, L. Ballengee, G. Benson, H. Budinger, K. Graves, L. Gridley, T. Miner, B. Riehle, T. Ross, C. Santora, D. Scholes, N. Ungermann

**Media Present:** No media present

**Call to Order:** The meeting was called to order at 1:00 p.m. by Ways & Means Committee Chairman Theodore Hopkins.

**Approval of Minutes** A motion was made by Legislator Sinclair, seconded by Legislator Fanton, and carried to approve the Ways & Means Committee minutes of May 13, 2013.

**Approval of Audit**

Committee members reviewed the May 28, 2013, audit of claims in the amount of \$3,030,438.05 (including prepaid bills). A motion was made by Legislator O'Grady, seconded by Legislator Pullen, and carried to forward the audit to the full Board for approval of payment.

**Executive Session**

County Administrator Mitchell Alger and Clerk of the Board Brenda Rigby Riehle both requested an executive session to discuss the employment history of a particular individual. The Committee entered executive session at 1:03 p.m. on a motion by Legislator Fanton, seconded by Legislator Pullen, and carried

The Committee exited executive session at 1:12 p.m. on a motion by Legislator Fanton, seconded by Legislator Healy, and carried.

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:13 p.m. following a motion by Legislator Fanton, seconded by Legislator Burdick, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE  
Special Meeting  
May 30, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Fanton, D. Burdick, D. Healy, K. LaForge, D. Pullen, F. Sinclair, C. Crandall (Absent: T. O'Grady)

**Others Present:** M. Alger, H. Budinger, K. Graves, B. Riehle

**Media Present:** No media present

**Call to Order:** The meeting was called to order at 3:00 p.m. by Chairman of the Board Curt Crandall.

**Executive Session**

A motion was made by Legislator Healy, seconded by Legislator Pullen, and carried to enter into executive session at approximately 3:05 p.m. to discuss matters leading to the appointment of a particular person. Immediately following discussion at 3:45 p.m., a motion was made by Legislator Sinclair, seconded by Legislator Healy, and carried to exit executive session and return to the regular meeting.

**Appointment of Real Property Tax Director**

A motion was made by Legislator Healy, seconded by Legislator Hopkins, and carried to appoint Joseph L. Budinger of Angelica, New York, to fill the unexpired term of Steven G. Presutti as Real Property Tax Director effective June 29, 2013, at midnight and ending September 30, 2013. The motion further authorized the County Administrator to negotiate a salary and timeframe for transitioning to the new position. **Prepare Resolution**

**Executive Session**

A motion was made by Legislator Healy, seconded by Legislator Pullen, and carried to enter into executive session at approximately 4:00 p.m. to discuss matters leading to the appointment of a particular person. Immediately following discussion at 6:40 p.m., a motion was made by Legislator Sinclair, seconded by Legislator Fanton, and carried to exit executive session and return to the regular meeting.

**Appointment of Journal Clerk**

A motion was made by Legislator Pullen, seconded by Legislator Sinclair, and carried to appoint Sarah M. Decker of Fillmore, New York, to fill the unexpired term of Adele L. Finnemore as Journal Clerk (Non-Union, Grade 6, Base) effective June 17, 2013, and ending December 31, 2013. **Prepare Resolution**

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 6:42 p.m. following a motion by Legislator Pullen, seconded by Legislator Sinclair, and carried.

Respectfully submitted,

Brenda Rigby Riehle, Clerk of the Board

Allegany County Board of Legislators



**WAYS & MEANS COMMITTEE  
SPECIAL MEETING  
JUNE 5, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Fanton, D. Burdick, D. Healy, K. LaForge, F. Sinclair, C. Crandall (Absent: T. O'Grady, D. Pullen)

**Others Present:** M. Alger, K. Graves, T. Miner, B. Riehle, T. Ross, C. Santora

**Media Present:** No media present

**Call to Order:** The meeting was called to order at 9:35 a.m. by Ways & Means Committee Chairman Theodore Hopkins.

**Executive Session**

A motion was made by Legislator Sinclair, seconded by Legislator Fanton, and carried to enter into executive session at approximately 9:35 a.m. to discuss matters leading to the appointment of a particular person. Immediately following discussion at 9:42 a.m., a motion was made by Legislator Burdick, seconded by Legislator Healy, and carried to exit executive session and return to the regular meeting.

**Permission to Fill Deputy County Treasurer Position**

A motion was made by Legislator Fanton, seconded by Legislator Healy, and carried to allow County Treasurer Terri Ross to proceed with hiring a replacement Deputy County Treasurer to fill a vacancy which occurred when the incumbent accepted another County position. **Notify**

**Human Resources**

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 9:43 a.m. following a motion by Legislator LaForge, seconded by Legislator Burdick, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE  
JUNE 10, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** D. Fanton, D. Burdick, D. Healy, K. LaForge, T. O'Grady, D. Pullen, F. Sinclair, C. Crandall (Absent: T. Hopkins )

**Others Present:** M. Alger, L. Ballengee, C. Braack, P. Curran, K. Graves, L. Gridley, R. Hollis, G. James, R. Lynch, T. Miner, B. Riehle, T. Ross, C. Santora, D. Scholes, K. Toot, N. Ungermann

**Media Present:** No media present

**Call to Order:** The meeting was called to order at 1:00 p.m. by Ways & Means Committee Vice Chairman Dwight Fanton.

**Approval of Minutes**

A motion was made by Legislator Sinclair, seconded by Legislator Pullen, and carried to approve the Ways & Means Committee minutes of May 28, 2013.

**Tax Sale Bids**

County Treasurer Terri Ross requested a resolution to approve and forward the following results of Allegany County's annual Tax Sale to the full Board:

**Allegany County 2013 Tax Auction Sales-May 4, 2013**

- a. 20 parcels need approval/resolution to transfer properties back to owners who qualified for the Owner Occupied Re-Acquisition Program per Res #117-08 and have fulfilled their agreement with payment of all current and delinquent taxes, repurchase fees, and recording costs as listed on the attached list
- b. 65 parcels need approval/resolutions to accept bids and transfer properties to bidders who have fulfilled their agreement from the 2013 Tax Auction and have paid all bids, one year of tax, and appropriate fees as listed on the attached list

A total of 77 parcels were taken to auction after removing the 20 parcels that qualified for the Owner Occupied Re-Acquisition Program and 12 bids were forfeited. Those 12 parcels will be re-offered on a sealed bid list to the bidders who were registered at the sale. Approval to forward the Tax Auction's results to the full Board was granted on a motion by Legislator Healy, seconded by Legislator O'Grady, and carried. **Prepare Resolution**

**Bond Refinancing Results**

County Treasurer Terri Ross distributed a document illustrating the results of the bidding process seeking refinancing of the 2013 Public Improvement Refunding Serial Bonds. She reminded the group that previously, an estimated savings of \$32,000 could be realized with a refinancing. Subsequent to receiving the bids, it was determined that the County can save \$46,000 in interest fees by refinancing with Roosevelt & Cross Inc., at a net interest rate of 0.9602 percent. (Other bidders included JPMorgan Chase Bank, N.A.; Greene County Commercial Bank; and Five Star Bank.) Ms. Ross indicated no action was required at this time; she was simply providing the Committee with information.

**Contract with Saia Communications**

Legislator Fanton informed the Committee that Resolution No. 72-13 transferring funds from Contingent Account to cover the cost of improving radio communications in the Village of Alfred had been tabled at the April 22, 2013, Board meeting. It will be re-introduced from the floor at this afternoon's Board meeting to reflect the additional approval of the agreement with

Saia Communications, Inc. Some discussion followed regarding the one-third, one-third, one-third payment schedule for that contract: one-third initial payment; one-third when work is completed; and one-third when it is verified that the necessary coverage has been provided

## **REFERRALS FROM OTHER COMMITTEES**

### **Human Services**

#### **Department of Health**

#### **Accept & Appropriate COLA Funds for the Children with Special Health Care Needs Program**

Health Department Director Lori Ballengee requested a resolution to accept and appropriate COLA money for the Children with Special Health Care Needs Program for the 2013 Budget Year (2012-13 Grant Year):

##### **Revenues**

Account 4054.3401.01 State Aid	\$1,247
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##### **Appropriations**

A4054.201 (Office Equipment)	\$1,130
A4054.405 (Conference Expense)	110
A4054.407 (Office Supplies)	<u>7</u>
	\$1,247

Approval was granted on a motion by Legislator Burdick, seconded by Legislator Sinclair, and carried. **Prepare Resolution**

#### **Accept & Appropriate COLA Funds for the Lead Poisoning Prevention Program**

Ms. Ballengee also requested a resolution to accept and appropriate COLA money for the Lead Poisoning Prevention Program for the 2013 Budget Year (2012-13 Grant Year):

##### **Revenues**

Account A4037.3437.00 (State Aid)	\$ 198
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##### **Appropriations**

Account A4037.407 (Office Supplies)	\$ 198
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Approval was granted on a motion by Legislator Burdick, seconded by Legislator Pullen, and carried. **Prepare Resolution**

#### **Engineering Contract for Sanitary Survey Engineering Work**

Ms. Ballengee informed the group that the NYS Education Law requires that a Certified Engineer review all non-conventional septic systems necessary as a result of Allegany County Department of Health Sanitary Land Surveys. Clark Patterson performs this work for other counties and is willing to offer the same rate, \$75 per hour, plus mileage costs, to perform this work for Allegany County. Average costs, over a four-year period for these reviews, are in the \$33 to \$50 range. This fee will be added to the permit fee by the Board of Health, for non-conventional systems only. Ms. Ballengee had forwarded a copy of the contract to County Attorney Tom Miner to review, which he had done and which he had approved. Thus, Ms. Ballengee requested a resolution allowing her to accept the contract. Approval was granted on a motion by Legislator Burdick, seconded by Legislator Sinclair, and carried. **Prepare Resolution**

### **Public Safety**

#### **Youth Bureau**

#### **Accept & Appropriate OCFS Allocation**

Youth Bureau Director Linda Edwards requested a resolution to accept and appropriate the program awards for 2013 from the NYS Office of Children and Family Services for the Youth Development/Delinquency Prevention (YDDP) and the Special Delinquency Prevention Program (SDPP). Funds will be appropriated according to the attached chart.

Pass thru Programs from OCFS	\$ 22,583
Allegany Count Sponsored Programs	14,549
Direct Pay to Municipalities from State	<u>10,370</u>
	\$ 47,502

Approval was granted on a motion by Legislator Healy, seconded by Legislator Pullen, and carried. **Prepare Resolution**

#### Sheriff's Office

##### **Request to Fill Correction Officer Position**

Sheriff Whitney requested permission to fill a Correction Officer Position (Council 82, Local 3989) which became vacant when a full-time CO returned to part-time. Filling this position will meet NYS Commission of Correction minimum staffing requirements. This position is budgeted for 2013. Approval to fill a Correction Officer Position was granted on a motion by Legislator Healy, seconded by Legislator Pullen, and carried. **Notify Human Resources**

#### **Public Works**

##### Department of Public Works

##### **Approval to Fill HMEO I Position**

Deputy Superintendent of Public Works Dean Scholes requested permission to fill an HMEO I (AFSCME Grade 13) position in the Solid Waste Department which became vacant due to a resignation. The position is responsible for the maintenance and operation of specialized heavy motor equipment necessary to the daily operation of the County's solid waste/recycling programs and properties. He additionally requested permission to fill all subsequent openings which may result from filling the HMEO I position, including permission to hire from the outside if necessary. Legislator Fanton clarified the second part of the request: DPW must consult with the County Administrator before filling any subsequent position. Approval to fill the HMEO I position was granted on a motion by Legislator Fanton, seconded by Legislator Healy, and carried. **Notify Human Resources**

##### **Approval of Audit**

Committee members reviewed the June 10, 2013, audit of claims in the amount of \$2,682,576.83 (including prepaid bills). A motion was made by Legislator Pullen, seconded by Legislator Fanton, and carried to forward the audit to the full Board for approval of payment.

##### **Good of the Order**

Chairman Crandall suggested that the last resolution (Resolution Intro No. 100-13) in the Board packets regarding a Workforce Investment Board agreement be withdrawn and replaced with a new resolution that better describes the contract being approved. County Attorney Thomas Miner stated that the new, corrected resolution must be taken from the floor by a two-thirds vote as it was not pre-filed. Planning and Economic Development Committee Chairman Sinclair indicated that he will plan to move that Resolution Intro No. 100-13 in the packets be withdrawn and that Resolution Intro No. 101-13 be considered from the floor.

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:12 p.m. following a motion by Legislator Healy, seconded by Legislator Sinclair, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE**  
**June 19, 2013**  
**\*\* AMENDED & APPROVED \*\***

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**Committee Members Present:** D. Fanton, D. Healy, K. LaForge, T. O'Grady, D. Pullen, F. Sinclair, C. Crandall (Absent: T. Hopkins, D. Burdick)

**Others Present:** M. Alger, L. Ballengee, H. Budinger, D. Cady, P. Curran, S. Decker, K. Graves, L. Haggstrom, B. Riehle, T. Ross, C. Santora

**Media Present:** No media present

**Call to Order:** The meeting was called to order at 1:00 p.m. by Ways & Means Committee Vice Chairman Dwight Fanton.

**Approval of Minutes**

A motion was made by Legislator O'Grady, seconded by Legislator Sinclair, and carried to approve the Ways & Means Committee minutes of May 15, May 28, May 30, and June 5, 2013.

**County Treasurer**  
**Position Update**

County Treasurer Terri Ross informed the Committee that Jenna Nelson had been hired as Deputy County Treasurer and will start on June 27.

**Leftover Tax Sale List**

Ms. Ross also inquired of the Committee whether the Allentown School should be returned to the Tax Sale List. She is preparing an updated list and wondered if the School should revert to it. Legislator Fanton indicated that he was under the impression that it would be kept off the list, at least for the time being, as vast improvements to its appearance had been achieved by the volunteer citizens' group that had been working on it. Ms. Ross said that the property is assessed at \$90,000 and taxes continue to accrue at the rate of about \$6,000 per year. Legislator Pullen suggested that perhaps County Administrator Mitch Alger could confer with the assessor to have a more realistic re-evaluation to reflect the true market value. Mr. Alger agreed. Some discussion centered on "Maple Grove," a trailer park in Friendship. The bidder, Ms. Ross informed the group, has until 4 p.m. to make good on his bid or that parcel will also revert to the Tax Sale List. Currently there are 11 parcels on the updated list.

**Demolition of County-Owned Structure**

Finally, Ms. Ross wanted to discuss the demolition of a County-owned structure in Scio, but preferred to wait until Superintendent of Public Works Guy James was available for the discussion.

**Fiscal Stress Monitoring System**

Ms. Ross and Mr. Alger informed the group of the NYS Comptroller's Office recent release of its Fiscal Stress Monitoring System. According to Mr. Alger, Allegany County scored well at 15.8 percent out of 100. "Like a golf score," he said, "the lower the number the better." Categories under which a county or municipality can fall include Significant Stress; Moderate Stress; Susceptible to Stress; Under Review; Not Filed; and No Designation. Additionally, there was an Environmental Designation, garnering a 45 percent rating and two hashtags (##) which means "the entry received greater than or equal to 40 percent of total possible points. Each

environmental calculation is linked to a point-based scoring system and drives an overall environmental indicator score, with the potential for a total of 27 points (counties, cities and villages) and 24 points for towns. The score is then assigned a level of environmental stress as follows:

### (Entity received greater than or equal to 50% of total possible points)

## (Entity received greater than or equal to 40% of total possible points)

# (Entity received greater than or equal to 30% of total possible points)." *taken from the State Comptroller's Web Site.*

### **Approval of Legislators' Expense Vouchers**

The Committee reviewed the Legislative expense vouchers for the month of May 2013. A motion was made by Legislator Sinclair, seconded by Legislator O'Grady, and carried to approve the vouchers for payment.

### **Comprehensive Plan**

#### **SEQR Review & Public Hearing Date**

After a brief review of what had occurred during last week's Committee of the Whole meeting, the Committee decided to take the Resolution naming Allegany County as the Lead Agency for the Comprehensive Plan (A Resolution proposing Allegany County as Lead Agency for purposes of the SEQR [State Environmental Quality Review Act] Review of Updates to the Allegany County Comprehensive Plan; directing the Chairman to notify involved agencies of such proposed status; and directing preparation of the requisite Environmental Assessment Form) off the floor as there was no time for pre-filing and it is of great importance to get this action under way within stated time constraints. Legislator Sinclair noted that there is a 30-day period for people to comment about and/or refute the County's serving as Lead Agency, so he emphasized the importance of taking the aforementioned Resolution of the floor at the June 24<sup>th</sup> Board meeting. Following the meeting, the County Attorney advised that "Assuming there is no opposition to the County's request to serve as Lead Agency, it is anticipated that the full Board will be in a position to review the Environmental Assessment Form at the August 12<sup>th</sup> meeting and make a determination regarding the environmental significance of the Comprehensive Plan update."

### **Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:30 p.m. following a motion by Legislator LaForge, seconded by Legislator O'Grady, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE  
JUNE 24, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Fanton, D. Burdick, D. Healy, K. LaForge, T. O'Grady, D. Pullen, F. Sinclair, C. Crandall

**Others Present:** M. Alger, H. Budinger, D. Cady, M. Gasdik, K. Graves, L. Gridley, M. Hunt, R. Hollis, G. James, T. Miner, B. Riehle, T. Ross, C. Santora, K. Toot, N. Ungermann

**Media Present:** No media present

**Call to Order:** The meeting was called to order at 1:00 p.m. by Ways & Means Committee Chairman Theodore Hopkins.

**The Uniform Notice of Claim Act**

County Attorney Thomas Miner explained to the Committee that on December 17, 2012, Governor Cuomo signed the Uniform Notice of Claim Act into law. The Act, which became effective on June 15, 2013, amended New York's General Municipal Law to allow notices of claim against cities and villages to be served on the New York Secretary of State as agent for New York's public corporations. Pursuant to the Act, the New York Department of State will forward any notice of claim served on it to the individual the city or village designates to receive the notices of claim. Each city and village is required to file with the New York Department of State a certificate that designates the New York Secretary of State as the local government's agent for service of notices of claim; provides the name and address of an officer, person, or designee, nominee, or other agent-in-fact to which the Secretary of State will forward any notices of claim; and provides the applicable time limit for filing a notice of claim on the city or village. Mr. Miner went on to recommend that the County Attorney serve as the local government's agent. Mr. Miner's request for a resolution to comply with the new regulation by naming the County Attorney the local government's agent for service of notices of claim was granted on a motion by Legislator Sinclair, seconded by Legislator Healy, and carried. **Prepare Resolution**

**Demolition of Structure in Scio**

County Treasurer Terri Ross addressed the group regarding a structure that appears on the Tax Sale list which has not received a bid in several years and which is on the list to be demolished at this time. It was hypothesized that perhaps the empty parcel would sell once the structure is removed. At this time A.L. Blades is onsite, creating a detour for some upcoming work. Blades had come forward asking permission to use the property as a right-of-way for the detour and offered a bid to raze the structure. It would be convenient to demolish the structure, located at the intersection of Drum Road and Route 417, while the company's equipment is already in the area. The cost to the County would be \$5,950 which would come out of the Tax Sale and Redemption Account (A1362). Some discussion followed regarding whether this is a good price; it was decided that although DPW will be responsible for hauling the debris away, the quote includes filling the resulting hole from the demolition, and that it is a fair price. Subsequently, it was determined there is no written County policy regarding demolition of structures. Ms. Ross indicated that in her experience, once property has appeared on a couple of lists, DPW checks out the liability factor; if the structure is deemed a liability, it moves to a demolition list. The removal of the structure in question would facilitate a nicer detour, facilitate sight distance for traffic safety coming out of Drum Road, and reduce the County's liability as



pertains to the structure. A motion was made by Legislator Fanton, seconded by Legislator Pullen to accept the A.L. Blades bid of \$5950 to demolish the structure at Drum Road and Route 417 in Scio.

**Approval of Audit**

Committee members reviewed the June 24, 2013, audit of claims in the amount of \$2,728,424.70 (including prepaid bills). A motion was made by Legislator Sinclair, seconded by Legislator Pullen, and carried to forward the audit to the full Board for approval of payment.

**Good of the Order**

**Sales Tax Extension**

Clerk of the Board Brenda Rigby Riehle informed the group that Senator Young's Chief of Staff had left a message saying that our sales tax extension request had passed both houses, so as soon as we receive a signed notice from the Governor, we can move forward with our final resolution to extend our sales tax through 2015.

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:15 p.m. following a motion by Legislator LaForge, seconded by Legislator Sinclair, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE  
JULY 8, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Fanton, D. Burdick, D. Healy, K. LaForge, T. O'Grady, D. Pullen, F. Sinclair, C. Crandall

**Others Present:** M. Alger, G. Benson, H. Budinger, J. Budinger, P. Curran, L. Edwards, M. Gasdik, K. Graves, L. Gridley, R. Hollis, D. Hanchett, G. James, T. Miner, J. Nelson, B. Riehle, T. Ross, C. Santora, N. Ungermann (guest M. Saia)

**Media Present:** No media present

**Call to Order:** The meeting was called to order at 1:05 p.m. by Ways & Means Committee Chairman Theodore Hopkins.

**Approval of Minutes**

A motion was made by Legislator Sinclair, seconded by Legislator O'Grady, and carried to approve the Ways & Means Committee minutes of June 10 & 24, 2013.

**Amendment and Approval of Minutes**

-June 19, 2013

**Under:**

**County Treasurer**

**Position Update**

County Treasurer Terri Ross informed the Committee that Jenna Nelson had been hired as Deputy County Treasurer and will start on June 17.

Minutes should read—start date June 27

A motion was made by Legislator Sinclair, seconded by Legislator Healy, and carried to amend the Ways & Means Committee minutes of June 19, 2013, as stated above. Subsequently, a motion was made by Legislator Sinclair, seconded by Legislator Healy, and carried to accept the minutes of June 19, 2013, as amended.

**Clarification of Deputy County Treasurer Salary**

County Treasurer Terri Ross introduced Jenna Nelson, the newly hired Deputy County Treasurer. Additionally, Ms. Ross presented certification appointing Ms. Nelson as such effective June 28, 2013, through December 31, 2013, at Grade 9, Step 8, at a salary of \$56,426.

**Tax Sale Sealed Bid Results**

Ms. Ross distributed the results of the Tax Sale sealed bids; five properties received bids, including the property in Scio that had been considered for demolition. Seeing as the bidder paid the bid and the current year's taxes, the issue of demolishing the structure on that site was no longer viable. The Committee approved the acceptance of the five bids on a motion by Legislator Healy, seconded by Legislator Fanton, and carried. **Prepare Resolution**

A sixth property, the Maple Grove Trailer Park, had been sold at bid through a different process. The buyer agreed to pay approximately \$14,000 which includes the \$1,100 bid for the property and back taxes. Some discussion followed regarding uses for the property, the involvement of Department of Social Services, Department of Health, and the Town of Friendship Supervisor. It was decided that to pursue the discussion further, the Committee should enter attorney/client session.

**Attorney/Client Session**

The Committee entered attorney/client session at 1:21 p.m. on a motion by Legislator LaForge, seconded by Legislator Fanton, and carried. The Committee exited attorney/client session at 1:37 p.m. on a motion by Legislator Sinclair, seconded by Legislator Healy, and carried.

Following attorney/client session, approval to accept the bid was granted on a motion by Legislator Sinclair, seconded by Legislator Burdick, and carried. **Prepare Resolution**

**Designation of Substitute Newspaper**

Pursuant to being notified that the *Cuba Patriot and Free Press*, one of the official newspapers, will not be publishing on August 14, 2013, and not being able to determine whether the *Alfred Sun* will publish on August 15, 2013, Clerk of the Board Brenda Rigby Riehle requested a resolution designating the Wellsville Daily Reporter as the sole official newspaper for the week of August 11-17, 2013. Her request was granted on a motion by Legislator Fanton, seconded by legislator Burdick, and carried. **Prepare Resolution**

**REFERRALS FROM OTHER COMMITTEES****Human Services****Office for the Aging-Request to Fill Coordinator of Services Position**

Office for the Aging (OFA) Director Madeleine Gasdik requested permission to fill the Coordinator of Services position (PEF, Grade 7, Base) in the OFA which became vacant when she became Director. This position also serves as Deputy Director. The position is funded in the following manner: 29 percent County, 33 percent State, 30 percent Federal, and 8 percent "Other." This position is necessary because the OFA is required to monitor all contracts and directly provided services. It is also required to provide direct supervision to EISEP (Expanded In-home Services for the Elderly) Case Managers. The position is responsible for supervising the day-to-day service delivery at the OFA. The Coordinator of Services makes decisions without supervision of the Director. Permission was granted on a motion by Legislator Burdick, seconded by Legislator Pullen, and carried. **Notify Human Resources**

**Public Safety****2013 Resource Allocation Plan**

Youth Bureau/STOP-DWI Coordinator Linda Edwards requested a resolution approving the 2013 Resource Allocation Plan agreement with Office of Children and Family Services (OCFS) in relation to the State's allocation of funds to the County for providing youth services under its Comprehensive Youth Services Plan. She also requested that Chairman Crandall be authorized to execute such Plan Agreement. The request for a resolution was granted on a motion by Legislator Healy, seconded by Legislator Fanton, and carried. **Prepare Resolution**

**Subcontract Agreements for Youth Programs and Providing Program Funds**

Because the Town of Almond decided not to accept its funding of \$278, Ms. Edwards requested an amendment to Resolution 108-13 (June 24, 2013), which approved the 2013 Office of Children and Family Services Subcontract Agreements for Youth Programs and Providing Program Funds, deleting the funding from the Town of Almond and adding it to the Rushford Lake Project. This will change the allocation as follows:

Subsection 2:

	Appropriation Account	Revenue Account
Rushford Lake Project \$278	A7180.100	A7180.3820.01
(new total allocation \$4,957)		

Subsection 3

Delete Town of Almond \$278

Approval for the amendment to Resolution 108-13 was granted on a motion by Legislator Healy, seconded by legislator Sinclair, and carried. **Prepare Resolution**

**Approval of Audit**

Committee members reviewed the July 8, 2013, audit of claims in the amount of \$2,396,011.58 (including prepaid bills). A motion was made by Legislator Fanton, seconded by Legislator Pullen, and carried to forward the audit to the full Board for approval of payment.

**Good of the Order**

Saia Communications Vice President Mike Saia and Lt. Dan Hanchett addressed the group regarding the status of the tower in Alfred since its being tabled at the April 22, 2013, Board meeting. Lt. Hanchett noted that there had been some reduction in costs as the outside cabinets had been removed for a cost savings of \$35,000. Additionally, \$3,700 is needed to revamp the building, including the roof, insulation, etc. Mr. Saia went on to say that he is waiting for definitive costs for some equipment from Harris Equipment. He also guarantees that the contract for the complete upgrade, etc. will not exceed \$122,000. Additionally, new propagation maps indicate some areas where coverage cannot be guaranteed, but Mr. Saia has guaranteed coverage on high band for the Alfred system. Legislator O'Grady who serves as Chief of Police in Alfred was satisfied with the plans and the coverage. It was determined that no action is necessary at this time, but that it would be taken off the table at the Board meeting following Ways & Means.

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:45 p.m. following a motion by Legislator LaForge, seconded by Legislator Healy, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE**  
**JULY 17, 2013**  
**\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Fanton, D. Burdick, D. Healy, K. LaForge, T. O'Grady, D. Pullen, F. Sinclair, C. Crandall

**Others Present:** M. Alger, R. Anderson, H. Budinger, D. Cady, P. Curran, M. Gasdik, K. Graves, D. Horan, T. Hull, G. James, R. Lynch, J. Margeson, T. Miner, J. Nelson, V. Pettit, D. Rahr, B. Riehle, C. Santora, D. Scholes, C. Whitwood

**Media Present:** No media present

**Call to Order:** The meeting was called to order at 1:00 p.m. by Ways & Means Committee Chairman Theodore Hopkins.

**Approval of Minutes**

A motion was made by Legislator Sinclair, seconded by Legislator Burdick, and carried to approve the Ways & Means Committee minutes of July 8, 2013.

**Approval of Audit**

Committee members reviewed the July 18, 2013, audit of claims in the amount of \$3,031,290.39 (including prepaid bills). A motion was made by Legislator Fanton, seconded by Legislator Burdick, and carried to forward the audit to the full Board for approval of payment.

**Approval of Legislators' Expense Vouchers**

The Committee reviewed the Legislative expense vouchers for the month of June 2013m as well as a few from previous months. A motion was made by Legislator O'Grady, seconded by Legislator Sinclair, and carried to approve the vouchers for payment.

**Allegany/Western Steuben Rural Health Network**

Director of Community Services Dr. Robert Anderson, who also serves as the President of the Board of Directors of the Allegany/Western Steuben Rural Health Network, addressed the group, saying the agency needs to request assistance from the Legislature at this time due to unforeseen circumstances. He then turned the floor over to, Allegany/Western Steuben Rural Health Network Executive Director Carrie Whitwood who gave a brief history of the agency, saying that The Allegany/Western Steuben Rural Health Network, Inc., was founded in 1994, under the auspices of Jones Memorial Hospital. In 2005, the Board of Directors decided to come out from under the hospital "umbrella" which would afford more opportunities for additional funding, and it became a 5013C entity. Subsequently the Network contracted with Cornell University for personnel services. There are some other Allegany County entities that hold similar contracts. This was a beneficial partnership as the Agency had only to pay 6 percent of the benefits package of its employees. However, in May, the Agency learned that Cornell University would no longer maintain this contract. (Other state entities such as the Pfeiffer Nature Center and the WIB Board were also affected.) The Network had until July to determine its new course of action. It was noted that the Network's 2013 budget had been predicated upon the contract's being in effect through the entire year. There was no way to prevent a shortfall. Retired County Administrator John Margeson, who is a member of the Network's Board of Directors and chair of its newly formed Operations Committee, then addressed the group. He said the Agency struggled with potential solutions to this problem, and decided to submit RFPs to retain the services of a private sector Human Resources group. Subsequently, it has

contracted with Olcott HR Services, Williamsville, which will provide fringe benefits for the staff, but at a much less generous level than in the past. The cost to maintain that former level would be \$85,000 per year; the new contract, with a reduced level of benefits, would cost \$62,000 per year. However, it is a very Spartan health insurance plan, with a high deductible and a prescription plan with an increased co-pay. Formerly, the fringe benefits included vision and dental benefits as well as NYS retirement, disability and life insurance. There would be no way to match that list. Paying the \$62,000 also presents problems; however, the Network Board is looking at making cuts in program budgets and using the resulting money to pay for the fringe benefits package. It is also looking at potentially charging participants for services offered through the Network (which it doesn't charge for now). Mr. Margeson added that an aggressive fundraising campaign over the next 12 months, as well as some funding from the United Way, will help offset this shortfall. He indicated that the Board is trying to get the Agency back on solid financial footing and only comes to the Legislature as a last resort, as it is his belief that the Agency should do all it could to rectify its situation before bringing the problem to the Board. However, that being said, he requests that the Ways and Means Committee consider a temporary funding bridge for the Agency by amending the contract between Allegany County and the Allegany/Western Steuben Rural Health Network for provision of mobility management services through the remaining term of the contract, beginning August 1, 2013, through December 31, 2014. The request asks for \$1,500 per month (for 17 months). Mr. Margeson indicated that he believed if these steps are successful, it would not be necessary for the Network to come back to the Legislature in the future for additional funds. He said that this requested bridge would help the Network get its head above water.

Discussion followed, including the potential for constituents to wonder why the Board is funding an agency that is not a County entity, particularly after asking County Departments to continue to cut their budgets. Some responses to this issue included the fact that although it is not a County entity, it performs necessary County government functions as well as other efforts beneficial to the overall health effort. Remarks were also made noting that this additional funding could be viewed as simply a reduction in the money the County is saving by contracting with the Network. Additional discussion determined that several years ago, when the County government was in a precarious financial situation, it would have been difficult to see its way clear to grant the request; and that at that time, the Board noted that it would not make up everybody's shortfall. But the County is currently in a much better financial position. On the other hand, it was said that eliminating the Network (or even the call center run by the Network) would create problems for the Department of Social Services as it would have to pick up the slack. As it is, it may be necessary to lay off one member of the call center staff, which is comprised of three people (1 DSS employee; 2 Network employees). That determination has not yet been made. The question was raised regarding the possibility of this same thing happening to the Department of Health which also has contracts with Cornell University. Legislator Pullen, who serves on the Cooperative Extension Board for Allegany and Cattaraugus counties, noted that according to the information he has, there should be no ripple effect to our agencies. Chairman Crandall indicated his support for this amendment to the contract, saying that the Allegany/Western Steuben Rural Health Network fills a need in the County and that prior to the Network, the County was paying around \$400,000 to meet those needs. When the Network was established, better coordination, a higher level of service, and greater usability resulted as well as a savings of over \$300,000 to the County. It was his opinion that the County could not secure similar services for the price, and he urged the Committee to support this request. Legislator O'Grady asked if the Committee could be provided with a cost comparison between the time the County was responsible for the transportation and the current costs in order to determine actual savings. Social Services Administrative Services Director Don

Horan responded to Legislator O'Grady's question, saying: "You really could not compare the old cost with the new cost today, because the system has been redesigned with the call center doing the coordination. Because the rate structure has changed, we would have to compare putting someone on the bus to having someone ride in a taxi. For example, we can put a person on the fixed route bus for a \$1 vs. putting someone in a taxi at a \$4.50 pick-up fee plus \$1.45 per mile, so total cost of a trip could be \$1 vs. \$45. Also in the past, if you look at the Department of Social Services' budget, you would see that budget numbers were right around a million dollars, compared to today which is less than \$50,000 dollars for Medical Transportation."

Legislator O'Grady suggested that instead of an amendment to the current contract, he could support a separate, new agreement to be crafted to preclude the amendment's being overlooked when it is time to renew the contract. Mr. Miner said that yes, a new contract could be drafted to handle the additional funding request. A motion was made by Legislator Fanton, seconded by Legislator Sinclair, and carried, to contribute, via a new contract, \$1,500 per month to the Allegany/Western Steuben Rural Health Network until the end of the current contract which expires December 31, 2014. **Prepare Resolution**

### **Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:40 p.m. following a motion by Legislator LaForge, seconded by Legislator Sinclair, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE  
AUGUST 12, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Fanton, D. Burdick, D. Healy, K. LaForge, T. O'Grady, D. Pullen, F. Sinclair, C. Crandall

**Others Present:** M. Alger, L. Ballengee, G. Benson, C. Braack, H. Budinger, J. Budinger, D. Cady, P. Curran, L. Edwards, M. Gasdik, K. Graves, L. Gridley, T. Miner, B. Riehle, T. Ross, C. Santora, D. Scholes, N. Ungermann

**Media Present:** No media present

**Call to Order:** The meeting was called to order at approximately 1:00 p.m. by Ways & Means Committee Chairman Theodore Hopkins.

**Approval of Minutes**

A motion was made by Legislator Fanton, seconded by Legislator Sinclair, and carried to approve the Ways & Means Committee minutes of July 17, 2013.

**Tax Bill Corrections Presented for August 2013**

Allegany County Real Property Tax Director Joseph Budinger provided documentation regarding a tax bill correction pursuant to a Supreme Court order dated April 30, 2013, to correct an alleged clerical order for Level Acres LLC of Wellsville, NY. The County Treasurer is directed to refund \$5,885.21 to Level Acres LLC and to make the following charges on her books:

Allegany County	\$3,811.71
Town of Wellsville	1,849.09
Wellsville Fire	224.41

The Committee briefly discussed whether or not a resolution is required when there is a court order. Committee members agreed to consider the resolution at the Board meeting that afternoon. **Prepare Resolution**

**Update on STAR Program**

Real Property Services Director Joseph Budinger informed the Committee that County homeowners who currently receive the basic STAR (School Tax Relief) exemption will be required to register with the New York State Tax Department in order to receive STAR exemptions in 2014 and subsequent years. He also said that, although he will have more information after August 16, it is his understanding that the state will send out notices to STAR exemption recipients with a code number that must be used when re-registering. Enhanced STAR recipients will not need to take any action, and those applying for the first time will need to go through their local assessors, which is the normal procedure. He offers this information as a "heads-up" to the Legislators.

**Approval of Audit**

Committee members reviewed the August 12, 2013, audit of claims in the amount of \$3,719,566.77 (including prepaid bills). A motion was made by Legislator Fanton, seconded by Legislator Sinclair, and carried to forward the audit to the full Board for approval of payment.

**REFERRALS FROM OTHER COMMITTEES**



**HUMAN SERVICES****Office for the Aging****Accept & Appropriate Funding Increase for Home-Delivered Meals**

Office for the Aging Director Madeleine Gasdik requested a resolution to accept and appropriate a \$10,000 addition as a result of the increase in the number of Home Delivered Meals clients receiving LTHHC (Long Term Home Health Care) funding in the C2 Budget. The funds should be appropriated to Account A6772.474 (OFA Nutrition-Caterer) with a like sum placed in Revenue Account A6772.1972.01 (III-C2-LTHHC). The request was approved on a motion by Legislator Burdick, seconded by Legislator Fanton, and carried. **Prepare Resolution**

**Accept & Appropriate a State Aid Increase for Community Services for the Elderly**

Ms. Gasdik requested a resolution to accept and appropriate a \$1,000 increase in State Aid for Community Services for the Elderly (CSE) Mileage. The funds should be appropriated to Account A6776.402 (OFA-CSE Mileage) with a like sum placed in Revenue Account A6776.3772.00 (CSET/Transportation). The request was approved on a motion by Legislator Burdick, seconded by Legislator Sinclair, and carried. **Prepare Resolution**

**Accept & Appropriate Funding Increase for the Federal Title VI Ombudsman Program and the Health Insurance Information, Counseling and Assistance Program**

Ms. Gasdik also requested a resolution to accept and appropriate revenue from the Federal Title VII Ombudsman Program and the Health Insurance Information, Counseling and Assistance Program (HIICAP). OFA budgeted \$41,000 in funding for these grants for 2013, but will be receiving \$48,060. Monies should be appropriated as follows:

**Appropriations** (\$7,060)

A6781.402 (OFA Title VII Ombudsman Program- Mileage)	\$1,492
A6782.101 (OFA HIICAP-Regular Pay)	\$1,500
A6782.413 (OFA HIICAP-Rental: Pers. Prop.)	\$1,200
A6782.416 (OFA HIICAP-Telephone)	\$1,300
A6782.419 (OFA HIICAP-Printing)	\$1,000
A6782.805 (OFA HIICAP-Health Ins)	<u>\$ 568</u>
	\$7,060

**Revenues** (\$7,060)

A6781.4772.00 (Title VII-Ombudsman)	\$1,492
A6782.4772.00 (HIICAP)	<u>\$5,568</u>
	\$7,060

The request was approved on a motion by Legislator Burdick, seconded by Legislator Fanton, and carried. **Prepare Resolution**

**Community Services****Accept & Appropriate NYS Aid for Allegany Rehab Association Pros Program**

James Mulholland from Community Services requested a resolution accepting and appropriating \$147,417 in NYS Aid for the Allegany Rehabilitation Association Pros Program. The funds should be appropriated to A4313.463 (Mental Health Contracts) with a like sum placed in Revenue Account A4313.3490.1037 (Mental Health Contracts-State Aid-Pros Program). It was noted that this request for resolution will be taken off the floor at that day's Board meeting. The request was approved on a motion by Legislator Burdick, seconded by Legislator Healy, and carried. **Prepare Resolution**

**PERSONNEL****Human Resources**

Personnel Officer Bobby Budinger requested a resolution correcting the salary stated on Resolution 34-13 for the Assistant District Attorney (6<sup>th</sup>) Welfare. This resolution officially created this title. The salary was incorrectly stated at \$24,720. Resolution 217-12 correctly set the 2013 salary for this title at \$24,000. It was noted that ordinarily this request would go to the Personnel Committee prior to being brought to Ways & Means, but because of scheduling issues, it is being brought up here first and will go to the Personnel Committee later in the day. The request was approved on a motion by Legislator O'Grady, seconded by Legislator Burdick, and carried. **Prepare Resolution**

**PUBLIC SAFETY****Sheriff's Office****Permission to Fill Deputy Sheriff Position**

Sheriff Whitney requested approval to promote a Corrections Officer to a vacant Deputy Sheriff (Local 3989, Council 82) position. This vacancy was created as a result of the retirement of Deputy David Bentley. Approval to fill the Deputy Sheriff position was given on a motion by Legislator Healy, seconded by Legislator Fanton, and carried. **Notify Human Resources**

**Permission to Fill Corrections Officer Position**

Sheriff Whitney also requested approval to fill a Corrections Officer (Local 3989, Council 82) position created by the death of Corrections Officer Daniel Barkley. Approval to fill the Corrections Officer position was given on a motion by Legislator Healy, seconded by Legislator Hopkins, and carried. **Notify Human Resources**

**Accept & Appropriate Funds for ACT II Batterers Program**

Sheriff Whitney requested approval to accept and appropriate \$17,014 from ACCORD Corporation for the continuation of the ACT II Batterers Program. The funds should be appropriated to A3117.449 (ACT II Batterers Program-Contractual) with a like sum placed in Revenue Account 3117.2260.00 (ACT II Batterers Program). The request was granted on a motion by Legislator Healy, seconded by Legislator Burdick, and carried. **Prepare Resolution**

**PUBLIC WORKS****Department of Public Works****Funding Transfer**

Superintendent of Public Works Guy James requested a resolution transferring the funds remaining from Capital Project H3198.200 (Capital Project-POD Work at Jail) to various accounts to cover unanticipated costs that have been incurred for building repairs and for tools needed for the Probation Department renovation, as follows:

**From**

H3198.200 (Capital Project POD Work @ Jail)	\$53,000
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**To**

A3152.412 (Public Safety Jail Bldgs & Grounds-Repairs to Real Property)	\$25,000
A1620.202 (Buildings & Grounds-Tools)	\$ 3,000
A1620.412 (Buildings & Grounds-Repairs to Real Property)	\$15,000
DM5130.412 (Road Machinery-Repairs to Real Property)	\$10,000

The request was approved on a motion by Legislator Fanton, seconded by Legislator Healy, and carried. **Prepare Resolution**

## **FACILITIES & COMMUNICATIONS**

### **Accept & Appropriate Connect NY Broadband Grant Funding**

The \$800,000 from New York State should be accepted and appropriated to H1997.200 (Connect NY Broadband Grant Project – CFA #21283) with a like sum to Revenue Account H1997.3097.00 (State Aid – Connect NY Broadband Grant). The County's \$200,000 match will require a transfer of \$200,000 from A1990.429 (Contingency) to H1997.200 (Connect NY Broadband Grant Project) and revenue account H1997.301 (Connect NY Broadband Grant – County's Share).

Additionally, the Committee requested a resolution authorizing the County Attorney to draft agreements with CONXX, TVGA, and Southern Tier West for their respective services; authorizing Chairman Crandall to sign and execute the agreements; and authorizing the County Administrator to draft the appropriate paperwork to accompany the submission on behalf of the County and to submit the application at a cost of \$250 in order to move ahead with the project. Discussion followed, projecting increased economic development as a result of having Broadband more readily available to County residents and businesses. There was some confusion regarding what structure the "middle mile" provider might assume. It was explained that the form that it might take has yet to be determined. Chairman Crandall noted that those who have been more closely involved in the process are comfortable with the direction of this project. He went on to say that several years ago, when the idea of expanded internet connection surfaced, the cost was prohibitive. However, with today's grant funding, and with the addition of middle- and last-mile providers, the cost to the County is manageable and the project will serve to foster economic development in the County. It was noted that this request for resolution will be taken off the floor at that day's Board meeting. Following the discussion, the request was approved on a motion by Legislator Pullen, seconded by Legislator Healy, and carried. (Opposed: Legislators Burdick and O'Grady.) **Prepare Resolution**

### **Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:40 p.m. following a motion by Legislator LaForge, seconded by Legislator Pullen, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE  
AUGUST 21, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Burdick, D. Healy, K. LaForge, T. O'Grady, D. Pullen, F. Sinclair, C. Crandall (Absent: D. Fanton)

**Others Present:** D. Cady, H. Budinger, J. Budinger, M. Gasdik, K. Graves, L. Hennessy, T. Miner, B. Riehle, T. Ross, C. Santora

**Media Present:** No media present

**Call to Order:** The meeting was called to order at approximately 1:05 p.m. by Ways & Means Committee Chairman Theodore Hopkins.

**Approval of Minutes**

A motion was made by Legislator Burdick, seconded by Legislator O'Grady, and carried to approve the Ways & Means Committee minutes of August 12, 2013.

**Re-appointment of Real Property Tax Director**

On June 24, 2013, the Board adopted Resolution 98-13 appointing Joseph L. Budinger to fill the remainder of Steven Presutti's six-year term as Real Property Tax Director from June 29, 2013, through September 30, 2013. It is the Ways & Means Committee's wish to reappoint Mr. Budinger to a new six-year term effective October 1, 2013, and expiring September 30, 2019. Approval to reappoint Joseph Budinger to a new six-year term as Real Property Tax Director was granted on a motion by Legislator Sinclair, seconded by Legislator LaForge, and carried.

**Prepare Resolution**

**Transfer of Funds**

Clerk of the Board Brenda Rigby Riehle requested a resolution transferring \$8,300 from A1910.406 (Unallocated Insurance) to A1040.411 (Clerk of the Board-Repairs, Personal Property) to finance the cost of refurbishing 23 of the Legislative Board chairs. Ms. Riehle explained to the Committee that the wood on the chairs would be refinished, the mechanism (tilting, height adjustment, wheels, etc.) would be checked and repaired if necessary, the springs and foam of the seats and backs would be replaced and then reupholstered. Legislator Sinclair expressed concern about the four-pronged wheeled feet of the chairs, saying that new OSHA regulations demand that there be five feet on wheeled chairs to prevent falls. Ms. Riehle indicated that 23 new chairs would be cost-prohibitive. Chairman Crandall said that constituents might balk at a \$20,000 price tag for new chairs as opposed to the cost of refurbishing the current chairs. He also noted that throughout his years on the Board, he was unaware of any falls; he added that the chairs are usually in use no more than one-two hours at a time. Although approval to transfer the funds was granted on a motion by Legislator Burdick, seconded by Legislator O'Grady, and carried, Ms. Riehle was directed to research any legalities concerning four- vs. five-pronged chairs. **Prepare Resolution**

**Sales Tax Resolution**

Ms. Riehle also requested passage of the following resolution: Amending Resolution No. 118-67, as amended to increase the rate of Allegany County Sales and Use Tax from three to four-and-one-half percent for the period beginning December 1, 2013, and ending November 30, 2015, and thereafter said rate of sales and use tax to revert to three percent. Based on

sales tax revenue receipts of \$18,222,546.45 for 2012, the additional one-and-one-half percent (1.5%) sales tax resulted in \$6.07 million revenue.

Because increasing the sales tax rate requires Home Rule Legislation, the process required the Board to approve three separate resolutions, including the two previous ones, stated below:

--On March 25, 2013, the Board approved Resolution No. 52-13--*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.*

--On May 13, 2013, the Board approved Resolution No. 81-13--*Approval of a State Legislative Bill Which Authorizes the Extension of Allegany County's Additional One-and-One-Half Percent Sales and Compensating Use Taxes until November 30, 2015; Declaring Existence of Necessity and Requesting Passage of Bill by State Legislature.*

--On August 19, 2013, we received notification from Senator Catharine Young's and Assemblyman Joseph Giglio's offices stating that S.4454 and A.6645 passed the Senate and Assembly and were signed into law by the Governor (Chapter 329 of the Laws of New York 2013).

Legislator Sinclair requested that either the Resolution or, at the very least, the Memorandum of Explanation be expanded to indicate why the increased tax rate is a good thing for the County. County Attorney Miner indicated that the wording for the resolution comes directly from the state. Ways and Means Chairman Ted Hopkins indicated that Legislators could discuss the merits of maintaining our current rate on the Board floor. The request for the resolution was approved on a motion by Legislator O'Grady, seconded by Legislator Pullen, and carried.

### **Prepare Resolution**

### **Approval of Legislators' Expense Vouchers**

The Committee reviewed the Legislative expense vouchers for the month of July 2013 as well as a few from previous months. A motion was made by Legislator LaForge, seconded by Legislator O'Grady, and carried to approve the vouchers for payment.

### **Attorney/Client Session**

County Attorney Thomas Miner requested that the Committee enter into attorney/client session. A motion to enter attorney/client session at 1:30 p.m. was made by Legislator Pullen, seconded by Legislator Hopkins, and carried.

A motion to leave attorney/client session at 2:30 p.m. was made by Legislator Healy, seconded by Legislator O'Grady, and carried.

### **Public Hearing for County Comprehensive Plan**

Following attorney/client session, County Attorney Miner requested a resolution to set a date for a public hearing regarding the proposed Allegany County Comprehensive plan at 2 p.m. on Monday, September 23, 2013, prior to the start of the Board meeting. The request was approved on a motion by Legislator Sinclair, seconded by Legislator Burdick, and carried.

### **Prepare Resolution**

### **Arbor Development Corporation Agreement**

Additionally, the Committee authorized the County Attorney to proceed with the pilot agreement with Arbor Development Corporation; a Memorandum of Explanation will be attached to the resolution outlining the parameters of the agreement. Authorization was

approved on a motion by Legislator Hopkins, seconded by Legislator Pullen, and carried.

**Prepare Resolution**

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 2:30 p.m. following a motion by Legislator LaForge, seconded by Legislator Healy, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE  
AUGUST 26, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Fanton, D. Burdick, D. Healy, K. LaForge, T. O'Grady, D. Pullen, F. Sinclair, C. Crandall (Absent: )

**Others Present:** H. Budinger, M. Gasdik, L. Gridley, R. Hollis, T. Miner, B. Riehle, T. Ross, C. Santora, D. Scholes

**Media Present:** No media present

**Call to Order:** The meeting was called to order at approximately 1:03 p.m. by Ways & Means Committee Chairman Theodore Hopkins.

**Approval of Audit**

Committee members reviewed the August 26, 2013, audit of claims in the amount of \$2,510,239.57 (including prepaid bills). A motion was made by Legislator Fanton, seconded by Legislator Healy, and carried to forward the audit to the full Board for approval of payment.

**Referrals from Other Committees**

**Planning**

**Economic**

**Development**

Director of Development John E. Foels requested a resolution authorizing the Planning & Economic Development Committee to Act as the Tourism Promotion Agency and apply for State funds up to \$218,000 for tourism promotion purposes. The resolution should also include the proviso that if state funding is approved, the Tourism Promotion Agency will submit the grant agreement to the Board of Legislators for approval and appropriation of funds and that the Clerk of the Board will send a certified copy of the resolution to the NYS Commissioner of Economic Development. Legislator Sinclair noted that this is standard operating procedure to access "I Love NY" tourism funds. When asked what would happen if we were awarded the full \$218,000 (which needs a like match), it was determined that the County is under no obligation to accept the full amount. The request for a resolution was approved on a motion by Legislator Sinclair, seconded by Legislator O'Grady, and carried. **Prepare Resolution**

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at approximately 1:07 p.m. following a motion by Legislator LaForge, seconded by Legislator Pullen, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE  
SPECIAL MEETING  
AUGUST 26, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Fanton, D. Burdick, D. Healy, K. LaForge, T. O'Grady, D. Pullen, F. Sinclair, C. Crandall

**Others Present:** D. Cady, K. Graves, T. Miner, B. Riehle, T. Ross, C. Santora (Village of Wellsville guests: Mayor Judy Lynch, Dawn Ketchner, William Whitfield)

**Media Present:** No media present

**Call to Order:** The meeting was called to order at approximately 11:10 a.m. by Ways & Means Committee Chairman Theodore Hopkins.

**Attorney/Client Session**

The Committee entered attorney/client session at 11:10 a.m. on a by Legislator LaForge, seconded by Legislator Fanton, and carried.

The Committee exited attorney/client session at 11:58 a.m. on a motion by Legislator Sinclair, seconded by Legislator Fanton, and carried.

**Tax Sale Issues**

Following attorney/client session, the following motions were made:

County Treasurer Terri Ross was given the authority to reject the sale of a property in the Village of Wellsville that had been bid upon at the tax sale in May (Tax ID: 239.45-1-39) and to refund the \$100 deposit to the bidder. Authority to proceed was given on a motion by Legislator Fanton, seconded by Legislator Sinclair, and carried. **Prepare Resolution**

Committee members would like to pursue an asbestos inspection and evaluation with a report due back to the Ways and Means Committee at the earliest possible date. Authorization to proceed was given on a motion by Legislator Pullen, seconded by Legislator Sinclair, and carried. **Refer to Public Works**

Committee members would like to explore the Public Land Bank issues to be considered as options for derelict properties, and to contact other municipalities to give guidance to us from their experiences so Allegany County can determine whether this is a path it wants to pursue. Authorization to proceed was given on a motion by Legislator Pullen, seconded by Chairman Crandall, and carried.

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 12:07 p.m. following a motion by Legislator Sinclair, seconded by Legislator O'Grady, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators



**WAYS & MEANS COMMITTEE  
SEPTEMBER 9, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Fanton, D. Healy, K. LaForge, T. O'Grady, F. Sinclair, C. Crandall (Absent: D. Burdick, D. Pullen)

**Others Present:** M. Alger, L. Ballengee, H. Budinger, J. Budinger, D. Cady, H. Evans, K. Graves, L. Gridley, R. Hollis, L. Kaminski, J. Luckey, T. Miner, B. Riehle, T. Ross, C. Santora, N. Ungermann, C. Whitwood

**Media Present:** No media present

**Call to Order:** The meeting was called to order at 1:00 p.m. by Ways & Means Committee Chairman Theodore Hopkins.

**Approval of Minutes**

A motion was made by Legislator Fanton, seconded by Legislator Healy, and carried to approve the Ways & Means Committee minutes of August 21, August 26 (special meeting), and August 26, 2013.

**Accept & Appropriate Insurance Recovery Check**

Clerk of the Board Brenda Riehle requested a resolution accepting a check in the amount of \$210 from NYMIR (New York Municipal Insurance Reciprocal) representing the cost to replace a broken windshield on a Health Department 2007 Ford Focus (#8128) that was found cracked/broken on or around August 6, 2013. The funds should be appropriated to CS1931.429 (Risk Retention-Uninsured Property Loss) with a like sum placed in revenue account CS1930.2680.00 (Insurance Recovery). Approval to accept and appropriate the check was granted on a motion by Legislator Healy, seconded by Legislator Fanton, and carried.

**Prepare Resolution**

**RFP for Transportation Services-Larry Kaminski**

Mobility Management Planner Larry Kaminski addressed the Committee to inform it that the Allegany/Western Steuben Rural Health Network is issuing an RFP for continuation of public transportation in Allegany County. The current contract is set to expire on December 31, 2013. Mr. Kaminski said that The Allegany/Western Steuben Rural Health Network is seeking a three-year contract with the option to renew for an additional two years. It was noted that ridership is at its highest level in the organization's history. Legislator Ungermann requested a report showing the ridership figures over the past three years. Mr. Kaminski said he would provide such a report at a future Ways & Means Committee meeting. A motion authorizing Mr. Kaminski to proceed with the RFP process was made by Legislator Sinclair, seconded by Legislator Fanton, and carried. **Prepare Resolution**

**Approval of Audit**

Committee members reviewed the September 9, 2013, audit of claims in the amount of \$3,023,289.05 (including prepaid bills). A motion was made by Legislator Hopkins, seconded by Legislator Fanton, and carried to forward the audit to the full Board for approval of payment.

**Referrals from Other Committees**

## **Human Services** **Office for the Aging**

### **Permission to Fill Community Services Worker Position**

Office for the Aging Director Madeleine Gasdik requested approval to fill a Community Services Worker—Aging (AFSCME Grade 11, Base). The person in this position serves as the Aging and Disability Resources Center Liaison for Allegany County. The position is key to operating the NY Connects, Systems Integration, and the Care Transitions Program. This position serves as a single point of entry into the long-term supports and services system for older adults and people with disabilities, avoiding the many frustrations consumers and their families experience when trying to find needed information, services, and supports. Salary and benefits are spread over three Federal and one State grant. Approval to fill the Community Services Worker-Aging position was approved on a motion by Legislator LaForge, seconded by Legislator Sinclair, and carried. **Notify Human Resources**

### **Permission to Fill Substitute Meals-on-Wheels Driver Positions**

Ms. Gasdik also requested approval to fill two Substitute Meals-on-Wheels Drivers at a rate of \$7.50 per hour. Each driver has his/her own route and must deliver at the same time each day. The substitute would work if another driver were off. The “original” driver does not get paid if s/he doesn’t work so the budgeting is unaffected. Without these drivers, meals would not be delivered. Funding for the positions is 26 percent County match, 32 percent State, 16 percent Older American Act Federal Funds, and 26 percent contributions. Approval to fill two Substitute Meals-on-Wheels Driver positions was approved on a motion by Legislator LaForge, seconded by Legislator O’Grady, and carried. **Notify Human Resources**

## **Department of Social Services**

### **Permission to Fill Caseworker Position**

Commissioner of Social Services Vicki Grant requested approval to fill a Caseworker position (AFSCME Grade 16, Step min). This vacancy occurred as a result of a promotion. The position resides in the Preventive Unit and is responsible for ensuring the health, welfare, and safety of children while endeavoring to prevent placement in the Foster Care System. The position, which allows DSS to meet state and federal requirements to ensure the safety of children, is funded by 50 percent Federal dollars, 25 percent State dollars, and 25 percent local dollars. Approval to fill a Caseworker position was approved on a motion by Legislator LaForge, seconded by Legislator Sinclair, and carried. **Notify Human Resources**

### **Permission to Fill Community Service Aide Position**

Ms. Grant also requested approval to fill a Community Service Aide position (AFSCME Grade 4, Step min.). This is a temporary (six months) position and is responsible for scheduling and screening clients for HEAP interviews. This position helps DSS meet state and federal requirements and helps the office meet the demand of processing HEAP applications at no cost to the County. It is funded 100 percent by Federal dollars. Approval to fill a Community Service Aide position was approved on a motion by Legislator LaForge, seconded by Legislator Fanton, and carried. **Notify Human Resources**

## **Public Safety** **Sheriff’s Office**

### **Permission to Fill Registered Nurse Position**

Sheriff Rick Whitney requested approval to fill a Registered Nurse position (NYSNA Step 3) which became vacant due to a resignation. The position is necessary in order to fulfill NYS Commission of Correction minimum staffing requirements. The position is budgeted. Approval to fill a Registered Nurse position was approved on a motion by Legislator Healy, seconded by Legislator O'Grady, and carried. **Notify Human Resources**

#### **Executive Session-Mitch Alger**

Following a request by County Administrator Mitchell Alger for an executive session to discuss the employment history of a particular individual, the Committee entered into executive session at 1:15 p.m. on a motion by Legislator Fanton,, seconded by Legislator O'Grady, and carried.

The Committee exited executive session at 1:24 p.m. on a motion by Legislator Fanton, seconded by Legislator Healy, and carried.

#### **Permission to Fill Confidential Secretary Position**

Following executive session, County Administrator Alger was granted authority to fill the Confidential Secretary (Non-union, Grade 2) position in his office with a salary to be paid commensurate to the experience of the new hire within the non-union Grade 2 pay scale. Additionally, he was granted authority to schedule training for the new employee either prior to incumbent Alice Alsworth's retirement, or afterwards, whereby Mrs. Alsworth would be hired as a contractual employee to train the new Secretary for a period not to exceed 30 days, on a motion by Legislator Fanton, seconded by Legislator O'Grady, and carried. **Notify Human Resources**

#### **Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:25 p.m. following a motion by Legislator LaForge, seconded by Legislator Healy, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE  
SEPTEMBER 18, 2013**

**\*\* NOT APPROVED \*\***

**Committee Members Present:** T. Hopkins, D. Fanton, D. Healy, K. LaForge, T. O'Grady, D. Pullen, F. Sinclair, C. Crandall

**Others Present:** M. Alger, H. Budinger, D. Cady, P. Curran, K. Graves, R. Hollis, G. James, B. Riehle, T. Ross, C. Santora, D. Scholes, R. Whitney

**Media Present:** No media present

**Call to Order:** The meeting was called to order at 1:05 p.m. by Ways & Means Committee Chairman Theodore Hopkins.

**Approval of Minutes**

A motion was made by Legislator Sinclair, seconded by Legislator Pullen, and carried to approve the Ways & Means Committee minutes of September 9, 2013.

**Year-end Resolutions**

Clerk of the Board Brenda Riehle submitted requests for resolutions which will need to be prepared for consideration at board meetings in November and December as follows:

- 1 A request for a resolution for the re-levy of returned village taxes effective November 16, 2013 (**November 12, 2013**, Board meeting) was approved on a motion by Legislator Sinclair, seconded by Legislator Fanton, and carried. **Prepare Resolution**
2. A request for a resolution for the re-levy of returned school taxes effective November 16, 2013 (**November 12, 2013**, Board meeting), was approved on a motion by Legislator Pullen, seconded by Legislator Fanton, and carried. **Prepare Resolution**
3. A request for a resolution for the levy of unpaid sewer and water rentals (**November 12, 2013**, Board meeting) was approved on a motion by Legislator Fanton, seconded by Legislator Pullen, and carried. **Prepare Resolution**
4. A request for a resolution for the adoption of the 2014 County Final Budget (**November 25, 2013**, Board meeting) was approved on a motion by Legislator LaForge, seconded by Legislator O'Grady, and carried. **Prepare Resolution**
5. A request for a resolution levying County taxes (**November 25, 2013**, Board meeting) was approved on a motion by Legislator Sinclair, seconded by Legislator Pullen, and carried. **Prepare Resolution**
6. A request for a resolution making appropriations for the conduct of County government for fiscal year 2014 (**November 25, 2013**, Board meeting) was approved on a motion by Legislator O'Grady, seconded by Legislator Pullen, and carried. **Prepare Resolution**

7. A request for a resolution levying the towns' share of the 2014 Mutual Self Insurance Plan in the amount of \$353,988 (**November 25, 2013**, Board meeting) was approved on a motion by Legislator Fanton, seconded by Legislator LaForge, and carried. **Prepare Resolution**
8. A request for a resolution ordering that the costs of the 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 2014 tax rolls. The total charge back amount will be determined in November (**November 25, 2013**, Board meeting). The request for a resolution was approved on a motion by Legislator Pullen, seconded by Legislator Sinclair, and carried. **Prepare Resolution**
9. A request for a resolution approving 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 (**December 9, 2013**, Board meeting) was approved on a motion by Legislator LaForge, seconded by Legislator O'Grady, and carried. **Prepare Resolution**
10. A request for a resolution levying taxes and assessments required for the purposes of the annual budgets of the towns of Allegany County (**December 9, 2013**, Board meeting) was approved on a motion by Legislator Pullen, seconded by Legislator Fanton, and carried. **Prepare Resolution**
11. A request for a resolution authorizing transfers between appropriation accounts (balancing of accounts) for the end of the 2013 fiscal year (**December 23, 2013**, Board meeting) was approved on a motion by Legislator Healy, seconded by Legislator O'Grady, and carried. **Prepare Resolution**
12. A request for a resolution fixing the date of the Organization Meeting for Thursday, January 2, 2014 (**December 23, 2013**, Board meeting [must be before January 8]) was approved on a motion by Legislator Healy, seconded by Legislator O'Grady, and carried. **Prepare Resolution**
13. A request for a resolution suspending the Board Rules affecting proposed resolutions for the Organization Meeting (**December 23, 2013**, Board meeting) was approved on a motion by Legislator Pullen, seconded by Legislator Fanton, and carried. **Prepare Resolution**
14. A request for a resolution delegating the authority to approve certain real property tax refunds and correction of tax bills and tax rolls up to \$2,500 to the County Administrator (**December 23, 2013**, Board meeting) was approved on a motion by Legislator O'Grady, seconded by Legislator Healy, and carried. **Prepare Resolution**

### **Substitute Official Newspaper**

The Clerk of the Board has been notified that the *Cuba Patriot and Free Press*, one of the official newspapers, will not be publishing on October 9, 2013. She was not able to determine if the *Alfred Sun* will be publishing on October 10, so a resolution was requested designating the *Wellsville Daily Reporter* as the sole official newspaper for the week of October 6-12, 2013. This resolution will need to come off the floor at Monday's (September 23) Board meeting. The request was granted on a motion by Legislator Sinclair, seconded by Legislator O'Grady, and carried. **Prepare Resolution**

### **Approval of Legislators' Expense Vouchers**

The Committee reviewed the Legislative expense vouchers for the month of August 2013. A motion was made by Legislator O'Grady, seconded by Legislator Pullen, and carried to approve the vouchers for payment.

### **Comprehensive Plan Referral**

A resolution was requested accepting the environmental impact study (SEQR) determining that there is no significant negative environmental impact with respect to the proposed Comprehensive Plan amendment on a motion by Legislator O'Grady, seconded by Legislator Sinclair, and carried. **Prepare Resolution**

Additionally, a resolution was requested to tentatively approve the proposed amendment to the Comprehensive Plan subject to the scheduled public hearing September 23, 2013; approval was granted on a motion by Legislator Pullen, seconded by Legislator Fanton, and carried. **Prepare Resolution**

## **REFERRALS FROM OTHER COMMITTEES**

### **Public Safety**

#### **Radio Communication Task Force**

Chairman Crandall addressed the Committee, explaining that the Radio Communication Task Force had completed its charge, and that it was time to begin implementing the actions recommended by that body. He reviewed the Final Report, Shared Cost Agreement, and Usage Policies with the group, saying that this information had been presented at the Public Safety Committee's most recent meeting, and that he would like a motion from the Ways & Means Committee in support of moving forward with the recommendations. This would include entering into the Cost Sharing Agreement with the County municipalities and conducting an informational meeting at the Genesee Valley School on October 16 (and the possibility of additional meetings). Invited to this meeting would be the Legislators, the Task Force members, representatives from each municipality, and representatives from each of the fire and emergency services units. At this gathering, the attendees would be apprised of the work of the Task Force: that it had reviewed the need for mobile and portable radios; that it had determined the approximate number of radios the departments were lacking; and that there had been some grant funding received which had alleviated some of the burden on the County. Although the attendees would also be told that the grant funding had not fully funded the need. The exact total of necessary radios and the exact amount of necessary funding would be determined before the adoption of the 2014 Budget. In a nutshell, Mr. Crandall said, the County is looking to have an agreement with each of the municipalities. County Attorney Tom Miner had drafted the agreement, noting that it must be entered into with the municipalities because the County cannot put taxpayer dollars into purchases for other entities (such as fire and emergency service agencies). The municipalities, in turn, can work it out anyway they want to with the fire and emergency service units. These agreements will "bind" the departments to the Usage Policy, but in return, offer a 50-50 split on the cost of radio equipment. Thus, the County gets everyone "on the same page" regarding policy and ability to use the 911 System, and the municipalities get 50 percent of the necessary funding for future needs regarding mobile and portable radios. Because the Task Force membership was well represented by the Sheriff's

Department, Fire and Emergency Services, and E-911, the group did a good job in boiling down what was needed to address this issue, Mr. Crandall said.

The next steps include entering into the agreement with the municipalities and setting up the appropriate financial accounts to meet those agreements. Today, he said, what he is looking for is to have the Ways & Means Committee support the next steps. "We're not prepared to have a resolution to go to the full Board at this time because there are still some unanswered questions," he said. Additionally, "we want to get this agreement out to the municipalities and get some feedback from them. We need to establish the fund and the financing of it, and again, there remain some unanswered questions regarding amounts that the County Treasurer needs to properly establish them. Chairman Crandall went on to say that in an e-mail dialogue, some discussion regarding a monetary figure had occurred. He said, "If I needed to come up with a figure by 5 p.m. today, I would say \$250,000; but that may need to be reviewed and perhaps narrowed down." He added that the County Treasurer would also look for revenues to come in if there are municipalities looking to utilize this program in the coming year, then we'd want to put the revenues in there to offset that. He added that he didn't predict a lot of new requests beyond those which have already been discussed in the Task Force for 2014. Chairman Crandall noted that he would like to have the funding in place for the 2014 Budget. He added that he is looking to finance this new fund out of this year's contingency budget so it won't have a direct negative effect on the tentative 2014 Budget. So, he continued, the motion he is seeking is a motion to move forward with the plan to enter into contractual agreements with municipalities by setting up informational meetings (as necessary) and to move forward with the establishment of proper financial accounts along with specific dollar amounts.

Some discussion preceded the vote. In particular, Legislator O'Grady requested clarification regarding the agreements being made with municipalities rather than with the fire and emergency service units themselves. It was explained that County Attorney Miner had devised this method in order to keep things legal. Legislator Pullen explained that the County cannot make "gifts" to other entities and we have no direct contractual relationships with fire and emergency services departments, but municipalities do. And the County has contractual relationships with the municipalities.

Legislator O'Grady also questioned the term "Allegany County-approved radio technician" which appears in the Usage Policy/Agreement. Chairman Crandall explained that a lot of discussion revolved around that issue during Task Force meetings. It was said that E-911 received complaints about bad reception with new equipment. It was determined that it wasn't the equipment, but improper installation of said equipment that contributed to the lack of reception. Ideas regarding hiring a technician, contracting with a technician, etc. arose, but the Task Force settled on the wording a "County-approved technician" which would allow Allegany County to designate a technician who would be able to install the equipment appropriately. Legislator O'Grady then said his concern had been that if one fire company had a relationship with Saia, and another had a relationship with Brico, that the County might award the work to one and not the other. Chairman Crandall assured him that the wording was left "open" so that it's not so much who installs the equipment as long as it is installed properly.

Legislator Sinclair wondered in the absence of the Task Force, what Committee will be doing the review of those kinds of issues. It was noted that ultimately, Public Safety would have oversight.

The method of procuring these radios was also discussed. It was determined, that at this time, in the absence of a definitive process, it would follow County procurement policy.

Legislator O'Grady inquired about the amount of money left in the Contingency Budget. He was told approximately \$400,000. Chairman Crandall said that perhaps County

Administrator Mitch Alger could come up with a figure for financing the account other than his \$250,000 proposal.

Legislator Pullen went on record saying that this was such a successful effort compared to where the Task Force began. He noted that early on, the biggest concern in the effort to acquire new radios had been the worry that there would be no grant funding, but the fire districts were persistent, and the use of a grant-writing firm had been helpful in securing the grants the County had been awarded. He commended the efforts of the various fire companies, fire districts, and Fire and Emergency Services Coordinator Jeff Luckey and his office. He went on to commend the representatives from the various groups for working well together. He noted that at the beginning of the endeavor, the Task Force/County were looking at a need of well over \$1 million. Thanks to the grants, even if we need every bit of the projected \$250,000, this is now a doable project. The results represent a phenomenal level of cooperation, he said. It is a grand success story, he said, and he appreciates the efforts of all the participants.

The approval to move forward with the plan to enter into contractual agreements with municipalities by setting up informational meetings (as necessary) and to move forward with the establishment of proper financial accounts along with specific dollar amounts was approved on a motion by Legislator Pullen, seconded by Legislator Healy, and carried.

### **Facilities and Communications**

#### **Public Safety Building Waste Disposal**

At the last Facilities and Communications Committee meeting, Deputy Superintendent of Public Works Dean Scholes distributed a proposal submitted by MRB Group for a study regarding a potential sewer connection from the County Jail into the Village of Belmont sewer system at a cost of \$26,500. Because MRB Group performed the design work at the Village Wastewater Plant and, in fact, evaluated potential future sewer flows from the County Jail when it performed the engineering study that preceded the wastewater facility upgrade project, MRB Group is regarded as being highly knowledgeable about and familiar with the needs of the County and the Public Safety Building and how the sewer connection might be achieved. Because of the previous work MRB Group had done for the Village, this was the only quote pursued. It was also noted that the Village of Belmont had been greatly pleased with that company's work. Legislator Pullen noted that seeing as MRB Group possesses familiarity with the Village of Belmont System, rather than seeking quotes from other firms, which would make it virtually impossible for them to compare or give the same quality results, to pursue this study, subject to approval by Ways & Means. The request to pursue the contract with MRB Group for design work, establish a deadline for completion of the study, and use funding that resides in the Solid Waste Budget (A8160) to fund the study was approved on a motion by Legislator Pullen, seconded by Legislator Fanton, and carried.

### **Good of the Order**

Legislator LaForge informed the Committee that he had received the asbestos report on the building at 20 West State Street in Wellsville from Neeson Clark Associates, Inc., Technical and Environmental Services, Olean, NY, which indicated that there is a 20-square-foot area of floor tiles on the second floor of the building which contains asbestos. Asbestos is a minor consideration, he said. The report was given to County Administrator Alger. It was suggested that the Village of Wellsville principals be invited back the next Public Works Committee meeting to discuss these findings and possible future actions.



Chairman Crandall surveyed the group regarding their intent to attend the funeral service for Legislator Douglas Burdick on Saturday, September 21, so they might attend as a "delegation."

Legislator Pullen questioned the necessity of altering next month's meeting dates due to the Columbus Day holiday which changes the span between meetings. It was determined to leave the calendar as it stands unless something unusual arises.

### **Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 2:00 p.m. following a motion by Legislator Pullen, seconded by Legislator LaForge, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE**  
**September 23, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Fanton, D. Healy, K. LaForge, T. O'Grady, D. Pullen, F. Sinclair, C. Crandall

**Others Present:** M. Alger, L. Ballengee, H. Budinger, J. Budinger, D. Cady, P. Curran, M. Gasdik, K. Graves, L. Gridley, R. Hollis, B. Kelley, T. Miner, B. Riehle, T. Ross, C. Santora, N. Ungermann

**Media Present:** No media present

**Call to Order:** The meeting was called to order at 1:00 p.m. by Ways & Means Committee Chairman Theodore Hopkins.

**Approval of Audit**

Committee members reviewed the September 23, 2013, audit of claims in the amount of \$2,728,469.73 (including prepaid bills). A motion was made by Legislator Hopkins, seconded by Legislator Fanton, and carried to forward the audit to the full Board for approval of payment.

**County-owned Property-County Treasurer**

County Treasurer Terri Ross presented a sealed bid offer from Danielle Moran-Combs for the purchase of County-owned property leftover from the 2013 Tax Sale Auction List. The property in question is located at 15 Main Street in the Town of Almond (Tax Map Number 126.7-1-10). Ms. Moran-Combs' bid of \$25 does not include current taxes. Further, recording costs of \$183 are additional fees. Approval to accept the bid was granted on a motion by Legislator Hopkins, seconded by Legislator Fanton, and carried. **Prepare Resolution**

Ms. Ross also presented a sealed bid offer from Timothy Combs for purchase of County-owned property leftover from the 2013 Tax Sale Auction List. The property in question is located on SR417 in the Town of Alma/Scio (Tax Map Number 262.6-1-31/249.3-1-18). Mr. Combs bid of \$1 does not include current taxes. Recording costs of \$366 are additional fees. Additionally, Mr. Combs' request for future tax forgiveness was not approved. Approval to accept the bid was granted on a motion by Legislator Fanton, seconded by Legislator Pullen, and carried. **Prepare Resolution**

**Referrals from Other Committees**

**Public Safety**

**Public Defender**

Public Defender Barbara Kelley requested approval to create and fill a part-time Secretary position (non-union) which will be funded for an initial period of three years by the Office of Indigent Legal Services. Discussion followed regarding what would happen when the three-year funding is completed. Ms. Kelley said that the State has been unable to answer that question as well. She added, however, that she would have requested such a position regardless of the ILS funding as the workload in her office continues to increase. Approval to fill a Part-time Secretary position was approved on a motion by Legislator Healy, seconded by Legislator Pullen, and carried contingent on the approval of the resolution to create the position that will be considered at the Board meeting this afternoon. **Notify Human Resources**

**District 5 Republican Committee Recommendation to Replace Legislator Douglas Burdick**

The members of the District 5 Republican Committee requested a resolution nominating Charles O. Jessup to fill the vacancy in the Office of District 5 Legislator caused by the untimely passing of Legislator Douglas Burdick. (Pursuant to Allegany County Local Law No. 3 of 1993, Mr. Jessup is a resident and qualified voter in the Town of Alfred located within District V for at least one year preceding this appointment.) The resolution will be pre-filed to come before the Board at its October 15 meeting. Following Board approval, Mr. Jessup will assume office. The resolution was approved on a motion by Legislator Sinclair, seconded by Legislator Fanton, and carried. **Prepare Resolution**

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:18 p.m. following a motion by Legislator LaForge, seconded by Legislator Pullen, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE  
SPECIAL MEETING  
OCTOBER 2, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Fanton, D. Healy, D. Pullen, F. Sinclair, C. Crandall (Absent: K. LaForge, T. O'Grady)

**Others Present:** M. Alger, K. Graves, A. McGraw, T. Miner, B. Riehle, T. Ross, C. Santora

**Media Present:** No media present

**Call to Order:** The meeting was called to order at approximately 3:30 p.m. by Ways & Means Committee Chairman Theodore Hopkins.

**Date for a Public Hearing on the Tentative Budget on November 7, 2013**

A resolution was requested setting the date for a public hearing on the 2014 Tentative Budget for Thursday, November 7, 2013, at 7 p.m. The request was approved on a motion by Legislator Fanton, seconded by Legislator Healy, and carried. **Prepare Resolution**

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 3:35 p.m. following a motion by Legislator Fanton, seconded by Legislator Sinclair, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE  
OCTOBER 15, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Fanton, D. Healy, K. LaForge, T. O'Grady, D. Pullen, F. Sinclair, C. Crandall

**Others Present:** M. Alger, H. Budinger, J. Budinger, P. Curran, L. Edwards, J. Foels, K. Graves, L. Gridley, R. Hollis, T. Hull, G. James, C. Jessup, T. Miner, P. Reagen, B. Riehle, T. Ross, C. Santora, D. Scholes, M. Thornton, N. Ungermann

**Media Present:** B. Quinn, *Wellsville Daily Reporter*

**Call to Order:** The meeting was called to order at 1:00 p.m. by Ways & Means Committee Chairman Theodore Hopkins.

**Approval of Minutes**

A motion was made by Legislator Fanton, seconded by Legislator Pullen, and carried to approve the Ways & Means Committee minutes of September 18, September 23, and October 2 (Special Meeting), 2013.

**Approval of Audit**

Committee members reviewed the October 15, 2013, audit of claims in the amount of \$5,106,044.04 (including prepaid bills). A motion was made by Legislator Sinclair, seconded by Legislator Pullen, and carried to forward the audit to the full Board for approval of payment.

**Appointments to The Industrial Development Agency and the Industrial & Commercial Incentive Board**

A resolution was requested appointing John "Jack" Ormond of Cuba, NY, to complete a four-year term on the Industrial Development Agency Board vacated by Charles O. Jessup, beginning immediately and expiring December 31, 2013. Additionally, a second resolution was requested appointing Mr. Ormond to the Industrial and Commercial Incentive Board for the remainder of a four-year term commencing immediately and expiring December 31, 2013. The requested resolutions were approved on a motion by Legislator Hopkins, seconded by Legislator Fanton, and carried. **Prepare Resolutions**

**REFERRALS FROM OTHER COMMITTEES**

**HUMAN SERVICES COMMITTEE**

**Community Services**

**Request to Fill Intensive Case Manager (ICM) Position**

Dr. Robert Anderson, Director, Community Services, requested permission to fill an Intensive Case Manager position (PEF Grade 7, Base) which became vacant due to a retirement. Per Dr. Anderson's rationale, any other current employee would not be able to provide child and family intensive case management services to the allotted 12 slots granted to Allegany County by the Office of Mental Health. Nor could another current employee provide four visits per month to each slot which is required for billing. The MOE went on to state that effective case management is the key to providing efficacious services as economically as possible, and that providing appropriate case management reduces excess utilization of

services. The position is funded by revenues generated by the employee (that is, no County dollars). This position is budgeted for in the current year's Budget. Permission to fill the Intensive Case Manager position was approved on a motion by Legislator LaForge, seconded by Legislator Sinclair, and carried. **Notify Human Resources**

#### **Accept & Appropriate Additional State Aid Funding for OASIS**

Dr. Anderson also requested a resolution accepting and appropriating additional State Aid funding for OASIS with the Budget adjustment to be appropriated as stated below: Revenue A4220.3486.00 (Council on Alcoholism & Substance Abuse-State Aid-Substance Abuse) \$30,000 with a like amount to Expense A4220.461 (Council on Alcoholism & Substance Abuse-Health Contracts OASIS). Approval was granted on a motion by Legislator LaForge, seconded by Legislator Fanton, and carried. **Prepare Resolution**

#### **Accept & Appropriate Additional State Aid Funding for Arbor Development**

Finally, Dr. Anderson requested a resolution accepting and appropriating additional State Aid funding for Arbor Development with the Budget adjustment as stated below: Revenue Account A4313.3490.1078 (Mental Health Contracts) \$75,836 with a like amount to Expense Account A4313.456 (Mental Health Contracts). Following a request for more in-depth information regarding the use of additional monies in the future, approval was granted on a motion by Legislator LaForge, seconded by Legislator Pullen, and carried. **Prepare Resolution**

#### **Office for the Aging**

##### **Request to Fill Aging Services Specialist**

Office for the Aging Director Madeleine Gasdik requested permission to fill an Aging Services Specialist position (AFSCME Grade 16, Base) which had become vacant due to a resignation. This position is responsible for care coordination and Medicare counseling which are essential tasks in the operation of the EISEP Program. The position is 25 percent County-funded, 40 percent State-funded, 20 percent Federally funded, and 15 percent funded via other sources. Approval to fill the Aging Services Specialist position was granted on a motion by Legislator LaForge, seconded by Legislator Pullen, and carried. **Notify Human Resources**

#### **Health Department**

##### **Rabies Program Funding Transfer**

Public Health Director Lori Ballengee requested a resolution to transfer \$12,500 from Account A4010.409 (County Health Department-General Fund-Fees) to Account A4043.409 (Rabies Clinics-Fees) for the purpose of paying post-exposure rabies treatment claims received from Jones Memorial Hospital. The request was granted on a motion by Legislator LaForge, seconded by Legislator Fanton, and carried. **Prepare Resolution**

##### **Renewal of Contracts for Transportation of Preschoolers with Disabilities**

Ms. Ballengee further requested a resolution to approve the contracts for the Transportation of Preschool Children with Handicapping Conditions with local central school districts for the period September 1, 2013, through August 31, 2015. Ms. Ballengee noted that these contracts save the County hundreds of thousands of dollars because they relieve the County of having to hire private companies to transport the children. The request was approved on a motion by Legislator LaForge, seconded by Legislator Healy, and carried. **Prepare Resolution**

**Approval of SEIT (Special Education Itinerant Teacher) Contracts**

Ms. Ballengee also requested approval of the SEIT contracts for preschoolers with disabilities for the period September 1, 2013, through August 31, 2015. Approval was granted on a motion by Legislator LaForge, seconded by Legislator Sinclair, and carried. **Prepare Resolution**

## PUBLIC SAFETY COMMITTEE

**Youth Bureau/STOP-DWI****Acceptance of STOP-DWI Plan**

Youth Bureau/STOP-DWI Coordinator Linda Edwards requested acceptance of the 2014 STOP-DWI Plan. Approval was granted on a motion by Legislator Healy, seconded by Legislator Pullen, and carried. **Prepare Resolution**

## PUBLIC WORKS COMMITTEE

**Department of Public Works****Request to Fill Janitor Position**

Superintendent of Public Works Guy James requested permission to fill a Janitor position (AFSCME Grade 9) which became vacant due to a resignation. The position is 100 percent County-funded and is in the current year's budget. Permission to fill the Janitor position was granted on a motion by Legislator Fanton, seconded by Legislator Healy, and carried.

**Notify Human Resources**

**Request to Fill Senior Heavy Equipment Mechanic Position**

Mr. James also requested permission to fill a Senior Heavy Equipment Mechanic (AFSCME Grade 15) position which became vacant due to a retirement. It was noted that the maintenance and safety inspections of larger, more complicated pieces of heavy equipment such as bulldozers, gradalls, cranes, and snowplows requires a person with specialized experience. This position also exercises direct supervision over Automotive Mechanics and Heavy Equipment Mechanics. This position is 100 percent County-funded and is in the current year's budget. Permission to fill the Senior Heavy Equipment Mechanic position was granted on a motion by Legislator Fanton, seconded by Legislator Pullen, and carried. **Notify Human**

**Resources**

**Request to Fill HMEO II Position**

Mr. James also requested permission to hire an HMEO II position (AFSCME Grade 14) which became vacant due to a retirement. This position is responsible for the operation and maintenance of specific pieces of heavy motor equipment requiring advanced skills as a Heavy Equipment Operator. This work is essential to the day-to-day operations of the County Landfill. This position is 100 percent County-funded and is in the current year's budget. Permission to fill the HMEO II position was granted on a motion by Legislator Fanton, seconded by Legislator Pullen, and carried.

The three positions and all subsequent positions (due to the bidding process) with permission to hire from the outside if necessary were approved to fill. **Notify Human**

**Resources**

**Solid Waste Division - Budget Transfer Request**

Mr. James also requested a resolution transferring \$26,500 from account A8160.495 (Solid Waste-Engineering) to account A3152.429 (Buildings and Grounds: Public Safety Complex) for a feasibility study regarding a potential sewer connection from the County Jail to the Village of Belmont sewer system. The request was approved on a motion by Legislator Fanton, seconded by Legislator Healy, and carried. **Prepare Resolution**

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:15 p.m. following a motion by Legislator LaForge, seconded by Legislator Pullen, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators



**WAYS & MEANS COMMITTEE  
OCTOBER 16, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Healy, K. LaForge, T. O'Grady, D. Pullen, F. Sinclair, C. Crandall (Absent: D. Fanton)

**Others Present:** M. Alger, H. Budinger, D. Cady, M. Gasdik, K. Graves, R. Hollis, G. James, C. Jessup, T. Miner, B. Riehle, T. Ross, C. Santora, D. Scholes, N. Ungermann (Guests from Town of Birdsall: C. Gowiski, K. Shaklee)

**Media Present:** No media present

**Call to Order:** The meeting was called to order at approximately 1:05 p.m. by Ways & Means Committee Chairman Theodore Hopkins.

**Journal of Proceeding Bids**

Clerk of the Board Brenda Rigby Riehle noted that she had received only one bid for this project and determined that it was too high. She indicated she would seek alternatives.

**Amendment of Resolution 139-13**

Ms. Riehle also requested a resolution to amend Resolution 139-13 as follows: Where the Tax ID number reads 239.24-1-39, it should be changed to read: 239.45-1-39. The request was approved on a motion by Legislator Sinclair, seconded by Legislator Pullen, and carried.

**Prepare Resolution**

**REFERRALS FROM OTHER COMMITTEES**

**HUMAN SERVICES COMMITTEE**

**Office for the Aging**

**Request to Fill Substitute Driver Position**

Office for the Aging Director Madeleine Gasdik requested approval to fill a Substitute Meals-on-Wheels Driver position at a rate of \$7.50 per hour. Each driver has his/her own route and must deliver at the same time each day. The substitute would work if another driver were off. The "original" driver does not get paid if s/he doesn't work so the budgeting is unaffected. Without these drivers, meals would not be delivered. Funding for the position is 18 percent County, 50 percent State, 32 percent "other." Approval was granted on a motion by Legislator LaForge, seconded by Legislator Healy, and carried. **Notify Human Resources**

**Department of Health**

**Approval of New Contract with Cattaraugus County for Related Services for Preschool Handicapped Children**

The Committee was informed that following an evaluation of a child performed by Allegany County, it was determined that the child is a resident of Cattaraugus County. In order for Allegany County to be paid for this evaluation, a contract between the two counties needs to be signed. He indicated this is a one-time, not an ongoing, arrangement in order to be reimbursed for the evaluation. Approval was granted on a motion by Legislator LaForge, seconded by Legislator Pullen, and carried. (Opposed: Legislator Sinclair) **Prepare Resolution**

## BUDGET COMMITTEE

### **Fund Balance Classifications & the Landfill Closing**

The Committee began the discussion by noting that the County needs to prepare for the imminent closing of the Landfill. It has been estimated that it will cost \$4 million to close and a possible additional \$6 million over the next 20 years to maintain the site. Budget Officer Mitchell Alger explained the different classifications that are now available under the Fund Balance. He explained some of the benefits of using an Assigned fund balance. He discussed the possibility of assigning some of the Fund Balance to use for the purpose of closing the Landfill. It helps to justify why the County has a large amount in the fund balance. The Committee discussed what process needed to be followed to make the assignment. The Budget Officer stated whatever process is used to assign it would be used to un-assign it. It was decided to place \$1 million into an assigned Fund Balance account to be determined by the County Treasurer for the closure of the Landfill on a motion by Legislator Hopkins, seconded by Legislator Sinclair, and carried.

### **Town of Birdsall**

Legislator Hopkins told the Committee that Town of Birdsall Supervisor Cindy Gowiski had requested an opportunity to address the Committee. Prior to her presentation, Legislator Hopkins noted that at the Committee of the Whole meeting the previous day, the issue of bridges had arisen, and although not unanimous, the group consensus was that this is a big issue involving policy changes. Additionally, he said, NYS highway laws and other municipalities need to be taken into consideration, and the Board also needs to uphold its own bridge policy. He added that the composition of the Board will change in just over two months, and because this is not an issue that can easily be resolved in that amount of time, review and possible revision of said policy cannot be rushed through and may need to wait until the new Board is in place. Legislator Hopkins also noted that the current policy has been effective since its inception and also that it is similar to other counties' programs as well. He said that Ms. Gowiski was present and wished to provide additional information for the record.

Ms. Gowiski noted that she felt there was room to have further discussion with the Board. She then provided photographic documentation of the work that had been done on the Birdsall Bridge, with annotation in order to give an idea of the scope of work performed in 18 days, as well as before photos. These were passed around.

Ms. Gowiski attended the Committee meeting to make a case for reimbursement for a portion of the cost of the rehabilitation of the bridge for which the Town had recently used a private contractor. Much of what follows is reproduced (*verbatim*) from a written statement provided by Ms. Gowiski. These are italicized. Those comments from the meeting are not italicized and appear in brackets [] until the conclusion of the prepared statement.

*"Thank you for allowing me to address this meeting of the Ways & Means Committee, the purpose of which is to seek reimbursement on behalf of the Town of Birdsall for bridge replacement work done last month.*

*"At the Sept. 4<sup>th</sup> Public Works Committee meeting, I presented the DPW and the Clerk of the Board with a certified copy of the Town of Birdsall Resolution #05-2013, depicting the history of requests for replacement under the County/Town cost share program, the bridge's importance to the Town, and consideration for reimbursement...some of you were at that meeting, others were not, so I will try to be quick in bringing all of you up to speed.*

*"Beginning in 1995, with the inception of the County/Town bridge cost share program, Birdsall has periodically submitted this bridge to the program for replacement. After numerous flags since 1995, and weight reductions since 2009, it appeared the bridge was finally due to be replaced under the program in 2012. A July 2011 letter to NYSDOT from the DPW indicated this*

likelihood as well...in effect alleviating the red flag status at that time. Only 2 months later, in Sept. of 2011 we were notified by DPW that it was not selected for the 2012 year...(Telling the State one thing to get them off their backs, then turning around and doing nothing about fixing it)

"It became apparent (after 17 years of on & off requests) that it was time for the Town to seek alternative solutions to the problem of fixing this bridge. We sought advice from State & Federal officials for funding alternatives, programs, or grants with little to no response. (Some even reminded me that the County had a cost/share program) In fact, just a short time ago (and after addressing the DPW committee on Sept. 4<sup>th</sup>) I received a copy of a letter Senator Young sent to the DOT Commissioner in Albany regarding funding for this bridge. (nearly a year after my initial contact with her office-I guess better late than never) However, we had little choice but to proceed, using our own funds, due to the necessity of this bridge to our Town operations.

"A Request for Proposal was sent out seeking engineering services, we chose to proceed with the lowest cost proposal of \$22,500 from Clark Patterson Lee Design Professionals. Working together, we came up with a scope of work and design plan that would bring the bridge back into full compliance with DOT, replacing the superstructure in its entirety, and addressing substructure deficiencies in a manner most cost effective for the Town, and put it out to bid. A pre-bid site showing had four large construction companies in attendance, and three of the four submitted bids (very close in range) as follows:

Blades @ a base bid + alternate total of \$160,441

Ramsey @ a base bid + alternative total of \$157,460

Whitford @ a base bid + alternate total of \$152,717

(All bids well below the cost of the three bridge funding requests approved for 2013 by DPW and Ways & Means.)

"Birdsall is seeking reimbursement at a rate equivalent to that of the County/Town cost share program, since it was not due to lack of participation on the Town's part-citing the numerous requests under the program made since 1995. The Board should also consider the fact that his bridge was slated for repair under the program for 2012, meeting the criteria for replacement under the cost share program, and later 'de'-selected (due to budgetary constraints).

"It should be noted that the issue of taking a bridge out (of the budget) came before the Budget Committee again this year in the case of the Ward Bridge at its Sept. 18<sup>th</sup>, 2013 meeting. The County cost for the Ward Bridge is \$188,000 (51000+ higher than the reimbursement request we are seeking). Legislator Fanton suggested it be reconsidered since the Fund Balance is healthy at this time, and he added, 'it is the right thing to do...Realistically, the town- and village-owned bridges need to be focused on; we may have been wrong in taking Birdsall off the list.'

["It leads me to believe that Birdsall was on the list for 2012 and due to budgeting we were taken out of the realm, and now it looks to me like Ward is being put in ahead of consideration for reimbursement to Birdsall," she said.]

"Apparently, since we are 'outside' the conditions set forth by the county resolution for the cost share program, there is concern that funding our bridge might set a 'precedent that will make administration of this program more difficult in years to come.' (I am referring to a memo from County Atty. Miner to Public Works Committee Chairman Fanton.)"

["That memo addresses the subject of our bridge and the county/town cost sharing plan and in it he says that ultimately the County Board will need to determine whether authorizing cost sharing on this bridge establishes a precedent which will make administration of this program more difficult in years to come."]

"I can only respond by saying that this board has already set precedent in not adhering to the conditions set forth in the resolution, by approving funding for the Town of Friendship

*project earlier this year. Funding for this was a cost to the County of \$266,100 (less 15% town share) for a new 19'6" bridge, when the resolution clearly states that 'No Town bridge shall be constructed or improved by the County unless such bridge is in excess of 25 feet in length.'*"

[*"So, if you're going to bend the rules of the resolution for Friendship to put in a new bridge at \$266,000 for a 19-foot span, I don't see why you can't revisit with this body/board before a new Board comes in the same bending of the rules in this case."*]

*"I also find it disheartening that Mr. Miner [in your memo] saw fit to highlight areas of highway law 238 that indicate initiation of work rests solely with the County Superintendent, and did not highlight the part where the Board shall direct the County Superintendent [of highways] to construct or may award contract for the construction or improvement of such bridge..."*

[There are "options as far as how to go about funding bridges; it's not all one way. There is wiggle room in the highway law as well," she said.]

*"I'm having great difficulty understanding why it is such a struggle to convince this board that a County share of \$136,822 for a 31' bridge completed in 18 days is not a job well done vs. \$266,100 for a 19'6" bridge entering its 8<sup>th</sup> week of construction? We should be receiving accolades for our accomplishment and holding this meeting at our bridge site with the hopes of enabling other Towns to do the same."*

[*"I am so impressed with the way the construction crew worked and the way the Town guys helped out where and when needed and very little overtime put in on this job...(that) I can't believe I'm having to battle this hard for reimbursement, including an analysis of labor costs..."*]

*"Instead it seems you're doing everything in your power to find a way out of reimbursement, including an analysis of labor costs. I'm referring to the 'comparison' sheet that was provided regarding county bridge labor rates vs. prevailing wage labor rates. That sheet [which I've elaborated on] gives the illusion that prevailing wage rates are nearly three times the cost of the county bridge crew. If you were to believe these numbers, then "Holy Mackerel"! I guess every time Blades paves a county road we are to assume it costs us three times more than if our county crew did it? (Please refer to handout)"*

[*"I have incorporated a summary page of the certified payrolls that Whitford provided on the backside that shows the labor spent on this bridge and the rates their workers were paid and addressed some of the numbers provided on a worksheet that I feel are woefully incorrect. My best estimate is prevailing wages do cost between 20-40 percent of the County crew; however productivity on this job (vs. county crew—not dissing the County, but I know there are differences) impress that the whole schematic of how work gets done is in favor of private contractors because they need to knock out these jobs; proven to be almost 70 percent faster than the County did it and at a wage rate of 20-40 percent more is more than made up for in productivity."*]

*"At the Sept. 4<sup>th</sup> Public Works meeting, I was told that the bridge funding came from sales tax revenue. I am also aware that yesterday at the Committee of the Whole budget review meeting; the Ward Bridge was put back into the budget at \$188,000 using fund balance money. There seems to be no issue of where to find funds if it's for anyone other than Birdsall? (but getting back to sales tax)..."*

[*"I feel it's more an issue you don't want to find the funds because it's me; I hate to think that's what it is, but I think that's what it is."*]

*"One week after the Public Works meeting (now more than a month ago), I wrote to Chairman Crandall asking for a list of expenses paid for by the County on the Town's behalf with sales tax revenue. I expressed that I was aware of the community college tuition and the bridge cost sharing, but wondered what else was included to further my knowledge on the matter. (To date he has not replied.)"*

[*"But he did tell me before the meeting that he is working on it."*]

*"I was supplied, by Teri Ross with the 2011 & 2012 figures for community college tuition paid on Birdsall's behalf-the average of about \$1500/yr. Since 1990, I have documentation of approx. \$50,000 in cost share/bridge repair and maintenance."*

*["For the bridge share work that the county has helped us with since 1990."]*

*"This \$50,000 over 23 years averages out to \$2174/yr. so far without knowledge of any other expenses paid for in this manner, Birdsall is seeing a value of approx. \$3674 per year in lieu of sales tax sharing. I've done a little research on sales tax sharing and currently only 9 of the 62 co./bor. in NYS do not share the revenue with Towns and Villages in some manner- Allegany Co. being one of them. Our neighbors to the East & West both share the first 3% on a 50/50 basis with Towns & Villages based on assessed value. Birdsall is one of the smallest towns, if not the smallest." [in this County]*

*"Our assessed value is only 1.55% of the total Co. value, but if the County shared just 1% (approx. 4 million) on a 50/50 basis like Catt. & Steub. we would see 1.55% of 2 million dollars or \$31,000/year."*

*["And right now, to date, all I see of our sales tax money is \$3,600 per year vs. 31,000 on a 1 % sharing. If you took the one million set aside for bridge program through the DPW Committee and they choose which get the fix and which don't which I think is very political, took it flat and spread it over 29 towns every year, each town would have \$34,000 to put into a bridge fund and in six years' time, all 29 towns could build a bridge like we did."]*

*"In addition, Steuben County also pays the community college tuition and participates with cost sharing on town bridges...Maybe it's time to end the rhetoric of how 'lucky our little towns are to have the County pay for these things instead of sharing the sales tax'?"*

#### **END OF PREPARED STATEMENT**

Subsequently, Ms. Gowiski presented a compilation of Davis Bacon Wage rates. "There are hundreds of descriptions based on equipment and union locales which I used to help comprise the ditto I provided on the difference in prevailing wage rates," she said.

"In view of the fact that you have already appropriated funding outside of the resolution requirements for the Town of Friendship at almost double of the cost of what we're seeking, I find it hard to believe there's nothing you can do to approve funding and get this bill paid so that we don't have to absorb the cost on our own."

Legislator Hopkins noted that sales tax revenue goes into the General Fund; there's no direct relation between sales tax and bridges; it's just another revenue stream used to do what needs to be done...whether it's roads, Office for the Aging, DSS, whatever.

it was noted that at the prior Public Works Committee meeting, it was stated that the Bridge Cost Sharing Program is funded through sales tax revenue.

Ms. Gowiski responded: "Last month DPW said it did an estimate on this bridge at \$400,000 and it was pulled back because it didn't fit into the budget (like Ward, earlier this year). We had no choice; we needed to fix this bridge; it is the main drag between Birdsall and Hornell and the main route to the gravel pit. That bridge can't be shut down and expect the Town to do anything else in the entire town. We didn't have a choice."

Legislator Hopkins said he was not arguing the necessity of that. But he went on to say that this is a big issue for the County. If it starts using this switch in policy, the County opens itself up to a lot of political .....

Ms. Gowiski interrupted, saying, "I didn't set that precedent; you did because Friendship doesn't meet the criteria of the scope of work in the policy. That bridge is less than 25 feet; \$266,000 has been approved for it; and it's been under construction for eight weeks to date. Why am I having to defend myself? I should get a pat on the back for doing a good job."

*Legislator Sinclair then spoke: "I feel, from the evidence submitted, that this is a special situation that warrants special treatment even if it is outside the normal cost sharing. I have*

seen this Board do special compensations and take special measures, and because of the situation, the need, and the action, we should honor this request from the Town of Birdsall. And I'm going to put this to a motion so we can seek a second and have a proper on-the-record discussion of this in context of this [what has been presented]...not in context of taxation issues or others. It's to their credit they got this job done at obvious savings to what we may have had to spend eventually. I don't believe we should 'kick the can' down the road to the new legislators. This is our responsibility. There may come a change in policy, but will there be retroactive honoring of what has come before? Maybe not. This is our responsibility to address this now, and I make a motion that we honor the request for payment of our share of this bridge whether it's our share under the program or not; we need to do this for town of Birdsall."

No second for the motion was forthcoming.

Legislator Hopkins then wanted to move on; however, Legislator Sinclair requested additional time for Committee members to consider his motion, which Legislator Hopkins granted. However, there was no second.

Legislator Hopkins said, "For lack of a second, the motion dies. I go back to State law which does not allow us to do this; we took an oath to uphold the State laws and the County law. Although this is not a County law, just a resolution, we need to honor our policy."

Legislator Sinclair countered, "We need to honor the request of a small township that is struggling and has done the right thing in a good fashion. From what I've heard and read, there may be flexibility, and for us to just say we can't do this because of Town law, we can do something else to assist with the cost of this bridge. We need to do this is my position."

Legislator Hopkins reiterated that, "it's not just that, but it's also setting precedent."

Legislator O'Grady offered his perspective: "Regardless of what we do with this bill, Cindy makes a good case; we need to look at our bridge policies and we owe it to the public to do bridge replacement or any of the services we provide as efficiently as we can, whether in some cases maybe our crew can do it cheaper than private or vice versa, but it warrants re-examining. I'm not sure if the one percent [referenced above] will work for all towns per tax sharing; it would depend on how many bridges you had in your town that would need to be replaced. This warrants review, possibly to come to a different conclusion on bridge replacement."

Chairman Crandall also stated his views: "This was discussed yesterday in the Committee of the Whole and it's exactly where we ended up; this is a major change going back to 1995 (or when it was put in place) and it needs discussion, not only around this table, but also needs to take place with other municipalities and towns. If we change policy, there may be some variables that will allow a town to do something like this before letting the other taxpayers of the County pick up 85 percent of that bill. As far as sales tax sharing, I wanted to acknowledge I did receive that letter. Again it goes way beyond bridges and community colleges; there's a fair listing of items compiled by ...former County Administrator John Margeson that did go out to each of the towns at that time and I wanted to be sure that it was complete. It's something this Board should know and understand, including the new ones coming on the Board. The Board as well as the Towns need to be involved in any changes."

Legislator O'Grady reiterated, "It is a policy thing; I understand you had to have it done."

Ms. Gowiski said, "We've proven that the \$136,000 county share [which Birdsall is requesting] is tens of thousands of dollars below what is being spent on other similar projects in recent memory, so why is this a struggle?"

Legislator O'Grady responded, "The problem is we can't all of a sudden be here next year and have, say, the Town of Hume here saying it had to repair a bridge..."

Ms. Gowiski countered: "This doesn't happen overnight; RFPs need to be issued, there have to be invitations to bid, the pre-bid showing, etc. This project took us from February to

September to achieve. You won't have 29 towns coming knocking on your door saying 'we need to fix a bridge.' You need to either pay it as you bent the rules for Friendship at \$266,000 or you need to retract the money for Friendship and start over. I won't be treated differently than Friendship because you consider me to be setting precedent."

Legislator Cady then offered his "take" on the situation: "I see how this developed; Birdsall looked at the proposal to be in budget as a pledge more or less. Whereas the County looked at it as a proposal that could be withdrawn, and when it was withdrawn, the County took it for granted that Birdsall was agreeable to that. We didn't hear how Birdsall felt about it—we just thought we'll do it another year. Probably the best thing you could have done was appeal that withdrawal at that time but it's too late for that now."

Ms. Gowiski responded: "Had I appealed it earlier, the results may or may not have been different. Things are not black and white. For example, if a natural disaster occurs, and there is a need [to repair something], there are ways, within laws, to help fund this. Especially since you've already set the precedent. Assuming since the Ward Bridge is only funded at \$188,000, there's a possibility it is very small as well, so if that's not looked into.... I'm not going to take no for an answer."

Legislator Hopkins explained the budgeting process, saying things are put in during the budget process, but are not actually in the budget until it is approved. "If there are bridges put in there, we need to find out if the towns will or can do their 15 percent. Then we have to see how it fits in with the total highway budget. Even if a project is part of the process, it is not necessarily in the budget."

Again, Ms. Gowiski countered, "Yesterday, you put in the Ward Bridge. Why isn't it as simple to put Birdsall in?"

Legislator Hopkins reiterated: "Because of procedure."

Legislator O'Grady noted "This won't be resolved today."

Town of Birdsall Deputy Superintendent Kim Shaklee spoke up saying, he was proud to be part of Birdsall town government, but chided the Board for pulling the funding for the bridge in 2012.

Ms. Gowiski said she will be in attendance at the Budget public hearing.

### **Budget/Fund Balance**

Terri Ross distributed two scenarios regarding the proposed budget, based on conversations which occurred during the prior day's Committee of the Whole budget review meeting. Because there had been an error in the Community Services Budget numbers, and because the Ward Bridge had been added to the Budget, adjustments needed to be made. With no adjustment to the Fund Balance, there would only be an 11-cent decrease in tax rate per thousand of assessed value rather than the 16-cent decrease in the tentative budget. In order to return to the 16-cent level, it is necessary to include an additional \$80,965 to the appropriated Fund Balance. Legislator Sinclair reminded the Committee that he had objected to the three percent raises, the ability for employees to sell sick leave days, and even, he said, at the expense of backing away from a bridge in his own township, he believes that the Birdsall Bridge should be included in the 2014 Budget. Legislator O'Grady was of the opinion more cuts could be made. Chairman Crandall lauded the budget process and felt that everyone had had ample time to review the numbers by this time. Approval to make that budget adjustment, keeping the 16-cent tax decrease (rate per thousand of assessed value) was granted on a motion by Legislator Hopkins, seconded by Legislator Pullen, and carried. (Opposed: Legislator Sinclair)

### **Include on Budget Adjustment Resolution**

### **Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 2:30 p.m. following a motion by Legislator LaForge, seconded by Legislator Pullen, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators



**WAYS & MEANS COMMITTEE  
OCTOBER 28, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Fanton, D. Healy, K. LaForge, T. O'Grady, D. Pullen, F. Sinclair, C. Crandall

**Others Present:** M. Alger, L. Ballengee, H. Budinger, J. Budinger, P. Curran, S. Decker, L. Edwards, K. Graves, L. Gridley, R. Hollis, C. Jessup, T. Miner, T. Ross, C. Santora, D. Scholes, N. Ungermann (Guest: J. Hopkins)

**Media Present:** No media present

**Call to Order:** The meeting was called to order at approximately 1:04 p.m. by Ways & Means Committee Chairman Theodore Hopkins.

**Approval of Minutes**

A motion was made by Legislator Hopkins, seconded by Legislator Sinclair, and carried to approve the Ways & Means Committee minutes of October 15, and October 16, 2013.

**Mortgage Tax Apportionment**

Journal Clerk of the Board Sarah Decker reported that the mortgage tax figures for the period April 1, 2013, through September 30, 2013, have been received and the apportionment to the towns and villages has been calculated. Mrs. Decker requested a resolution approving the apportionment of mortgage tax to the tax districts and authorizing the warrant. The request was approved on a motion by Legislator Fanton, seconded by Legislator Pullen, and carried.

**Prepare Resolution**

**Payment of Mortgage Tax Fees to Towns and Villages**

*(Collection of fees was authorized by Resolution No. 214-2004 pursuant to Section 262 of the Tax Law)*

Mrs. Decker also requested a resolution authorizing the payment to the towns and villages of the Mortgage Tax fees retained by the County Clerk's Office to cover the necessary expenses incurred for the period April 1, 2013, through September 30, 2013, in the administration of the Mortgage Tax Program. The amount of \$25,571.22 should be appropriated from A1410.432 (County Clerk – Contractual) and distributed to the towns and villages as summarized on the attached Memorandum of Explanation. The request was approved on a motion by Legislator Pullen, seconded by Legislator O'Grady, and carried. **Prepare Resolution**

**Establishment of Reserve Account for the DoH/Cancer Services**

Public Health Department Director Lori Ballengee requested a resolution establishing a reserve account for the Department of Health/Cancer Services for gifts and donations that are given for that specific purpose. The donations would be used throughout the year as designated and any balance would be reserved for future needs. Budget appropriations from the reserve could be completed as needed. New accounts to be built and used strictly for gifts and donations for Cancer Services:

GL A889.4074	Cancer Services Reserve
RE A4074.2705.R	G&Ds Cancer Services Reserve
EX A4074.463	Cancer Services Expense from G&Ds

The balance from 2011 and 2012 should be appropriated from Fund Balance to the reserve account A889.4074. The totals are

2011	\$ 5,298.96
2012	<u>\$ 12,017.13</u>
Total Prior Years	\$ 17,316.09

2013 will be moved to reserve with the year-end journal entries after the year is completed. Any revenues received will be posted to the reserve revenue A4074.2705.R and any expenses from donated funds will be posted to A4074.463. Any balance will be moved at each year and reserved for future use. The request was approved on a motion by Legislator LaForge, seconded by Legislator O'Grady, and carried. **Prepare Resolution**

#### **Approval of Audit**

Committee members reviewed the October 28, 2013, audit of claims in the amount of \$1,812,679.83 (including prepaid bills). A motion was made by Legislator Pullen, seconded by Legislator Fanton, and carried to forward the audit to the full Board for approval of payment.

#### **Request to Fill Position in County Treasurer's Office**

County Treasurer Terri Ross requested permission to fill the Payroll Clerk position (AFSCME Grade 10) which became vacant as a result of a resignation. This is the centralized payroll processing position for the County. It is responsible for the calculation and preparation for approximately 500 full-time/part-time employees including all payroll taxes, deductions, leave reports, direct deposits, maintenance, retirement reporting, W2s, etc. This position is also responsible and active in reconciling various bank statements and performing other duties as necessary. Without this position, paying employees and all other duties would be compromised. Approval to fill the Payroll Clerk position was approved on a motion by Legislator Fanton, seconded by Legislator Pullen, and carried. **Notify Human Resources**

#### **Approval of Legislators' Expense Vouchers**

The Committee reviewed the Legislative expense vouchers for the month of September 2013, as well as a few from previous months. A motion was made by Legislator O'Grady, seconded by Legislator Pullen, and carried to approve the vouchers for payment.

#### **Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:15 p.m. following a motion by Legislator LaForge, seconded by Legislator Fanton, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE  
NOVEMBER 12, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** D. Fanton, D. Healy, K. LaForge, T. O'Grady, D. Pullen, F. Sinclair (Absent: T. Hopkins, C. Crandall)

**Others Present:** M. Alger, L. Ballengee, H. Budinger, J. Budinger, P. Curran, D. Decker, T. Donnarumma, L. Edwards, K. Graves, L. Gridley, L. Kaminski, J. Luckey, T. Miner, B. Riehle, T. Ross, C. Santora, N. Ungermann

**Media Present:** No media present

**Call to Order:** The meeting was called to order at 1:00 p.m. by Ways & Means Committee Vice Chairman Dwight Fanton.

**Approval of Minutes**

A motion was made by Legislator Sinclair, seconded by Legislator Pullen, and carried to approve the Ways & Means Committee minutes of October 28, 2013.

**Acceptance of Insurance Recovery**

Clerk of the Board Brenda Rigby Riehle requested a resolution accepting a check in the amount of \$4,277.25 from NYMIR (New York Municipal Insurance Reciprocal) representing the settlement less a \$500 deductible on a 2008 Chevy Impala (#2392) operated by Community Services that was damaged as the result of a motor vehicle accident on October 24, 2013. The funds should be appropriated to CS1930.429 (Risk Retention-Uninsured Property Loss) with a like sum placed in revenue account CS1930.2680.00 (Insurance Recovery). The fiscal impact of this transaction is the \$500 deductible. (The other driver was found to be at fault so NYMIR will subrogate this claim, and the County should recover its deductible.) The request was approved on a motion by Legislator Healy, seconded by Legislator O'Grady, and carried. **Prepare**

**Resolution**

**Approval of Audit**

Committee members reviewed the November 12, 2013, audit of claims in the amount of \$2,404,731.79 (including prepaid bills). A motion was made by Legislator Pullen, seconded by Legislator Healy, and carried to forward the audit to the full Board for approval of payment.

**Referrals from Other Committees**

**Human Services/Department of Social Services**

**Budget Transfer**

Commissioner of Social Services Vicki Grant requested the following funds be transferred as follows:

**From Account No.**

A6109.474 (Social Services-Aid to Dependent Children)	\$ 16,000
A6109.474 (Social Services-Aid to Dependent Children)	\$ 18,000
A6010.476 (Social Services-Contractual Expenses)	\$ 12,000
A6010.101 (Social Services-Personnel Services)	\$ 30,000
A6010.101 (Social Services-Personnel Services)	\$ 14,000

To Account No.

A6101.475 (Social Services-Contractual Expenses)	\$16,000
A6101.478 (Social Services-Contractual Expenses)	\$ 18,000
A6010.481 (Social Services-Contractual Expenses)	\$ 12,000
A6010.103 (Social Services-Personnel Expenses)	\$ 30,000
A6010.107 Social Services-Personnel Expenses)	<u>\$ 14,000</u>
	\$ 90,000

The request to transfer funds was approved on a motion by Legislator LaForge, seconded by Legislator Pullen, and carried. **Prepare Resolution**

**Public Safety/Youth Bureau/STOP-DWI****Acceptance of Bicycle Grant**

Mrs. Edwards requested a resolution to accept and appropriate \$2,800 from a STEPS in Safety Grant (Safety on Wheels) from the Governor's Traffic Safety Program for the year October 1, 2013, through September 30, 2014.

*Unexpected Revenues*

A3114.3389.00	\$ 2,800
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*Appropriate to Accounts*

A3114.402 (Mileage)	\$ 200
A3114.408 (General Supplies-Helmets)	\$ 1,400
A3114.421 (Educational Materials)	\$ 800
A3114.452 (Public Info-Promotional Items)	\$ 400

The request was approved on a motion by Legislator Healy, seconded by Legislator O'Grady, and carried. **Prepare Resolution**

**Public Safety/Sheriff's Office****Permission to Fill Corrections Sergeant Position**

Sheriff Whitney requested permission to fill a Corrections Sergeant position (Local 3989 Council 82) which became vacant due to a demotion. The existing position is already budgeted. The request to fill the Corrections Sergeant position was approved on a motion by Legislator Healy, seconded by Legislator O'Grady, and carried. **Notify Human Resources**

**Access Allegany**

Mobility Management Planner Larry Kaminski requested permission to award a contract for the management, operation, and maintenance of the County's public transportation system for the period of January 1, 2014, through December 31, 2016, to First Transit, Inc., following evaluation by a committee consisting of County Administrator Mitch Alger, County Attorney Thomas Miner, Commissioner of Social Services Vicki Grant, Legislator Dwight Fanton, Allegany/Western Steuben Rural Health Network Executive Director Carrie Whitwood, Associate Director at Allegany/Western Steuben Rural Health Network Helen Evans, and Mr. Kaminski. The committee found First Transit, Inc., to be the most cost effective and responsible proposer. The request was granted on a motion by Legislator Fanton, seconded by Legislator Healy, and carried. **Prepare Resolution**

**Old Business**

Clerk of the Board Riehle reminded the Committee that she had previously reported on having

received only one bid for the printing of the Journal of Proceedings. It was her recommendation that the County accept that bid by Two Brothers of Moravia, NY, for a run of 55 books at a cost of \$3.90 per face page. The request was approved on a motion by Legislator LaForge, seconded by Legislator O'Grady, and carried. **County Attorney to Prepare Agreement**

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:09 p.m. following a motion by Legislator O'Grady, seconded by Legislator Pullen, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE  
NOVEMBER 20, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Fanton, D. Healy, K. LaForge, D. Pullen, F. Sinclair, C. Crandall (Absent: T. O'Grady)

**Others Present:** M. Alger, L. Ballengee, H. Budinger, J. Budinger, P. Curran, D. Decker, K. Graves, J. Hopkins, C. Jessup, T. Miner, B. Riehle, T. Ross, C. Santora, R. Swarhout, R. Whitney

**Media Present:** No media present

**Call to Order:** The meeting was called to order at approximately 1:00 p.m. by Ways & Means Committee Chairman Theodore Hopkins.

**Approval of Minutes**

A motion was made by Legislator Sinclair, seconded by Legislator Fanton, and carried to approve the Ways & Means Committee minutes of November 12, 2013.

**Tax Map Fees List Revision**

Director of Real Property Tax Services Joe Budinger informed the Committee that by slightly raising the fees of the labels and color maps, he was bringing the charges into line with what they cost to create/reproduce. He said the fees had been established by local law in the early 1980s. That being said, a date would need to be established to hold a public hearing in order to change the fees. A motion to introduce the local law at the next meeting of the full Board, allowing the County Attorney to set the date of the public hearing as part of the resolution was made by Legislator Fanton, seconded by Legislator Healy, and carried. **Prepare Resolution**

**Establish and Fund Capital Project for Radio Project.**

County Administrator Mitch Alger presented a request for a resolution that would establish and fund a capital project for the Municipal Public Safety Radio Program. This program is a locally funded program developed through the Radio Communication Task Force. The account numbers are as follows:

**Capital Fund** (for purchase of equipment)

H3021 Municipal Public Safety Radio Program

**Appropriations:** (\$197,500 total)

H3021.200 (Equipment Purchase) \$197,500

**Revenues** (\$197,500 total)

H3021.5031.00 (Municipal Public Safety Radio Program-County Share) \$ 98,750

H3021.2321.00 (Radio Program-Other Governments) \$ 98,750

Approval to establish the Capital Project H3021 (Municipal Public Safety Radio Program) for Radio Project and make the transfer of \$98,750 into that fund from the Contingency Fund was given on a motion by Legislator Fanton, seconded by Legislator Healy, and carried. **Prepare Resolution**

**Chairman Crandall to Serve as Signatory on Municipal Public Safety Radio Contracts**

Chairman Crandall requested authority to sign the agreements with the local municipalities in order to move this program forward. He said that he had composed a cover letter to go to each municipality, and a radio question-and-answer sheet had also been composed and sent to the Sheriff's Office as well as to the Emergency Management and Fire agencies. It was noted that we would not know the exact impact of these contracts until we receive the specifics back from each municipality. It was also projected that in the future (after this initial round of radio requests), the process would resemble the one by which County entities request new vehicles—ideally, once per year and approved by the County Budget Officer. It was determined to authorize the Chairman to be the signatory on the contracts for the Municipal Public Safety Radio Program upon the review and approval of the County Attorney and within the appropriated funds on a motion by Legislator Sinclair, seconded by Legislator Healy, and carried. **Prepare Resolution**

**Transfer of Funds for Purchase of Projector in Board Room**

Clerk of the Board Brenda Riehle requested a resolution transferring \$500 from A1010.405 (Legislative Board-Conference) to A1010.201 (Legislative Board-Equipment) to finance the cost of a projector for the Board room. Approval was granted on a motion by Legislator Fanton, seconded by Legislator Pullen, and carried. **Prepare Resolution**

**Approval of Legislators' Expense Vouchers**

The Committee reviewed the Legislative expense vouchers for the month of October 2013. A motion was made by Legislator Sinclair, seconded by Legislator Fanton, and carried to approve the vouchers for payment.

**Good of the Order**

Legislator Pullen distributed an article, "Wyoming County Releases Proposed 2014 Budget," highlighting several items it contained, including: "Total tax levy would increase by 4.13 percent to \$737,102," and "General fund spending is the biggest portion of the proposed budget, at 47.46 percent, or \$57.97 million. Wyoming County Community Hospital ranks second, at 41.42 percent of spending, or \$50.6 million...." He said he had heard Wyoming County was facing challenging times, and the article seems to prove that is the case. He also said he felt the article put things in perspective for Allegany County, the challenges it has faced and the things it has been able to accomplish in recent years. "I think we've done a satisfactory and commendable job in terms of the budget process," he said. Chairman Crandall reiterated his belief that Allegany County's method of making the budget a nearly year-round process instead of an 11<sup>th</sup>-hour panic, has been helpful for us.

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:25 p.m. following a motion by Legislator LaForge, seconded by Legislator Pullen, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE  
NOVEMBER 25, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Fanton, D. Healy, K. LaForge, T. O'Grady, D. Pullen, F. Sinclair (Absent: C. Crandall)

**Others Present:** M. Alger, H. Budinger, J. Budinger, P. Curran, D. Decker, K. Graves, L. Gridley, C. Jessup, T. Miner, B. Riehle, T. Ross, C. Santora, D. Scholes

**Media Present:** No media present

**Call to Order:** The meeting was called to order at 1:00 p.m. by Ways & Means Committee Chairman Theodore Hopkins.

**Approval of Audit**

Committee members reviewed the November 25, 2013, audit of claims in the amount of \$3,562,617.68 (including prepaid bills). A motion was made by Legislator O'Grady, seconded by Legislator Fanton, and carried to forward the audit to the full Board for approval of payment.

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:03 p.m. following a motion by Legislator LaForge, seconded by Legislator Pullen, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators



**WAYS & MEANS COMMITTEE  
DECEMBER 9, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Fanton, D. Healy, K. LaForge, T. O'Grady, D. Pullen, F. Sinclair, C. Crandall

**Others Present:** M. Alger, L. Ballengee, H. Budinger, J. Budinger, P. Curran, D. Decker, K. Graves, L. Gridley, R. Hollis, G. James, C. Jessup, C. Knapp, B. Riehle, T. Ross, C. Santora, D. Scholes

**Media Present:** No media present

**Call to Order:** The meeting was called to order at approximately 1:03 p.m. by Ways & Means Committee Chairman Theodore Hopkins.

**Amendment & Approval of Minutes**

-November 20, 2013

County Administrator Mitch Alger requested the following change in the minutes of November 20, 2013:

Under "Establish and Fund Capital Project for Radio Project," replace the crossed out words as indicated below. The "final" version should read as the statement in bold.

**Approval to establish the Capital Project H3021 (~~Municipal Public Safety Radio Program~~) for the Radio Project, establish the Radio Maintenance account, and make the appropriations/budgetary adjustments as presented in the MoE ~~make the transfer of \$98,750 into that fund from the Contingency Fund~~ was given on a motion by Legislator Fanton, seconded by Legislator Healy, and carried. Prepare Resolution**

A motion was made by Legislator Fanton, seconded by Legislator Healy, and carried to amend and approve the Ways & Means Committee minutes of November 20, 2013.

**Approval of Minutes**

A motion was made by Legislator O'Grady, seconded by Legislator Healy, and carried to approve the Ways & Means Committee minutes of November 25, 2013.

**Resolution Requesting the State of New York to Establish a Residency Requirement in Order to Receive Welfare Benefits**

The Committee reviewed sample resolutions from Wyoming and Chautauqua counties requesting that the State of New York establish residency requirements in order to receive welfare benefits. A similar, proposed resolution for Allegany County was presented and supported by the Committee. During discussion, however, Legislator Fanton said it was his recollection that in conversation with Senator Cathy Young he was told it was illegal to establish such restrictions. Legislator Pullen noted that not all states waive residency requirements, so it is probably a state, and not a federal, law that governs the residency issue. Legislator Graves added his opinion that mandatory drug testing be added to the requirements for welfare assistance. Legislator Hopkins allowed that that is a good idea, but that each issue be handled by resolution individually. The Committee decided to lend its support to the resolution as a possible first step toward a change in legislation and directed the resolution to be forwarded to NYSAC and InterCounty in addition to Governor Cuomo, Senator Catharine M. Young,

Assemblyman Joseph M. Giglio, Senate Majority Leader Dean Skelos, Assembly Speaker Sheldon Silver, Assembly Minority Leader Brian Kolb, and all other deemed necessary and proper as stated on the resolution, on a motion by Legislator LaForge, seconded by Legislator Healy, and carried. The resolution would be taken from the floor at the full Board meeting immediately following the Ways & Means meeting.

### **Approval of Audit**

Committee members reviewed the December 9, 2013, audit of claims in the amount of \$2,195,551.61 (including prepaid bills). A motion was made by Legislator O'Grady, seconded by Legislator Sinclair, and carried to forward the audit to the full Board for approval of payment.

## **REFERRALS FROM OTHER COMMITTEES**

### **HUMAN SERVICES**

#### **Office for the Aging**

##### **Request to Create/Fill Aging Services Technician Position**

OFA Director Madeleine Gasdik indicated that about a year-and-a-half ago, OFA had refrained from filling a vacancy that occurred when a staff member resigned. The Office has since found it difficult to keep up with certain of its duties, and would now like to create and fill that Aging Services Technician (Non-union Grade 13, Step 7) position. Although the job title exists on the County payroll, there is no current vacancy. Ms. Gasdik requested that a vacancy be created and the position filled. Her request to fill the position was approved by the Human Services Committee contingent upon creation of the vacancy by the Board. Chairman Crandall noted that this is an example of state requirements that require more manpower on a County level. Legislator-elect David Decker noted that in his opinion, requiring a 60-page survey document of those availing themselves of Meals-on-Wheels seemed senseless and created a lot of unnecessary extra work. Approval to fill the position contingent upon creation of the position by the Board was granted on a motion by Legislator LaForge, seconded by Legislator Pullen, and carried. **Notify Human Resources**

### **PUBLIC SAFETY**

#### **Emergency Management and Fire**

##### **Acceptance of Homeland Security Grant**

Emergency Management and Fire Services Director Jeff Luckey requested a resolution for the acceptance and appropriation of the Homeland Security contract #T9696130 for the FFY2013 Homeland Security Grant in the amount of \$45,000 (for the Initial Contract Period –of 9/01/2013 - 8/31/2015). A budget adjustment will be made in 2014.

##### **Appropriations (\$45,000)**

A3645.218 EMERGENCY SERVICES (P25 Interoperable Communication Equipment Mobile & Portable Radios for Fire/OES Deputy Coordinators.)  
\$20,000

A3645.218 EMERGENCY SERVICES (Incident Support Cargo Trailer with Generator)  
\$21,500

A3645.448 EMERGENCY SERVICES (PDA Sustainment of Connectivity Plan for  
Emergency Managers) \$3,500

Revenues (\$45,000)

A.3645 3306.EMG8 HOMELAND SECURITY ST AID (Emerg Serv) \$45,000

Because Committee members had some questions regarding the information provided, and because there was no one in attendance who could answer those questions, this request was tabled on a motion by Legislator O'Grady, seconded by Legislator Pullen, and carried. In addition, the County Attorney had recommended that this request be referred back to the Public Safety and Ways & Means Committees since a new Board will be in place, and the funds will be placed in the 2014 Budget. Legislator Sinclair cautioned that it should be definitively determined that there would be no federal "backlash" if these monies were not accepted before the end of the year. **Refer to Public Safety and Ways & Means**

**PUBLIC WORKS COMMITTEE**

**Budget Transfer**

Mr. James requested a budget transfer of \$73,000, contingent upon approval by the Facilities and Communications Committee, from H5931.200 (Friendship Culvert- N. Branch) to H5633.200 (County Building-Jail Floor Renovation). Legislator O'Grady expressed his reluctance to approve this transfer until he knew for certain what the plans for the top floor of the building might be. He referred to the project as an "elevator to nowhere." Legislator Pullen stated that having a second elevator would be a major benefit to the building, particularly when the current, elderly elevator goes off-line for any reason. The new elevator would also allow for plans to be made for the top floor. Chairman Crandall noted that currently it is difficult to access the top floor and that even if the only use of that floor is storage, the elevator is a necessity. Following discussion, the budget transfer was approved on a motion by Legislator Fanton, seconded by Legislator Pullen, and carried. (One opposed: Legislator O'Grady) **Prepare Resolution**

**Permission to Fill HMEO II Position (AFSCME Grade 14)**

Mr. James was granted permission by the Public Works Committee to hire an HMEO II in the County Road division of DPW. He also requested permission to hire for any subsequent openings that may occur as a result of this position's being filled from within. The incumbent is responsible for the operation of heavy equipment such as gradall, grader, and cranes. Approval to fill the HMEO II (AFSCME Grade 14) position was approved on a motion by Legislator Fanton, seconded by Legislator Pullen, and carried. **Notify Human Resources**

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:24 p.m. following a motion by Legislator LaForge, seconded by Legislator Fanton, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE  
DECEMBER 18, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Fanton, D. Healy, K. LaForge, T. O'Grady, D. Pullen, C. Crandall (Absent: F. Sinclair)

**Others Present:** M. Alger, L. Ballengee, H. Budinger, J. Budinger, D. Decker, K. Graves, G. James, T. Miner, B. Riehle, T. Ross, C. Santora, D. Scholes

**Media Present:** No media present

**Call to Order:** The meeting was called to order at approximately 1:05 p.m. by Ways & Means Committee Chairman Theodore Hopkins.

**Approval of Minutes**

A motion was made by Legislator Fanton, seconded by Legislator LaForge, and carried to approve the Ways & Means Committee minutes of December 9, 2013.

**Discussion of Board Rules**

Chairman Curt Crandall addressed the Committee, referring to a memo he had previously sent the members regarding the establishment of another standing committee, Resource Management. This committee existed in the past, he said in the memo, and that he believes this is the proper time to resurrect it. "This committee would have general jurisdiction over the following: agricultural districting, use of natural resources, County historical matters to include historical real and personal property and historical records, youth programs and activities, and snowmobile issues."

Chairman Crandall explained his rationale: "To adjust and distribute the existing general, specific, and administrative jurisdictions of the current standing committees by adding a new standing committee, Resource Management.

"With a need for concentrated efforts by the existing committees, some of the responsibilities described in the current Board Rules can be shifted to this new Resource Management Committee. In the past, we have adjusted our standing committees to best meet the direction and needs of the Board of Legislators for the betterment of Allegany County, and now is an appropriate time to once again make a change for efficacy and impact."

Chairman Crandall went on to say that the Board Rules are adjusted about every four years to meet the County's current needs. Should the Ways & Means Committee approve this change, the resolution would come off the floor at Monday's (December 23) Board meeting in order to adapt the Board Rules at the Organizational meeting in January.

Chairman Crandall, when queried, said that in 2005-06, Resource Management had been subsumed into the Planning & Economic Development Committee. He added that, now, there is too much going on for it to stay under that Committee's jurisdiction. PE&D needs to concentrate on moving economic development in the County to the next level, while the new committee focuses on the other areas. He added that the County Attorney's Office would assure that the organizational changes and ramifications are done properly.

Approval of the formation of the new standing committee, Resource Management, was approved on a motion by Legislator Fanton, seconded by Legislator O'Grady, and carried.

**Prepare Resolution**

**Designation of Official Newspapers for 2014**

Clerk of the Board Brenda Rigby Riehle stated that the Republican Party members of the Board of Legislators requested a resolution designating official newspapers for the publication of local laws, notices, and other matters required by law to be published in 2014. It was noted that since there is not a minority party for 2013, the previous designation by the Democratic Party will remain in effect. A motion was made by Legislator Pullen, seconded by Legislator Fanton, and carried to sponsor a resolution authorizing the following newspaper designations: **Prepare Resolution for January 2, 2014, Organization Meeting**

Concurrent Resolutions of the Legislature:

The Alfred Sun, Alfred, NY (Republican)

Cuba Patriot & Free Press, Cuba, NY (Democratic)

Election Notices and Official Canvass:

Wellsville Daily Reporter, Wellsville, NY (Republican)

Cuba Patriot & Free Press, Cuba, NY (Democratic)

Official Newspapers:

Wellsville Daily Reporter, Wellsville, NY (Republican)

Cuba Patriot & Free Press, Cuba, NY (Democratic)

**Approval of Legislators' Expense Vouchers**

The Committee reviewed the Legislative expense vouchers for the month of November 2013 as well as a few from previous months. A motion was made by Legislator Pullen, seconded by Legislator O'Grady, and carried to approve the vouchers for payment.

**Old Business**

**Transfer of Ownership/Demolition of West State Street Property, Wellsville**

County Attorney Tom Miner, when asked, said he had no additional information on the issue, but that the Village would like to take title to it, but wants the County to assist in taking it down. That is the charge of this Committee, he said, to determine the disposal of tax parcels in the County. He added that to his knowledge, the Village is not offering any money for the property. Mr. Miner also said that he has not seen a formal letter from the Village of Wellsville. Legislator Graves said that the building needs to come down, and that the Village, in a letter, asked to take title to it; then they could issue RFDs. What they are looking for, he added, is help with trucking the debris from the demolition. Legislator Fanton said there had been a conversation verbally committing the County to furnish dump trucks to haul the debris away. So, he said, "I think what they are looking for is title to the building so they can issue the RFD and get it taken down." Disposal of the debris, he said, will likely be part of the RFD. The only thing Allegany County is committed to is providing the trucks, loading it on, and hauling it away. A motion to have Allegany County transfer the title to the West State Street property to the Village of Wellsville, pending approval of the County Attorney, was made by Legislator Fanton and seconded by Legislator Pullen. Prior to the vote, Legislator LaForge requested permission to abstain from voting. Permission for Mr. LaForge to abstain was granted on a motion by Legislator Fanton, seconded by Legislator O'Grady, and carried. The original motion was carried. **Prepare Resolution**

**Good of the Order**

Chairman Crandall wanted to discuss a letter he had distributed to all the Legislators in response to a request from Town of Birdsall Supervisor Cindy Gowiski asking about what Allegany County does in lieu of sharing sales tax. Mr. Crandall noted that the issue was also brought up during the budget hearing at which time Mr. Crandall had said that he was putting it together and would have a response; this is the response (see attached). Chairman Crandall wanted this information brought into public record to let it be known that there is no particular resolution or document extant that specifies any particular programs or projects that Allegany County does in lieu of sales tax sharing. Although, beginning in 1967, every few years the County needs to ask for an extension of its sales tax legislation, there is no document adopted by this Board that the County "shall do this or this...in lieu of sales tax sharing." Superintendent of Public Works Guy James found a 1995 document (not official) that is a list put together by the DPW at that time of services the County performs for the benefit of the towns and villages. Chairman Crandall went on to say, using that list as a starting point, he sent it to County Department Heads for their feedback regarding what their respective departments do in the way of services that benefit the County's towns and villages. The result is a four-page list of about 80 items, some major such as the community college and bridge programs, and other, lesser programs supported by the County. "But I would not use the term 'in lieu of taxes,'" he said. It's what the County does to support its residents. "This is a nice list which can be resurrected and amended as the need arises, but it's been a good exercise so the Legislators know the full extent of what the County provides." It might be a good discussion at a Committee of the Whole meeting, and perhaps something that can be publicized more generally, he added. Legislator Fanton noted that it had been inferred that the issue of tax sharing was an obligation that the County needed to meet, but based on what Chairman Crandall reported, it most certainly is not an obligation. Legislator O'Grady said he found it "ironic that one of the towns that probably contributes the least is complaining because they are not getting what they feel is a big enough slice of the pie." County Attorney Miner told the group he had done some research on this issue because he was certain it would arise again, particularly in light of the fact that some other counties do, in fact, share sales tax. When sales tax legislation was originally adopted, the wording said that sales tax revenues are for County purposes, and Allegany County has never deviated from that. He went on to say that because some counties' Boards are comprised of supervisors, from a political standpoint, if supervisors make up the board, you are more likely to see that sales tax coming to the towns and that the structure of their laws allowing them to do that would reflect that. But here, from the very beginning, "for County purposes" has been the goal, so when we go over and beyond that, we are not required to, we are just doing it. Chairman Crandall note, "Again, Allegany County is doing it right."

### **Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:35 p.m. following a motion by Legislator O'Grady, seconded by Legislator Pullen, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators

**WAYS & MEANS COMMITTEE  
DECEMBER 23, 2013**

**\*\* NOT APPROVED \*\***

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**Committee Members Present:** T. Hopkins, D. Fanton, D. Healy, K. LaForge, D. Pullen, F. Sinclair, C. Crandall (Absent: T. O'Grady)

**Others Present:** M. Alger, L. Ballengee, H. Budinger, J. Budinger, P. Curran, D. Decker, K. Graves, L. Gridley, R. Hollis, C. Jessup, T. Miner, B. Riehle, T. Ross, C. Santora, D. Scholes, N. Ungermann

**Media Present:** No media present

**Call to Order:** The meeting was called to order at 1:00 p.m. by Ways & Means Committee Chairman Theodore Hopkins.

**Appropriation of Insurance Recovery Checks**

Clerk of the Board Brenda Rigby Riehle requests a resolution accepting a check in the amount of \$225 from NYMIR (New York Municipal Insurance Reciprocal) representing the cost to replace a windshield on a 2006 Ford Crown Victoria (VIN #2FAFP71W26X151391) assigned to the Sheriff's Office. The window was cracked on November 26, 2013, when a stone came up and hit it. Since you cannot make a budget adjustment to the 2013 Budget in 2014, and the resolution won't be going through the Board until 2014, the County Treasurer has advised that the \$225 should be placed in revenue account CS1930.2680.00 (Insurance Recovery), and she will make the necessary booking for 2013. Acceptance of the insurance check was approved on a motion by Legislator Sinclair, seconded by Legislator Healy, and carried. **Prepare Resolution**

Additionally, Mrs. Riehle requests a resolution accepting a check in the amount of \$6,500.10 from NYMIR (New York Municipal Insurance Reciprocal) representing the cost to repair the County's chiller less a \$5,000 deductible. The chiller sustained lightning damage on September 11, 2013. (Please note that a disappearing deductible percentage was applied, and the actual deductible ended up being \$4,355.85, rather than the full \$5,000.) Since you cannot make a budget adjustment to the 2013 Budget in 2014, and the resolution won't be going through the Board until 2014, the County Treasurer has advised that the \$6,500.10 should be placed in revenue account CS1930.2680.00 (Insurance Recovery), and she will make the necessary booking for 2013. Acceptance of the insurance check was approved on a motion by Legislator Fanton, seconded by Legislator Healy, and carried. **Prepare Resolution**

**Approval of Audit**

Committee members reviewed the December 23, 2013, audit of claims in the amount of \$2,385,662.87 (including prepaid bills). A motion was made by Legislator Fanton, seconded by Legislator Pullen, and carried to forward the audit to the full Board for approval of payment.

**Adjournment**

There being no further business to come before the Committee, the meeting was adjourned at 1:05 p.m. following a motion by Legislator LaForge, seconded by Legislator Pullen, and carried.

Respectfully submitted,  
Cynthia Santora, Secretary to the Clerk of the Board  
Allegany County Board of Legislators