

WAYS & MEANS COMMITTEE
August 24, 2022

Call to Order: The meeting was called to order at 1:01 p.m. by Ways & Means Committee Chairman Brooke Harris.

Roll Call: B. Harris, D. Fanton, J. Burdick, P. Curran, S. Havey, J. Ricci, P. Stockin, (Absent: D. Root)

Other Attendees: G. Barnes, T. Boyde, R. Budinger, A. Carrow, A. Cyr, R. Ewell, G. Hanchett, D. Healy, K. Hooker, C. Jones, C. Knapp, T. Linn, B. Riehle, T. Ross

Committee Chairman Harris opened the meeting with the following statement:

There's a chance that this committee will need to enter into an executive session today to discuss the employment history of a particular individual. This is within our rights and is not intended to limit the public's ability to scrutinize our work. It serves the important function of protecting the privacy and integrity of the individual to be discussed. We will not waive this privilege simply to satisfy the misinterpretations of the Open Meetings Law that may exist with anyone present here today.

Furthermore, this committee will not tolerate outbursts of any kind in the chambers. Anyone attempting to disrupt the work of the committee will be asked to leave. Our job is to serve the people of the County, not to provide a forum for self-aggrandizement. This Board embraces the philosophies of government transparency protected by the Open Meetings Law and Freedom of Information Law. We're constantly seeking to improve our policies and procedures in a manner that improves accessibility for the public. If anyone has thoughts on how we can further this mission and achieve this goal, please don't hesitate to let us know through appropriate means.

Freedom of Information Law (FOIL) Policy

Allegany County Attorney Allison Carrow briefly discussed the Freedom of Information Law (FOIL) and Policy. Ms. Carrow stated that Allegany County will be updating its written FOIL policy this fall and presenting it to the Board for review and adoption. Ms. Carrow stated that the Freedom of Information Law can be found in Public Officers Law, Article 6, Section 84-90, and also in the New York Code of Rules and Regulations, Part 1401, under the Committee on Open Government. Ms. Carrow stated that this is law and Allegany County operates under it and we follow the policies and procedures. Ms. Carrow thanked all of the departments and Department Heads within Allegany County that work with the Attorney's Office and with the Clerk of the Board of Legislators Office to provide all of the records requested to comply with those rules and regulations. Ms. Carrow stated that Allegany County does a very good job enforcing this policy, and improvements are made for efficiency with our policies and procedures, which will be part of what will be accomplished with the update in the fall. Ms. Carrow briefly highlighted some of the updates and stated that they are required under the law. Ms. Carrow stated that the updates to the policy will include: naming the Records Access Officer and his/her responsibilities, the location where the records are available to the public for review and copying, hours when this can occur, processes and procedures of requests for public access to records in accordance with the Public Officers Law, the subject matter that each department must maintain, whether or not the record is available for disclosure under the applicable provisions of the law, the deletion or redaction of certain information from records in accordance with the Public Officers Law, regarding privacy as well as other applicable State or Federal Laws, processes and procedures of redactions, and/or denial of access of some or all records to the public in accordance with applicable procedures under the law including the statutory appeals process and the name of the County's Appeals Officer, and the fees process if they are not waived by the County. Ms. Carrow stated that they can discuss these fees in more detail once the updates have been presented to the Board for review. Ms. Carrow stated that she has received questions regarding these fees which are codified with the law. Committee Chairman Harris asked Ms. Carrow to clarify a bit regarding the fees. Ms. Carrow stated that there is no charge for submission of a FOIL request,

inspection of records, a search of records, or any certification of records. Ms. Carrow explained that the law permits the charge of fees; however, it is very specific and detailed. Ms. Carrow explained that the law is extremely stringent and cannot be altered much. Ms. Carrow stated that the fees cannot be charged in a way that makes it prohibitive or punitive for the public to access records. Ms. Carrow stated that the purpose of FOIL is to give the public the right to access, with certain exceptions, documents, and information about the functions, procedures, policies, decisions, and operations of government departments and agencies. Ms. Carrow stated that any conflicts of laws governing public access to records are interpreted in favor of the widest possibility of public records to the individual or to the agency that is requesting those records from us. Committee Chairman Harris asked if there are expenses associated with the fulfillment of FOIL requests. Ms. Carrow stated that there are very few expenses associated with the fulfillment of FOIL requests, and most FOIL requests require less than 2 hours to respond. Ms. Carrow stated that the few requests associated with greater expenses require more than 2 hours to respond to. Committee Chairman Harris asked if the 2-hour mark is per FOIL request. Ms. Carrow stated that it is per request.

New York State Healthcare and Mental Hygiene Worker Bonus (HWB) Resolution

Ms. Carrow requested a resolution to apply for the New York State Healthcare and Mental Hygiene Worker Bonus (HWB) Program funding. The NYS Budget includes a new Healthcare Worker Bonus (HWB) Program for nurses, counselors, therapists, and “other healthcare support workers” like custodians, maintenance workers, and housekeepers provided that they support patient-facing care in a hospital or other institutional medical setting. The County Administrator and Personnel Officer also requested authorization for Allegany County as a local government agency and qualified employer to offer the NYS Healthcare Worker Bonus Program to eligible employees effective immediately following the employee vesting period and bonus payment requirements. The funds for this program are 100 percent State reimbursed based on qualifications and eligibility per State regulations. The NYS Budget includes a new Healthcare Worker Bonus Program for eligible employees based on average weekly hours worked during the vesting period, with bonuses ranging from \$500 to \$1,500. The maximum an employee may receive across all employers and vesting periods is \$3,000. An account will be established to track and monitor revenues and expenditures upon Board approval. Legislator Fanton pointed out that once this grant runs out, there is no further obligation by the County. Legislator Burdick asked how many County employees this will affect. County Administrator Knapp stated that this guidance came out in August and the application is due September 2. Ms. Knapp explained that the guidance refers to very specific titles. Legislator Burdick commented that many people in the County that went above and beyond to provide assistance during the pandemic will not be entitled to this bonus, because it pertains to very specific titles. Ms. Carrow explained that the purpose of this bonus is for recruitment and retention efforts of positions that were heavily stressed during the pandemic. The request was approved on a motion by Legislator Fanton, seconded by Legislator Burdick, and carried. **Prepare Resolution**

Approval of Audit

Committee members reviewed the August 24, 2022, audit of claims in the amount of \$4,740,102.58 (including prepaid bills). Legislator Burdick asked for clarification with the \$101,588.33 item for Account #3152, Buildings and Grounds for the Jail. Ms. Ross stated that it was for the paving of the Jail. A motion was made by Legislator Burdick, seconded by Legislator Havey, and carried to forward the audit to the full Board for approval of payment.

Community Development Block Grant (CDBG) Micro Enterprise Program Funding Resolution

Allegany County Administrator Carissa Knapp requested a resolution to apply for the CDBG Micro Enterprise Program funding to support micro-enterprises in Allegany County with business start-up and expansion funding in collaboration with the Allegany County Industrial Development Agency. Ms. Knapp requested authorization to convene a Public Hearing on September 28, 2022, at 2:00 p.m. in the County Legislators' Chambers, Room 221, County Office Building, 7 Court Street, Belmont, New York to discuss

the scope of the project and anticipated outcomes. With CDBG funding, the Allegany County IDA will provide financial assistance to support an estimated 8 to 12 local entrepreneurs by assisting with launching and expanding businesses in Allegany County. The total grant funds will be \$300,000. The request was approved on a motion by Legislator Ricci, seconded by Legislator Havey, and carried.

Prepare Resolution

REFERRALS

Planning & Economic Development

Renewal of an Agreement with the State University of New York College of Technology at Alfred

County Administrator Carissa Knapp requested a resolution approving a renewal of an agreement for a term of 60 days, at a prorated amount, to be negotiated with the State University of New York College of Technology at Alfred to provide assistance for the development and implementation of an economic and industrial development program for Allegany County with an emphasis on attracting new businesses and industries to locate within the County, and promoting the expansion of existing businesses and industries. Funds were previously budgeted in the 2022 Budget. The request was approved on a motion by Legislator Fanton, seconded by Legislator Burdick.

Legislator Fanton commented that 60 days is not long enough to facilitate the hiring and training for this position.

Legislator Burdick made a motion to amend the request to 6 months, stating that 60 days is not enough time to hire and train someone. The motion to amend to 6 months was seconded by Legislator Demick, opposed by Legislator Ricci, and carried.

Legislator Havey commented that he is in favor of this amendment to 6 months. Legislator Healy commented that he will support the amended 6-month term and explained that he had motioned for the 60-day term to encourage a quick turnaround. Legislator Barnes commented that he supports the 6-month term. Legislator Ricci asked what the president of Alfred would think of the 6-month term. Ms. Knapp stated that Alfred State College President Steven Mauro, Ph.D. stressed that Alfred State will be committed for any term up to 12 months and would like to come to another COW for further discussions. Legislator Ricci asked why they would not renew for 12 months when they have a 60-day out. Committee Chairman Harris commented that they can set an end date, or they can entertain another motion to amend the request back to 12 months. Legislator Fanton stated that a 6-month term is an appropriate amount of time. Legislator Hanchett agreed that a 6-month term is an appropriate amount of time. Legislator Healy commented that he is "all in" for the 6-month term, but that it seems we are always "moving the ball" with this contract. Legislator Cyr commented that he is in favor of a 12-month term considering they have a 60-day out. Chairman Stockin commented that he is in favor of a 12-month term, but will also support a 6-month term, stating that the longer they have will be better to do it right. Committee Chairman Harris commented that there will be another opportunity for another amendment at the full Board meeting. The amended request was approved on a motion by Legislator Havey, seconded by Legislator Burdick, opposed by Legislator Ricci, and carried. **Prepare Resolution**

Good of the Order

Majority Leader Steven Havey announced that a caucus would begin at 1:35 p.m. in the Legislative Chambers.

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 Ricci, seconded by Legislator Fanton, and carried.

Respectfully submitted,

Tiffany Linn, Confidential Secretary
Allegany County Board of Legislators