

**ALLEGANY COUNTY BOARD OF LEGISLATORS
REGULAR SESSION**

JANUARY 12, 2022

CALL TO ORDER: The regular meeting of the Board of Legislators was called to order at 2:00 p.m. by Chairman Philip G. Stockin.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Pledge of Allegiance was led by Legislator Brooke Harris.

INVOCATION: The Invocation was given by Legislator James M. Rumfelt.

ROLL CALL: 14 Legislators Present: Gary Barnes, Janice Burdick, Philip Curran, Kevin “Fred” Demick, Dwight Fanton, Gretchen Hanchett, Brooke Harris, Steven Havey, Dwight “Mike” Healy, John Ricci, Jennifer Ricketts-Swales, Debra Root, James Rumfelt, Philip Stockin (Absent: Adam Cyr)

APPROVAL OF MINUTES:

The Board meeting minutes of December 27, 2021, were approved on a motion made by Legislator Harris, seconded by Legislator Fanton, and carried.

The Organization meeting minutes of January 3, 2022, were approved on a motion made by Legislator Hanchett, seconded by Legislator Demick, and carried.

ACKNOWLEDGMENTS, COMMUNICATIONS, REPORTS, ETC.:

1. Report of IntraFund Transfers and Tax Bill Corrections Approved by the County Administrator in December 2021.
2. Notice for Hyland Landfill Expansion Virtual Public Comment Hearing on January 19, 2022, at 6:00 p.m. Any person wishing to provide a public statement must register in advance no later than 3:00 p.m. on January 18.
3. SEQR Positive Declaration Notice of Determination of Significance and Intent to Prepare a Draft Environmental Impact Statement relative to the Hyland Landfill Expansion.
4. Correspondence from Allegany Hope Executive Director/Allegany Hope Community News Editor Kermit C. (Casey) Jones alleging noncompliance with the Open Meetings Law relative to the January 12 Committee of the Whole. Mr. Jones also forwarded a March 2, 2009, Advisory Opinion from the NYS Department of State Committee on Open Government regarding application of the Open Meetings Law to members of a public body voting to appoint a person to a particular position.

APPOINTMENTS:

Chairman Philip G. Stock appointed the following as members of the **HAZARD MITIGATION TEAM:**

Jeffrey Luckey, Allegany County Office of Emergency Services
Bonnie VanHousen, Emergency Management & Fire Assistant Director
Nick Arquette, Planning and Development Specialist
Kevin "Fred" Demick, Allegany County District I Legislator
James M. Rumpfelt, Allegany County District IV Legislator
Justin Henry, Allegany County Public Works Superintendent
Max William Bigelow, Allegany County Highway Superintendent Association
H. Kier Dirlam, Allegany County Director of Planning
Scott Torrey, Allegany County Soil & Water Conservation District Executive Director
Tyler Shaw, Allegany County Public Health Director

Chairman Philip G. Stockin reappointed Janis Carson of Belmont, Joseph Felsen of Wellsville, Vicki Grant of Houghton, and Susan Stout of Wellsville as members of the **CITIZENS ADVISORY COUNCIL TO THE OFFICE FOR THE AGING.**

County Administrator Carissa M. Knapp appointed Timothy T. Boyde as **DEPUTY COUNTY ADMINISTRATOR II.**

County Budget Officer and County Administrator Carissa M. Knapp appointed Terri L. Ross as **DEPUTY COUNTY BUDGET OFFICER.**

County Auditor and County Administrator Carissa M. Knapp appointed Donald J. Horan as **DEPUTY COUNTY AUDITOR.**

RESOLUTIONS:

RESOLUTION NO. 14-22

**APPROVAL OF BOARD CHAIRMAN'S APPOINTMENT OF MICHAEL D. HENNESSY
AS DIRECTOR OF COUNTY VETERANS' SERVICE AGENCY**

Offered by: Personnel Committee

Pursuant to Executive Law § 357 and Resolution No. 58-45

RESOLVED:

1. That the appointment by the Chairman of this Board of Legislators of Michael D. Hennessy as Director of the County Veterans' Service Agency for a term commencing January 1, 2022, and ending December 31, 2022, is approved.

Moved by: Mr. Ricci
Seconded by: Mrs. Hanchett

Adopted: Voice Vote

RESOLUTION NO. 15-22

DESIGNATION OF DWIGHT “MIKE” HEALY AS THE LEGISLATIVE MEMBER ON THE COUNTY JURY BOARD

Offered by: Legislator Steven A. Havey

Pursuant to Judiciary Law § 503 (a) 1.

RESOLVED:

1. That Legislator Dwight “Mike” Healy is designated as the Legislative Member on the County Jury Board to serve during the pleasure of this Board of Legislators and so long as he remains a County Legislator.

Moved by: Mr. Havey
Seconded by: Mr. Rumfelt

Adopted: Voice Vote

RESOLUTION NO. 16-22

**APPROVAL OF LEASE FOR RUSHFORD LAKE SWIMMING AREA;
DESIGNATING ALLEGANY COUNTY ADMINISTRATOR AS
COUNTY OFFICIAL FOR OPERATION OF PUBLIC BEACH**

Offered by: Resource Management Committee

RESOLVED:

1. That the Lease between the Rushford Lake Recreation District, as Landlord, and the County of Allegany, as Tenant, for the leasing of premises at Rushford Lake for recreation purposes for the period January 1, 2022, to December 31, 2023, is approved.

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

3. That pursuant to Paragraph 6. of the Lease, the Allegany County Administrator is designated the County official responsible for the administration of the operation of the public beach for swimming and directly related activities on the Lease premises and is authorized to establish rules and regulations for such operation.

4. That the Clerk of this Board is directed to send a certified copy of this resolution to the Rushford Lake Recreation District and to the Allegany County Administrator.

Moved by: Mr. Curran
Seconded by: Mr. Havey

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

RESOLUTION NO. 17-22

**ACCEPTANCE OF FUNDS FROM THE NEW YORK I LOVE NY STATE TOURISM
MATCHING FUNDS GRANT FOR ALLEGANY COUNTY**

Offered by: Planning & Economic Development Committee

RESOLVED:

1. That the sum of \$48,207 from the New York State I Love NY Tourism Matching Funds Grant is hereby accepted.
2. No budget adjustment is necessary at this time.
3. That the Chairman of this Board is authorized to execute the Agreement to accept the grant funds.

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

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

Comments made regarding Resolution No. 17-22: Legislator Harris expressed his disappointment that the County didn't receive as much funding as anticipated. He would like the Board to use the higher County share amount that was planned for in the Budget. Legislator Hanchett agreed with Legislator Harris and highlighted the importance of allocating funds for tourism.

RESOLUTION NO. 18-22

**APPROVAL OF FIVE-YEAR AGREEMENT BETWEEN COUNTY OF ALLEGANY AND
NEW YORK COUNCIL 66, LOCAL 2574, AMERICAN FEDERATION OF STATE, COUNTY
AND MUNICIPAL EMPLOYEES, AFL-CIO**

Offered by: Personnel and Ways & Means Committees

RESOLVED:

1. That Agreement between County of Allegany and New York Council 66, Local 2574, American Federation of State, County and Municipal Employees, AFL-CIO for the years 2022, 2023, 2024, 2025, and 2026, expiring December 31, 2026, as ratified by New York Council 66, Local 2574, is approved.

2 That the salary schedules and adjustments set forth in such Agreement, retroactive to and from January 1, 2022, for each Unit employee occupying a position set forth in the Unit Salary Plan are approved notwithstanding the provisions of section 1 of Resolution No. 322-2021 and shall be paid to such employees at the rates specified in such Agreement.

3. That the Chairman of this Board is authorized to execute said Agreement provided the employee organization representing the unit benefited by the said Agreement executes said Agreement prior to or simultaneous with the Chairman's execution.

Moved by: Mr. Ricci
Seconded by: Mrs. Hanchett

Adopted: Roll Call
14 Ayes, 0 Noes, 1 Absent

AUDITS:

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

A motion was made by Legislator Root, seconded by Legislator Havey, and adopted on a roll call vote of 14 Ayes, 0 Noes, 1 Absent, that the audit of claims, totaling \$3,281,963.81 including prepaid expenses, be approved for payment as recommended by the County Administrator. (*Allegany County's Local Dollar Share of the NYS Medicaid Program paid year-to-date is \$474,759.*)

ADJOURNMENT: The meeting was adjourned at 2:15 p.m. on a motion made by Legislator Rumfelt, seconded by Legislator Harris, and carried.