

WAYS & MEANS COMMITTEE

April 18, 2007

NOT APPROVED

Committee Members Present

B. Reynolds, D. Russo, W. Dibble, W. Hall, T. Hopkins, M. McCormick, R. Truax, C. Crandall
(Absent: Fanton)

Others Present

D. Aumick, D. Burdick, C. Corkey, W. Goetschius, L. Gridley, K. Kruger, J. Margeson, T. O'Grady, S. Presutti, B. Riehle, D. Roeske, T. Ross, D. Sirianni, W. Tompkins, N. Ungermann, D. Washburn

Media Present

K. Doyle – Olean Times Herald

Approval of Minutes

The April 9, 2007 Ways & Means Committee minutes were approved on a motion by Truax, seconded by McCormick and carried.

Health Insurance Coverage for Retirees

Curtis Corkey from the Ryan Agency stated that he saw in the minutes where we have been talking about improving coverage for retirees. Mr. Corkey stated that his company could provide an opportunity whereby Allegany County could offer better coverage for retirees and experience cost savings. Mr. Corkey indicated that he works with people that do this on a regular basis. Mr. Corkey stated that Nebco was mentioned in the previous minutes, and he believes there are other players in that market that might have better opportunities and options to present to the County than what Nebco has to offer. Mr. Corkey is here today to request that he be given the same information that will be provided to Nebco to see what he might be able to provide. Legislator Daniel Russo, Chairman of the Personnel Committee indicated that the gathering of data has not been completed, but when it is, Mr. Corkey will be provided a copy.

Bond Sale Results

County Treasurer Terri Ross stated that she recently went out to bond market for a bond on the \$4,598,200 in old BANS (bond anticipation notes). She received six quotes from different buyers and was able to secure a rate of 3.8072 percent from Roosevelt & Cross. Ms. Ross also received seven quotes from different buyers for a \$1,468,525 BAN and was able to secure a rate of 3.73 percent from Five Star. Ms. Ross was very pleased with the response from different buyers and the rates that were quoted.

Request to Fill Position – Transfer Station Operator

Public Works Superintendent David Roeske requested approval to fill the position of Transfer Station Operator (AFSCME, Grade 11) that was recently created by Resolution No. 69-07 as well as any positions that may become vacant as a result of filling from within. Mr. Roeske provided a brief description of the Transfer Station Operator's duties. A motion was made by Truax, seconded by Hall and carried approving the request to fill the position of Transfer Station Operator. A motion was then made by Truax, seconded by McCormick and carried to fill any vacated positions created by the filling of the Transfer Station Operator position which Mr. Roeske believes will be the position of Janitor.

Lease of County Owned Property

County Administrator John Margeson indicated that he recently advertised for bids on the lease of approximately 30 acres of agricultural land located by the new Jail and Public Safety Facility. Mr. Margeson received the following sealed bids which were opened at the meeting:

Francisco Farms - \$3,150

Joseph Strzelec (Mallards Dairy) - \$1,800

Both bids included a ten percent (10%) deposit and non-collusive bidding certificate. A motion was made by Dibble, seconded by Truax and carried to accept the high bid from Francisco Farms. **Prepare Resolution**

Request to Fill Position – Youth Court Coordinator

Youth Bureau Director Deborah Aumick requested approval to fill the position of Youth Court Coordinator (AFSCME, Grade 12) that became vacant when Sienna Markel accepted a position in another County. No County dollars are used to finance the position. The program and position are supported by grants from the Rural Justice Institute, Senator Catharine Young, Assemblyman Joseph Giglio, donations from County civic groups and clubs as well as funds raised by fundraising efforts. The request to fill the position was approved on a motion by Dibble, seconded by McCormick and carried.

Request to Fill Position – Community Services Worker

Deputy Director for the Office for the Aging Daniel Washburn requested approval to fill a Community Services Worker position (AFSCME, Grade 11) recently created by Resolution No. 68-07 for the new Single Point of Entry Program. The position is funded 100 percent by the NYS Point of Entry Grant. The request to fill the position was approved on a motion by Truax, seconded by Dibble and carried.

Tax Bill Correction

Real Property Tax Director Steven Presutti presented the following tax bill correction:

TOWN OF ALFRED
Brown, Gary M. & Heidi

Tax Map No.: 164.7-1-25.1
Chargeback: \$1,352.51 (2007 Town and County)

Mr. Presutti informed committee members that this parcel does not exist and should have been deleted from the roll. The correction and resulting chargeback were approved on a motion by Dibble, seconded by Truax and carried. **Prepare Resolution**

Request to Fill Position – Mail Clerk

Clerk of the Board Brenda Rigby Riehle requested approval to temporarily fill the position of Mail Clerk (AFSCME, Grade 4) for three hours per day (1-4 pm) for approximately four weeks while the current Mail Clerk is out on medical leave. Mrs. Riehle stated that although her office has been able to accommodate occasional days off, she does not have adequate staff to cover for this position on a day-to-day basis. Mrs. Riehle anticipates that the financial impact will be less than \$1,000. The request to fill the position was approved on a motion by Dibble, seconded by Truax and carried.

Appointments to Southern Tier West Regional Planning & Development Board

Chairman Curtis W. Crandall plans to reappoint John E. Margeson, Brent L. Reynolds, and Jerry Scott as members of the Southern Tier West Regional Planning and Development Board for a three-year term commencing June 1, 2007 and expiring May 31, 2010, subject to confirmation by the Board of Legislators. In addition, the Chairman is appointing the following to serve as ex-officio members:

David Roeske, Superintendent of Public Works
Curtis W. Crandall, Chairman of the Board
Ronald Stuck, Chairman of the Planning Board

A motion was made by Dibble, seconded by Hopkins and carried approving the appointments. **Prepare Resolution**

REFERRALS FROM OTHER COMMITTEES:

Public Safety Committee

The Youth Bureau requests a resolution accepting \$100 from the American Legion Post 702 for the Youth Court Program. The funds already appear in the 2007 budget under A7321.806 (Youth Court – Benefits) and revenue account A08.2705.3825 (Grants/Gifts & Donations – Youth Court). The request was approved on a motion by Dibble, seconded by Hall and carried. **Prepare Resolution**

The Probation Department requests a resolution accepting an additional \$6,000 in state aid from the New York State Division of Probation and Correctional Alternatives. The funds should be appropriated as follows:

A3140.407 (Probation – Supplies)	\$1,830
A3140.402 (Probation – Mileage)	\$ 470
A3140.409 (Probation – Fees)	\$1,200
A3140.421 (Probation – Education)	\$2,500

Revenue Account A10.3310.05 (SORA Level 3 Sex Offender) \$6,000

The request was approved on a motion by Dibble, seconded by Truax and carried. **Prepare Resolution**

Comprehensive Planning Committee

Mr. Margeson requested a resolution in accordance with Article 12-B, Section 239-d (2) of the New York State General Municipal Law, establishing a special County Comprehensive Planning Committee which will report to the County Planning Board, the Ways and Means Committee, and the Board of Legislators. The Committee shall be responsible for overseeing the preparation of a County

Comprehensive Plan and will bring forth to the Board of Legislators a final product for official adoption by the Board. The Committee shall consist of seven members who shall be appointed by the Chairman of the Board of Legislators. The Committee shall be empowered to expend County funds as may be appropriated by the Board of Legislators, and it shall be empowered to enter into contracts for the performance of work associated with the preparation of the County Comprehensive Plan.

Mr. Margeson believes that this would be the most expeditious manner in which the County can get a plan in writing; however, he did not recommend proceeding with any appropriations at this time and suggested that the individuals appointed to the committee could make a request to Ways and Means with a proposal if funds are needed.

Legislator Dibble stated that he is in favor of moving forward but suggested that the committee just report to one entity. Mr. Margeson explained that he did not want to leave out the Planning Board, and he included the Ways and Means Committee because this is the committee that would have to sponsor a resolution to approve any plans, etc.

Legislator Norman Ungermann asked about the contract we just approved to pay Kier Dirlam \$400 per month, and it was noted that Mr. Dirlam's contract is to provide support and services to the Planning Board.

It was noted that the special County Comprehensive Planning Committee will not be a regular standing committee of the Legislature. A motion was made by Hopkins, seconded by Reynolds and carried to establish the committee. **Prepare Resolution**

Consolidated HUD Plan

Legislator William Dibble asked where we stood with the Consolidated HUD Plan stating that it should be a stepping stone for getting the County Comprehensive Plan done.

Location of Court Facilities

John Margeson stated that as a part of the Court Facilities Committee's work, they have been looking at a number of different options for solutions to overcrowding in the Courts, and Mr. Margeson briefly explained the options that have been presented. Mr. Margeson stated that there is a restriction in Section 216 of the County Law that states if the Court Facility is going to be relocated outside the County Seat, and if we were to relocate it adjacent to the Jail, we cannot do that without a public referendum. Mr. Margeson explained that there is an option if the committee wishes to pursue it: we can seek a waiver of that statute through the NYS Legislature whereby we would request to be exempted from the confines of Section 216. Mr. Margeson stated that if it becomes clear that the new construction down by the Jail is the best option, we could proceed if we requested and received a waiver. There is precedent for this as Warren County recently received a waiver from Section 216 to locate a Courthouse outside the village limit. Mr. Margeson requested committee members to seriously consider sponsoring a resolution requesting the exemption.

Legislators Ronald Truax and Daniel Russo indicated that they would not support this. Legislator Russo stated that he believes the people should be allowed to vote. Some of the legislators believe the action will allow them to consider all options equally. Legislator Karl Kruger stated that he would not support such a resolution when it comes to the Board floor.

Chairman Curtis W. Crandall stated that the time frame is important if we want our representatives to sponsor this legislation noting that we have to move now while they are in session if we want to do this. Taking a proposition to vote is costly and not timely. The question is not whether or

not changes need to be made for the Court Facilities, but rather what is the least expensive and most logical way to proceed. We do not have all the data in or the answer to the questions that have been posed. One reason that the option to build new hasn't been considered as much is because of the public referendum that would be required if we want to move the Court Facility out of the village. If we receive a waiver for this restriction, it would create an equal playing field. It costs nothing to ask our representatives to sponsor legislation for us, and we do not have the luxury of sitting on this – we need this tool in our tool box.

Legislator William Hall, Chairman of the Court Facilities and County Space Needs Committee, expressed concern that the only opportunity the public has to vote is on whether or not the facility can be moved out of the village. They may vote against any option. We have to do something, and if building a new facility ends up being the best option, the waiver would provide us an opportunity to pursue that option. We cannot allow the County not to take the most cost effective way of responding to state mandates as quickly as possible. If we don't take advantage of this, we are going to limit an opportunity to possibly save by building new.

Committee members agreed that whatever option is chosen, information needs to be distributed to the people.

Legislator Karl Kruger expressed concern that the engineering firm has never been asked what would be the most cost effective way for Allegany County to pursue. Legislator Kruger indicated that the engineering firm only provides information on what they are requested to do.

Legislator Norman Ungermann expressed concern that his proposals were not being seriously considered, and he does not believe that the committee is looking at all of their options. Legislator Ungermann asserted that they have not yet determined if his proposal is a feasible option yet. Mr. Ungermann indicated that he does not see the huge rush noting that this has been going on for over 17 years. Mr. Ungermann also indicated that from conversations he has had with Andrew Isenberg from the NYS Unified Court System, he believes the Court System expects Allegany County to build new and will veto every plan except a new one. Legislator Karl Kruger reminded committee members that we never received a written explanation confirming Andrew Isenberg's verbal presentation of the deficiencies the Capital Review Board found with Legislator Ungermann's first proposal as we requested.

Legislator William Hall stated that all of the options are still on the table. Legislator Michael McCormick stated that he is on the Court Facilities and County Space Needs Committee, and he is still considering all of the options. Mr. McCormick suggested waiting to see if the committee could make a compelling case for new construction before asking our representatives to sponsor legislation.

Legislator Theodore Hopkins suggested having a referendum where the people could pick which plans they would like rather than a yes or no option.

A motion was made by Hall, seconded by Hopkins and carried (Voting No: McCormick, Russo, Truax) to sponsor a resolution requesting our representatives to pass legislation seeking a waiver of the statute in Section 216 of the County Law that states if a Court Facility if going to be relocated outside the village of a County Seat a public referendum is necessary. **Prepare Resolution**

City Status of Wellsville

Mr. Margeson informed committee members that if Wellsville becomes a city, there will be a sales tax sharing formula with the City of Wellsville as well as the 29 towns in Allegany County. We do not know at this stage how big that financial loss would be, but there will definitely be an adverse financial impact on County government. In 2004, Resolution No. 187-04 – *Resolution in Support of Designation of Village of Wellsville as a City* was approved on a vote of 9 to 6, and ten of those legislators are no longer

here. Mr. Margeson explained that the proposal suggested in 2004 established a sales tax threshold and called for the County to share sales tax on any sales tax revenue collected above that threshold which would result in a revenue loss in the hundreds of thousands of dollars.

Committee members requested Mr. Margeson and Ms. Ross to put figures together showing how the towns in Allegany County might be impacted. If the County experiences a reduction in revenues from the sharing of sales tax, the County in turn would have to reduce the services that are provided in lieu of sharing sales tax. Committee members briefly discussed renegotiating town bridge calculations and community college charges, and Legislator Ronald Truax mentioned that public health is also a town responsibility that would have to be absorbed.

Adjournment

There being no further business to come before the committee, a motion was made by Truax, seconded by McCormick and carried to adjourn the meeting.

Respectfully submitted,
Brenda Rigby Riehle, Clerk of the Board