

**ALLEGANY COUNTY BOARD OF LEGISLATORS  
REGULAR SESSION**

**JANUARY 26, 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 Gary Barnes.

**INVOCATION:** The Invocation was given by Chairman Philip G. Stockin.

**ROLL CALL:** 15 Legislators Present: Gary Barnes, Janice Burdick, Philip Curran, Adam Cyr, 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

**APPROVAL OF MINUTES:**

The Committee of the Whole meeting minutes of January 12, 2022, were approved on a motion made by Legislator Havey, seconded by Legislator Barnes, and carried.

The Board meeting minutes of January 12, 2022, were approved on a motion made by Legislator Demick, seconded by Legislator Curran, and carried.

**PRIVILEGE OF THE FLOOR:**

Chairman Stockin invited Vicki Grant White, Training Consultant for the University at Buffalo’s Institute of Trauma and Trauma-Informed Care, and Helen Evans, Associate Director of Ardent Solutions – Trauma-Informed Care forward to talk about trauma-informed care and the TICTAC (Trauma-Informed Communities Throughout Allegany County) organization that was formed to educate and facilitate trauma-informed care in Allegany County. He noted that Vicki Grant White had worked for the Allegany County Social Services Department for 31 years, having served as the Commissioner of Social Services for close to ten of those years. She was a pioneer in bringing trauma-informed care to Allegany County and Western New York.

Ms. Grant White shared that in 2016 the Allegany County Department of Social Services began to offer trauma system services in partnership with Community Services and Clarity Wellness. It was so successful they realized that there was more that needed to be done. There are five principles that make up trauma-informed care: safety, choice, collaboration, empowerment, and trust. She talked about adverse childhood experiences and how they impact a person’s wellbeing. In 2018, a resolution was adopted by the Allegany County Board of Legislators encouraging all organizations in Allegany County to become informed about the impact of traumatic childhood experiences and how to implement trauma-

informed services to help children and adults recover from their trauma so they can function at their full potential. Allegany County was the first County in New York State to adopt this kind of resolution. Since then, several other counties, organizations, and State agencies have adopted similar legislation. There is now a requirement that all childhood providers be trained in trauma-informed care. The federal government is looking at passing legislation as well. After the adoption of the resolution in Allegany County, TICTAC was formed. Five individuals including Vicki Grant White, Helen Evans, Allegany County Probation Director Bob Starks, ACCORD Corporation Community Operations Director Belinda Knight, and Cuba Cultural Center Executive Director Suzanne Krull received an almost year-long training from University at Buffalo. With the help of a grant, they have been able to offer training to 30 more individuals. Ms. Grant White expressed the importance of this training and how it has impacted agencies and given them a better understanding of the importance of this. Organizations are establishing procedures for making people more comfortable. TICTAC is providing community trainings on various topics for free.

Helen Evans gave a tour of TICTAC's website [www.traumainformedalleganycounty.org](http://www.traumainformedalleganycounty.org). One area of the website gives an overview of trauma and a glossary of terms, as well as providing an understanding of what types of things constitute an adverse childhood experience. The website also provides resources and information on educational training opportunities. Ms. Evans spoke about how positive adult relationships (#onecaringadult) in a community can protect children from high risk behaviors. TICTAC has produced packets as a resource for individuals in communities who have contact with children in order to help provide guidance they may need. Topics include academic stress, alcohol and other drugs, bullying, LGBTQ, mental health, online sexual exploitation, non-suicidal self-injury, sexually transmitted infections, suicide prevention, teen dating violence, teen pregnancy, toxic stress, vaping and e-cigarettes. Ms. Evans noted that they received a secondary grant to be able to produce 2,500 copies of the packet.

Ms. Grant White thanked the Board for being forward thinking and getting the ball rolling on this important topic.

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

1. February 2022 Calendar
2. Meeting Notice that the next Fire Advisory Board meeting will be held on Thursday, January 27, at 7 p.m. at the Crossroads Facility
3. Correspondence from the Allegany County Capital Resource Corporation forwarding a Notice of Public Hearing Regarding a Proposed Houghton College Project and Financial Assistance Relating Thereto on February 1, 2022, at 6:00 p.m. at the Caneadea Town Hall
4. NYS Office of Cannabis Management announcement of Cannabis Conversations to talk about the new law and next steps for cannabis in New York. The meeting in Western New York is on Thursday, January 27, from 6-7 p.m.

5. Correspondence from the Allegany County Association for the Blind and Visually Handicapped forwarding a copy of their 2020 Tax Return, a 2021 Budget vs. Actual Summary, and 2022 Budget

#### **APPOINTMENTS:**

Public Defender J. R. Santana Carter filed his Designation of Succession to the Office of Allegany County Public Defender naming Patricia K. Fogarty as First Assistant Public Defender, Paul S. DiCola as Second Assistant Public Defender, and Jake D. Rood as Third Assistant Public Defender in the Clerk of the Board's Office on January 18, 2022. It was noted that Attorney DiCola is first to assume Public Defender Carter's duties in the event he is unavailable as Attorney Fogarty has other commitments.

The Personnel Committee filed a copy of their appointment of Heather Bedow as Executive Secretary of the Allegany County Mutual Self-Insurance Plan for 2022 in the Clerk of the Board's Office on January 13, 2022.

#### **RESOLUTIONS:**

##### **RESOLUTION NO. 19-22**

##### **APPOINTMENT OF ALLISON B. CARROW AS COUNTY ATTORNEY; AMENDING THE SECTION IV SALARY SCHEDULE TO REFLECT THE SALARY OF THE NEW COUNTY ATTORNEY**

Offered by: Ways & Means Committee

#### **RESOLVED:**

1. That effective January 31, 2022, Allison B. Carrow is appointed County Attorney at an annual salary of \$114,000, with a term of office commencing January 31, 2022, and expiring December 31, 2025.
2. That the Section IV Salary Schedule is hereby amended, effective January 31, 2022, to show the annual base salary of the County Attorney as \$114,000.

Moved by: Mr. Harris  
Seconded by: Mr. Fanton

Adopted: Voice Vote

Comments made regarding Resolution No. 19-22: County Administrator Knapp introduced Ms. Carrow, who was in attendance at the meeting. Ms. Knapp shared that Ms. Carrow had been serving as First Assistant County Attorney in Chautauqua County. County Administrator Knapp thanked retired County Attorney Tom Miner for coming back to serve on an interim basis while searching for a new County Attorney.

**RESOLUTION NO. 20-22**

**REAPPOINTMENT OF THREE MEMBERS TO THE ALLEGANY COUNTY  
COMMUNITY SERVICES BOARD**

Offered by: Human Services Committee

**RESOLVED:**

1. That Brooke Bradt, of Angelica, Janice L. Burdick of Alfred Station, and Deborah Marshall of Wellsville, be reappointed to a four-year term on the Allegany County Community Services Board, with term of office commencing January 1, 2022, and expiring December 31,

Moved by: Mrs. Burdick  
Seconded by: Mrs. Ricketts-Swales

Adopted: Voice Vote

**RESOLUTION NO. 21-22**

**APPOINTMENT OF ONE MEMBER TO COUNTY BOARD OF HEALTH**

Offered by: Human Services Committee

Pursuant to Public Health Law §§ 343 and 344

**RESOLVED:**

1. That Janice L. Burdick of Alfred Station is appointed to fill the remainder of Judith D. Hopkins' six-year term expiring July 7, 2025, as the Legislative Representative on the Board of Health.

Moved by: Mrs. Burdick  
Seconded by: Mrs. Ricketts-Swales

Adopted: Voice Vote

**RESOLUTION NO. 22-22**

**REAPPOINTMENT OF FOUR MEMBERS TO THE CITIZENS ADVISORY COUNCIL  
TO THE OFFICE FOR THE AGING**

Offered by: Human Services Committee

Pursuant to Resolution No. 221-74

**RESOLVED:**

1. That the reappointments of Janis Carson of Belmont, Joseph Felsen of Wellsville, Vicki Grant of Houghton, and Susan Stout of Wellsville, as members to the Citizens Advisory Council to the Office for the Aging, for a three-year term commencing January 1, 2022, and expiring December 31, 2024, are confirmed.

Moved by: Mrs. Burdick  
Seconded by: Mrs. Ricketts-Swales

Adopted: Voice Vote

**RESOLUTION NO. 23-22**

**REAPPOINTMENT OF MEMBERS TO ALLEGANY COUNTY BOARD OF ETHICS**

Offered by: Personnel Committee

Pursuant to Local Law No. 2 of 1970

**RESOLVED:**

1. Kimberley Toot of Wellsville, Dorothy Lendel of Cuba, Brent L. Reynolds of Alfred Station, Darwin Fanton of Wellsville, and Brenda Rigby Riehle of Belmont, are reappointed as members of the Allegany County Board of Ethics to serve at the pleasure of the Board of Legislators with term of office commencing January 1, 2022, and expiring December 31, 2025.

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

Adopted: Voice Vote

**RESOLUTION NO. 24-22**

**REAPPOINTMENT OF FOUR MEMBERS TO THE  
ALLEGANY COUNTY PLANNING BOARD**

Offered by: Planning & Economic Development Committee

**RESOLVED:**

1. That Charles Jessup of Alfred, Amanda Joyce-Phelps of Andover, Jean Louis (John) Roederer of Houghton, and Robert Thompson of Scio, are reappointed to the Allegany County Planning Board, for a term commencing January 1, 2022, and expiring December 31, 2024.

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

Adopted: Voice Vote

**RESOLUTION NO. 25-22**

**APPOINTMENT OF ANNUAL EX-OFFICIO MEMBERS TO THE  
ALLEGANY COUNTY PLANNING BOARD**

Offered by: Planning & Economic Development Committee

**RESOLVED:**

1. That Brooke Harris, Chairman of the Ways and Means Committee of this Board, Justin Henry, Superintendent of Public Works, and Terri L. Ross, Allegany County Treasurer, are appointed ex-officio members of the Allegany County Planning Board with terms of office to commence January 1, 2022, and expiring December 31, 2022.

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

Adopted: Voice Vote

**RESOLUTION NO. 26-22**

**ACCEPTANCE OF THE INSURANCE PROPOSAL OF NYMIR SUBMITTED BY  
RICHARDSON & STOUT, A DIVISION OF THE EVANS AGENCY; CONTINUED  
AUTHORITY OF BOARD CLERK AND PERSONNEL COMMITTEE TO  
SECURE OTHER INSURANCE**

Offered by: Personnel Committee

**RESOLVED:**

1. That the NYMIR insurance proposal and related services as submitted by Richardson & Stout, a division of The Evans Agency, of Wellsville, New York, to the County of Allegany for the period February 1, 2022, to February 1, 2023, is approved.

2. That the premium of \$347,687.14 plus any additional premium amounts resulting from the addition or inclusion of vehicles, equipment, and other property to the policies, is charged to Account No. A1910.406 (Unallocated Insurance) of the 2022 County Final Budget in which the funds are proportionately provided to cover the whole of such premium.

3. That all other insurance not provided for in the foregoing proposal shall continue to be secured by the Clerk of the County Board of Legislators with approval of the Personnel

Committee of such County Board, limited by the funds appropriated by such County Board therefor.

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

Adopted: Roll Call  
15 Ayes, 0 Noes, 0 Absent

**RESOLUTION NO. 27-22**

**ACCEPTANCE AND APPROPRIATION OF NEW YORK STATE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE MOBILE HOME REPLACEMENT PROGRAM FOR ALLEGANY COUNTY RESIDENTS**

Offered by: Ways & Means Committee

**RESOLVED:**

1. That the New York State Community Development Block Grant (NYS CDBG 20MH315-21) Housing Award in the amount of \$500,000 to implement a mobile home replacement program for eligible Allegany County residents in partnership with Cattaraugus Community Action Agency, is accepted.

2. The grant shall be appropriated as follows:

Appropriations:		
CB8672.409	Fees - Admin	\$25,000
CB8672.492	Contractual – Loans/Grants	410,000
CB8672.493	Contractual – Program Delivery Costs	<u>65,000</u>
	<b>Total:</b>	<b>\$500,000</b>
Revenue:		
CB8971.3989.CDMH	State Aid – NYS CDBG Housing Project #20MH315-21	\$500,000

3. That the Chairman of this Board is authorized to sign the agreement and any subsequent documents as required to execute the contract and implement the program.

Moved by: Mr. Harris  
Seconded by: Mr. Fanton

Adopted: Roll Call  
15 Ayes, 0 Noes, 0 Absent

**RESOLUTION NO. 28-22**

**ACCEPTANCE OF FUNDS RECEIVED FROM THE GOVERNOR’S TRAFFIC SAFETY COMMITTEE FOR AN ALLOCATION TO BE USED FOR THE ALLEGANY COUNTY PROBATION DEPARTMENT IGNITION INTERLOCK DEVICE MONITORING PROGRAM**

Offered by: Public Safety Committee

**RESOLVED:**

1. That the sum of \$2,141 from a renewal grant from the Governor’s Traffic Safety Committee for an allocation to be used for he Allegany County Probation Department Ignition Interlock Device Monitoring Program for State Fiscal Year 2021-22 is accepted.
2. No budget adjustment is necessary as the funds are already included in the budget.

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

Adopted: Roll Call  
15 Ayes, 0 Noes, 0 Absent

**RESOLUTION NO. 29-22**

**ACCEPTANCE AND APPROPRIATION OF THE NEW YORK STATE FY2020 STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT FOR THE ENHANCEMENT OF 911 PUBLIC SAFETY RADIO COMMUNICATIONS; ESTABLISHING A 2022 CAPITAL PROJECT ACCOUNT**

Offered by: Public Safety and Ways & Means Committees

**WHEREAS**, by Resolution No. 153-21 the Allegany County Sheriff’s Office was granted approval to apply for grant funding through the New York State FY2020 Statewide Interoperable Communications Grant (SICG); and

**WHEREAS**, Allegany County has been awarded \$723,865 in grant funds through the New York State FY 2020 SICG, now therefore, be it

**RESOLVED:**

1. A Capital Project Account, designated as Account H3033, 2020 Statewide Interoperable Communication Grant (SICG), is hereby established.
2. That the sum of \$723,865 in FY2020 SICG funds is accepted.
3. That the accepted sum shall be budgeted as follows:

Appropriation:		
H3033.200	Capital Project – SICG Grant	\$723,865
Revenue:		
H3033.3097.00	State Aid – SICG-911 2020	\$723,865



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

Adopted: Roll Call  
15 Ayes, 0 Noes, 0 Absent

**RESOLUTION NO. 30-22**

**ADJUSTMENTS TO THE 2022 BUDGET TO APPROPRIATE THE FEDERAL, STATE, AND TOWN AID TO COVER THE CONSTRUCTION/INSPECTION PHASE FUNDING FOR MADISON STREET BRIDGE (BIN 2255160) OVER WNY & PA RAILROAD IN THE VILLAGE OF WELLSVILLE**

Offered by: Public Works and Ways & Means Committees

**RESOLVED:**

1. That the following adjustments to the 2022 Budget to appropriate the Federal, State, and Town Aid to cover the construction/inspection phase funding for Madison Street Bridge over WNY & PA Railroad in the Village of Wellsville (BIN 2255160), are approved:

Appropriation:

H5929.200	Madison Street, Wellsville, BIN 2255160	\$1,661,315
H5197.200	Highway Equipment & Capital Outlays	<u>\$18,432</u>
	Total:	\$1,679,747

Revenue:

H5929.2300.00	Wellsville, Madison St. Bridge – Town Revenue	\$13,157
H5929.3097.00	Wellsville, Madison St. Bridge – State Revenue	\$263,146
H5929.4097.00	Wellsville, Madison St. Bridge – Federal Revenue	<u>\$1,403,444</u>
	Total:	\$1,679,747

Journal Entry to Move Funds to reduce County share and deposit to Equip. Capital:

H5929.200	Wellsville, Madison St. Bridge	(\$18,432)
H5197.200	Highway Equipment & Capital Outlays	\$18,432

Moved by: Mr. Fanton  
Seconded by: Mr. Demick

Adopted: Roll Call  
15 Ayes, 0 Noes, 0 Absent

**RESOLUTION NO. 31-22**

**ACCEPTANCE AND APPROPRIATION OF 2022 SAFE HARBOUR PROGRAM ALLOCATIONS FROM THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES**

Offered by: Human Services and Ways & Means Committees

**RESOLVED:**

1. That the sum of \$43,350 in 2022 Safe Harbour Program Allocations from the New York State Office of Children and Family Services is accepted.

2. That the accepted sum of \$43,350 shall be appropriated to the following accounts:

Appropriations:

A7328.402	Safe Harbour C-Sec Grant DFY/DSS – Mileage	\$1,000
A7328.407	Safe Harbour C-Sec Grant DFY/DSS – Gen Supplies	1,000
A7328.421	Safe Harbour C-Sec Grant DFY/DSS – Education	3,000
A7328.474	Safe Harbour C-Sec Grant DFY/DSS – Contractual	15,389
A7328.475	Safe Harbour C-Sec Grant DFY/DSS – Contractual	19,961
A7328.476	Safe Harbour C-Sec Grant DFY/DSS – Contractual	<u>3,000</u>
	Total:	\$43,350

Revenue:

A7328.3089.00	State Aid – Safe Harbour C-Sec Grant DFY/DSS	\$43,350
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Moved by: Mrs. Burdick

Seconded by: Mrs. Ricketts-Swales

Adopted: Roll Call

15 Ayes, 0 Noes, 0 Absent

**RESOLUTION NO. 32-22**

**ACCEPTANCE AND APPROPRIATION OF REALLOCATED FUNDS FROM THE OFFICE OF MENTAL HEALTH FOR COMMUNITY SERVICES**

Offered by: Human Services and Ways & Means Committees

**WHEREAS**, the New York State Office of Mental Health has reallocated unspent funds from the 2020 fiscal year, and

**WHEREAS**, the County wishes to accept and appropriate the unspent 2020 fiscal year funds, now, therefore, be it

**RESOLVED:**

1. That the sum of \$76,802 in reallocated funds from the Office of Mental Health for Community Services is accepted.

2. The accepted sum of \$76,802 shall be appropriated in the 2022 Budget as follows:

Appropriations:

A4310.204	Mental Health Adm – Motor Vehicle	\$41,424
A4312.204	Mental Health Youth ICM – Motor Vehicle	23,736
A4316.201	Mental Health Home Adult – Office Equipment	1,980
A4316.204	Mental Health Home Adult – Motor Vehicle	5,855
A4316.413	Mental Health Home Adult – Rental, Per. Property	<u>3,807</u>
	Total:	\$76,802

Revenue:

A4310.3490.101A	State Aid – Mental Health LA Adult	\$2,480
A4310.3490.1014	State Aid – Mental Health	11,982
A4310.3490.1200	State Aid – Mental Health Comm Reinv.	26,962
A4312.3490.570k	State Aid – Mental Health Kids Health Homes	23,736
A4316.3490.1570	State Aid – Mental Health Home Adult	<u>11,642</u>
	Total:	\$76,802

Moved by: Mrs. Burdick  
Seconded by: Mrs. Ricketts-Swales

Adopted: Roll Call  
15 Ayes, 0 Noes, 0 Absent

**RESOLUTION NO. 33-22**

**APPROVAL OF AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND CATHOLIC CHARITIES OF BUFFALO (MST) TO PROVIDE MULTI-SYSTEMIC THERAPY SERVICES FOR YOUTH AND THEIR FAMILIES FOR THE ALLEGANY COUNTY DEPARTMENT OF PROBATION**

Offered by: Public Safety Committee

**RESOLVED:**

1. That the Agreement between Allegany County and Catholic Charities of Buffalo for the provision of Multi-Systemic Therapy services for youth and their families, for the period of January 1, 2022, to December 31, 2022, is approved.
2. That Allegany County shall pay Catholic Charities of Buffalo a sum not to exceed \$155,724 for services
3. That the Chairman of this Board is authorized to execute said Agreement.

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

Adopted: Roll Call  
15 Ayes, 0 Noes, 0 Absent

**RESOLUTION NO. 34-22**

**APPROVAL OF AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND  
REHABILITATING & EMPOWERING DISADVANTAGED YOUTH TO PROVIDE  
MENTORING SERVICES FOR THE PROBATION DEPARTMENT**

Offered by: Public Safety Committees

**RESOLVED:**

1. That the Agreement for mentoring services between Rehabilitating & Empowering Disadvantaged Youth (R.E.D.Y.) and Allegany County, for the period of January 1, 2022, to December 31, 2022, is approved.
2. That Allegany County shall pay to R.E.D.Y. a sum not to exceed \$95,000.
3. That the Chairman of this Board is authorized to execute said Agreement.

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

Adopted: Roll Call  
15 Ayes, 0 Noes, 0 Absent

**RESOLUTION NO. 35-22**

**APPROVING SUPPLEMENTAL AGREEMENT #2 BETWEEN THE COUNTY OF  
ALLEGANY AND NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR  
ADDITIONAL CONSTRUCTION/INSPECTION PHASE FUNDING FOR THE BRIDGE  
REPLACEMENT (BIN 2255160) MADISON STREET OVER WNY & PA RAILROAD,  
VILLAGE OF WELLSVILLE**

Offered by: Public Works Committee

**WHEREAS**, a Project for the Bridge Replacement BIN 2255160 Madison Street over WNY & PA RR, Village of Wellsville, Allegany County, P.I.N. 6755.18 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80 percent Federal funds and 20 percent non-federal funds, and

**WHEREAS**, the County of Allegany desires to advance the Project by making a commitment of 100 percent of the non-federal share of the costs of Bridge Replacement (or Rehabilitation) BIN 2255160 Madison Street over WNY & PA RR, Village of Wellsville, Allegany County, now, therefore, be it

**RESOLVED:**

1. That the Allegany County Legislative Board hereby approves the above-subject project.

2. That the Allegany County Legislative Board hereby authorizes the County of Allegany to pay in the first instance 100 percent of the federal and non-federal share of the cost of Design, Right of Way Incidentals/Acquisition, and Construction/Construction Inspection work for the Project or portions thereof.

3. That the sum of \$2,151,305 is hereby made available to cover the cost of participation in the above phase of the Project.

4. That in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the County of Allegany shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof.

5. That the Chairperson of the Legislature of the County of Allegany be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Allegany with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible.

6. That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project.

7. That this Resolution shall take effect immediately.

Moved by: Mr. Fanton  
Seconded by: Mr. Demick

Adopted: Roll Call  
15 Ayes, 0 Noes, 0 Absent

### **RESOLUTION NO. 36-22**

### **APPROVAL OF AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND TWIN TIER CONSTRUCTORS FOR THE REPLACEMENT OF THE MADISON STREET BRIDGE (BIN 2255160) OVER WNY & PA RAILROAD IN THE VILLAGE OF WELLSVILLE**

Offered by: Public Works Committee

#### **RESOLVED:**

1. That the Agreement between the County of Allegany and Twin Tier Constructors for the replacement of the Madison Street Bridge (BIN 2255160) over WNY & PA Railroad in the Village of Wellsville, is approved.

2. That the prior signature of the Superintendent of Public Works on said Agreement is hereby ratified.

Moved by: Mr. Fanton  
Seconded by: Mr. Demick

Adopted: Roll Call  
15 Ayes, 0 Noes, 0 Absent

**RESOLUTION NO. 37-22**

**APPROVAL OF RENEWAL OF AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND NMS LABS FOR FORENSIC LABORATORY SERVICES**

Offered by: Human Services Committee

Pursuant to County Law § 675

**RESOLVED:**

1. That the renewal of the Agreement between Allegany County and NMS Labs for forensic toxicology services for the period of January 1, 2022, to December 31, 2022, is approved.

2. The following contracted rates shall apply for services:

<u>Test Number</u>	<u>Test Description</u>	<u>Price Per Sample</u>
90024B	Basic Postmortem Toxicology Panel – Blood, Urine, Serum/Plasma	\$201
8051B/U/SP		
8051FL	Basic Postmortem Toxicology Panel – Non-Routine Fluids	\$312
8051TI	Basic Postmortem Toxicology Panel – Tissue	\$334
8052B/U/SP	Expanded Postmortem Toxicology Panel – Blood, Urine, Serum/Plasma	\$279
8052FL	Expanded Postmortem Toxicology Panel – Non-Routine Fluids	\$546
8052TI	Expanded Postmortem Toxicology Panel – Tissue	\$602
8050U	Urine Drug Screen	\$28

3. That the Chairman of this Board shall execute said Agreement.

Moved by: Mrs. Burdick  
Seconded by: Mrs. Ricketts-Swales

Adopted: Roll Call  
15 Ayes, 0 Noes, 0 Absent

**RESOLUTION NO. 38-22**

**APPROVAL OF INTERMUNICIPAL AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND MONROE COUNTY FOR MEDICOLEGAL DEATH INVESTIGATIVE SERVICES AND FORENSIC PATHOLOGY SERVICES THROUGH THE MONROE COUNTY MEDICAL EXAMINER’S OFFICE**

Offered by: Human Services Committee

Pursuant to County Law § 675

**RESOLVED:**

1. That the Intermunicipal Agreement between the County of Allegany and Monroe County for medicolegal death investigative services and forensic pathology services for the period of January 1, 2022, to December 31, 2022, is approved.

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

Moved by: Mrs. Burdick

Seconded by: Mrs. Ricketts-Swales

Adopted: Roll Call

15 Ayes, 0 Noes, 0 Absent

**RESOLUTION NO. 39-22**

**APPROVAL OF AGREEMENT WITH NICHOLSON'S PHARMACY FOR PHARMACY CONSULTANT SERVICES**

Offered by: Human Services Committee

**RESOLVED:**

1. That the agreement with Nicholson's Pharmacy for pharmacy consultant services, effective January 1, 2022, through December 31, 2022, is approved.

2. The Pharmacy shall be reimbursed at the rate of \$50 per hour for services rendered.

3. That the Chairman of this Board is authorized to execute said Agreement.

Moved by: Mrs. Burdick

Seconded by: Mrs. Ricketts-Swales

Adopted: Roll Call

15 Ayes, 0 Noes, 0 Absent

**RESOLUTION NO. 40-22**

**APPROVAL OF AGREEMENT BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND ALLEGANY COUNTY COMMUNITY SERVICES TO PROVIDE QUALIFIED INDIVIDUAL EVALUATIONS**

Offered by: Human Services Committee

**RESOLVED:**

1. That the Agreement between the Department of Social Services and Allegany County Community Services for QI evaluations of children placed in Qualified Residential Treatment Programs for the term January 1, 2022, through December 31, 2022, is approved.
2. That the Chairman of this Board is authorized to execute said Agreement.

Moved by: Mrs. Burdick  
Seconded by: Mrs. Ricketts-Swales

Adopted: Roll Call  
15 Ayes, 0 Noes, 0 Absent

**RESOLUTION NO. 41-22**

**AUTHORIZING AND APPROVING A SETTLEMENT AGREEMENT TO AN ACTION  
RELATING TO THE OPIOID CRISIS**

Offered by: Ways & Means Committee

**WHEREAS**, there is pending a matter on behalf of the County of Allegany, regarding the opioid addiction crisis, in which the County of Allegany is a named plaintiff in the action (the "Action"), and

**WHEREAS**, the Action is against several defendants, including manufacturers of opioids, distributors of opioids and chain pharmacies, and

**WHEREAS**, the Action alleges several causes of action against defendant Allergan based on claims that Allergan contributed to the opioid epidemic by falsely promoting prescription opioids it manufactured and sold and by falsely promoting the increased use of opioids directly and generally through various "front groups" and failing to implement measures to prevent diversion of prescription opioids in connection with distribution of its products, all of which contributed to a public health crisis in the County of Allegany, and

**WHEREAS**, Allergan has offered to settle the claims of the County of Allegany against it by paying the sum of \$98,545.63 to be used for restitution and abatement and agreeing to not manufacture, sell or promote opioids, and

**WHEREAS**, the County of Allegany has approved a settlement agreement and release ("Agreement") and the Agreement is attached hereto as Exhibit "A," and

**WHEREAS**, it is in the best interest of the County of Allegany to resolve this matter with respect to Allergan without further litigation and enter into the proposed Agreement as it shall settle all allegations against Allergan and avoid protracted litigation; now, therefore be it

**RESOLVED:**



1. That the execution and delivery on behalf of and in the name of the County of Allegany by the Chairman of the Board of Legislators, or his designee, of the proposed Agreement attached hereto as Exhibit "A" is hereby authorized, and the Chairman of the Board of Legislators, or his designee, is hereby authorized, and directed to execute the proposed Agreement in a form substantially similar thereto and execute such other documents as may be necessary and appropriate to effectuate the settlement with Allergan.

Moved by: Mr. Harris  
Seconded by: Mr. Fanton

Adopted: Roll Call  
15 Ayes, 0 Noes, 0 Absent

Comments made regarding Resolution No. 41-22: Legislator Healy asked if outside counsel was hired for this and if our desire to settle is based on the advice of outside counsel or the County Attorney. County Administrator Knapp stated that outside counsel was hired for this, and it is their advice that we settle. Ms. Knapp noted that this is just one of several to be acted on. Legislator Harris asked if there is language in the agreement that stipulates how the funds are used. County Administrator Knapp said that the agreement does dictate how the funds may be used. Legislator Harris asked if we have a process in place for appropriating these funds. Ms. Knapp stated that a process needs to be set up.

## **RESOLUTION NO. 42-22**

### **APPOINTMENT OF CARISSA M. KNAPP, COUNTY ADMINISTRATOR, AS THE ENVIRONMENTAL CERTIFYING OFFICER FOR A COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT**

Offered by: Ways & Means Committee

**WHEREAS**, the County has received a Community Development Block Grant (CDBG) in collaboration with Cattaraugus Community Action to replace four dilapidated homes in Allegany County with the eligible recipients to include the elderly, disabled, and veterans, CDBG Project #20MH315-21, and

**WHEREAS**, an environmental review of said project must be completed, and

**WHEREAS**, a Certifying Officer must be appointed for the environmental review, now, therefore, be it

#### **RESOLVED:**

1. That in accordance with the National Environmental Policy Act of 1069 (NEPA) and the related authorities listed at 24 CFR Part 58, the Allegany County Board of Legislators announces its intent to conduct an environmental review of said project.

2. That the Allegany County Board of Legislators designates Carissa M. Knapp, County Administrator, as the Environmental Certifying Officer, responsible for all activities

associated with the environmental review process to be completed in conjunction with NYS Project #20MH315-21.

Moved by: Mr. Harris  
Seconded by: Mr. Fanton

Adopted: Voice Vote

**RESOLUTION NO. 43-22**

**APPROVAL OF AGREEMENT BETWEEN THE COUNTY OF ALLEGANY AND FISCAL ADVISORS & MARKETING INC. FOR FINANCIAL ADVISORY SERVICES FOR THE TREASURER'S OFFICE**

Offered by: Ways & Means Committee

**RESOLVED:**

1. That the agreement between the County of Allegany and Fiscal Advisors & Marketing Inc. for financial advisory services is approved.
2. That the County Treasurer is authorized to execute the letter of engagement for the Financial Advisory Services Agreement with Fiscal Advisors & Marketing Inc.

Moved by: Mr. Harris  
Seconded by: Mr. Fanton

Adopted: Roll Call  
15 Ayes, 0 Noes, 0 Absent

**AUDITS:**

A motion was made by Legislator Harris, seconded by Legislator Ricci, 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 15 Ayes, 0 Noes, 0 Absent, that the audit of claims, totaling \$3,687,672.53 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 \$791,265.*)

**ADJOURNMENT:** The meeting was adjourned at 2:54 p.m. on a motion made by Legislator Rumfelt, seconded by Legislator Ricci, and carried.