

January 6, 2016

The meeting was called to order by the Clerk of the Legislature, John R. Searles.

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed all Legislators present.

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COUNTY COURT JUDGE RONALD D. PLOETZ administered the oath of office to all Legislators.

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Mr. Searles stated the Legislature should now elect a Chairman for the year 2016, and asked for nominations.

MR. KLANCER moved, seconded by Mr. Weller to nominate Paula Stockman. Carried.

MR. SNYDER, SR. moved, seconded by Mr. Lamberson to close the nominations. Carried.

By voice vote, MRS. STOCKMAN was elected Chairman for the year 2016.

CHAIRMAN STOCKMAN addressed the Legislature:

Good afternoon,

I would like to thank you for electing me as your Chairman for 2016. Six years ago, I began as a County Legislator and there was no handbook to guide me. I begin 2016 as your Chairman, and again, there is no handbook. I will strive to do the will of the people.

Throughout the last six years, there have been many personnel changes: Crystal Abers, Dr. Watkins, Joe Pillittere, Dan Piccioli, Steve McCord, Pat Davison, Mary O'Leary, Tim Hellwig, Julie Carr, Judge Ploetz, two County Attorneys, re-election of the Sheriff and District Attorney, and our newly elected County Clerk. The Legislature has downsized; we met the tax cap; and we are ready for the tax freeze, although it has not yet been implemented. The State published the Moderate-Severe Stress List containing 14 counties and I am proud that Cattaraugus County is not one of them.

With our administration, department heads and staff working together as a team with the Legislature, we will continue to approach the day to day operations of the County; so let's get to work!

Thank you.

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CHAIRMAN STOCKMAN asked for nominations for Vice-Chairman for the year 2016.

MR. SNYDER, JR. moved, seconded by Mr. Klancer to nominate James Snyder, Sr. Carried.

MR. SNYDER, JR. moved, seconded by Mr. Klancer to close the nominations. Carried.

By voice vote, MR. SNYDER, SR. was elected Vice-Chairman for the year 2016.

VICE-CHAIRMAN SNYDER SR. thanked everyone for their support and looks forward to working with everyone.

CHAIRMAN STOCKMAN announced Donna Vickman has been chosen Majority Leader for the year 2016.

MAJORITY LEADER VICKMAN addressed the Legislature:

Chairman Stockman, Vice-Chair Snyder, Legislators, Department Heads, County employees and residents of Cattaraugus County,

For this Legislature, the issues are the same – state mandates, infrastructure, economic development and the Nursing Homes. Our administration and departments continue to meet the needs of those that require services and do this well.

This past month I have been able to interact with residents that go about everyday life, not needing particular services, but yet, they are unaware they benefit by what we as legislators do here in Little Valley. We need to continue to make legislation that will support those residents. Last week while in Ellicottville, as I was leaving the bank, an elderly lady was coming out as we came down the steps. I remarked on the parking, which that day there was none. She said, “My house is just down the street; I can walk. I have lived here all my life.” It is my hope our County can be a place that our young in 50 plus years can say – “I’ve lived here all my life”.

My goal for the next four years is to continue to make this a county to be proud of and a good place to raise families.

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MS. VICKMAN announced that Howard VanRensselaer has been chosen Assistant Majority Leader and that William Weller has been chosen Majority Whip for the year 2016.

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CHAIRMAN STOCKMAN announced Susan Labuhn has been chosen Minority Leader for the year 2016.

MINORITY LEADER LABUHN commented that it was a wonderful group to work with and that their caucus will work with everyone for the betterment of the County.

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MINORITY LEADER LABUHN announced that David Koch will be the Assistant Minority Leader and John Padlo will be the Minority Whip for the year 2016.

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COUNTY COURT JUDGE RONALD D. PLOETZ administered the oath of office to the members of the leadership.

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CHAIRMAN STOCKMAN announced that Ann Giglio will serve as Journal Clerk for the year 2016.

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MR. SNYDER, SR. moved, seconded by Mr. Weller that the minutes of the December 9, 2015 session be approved. Carried.

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COMMUNICATIONS:

New York State Department of State: Acknowledging receipt of Local Law No. 10-2015 (Intro No. 11-2015) and the filing of the same on December 8, 2015; Acknowledging receipt of Local Law No. 11-2015 (Intro No. 14-2015) and the filing of the same on December 22, 2015.

Letters of Disclosure From:

Mrs. Barbara J. Hastings

Mr. David M. Koch

Mr. Howard V. VanRensselaer

Mr. James J. Snyder

Dear Legislators:

This letter is to advise you that I am the duly elected, qualified and acting County Legislator of District #6 of the Cattaraugus County Legislature.

It is to further advise you that my son, Michael Hastings, is employed by Cattaraugus County as a Public Health Sanitarian in the Health Department.

This letter is intended as a written disclosure of my official capacities as required by Section 803 of the General Municipal Law.

Sincerely,

Barbara J. Hastings, County Legislator

Dear Legislators:

This letter is to advise you that I am the duly elected, qualified and acting County Legislator of District #5 of the Cattaraugus County Legislature.

It is to further advise you that my wife, Cynthia Koch, is employed by Cattaraugus County as a Personnel Assistant in the Human Resources Department and my daughter, Lora Prey, is employed by Cattaraugus County as a Keyboard Specialist in the Health Department.

This letter is intended as a written disclosure of my official capacities as required by Section 803 of the General Municipal Law.

Sincerely,

David M. Koch, County Legislator

Dear Legislators:

This letter is to advise you that I am the duly elected, qualified and acting County Legislator of District #8 of the Cattaraugus County Legislature.

It is to further advise you that my daughter, Sydney Evans, is employed by Cattaraugus County as an Intensive Case Manager in the Community Services Department, and my son-in-law, Anthony Evans, is employed by Cattaraugus County as the Director of the Youth Bureau.

This letter is intended as a written disclosure of my official capacities as required by Section 803 of the General Municipal Law.

Sincerely,

James J. Snyder, County Legislator

Dear Legislators:

This letter is to advise you that I am the duly elected, qualified and acting County Legislator of District #4 of the Cattaraugus County Legislature.

It is to further advise you that, at times, I assist at VanRensselaer & Son Funeral Home, which is owned by my son, Howard T. VanRensselaer. I may, therefore, be occasionally reimbursed indirectly by the Cattaraugus County Department of Social Services for indigent burial services.

This letter is intended as a written disclosure of my official capacities as required by Section 803 of the General Municipal Law.

Sincerely,

Howard V. VanRensselaer, County Legislator

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ACT NO. 1-2016 by Mrs. Stockman

ADOPTION OF 2016 RULES OF ORDER

Pursuant to Section 153 of the County Law.

RESOLVED, that the Rules of Order of the Cattaraugus County Legislature for the year 2016 shall be as follows:

**RULES OF ORDER
OF THE
CATTARAUGUS COUNTY LEGISLATURE**

RULE 1. ORGANIZATION MEETING

1.1 The organization meeting of the Legislature shall be held on or before January 8 in each year for election or appointment of all officers and employees. The Clerk shall call the meeting to order and the first order of business shall be the election of a Chair for the ensuing year. The Legislature, under the Chair, shall proceed with the election of a Vice-Chair whose term of office shall be for the current year.

1.2 At the organization meeting commencing a new legislature, the Legislature shall appoint a County Attorney to act during the term of office for which the then members of such Legislature were elected.

1.3 The Chair shall appoint the Journal Clerk whose term of office shall be for the current year.

1.4.1 The Chair shall announce one majority leader selected by the members affiliated with one political party having a majority of the legislative membership.

1.4.2 The majority leader shall be a member of the Finance Committee.

1.5.1 The Chair shall announce one minority leader selected by the members affiliated with a political party or combination of political parties, other than the political party of the majority leader.

1.5.2 The minority leader shall be a member of the Finance Committee.

RULE 2. REGULAR MEETINGS

2.1 Regular meetings shall commence at 4:00 p.m. on the second and fourth Wednesdays of each month.

RULE 3. SPECIAL MEETINGS

3.1 Special meetings shall be at the call of the Clerk upon the direction of the Chair, or at the call of the Clerk of the Legislature upon direction of the Vice-Chair provided that upon convening, a majority of the members of the Legislature pass a resolution ratifying such call, or upon written request signed by Legislators representing a majority of the Legislature.

3.2 A notice in writing stating the time, place and purpose of the special meeting shall be served personally or by email upon each member of the Legislature by the Clerk at least 48 hours before the date fixed for holding the meeting, or a member may waive the service of a notice for such meeting by a writing signed by the member.

3.3 Only business specified in the notice may be transacted at a special meeting.

RULE 4. PLACE AND TIME OF MEETINGS

4.1 All meetings shall be held at the Legislature Chambers in Little Valley, New York, and shall begin at the hour specified in these rules, unless a different time or place is provided by a motion for adjournment or by the call for the meeting.

4.2 The Clerk shall notify members, County Officers and Department Heads of all meetings, except adjourned regular meetings.

RULE 5. PRESENCE OF COUNTY ATTORNEY and COUNTY ADMINISTRATOR

5.1 The County Attorney shall be present during all legislative meetings for the purpose of advising the Legislature on legal questions, unless excused by the Chair.

5.2 The County Administrator shall be present during all legislative meetings for the purpose of counsel and advice, unless excused by the Chair.

RULE 6. QUORUM

6.1 A majority of the full Legislature shall constitute a quorum for the transaction of business, but a lesser number may adjourn.

6.2 When a quorum is not present, the Clerk of the Legislature, upon request of the members present, shall notify members in the manner specified for calling special meetings that an adjourned meeting will be held at a specified time.

RULE 7. TEMPORARY CHAIR

7.1 Upon the appearance of a quorum, the Chair shall call the Legislature to order.

7.2 In the case of the non-appearance of the Chair, the Vice-Chair shall conduct the meeting.

7.3 In the case of the non-appearance of the Chair or the Vice-Chair, the Majority Leader shall conduct the meeting.

7.4 In case of the nonappearance of the Chair, Vice-Chair or Majority Leader within fifteen minutes of the appointed hour, the Clerk shall call the Legislature to order and a Chair pro tem shall be elected to preside for such day only, or during the absence of the Chair. The Chair pro tem shall have and exercise all of the powers and duties of the Chair at the meeting over which the Chair pro tem is called to preside.

RULE 8. ORDER OF BUSINESS

8.1 The order of business at each session shall be as follows, with the exception of times set apart for the consideration of special orders of the day:

1. Call to order by Chair.
2. Roll Call by Journal Clerk.
3. Invocation at each regular meeting.
4. Correcting and approving the minutes of any previous meetings.
5. Presentation of notices, petitions, claims, communications and departmental reports.
6. Privilege of the floor, subject to Rule 11.1.

7. Resolutions, motions and notices ready for action.
8. Unfinished business.
 - .1 tabled matters.
 - .2 matters postponed to date certain.
9. Resolutions presented for immediate consideration.
10. Notices and any other matters for discussion.
11. Adjournment.

RULE 9. ROLL CALL

9.1 On roll call, the Journal Clerk shall record by name all members present or absent. It shall be the duty of any Legislator arriving late or departing before adjournment to advise the Journal Clerk of his/her arrival and his/her departure and it shall be the duty of the Journal Clerk to note the name of the Legislator and the time by hour and minutes of his/her late arrival or early departure.

RULE 10. MINUTES OF PREVIOUS MEETING

10.1 Minutes of the previous meeting shall not be read, unless requested by any Legislator, by motion duly made, seconded and adopted by majority vote.

RULE 11. PRIVILEGE OF THE FLOOR

11.1 A person, other than a member of the County Legislature, may be granted the privilege of the floor by the Chair only on agenda items upon the request of a Legislator, unless a motion is made by a Legislator for a vote on extending the privilege. If such motion is made, a majority vote shall be made to extend the privilege. Such privilege may be granted upon non-agenda items by advance notice to the Chair prior to the meeting. The Chair, in its discretion, may set reasonable limitations upon the duration of time for which the privilege will be extended. In addition to persons granted the privilege of the floor, the Chair may extend such privilege under other appropriate times and circumstances. For purposes of this rule only, the Clerk of the Legislature and the County Attorney shall have the same speaking privilege as a Legislator.

11.2 If a person, other than a member of the County Legislature, in speaking transgresses the rules of the Legislature, the Chair or any member may call him/her to order and the Chair may suspend the privilege.

RULE 12. PRESENTATION AND WITHDRAWAL OF MOTIONS AND RESOLUTIONS

12.1 All resolutions shall be reduced to writing and filed with the Clerk.

12.2 Every resolution shall contain the name or names of the sponsors, a short title setting forth the purpose of the proposed action, and a reference to the law or laws, if any, from which the authority to pass the resolution shall be derived.

12.3 All resolutions and local laws shall be filed with the County Attorney not later than noon of the 13th day before the Legislature meeting.

12.4 All resolutions shall provide the name of the prime sponsor, or sponsors, on the first line.

12.5 Upon the request of the prime sponsor, or sponsors, prior to action taken by the legislature, the name or names of additional sponsors shall be added to the resolution in alphabetical order on the second line with the majority members listed first and the minority members listed second. Such

permission may be given by the sponsor or sponsors either in writing to the Chair of the Legislature prior to the legislative meeting at which the resolution is to be debated or orally when the resolution is on the floor for discussion.

12.6 If a Committee is sponsoring a resolution, then the names of the committee members shall appear on the first line as prime sponsors with additional sponsors listed on the second line.

12.7 Each resolution shall indicate the year of its introduction.

12.8 The Clerk of the Legislature shall assign all resolutions and correspondence to the proper committee or committees for proper action.

12.9 A copy of all resolutions shall be emailed to each Legislator. The Deputy Clerk of the Legislature shall place a copy of all resolutions in each Legislator's mail box located in the Office of the Assistant to the Legislature.

12.10 All committees with business to transact shall meet on the seventh day preceding the meeting of the Legislature. Five days preceding the meeting of the Legislature, the Clerk shall cause to be reproduced and emailed to all Legislators copies of all resolutions and the disposition, if any, of them.

12.11 The term "resolution" as herein used shall mean a formal proposed action, in writing, to be read by the Journal Clerk. Any proposed action given orally from the floor shall be deemed a motion.

12.12 No motion shall be debated until seconded. After a motion or resolution is stated by the Chair or read by the Journal Clerk, it shall be deemed to be in the possession of the Legislature and open for debate, but may be withdrawn at any time before decision is made or an amendment is adopted. A resolution may be withdrawn by the author. A motion or amendment may be withdrawn by the two members who offered and seconded it. The names of the members who offered and seconded the motion shall be entered in the proceedings by the Clerk.

12.13 All resolutions memorializing action on pending legislation by the State Legislature shall be identified by setting forth the Assembly or Senate Introductory Number of the legislation.

12.14 All resolutions in committee or reported on by committee and not acted on by committee and not acted on by the Legislature before the end of the year shall die each December 31.

12.15 No resolution shall be filed with the Clerk of the Legislature until it has been approved as to legality and form by the County Attorney. The County Attorney shall indicate his/her approval of legality and form of the resolution by initialing the original copy of the resolution.

12.16 Each paragraph of each resolution or local law shall be numbered consecutively.

12.17 Paragraphs 12.3, 12.8 and 12.9 of this rule shall not apply to the meetings in January, nor to tax and budget resolutions introduced in November and December.

12.18 Where applicable, a resolution request form shall be filed with the County Attorney prior to resolution preparation.

12.19.1 All proposed local laws and the public hearing resolutions accompanying them, after being passed out of the committees to which they are assigned, will appear on the legislative agenda for the next meeting of the Legislature, but the local law shall be listed under an agenda category entitled "Local Laws Not Ready for Final Action". No legislative action on a local law so listed except amendment may occur at that meeting. At the meeting at which the public hearing on a local law is scheduled to be held, the local law shall be listed on the legislative agenda under the category entitled "Resolutions, Motions and Notices Ready for Action", although the local law may not be acted upon until after the public hearing is held and closed.

12.19.2 Local laws and their accompanying hearing resolutions filed for immediate consideration will both be provided to the Legislature. In the event that the Legislature votes, pursuant to Rule 16.3, to consider the hearing resolution, it may be acted upon at the meeting at which it is introduced. In the event that the Legislature votes, pursuant to such rule, to consider the local law at that meeting, no legislative action on such local law may then occur except amendment. After such meeting of the Legislature, the procedure set forth in the last sentence of Rule 12.19.1 shall apply.

12.20 Beneath the caption of each proposed local law, there shall appear a brief description of the local law in plain language including its purpose and intent.

12.21 Academic and athletic achievement resolutions should be sponsored by all legislators.

RULE 13. RESOLUTIONS AND LOCAL LAWS CREATING COUNTY POSITIONS

13.1 Any local law or resolution seeking to create a new county position shall not be filed with the Clerk of the Legislature or be prefiled with the Clerk of the Legislature unless such local law or resolution is accompanied by a certification by the Cattaraugus County Personnel Officer approving the title of such position.

13.2. The request to fill the position vacancy must be approved by the following:

- .1 Standing Committee
- .2 Finance Committee.

RULE 14. SPONSORSHIP OF COUNTY PROPERTY SALES

14.1 Every resolution which authorizes the sale of any county property, other than tax title property, must be sponsored by a majority of the Legislators representing the district in which the property is located.

RULE 15. TRANSFER OF FUNDS

15.1 Any resolution authorizing or directing the transfer of funds from any account to another account shall not be adopted unless such resolution or transfer of funds be accompanied by an explanation to be submitted by the applicable department head, fully explaining the reason and necessity of such transfer.

15.2 All other transfers of funds shall be made in accordance with Local Law Number 5-1985 (Intro Number 10-1985), as amended.

RULE 16. AGENDA

16.1 The Clerk shall prepare a statement of the order of business for each meeting of the Legislature which shall also contain the title and sponsor of each resolution to be presented together with the number to be assigned thereto.

16.2 The order of business shall be emailed prior to the regular meeting or be placed on the desk of each Legislator.

16.3 Any resolution not set forth in the order of business shall be tabled by the Chair until the next meeting of the Legislature, unless, upon motion regularly made and adopted by a two-thirds vote of the Legislators, the consideration of such resolution is authorized. The motion shall be as follows: "Move that Resolution No. ____ be considered at this time."

16.4 Any resolution appearing on the agenda will not be read at the meeting of the Legislature, but shall be called up by referring only to the Act number and the title, as hereinabove set forth, the same shall be deemed to be before the Legislature with the full force and effect as though the same had been fully read; if, however, any Legislator requests the reading of the resolution in full, such resolution must be read to the Legislature.

16.5 Information, correspondence, and non-county resolutions not germane to the regular legislative meeting shall be filed with the Journal Clerk.

RULE 17. UNFINISHED BUSINESS

17.1 All reports, resolutions, and other matters laid on the table, may be called therefrom under "Unfinished Business" in the regular order of business.

17.2 All questions laid over by rule, or by request of any member, for one day shall be considered in order on the succeeding day or at the next session, under the head of "Unfinished Business."

RULE 18. ORDER AND DECORUM

18.1 The Chair shall preserve order and decorum and shall decide all questions of order subject to an appeal to the Legislature. If an appeal be taken from the decision of the Chair, the Chair shall have the right in his/her place to make known the reason for his/her decision. The Legislature shall decide the case without debate and the question shall be stated, "Shall the ruling of the Chair be sustained?"

18.2 In order to debate, to give a notice, to make a motion, or to present a petition or other papers, a Legislator must rise and be recognized by the Chair before he/she shall proceed. When two or more Legislators rise to speak at the same time, the Chair shall determine who is entitled to the floor.

18.3 While a member is speaking, no member shall entertain any private discourse or pass between the speaker and the Chair.

18.4 While the Chair is putting a question, or while the roll is being called, no member shall speak or leave his/her place.

18.5 If any member, in speaking, transgresses the rules of the Legislature, then the Chair or any member may call him/her to order, in which case the member so called to order, shall immediately sit down, unless permitted to explain. He/She shall remain seated until the Chair determines the point

raised and if the point shall be sustained, then such member shall not further proceed, except on order and by permission of the Chair.

18.6 When a motion to adjourn is carried, the members shall keep their seats and places until the Chair declares the Legislature adjourned.

18.7 While the Legislature is in session no person other than members of the Legislature shall be allowed on the floor without the consent of the Chair, except the County Attorney, Journal Clerk, County Administrator or his/her designee. "On the floor" shall be designated as that area surrounding the Legislators' desks; all other county officers, department heads and interested persons and spectators shall remain in seats provided outside the railing, unless otherwise instructed by the Chair. The space designated for individuals wishing to videotape public meetings shall be at the end of the public area behind the railing next to the Chamber windows. The space designated for the print and audio media shall continue to be to the left of the podium.

18.8 In order to have an orderly presentation of speakers at public hearings, the Legislative Assistant shall maintain a sign-up sheet for persons interested in speaking at such hearings.

18.9 During public hearings, the Chair may set a reasonable limitation upon the duration of time for which members of the public will be granted the privilege of the floor.

18.10 Errors in actual fact made during public hearings may be corrected or addressed by the Chair, or his/her designee.

18.11 A member wishing to make comments germane to a resolution under consideration by the Legislature may submit such comments, not to exceed 75 words, in writing to the Journal Clerk on the date that the resolution is under consideration by the Legislature.

18.12 Matters raised by any person which are not germane to a resolution under consideration may be referred by the Chair to the appropriate committee.

RULE 19. RULES OF DEBATE

19.1 No debate shall be in order until the pending question shall be stated by the Chair.

19.2 If the question being debated contains several distinct propositions, the same shall be divided by the Chair at the request of any member, to the end that a vote may be taken on each proposition.

19.3 All questions relating to the priority of business, that is, the priority of one question or subject matter over another, under the same order of business, shall be decided by the Chair without debate.

19.4 When the reading of any paper is called for and objected to by any member, the question shall be determined without debate by a vote of the Legislature.

19.5 The Vice-Chair shall assume the chair to preside when the Chair desires to speak from the floor on any pending matter. In the absence of the Vice-Chair, the Chair, with the permission of the majority of the Legislature, may designate an acting Chair to preside when the Chair desires to speak from the floor on any pending matter. Such designation shall be effective until the question on the floor is disposed of, or the Chair elects to return to the Chair.

19.6 The Chair may limit the speaking of a member on any motion or resolution, or any amendment to a motion or resolution, to three times.

RULE 20. MOTIONS AND THEIR PRECEDENCE

20.1 When a question shall be under consideration, no motions shall be made except as herein specified, which motions shall have precedence in the order stated:

UNDEBATABLE

1. For adjournment of the Legislature
2. Take recess
3. Raise a question of privilege
4. To lay on the table
5. For the previous question
6. Limit or extend limits of debate

DEBATABLE

1. Postpone to a certain time
2. Commit or refer
3. Amend
4. Postpone indefinitely
5. Main motion

20.2 The motion to adjourn or to take a recess shall always be in order, but cannot be made while the Chair is putting a question or while a member has the floor or after the previous question has been ordered or while the Journal Clerk is calling the roll, or while in Committee of the Whole.

RULE 21. DEBATE CLOSURE

21.1 When a debate has run its course, a member may rise to request debate closure. The member must be recognized by the Chair prior to requesting debate closure. The Chair may recognize those members who were standing prior to the request for debate closure. When the Chair determines that the debate is concluded, the Chair shall put the resolution or motion on the floor to a vote.

21.2 Alternatively, a member may move the previous question. The motion requires a second, is non-debatable and requires a two-thirds vote.

RULE 22. QUESTIONS LAID OVER BY REQUEST

22.1 Any motion, resolution, or any other proposition giving rise to debate, except matters before the Legislature as unfinished business, or any regular parliamentary motion and any motion referring to a motion, shall lie over to the next day if so requested by a majority vote of the Legislature, but shall not be again postponed unless made a special order.

RULE 23. RULES OF VOTING

23.1 The ayes and nays shall be taken on all questions requiring a vote of the Legislature when required by statute. A roll call vote may be taken under all other circumstances, provided that two legislators request that such a roll call vote be taken. Except where otherwise specifically provided by these rules, Roberts Rules of Order, or by statute, a majority vote of the members shall govern. Every member who shall be present on the floor (as defined in Rule 18.7) when a question is stated by the Chair shall vote thereon, except that a legislator who has a prohibited conflict of interest under the

General Municipal Law or the County's Code of Ethics shall not vote after stating his/her connection with the matter under consideration and obtaining a ruling from the County Attorney that such constitutes prohibition from voting. If a legislator who is present on the floor and not prohibited from voting refuses or otherwise fails to vote, then the Chair shall direct the Clerk to record such member's vote in the affirmative on the question being voted on.

23.2 In the event that a legislator wishes to leave the floor before a question is stated by the Chair, he/she must do so before the question is called, and announce his/her absence to the Journal Clerk, who shall record it, and thereafter announce his/her return to the Journal Clerk.

23.3 The order of voting at meetings of the Legislature shall be rotated alphabetically, beginning with the letter 'A'. For example, legislator 'A' would be required to vote first on resolutions requiring a roll call vote considered at the first meeting held during the year, Legislator 'B' would vote first on resolutions considered at the second meeting, etc., continuing through the members of the Legislature alphabetically for the meetings held during the remainder of the year.

RULE 24. STANDING COMMITTEES

24.1 The Chair shall appoint the members of all standing committees and special committees. All standing committees shall be appointed for the current year, but shall hold over until new committees have been appointed by the Chair, except at the end of a legislative term, at which time all committee assignments terminate. No person shall continue to serve after he/she has ceased to be a member of the Legislature. In order to conduct official business, a quorum, consisting of the majority of the committee, shall be required.

Standing committees and number of members are as follows:

Number	Name of Committee	Number of Members
1.	County Operations/Public Safety	7
2.	Development & Agriculture	7
3.	Finance	7
4.	Human Services	7
5.	Labor Relations	5
6.	Public Works	7
7.	Strategic Planning	

Duties and scope of each committee are listed in the Appendix.

RULE 25. SPECIAL COMMITTEES

25.1 Special committees may be authorized at any legal meeting of the Legislature. They shall be appointed by the Chair. Any resolution creating any special committee shall specify the powers and duties of the committee and the number of its members.

RULE 26. ADVISORY COMMITTEES AND LEGISLATIVE REPRESENTATIVES

26.1 Advisory committees and legislative representatives shall be appointed in the same manner as special committees.

RULE 27. COMMITTEE OF THE WHOLE

27.1 In order to consider matters informally the Legislature may, at any time when in session, resolve itself into a Committee of the Whole on any subject before it. The Chair, or, in the Chair's absence, the Vice-Chair, shall preside.

27.2 The rules of the Legislature shall be observed by this committee insofar as they are applicable, except that the previous question shall not apply; nor shall the number of times a member may speak be limited, and except that the ayes and nays shall be taken. The only motions in order are, "to amend," "to adopt," and "to rise and report." A motion to rise and report progress shall always be in order at any stage, and shall be decided without debate.

27.3 The committee cannot refer the subject to another committee.

27.4 Local Laws and other matters shall be considered in Committee of the Whole, in the following manner: They shall first be read through, if the committee so directs; otherwise, they shall be read and considered by sections, leaving the title to be last considered. All amendments in their proper connection shall be reported to the Legislature.

RULE 28. REFERRAL TO COMMITTEES

28.1 All petitions, communications, budget adjustments, reports, resolutions, motions, etc., requiring action of a committee, shall be referred by the Chair, without motion, to the appropriate committee, unless otherwise ordered by the Legislature.

RULE 29. COMMITTEES IN GENERAL

29.1 The first member designated on each committee shall be the Chair thereof, and the second member the Vice-Chair. In the absence of the Chair and Vice-Chair of the committee, the senior-ranking committee member of the Majority party shall become the temporary Chair of the committee. Under all circumstances, a committee quorum will be required for any official action.

29.2 The Chair of each committee shall give, or cause to be given by the Clerk of the Legislature, notice in person, by telephone, or by email at least two days in advance of the meeting, the hour and place of each meeting, except no advance notice need be required when the committee meeting is held on a day when the Legislature shall be in session.

29.3 All committee meetings shall be upon the lawful call of either the Chair of the County Legislature, the Committee Chair, or by the filing of a petition by a majority of the committee members with the Clerk of the Legislature.

29.4 No committee meeting shall be adjourned until announced by the Chair of the committee or upon a vote of the majority of the members present.

29.5 Action on any matter lawfully before any committee shall be taken only while a quorum of the committee is present and in session.

29.6 Only those committee members and the sponsor or sponsors of a resolution shall address the resolution during the committee session. Other persons may speak with the permission of the Committee Chair. The Committee Chair may limit the time to address the Committee.

29.7 Any committee is authorized to accept advice and counsel of citizens not members of the Legislature.

29.8 Each committee chair shall be responsible for keeping the minutes of the meetings of his/her committee. The minutes shall be kept on a form prescribed and furnished by the Clerk. The minutes shall contain a brief summary of the business conducted by the committee, together with a record of the decisions made by the committee, as well as the time, place, and persons present, and any other pertinent information. A list of members of the committee present and pertinent facts such as meals, time and place of meeting shall be filed with the Clerk of the Legislature within one week after each meeting.

29.9 Any vacancy on a committee, standing or special, shall be filled by the Chair of the Legislature without delay.

29.10 Each committee shall have the power to investigate, in such manner as seems best, the particular branch or department of County Government under its supervision. Such investigation shall be authorized by a majority vote of the members of the committee. The Chair, County Administrator, County Attorney and Department Head shall be notified in writing.

29.11 Committees shall use their best efforts to deal only with agenda items at the Committee sessions on the first and third Wednesday of each month.

29.12 Committees, on making reports, shall return all papers relating thereto to the Clerk of the Legislature.

29.13 Committees shall have general charge of all matters pertaining to the work of this Legislature as indicated by the titles thereof, and as more specifically described as special duties, and each committee shall have supervision and charge of expenditures subject to the direction of the Legislature from appropriations indicated. Each committee shall contain members of the majority and minority parties, insofar as possible, in proportion to respective party representation on the Legislature.

29.14 The Committee Chair must report to the Chair of the County Legislature all situations where a Legislator's attendance falls below 50%.

29.15 Committees shall meet with Department Heads, from time to time, for mutual discussion of departmental objectives and/or problems.

29.16 All committee meetings shall be subject to the provisions of Article 7 of the Public Officers Law, together with any common-law privileges applicable under the circumstances.

RULE 30. REPORTS BY COMMITTEES

30.1 All committees, standing or special, shall, as promptly as possible, consider and submit to the Legislature, written reports upon such resolutions, communications, or other matters as may be referred to them. Once a majority of the members of a committee approve a resolution and sign a committee report so indicating, the resolution shall be deemed passed out of the committee. Resolutions not passed out of a committee shall be deemed "held" by the committee for further consideration. A resolution must be passed out of all committees to which it is assigned before it can be

considered by the Legislature. The Finance Committee may only act on resolutions that have been passed out of all other committees to which they have been assigned.

RULE 31. PARLIAMENTARY QUESTIONS

31.1 On all points of order not governed by these rules, the general rules of parliamentary practice as outlined in Roberts Rules of Order, Revised, shall be referred to for the guidance of the Legislature and committees - special, standing, or advisory. The County Attorney shall be the parliamentarian for the Legislature and committees.

RULE 32. AMENDMENT OF RULES

32.1 These rules may be amended, and other rules added and adopted, by a two-thirds vote of the Legislature by a motion made after a previous notice of one day. All rules and resolutions in conflict with these rules are hereby repealed and rescinded to the extent that they conflict with the rules herein.

RULE 33. WAIVER OF RULES

33.1 These rules may be waived by a motion adopted by a two-thirds vote of the members of the Legislature but only so far as the rules affect or relate to a single resolution or rules may be waived for multiple resolutions provided each resolution is identified in the motion, and if any member objects to any resolution being included, it must be removed from the list and given consideration individually.

RULE 34. DUTIES OF THE CHAIR

34.1 In addition to those prescribed heretofore, the Chair of the Legislature shall have the following powers and duties:

.1 To become familiar with the property, functions, and fiscal affairs of the County and make recommendations to the County Legislature on legislation, rules and regulations, and such other matters as he/she may deem material and advisable.

.2 To see that the statutory and local laws and resolutions of the Legislature and directions of County Officers empowered to make the same, are faithfully executed, and to report to the Legislature any neglect of duty.

.3 To advise department heads and officers and recommend matters deemed helpful to them in the performance of their duties.

.4 To transfer employees temporarily from one department or office to another with the approval of the appointing officer or Legislature.

.5 To determine what officer shall perform a particular power or duty not clearly defined by law.

.6 To determine what officers and employees may attend conferences and schools conducted for the betterment of County government.

.7 To execute and deliver in the name of the County all documents and contracts authorized by the County Legislature.

.8 To call a meeting of any standing or special committee of the Legislature at any time.

.9 To represent the County at all public hearings and conferences that he/she deems it necessary to attend.

.10 The Chair of the Legislature shall be an ex-officio member of all standing and special committees and shall be notified of such meetings. The Chair, as such ex-officio member of all committees, shall not be counted in determining if a quorum is present and his/her vote shall not be counted on a motion to bring a resolution out of committee.

.11 To execute all documents necessary for rights-of-way acquisitions, within budgetary appropriations.

.12 To execute all change orders, within budgetary appropriations.

RULE 35. DUTIES OF THE VICE-CHAIR

35.1 The Vice-Chair shall have the following duties:

.1 Shall preside over each duly constituted meeting of the Legislature, in the absence of the Chair.

.2 Shall have and exercise all the powers and duties of the Chair at any meeting over which he/she is called to preside.

.3 Shall have the right to name any member to perform the duties of Vice-Chair, but the power of such substitute shall not extend beyond the current session without the consent of the Legislature.

.4 Shall, in the absence of the Chair, execute and deliver in the name of the County all documents and contracts authorized by the County Legislature.

.5 Shall act as liaison between the Committee Chairmen and the Chair of the Legislature.

.6 Shall exercise such other duties as may be determined by subsequent action of the County Legislature.

.7 Shall be an ex-officio member of all standing and special committees, except for those committees to which the Vice-Chair is appointed as a member, and shall be notified of such meetings. The Vice-Chair, as such ex-officio member of all committees, shall not be counted in determining if a quorum is present and his/her vote shall not be counted on a motion to bring a resolution out of committee.

.8 Shall be the Chair of the Finance Committee.

RULE 36. DUTIES OF THE CLERK OF THE LEGISLATURE

36.1 The Clerk shall keep a record of all acts and proceedings of the Legislature and be the custodian of the record vouchers and other papers required or authorized by law to be deposited in his/her office.

36.2 The Clerk shall prepare the tax rolls, except when otherwise directed by the County Legislature, and perform such additional and related duties as may be prescribed by law.

RULE 37. DUTIES OF THE JOURNAL CLERK

37.1 The Journal Clerk shall, at the pleasure of the Chair, read all resolutions, reports, and communications received by the Legislature and keep minutes of proceedings. The Journal Clerk shall, at the close of each session of the Legislature, make and furnish a transcript of the proceedings to each member of the County Legislature.

RULE 38. SERGEANT-AT-ARMS

38.1 At any public hearing held by the County Legislature, and at any other meeting of the Legislature, when requested by the Chair of the Legislature, the Sheriff of Cattaraugus County shall delegate one of his/her uniformed deputies to the Legislature Rooms to act as a sergeant-at-arms.

RULE 39. DUTIES OF THE COUNTY ADMINISTRATOR

39.1 The County Administrator shall have those powers and duties set forth in Local Law Number 5-1985 (Intro Number 10-1985), as amended, together with such other powers and duties as may be granted by Local Law or resolution of the County Legislature.

RULE 40. SALE OF COUNTY-OWNED TAX TITLE PROPERTY

40.1 The Real Property Tax Director shall annually, after the last day for property owners to redeem their property, secure a written property evaluation description sheet from the town assessor for each parcel. Copies of these shall be submitted to the County Treasurer's Office no later than February 15 of each year.

40.2 The County Treasurer and the Real Property Tax Director shall review all properties, and recommend to the County Operations Committee, by April 15 of each year, where the auction will be held. After approval of the County Operations Committee, the auctions of those parcels shall be advertised in the official newspapers of the County, and such other newspapers as the Committee deems advantageous, for at least two successive weeks. The County Treasurer shall advertise such properties in a timely manner, so that the date of the auction shall be not less than three (3) days after the date of the second publication in the official newspapers.

40.3 The public auctions shall be conducted by such individual or individuals as the County Operations Committee deems appropriate.

40.4 The County requires a deposit of ten percent (10%) of the bid price, in the form of cash, money order or certified check, to be applied to the purchase price. If the highest bidder fails to tender the 10% deposit before the deadline on the auction date, then the second highest bidder shall be notified that the second highest bidder is given the opportunity to tender the high bid price to the County. If the second highest bidder fails to tender the high bid price to the County by the deadline established on the auction date, then the parcel shall be reaucted on the same date. Once the auctioneer declares the final and highest bid, no deposit will be refunded.

40.5 If at public auction, the highest bidder tenders a certified check or money order in excess of ten percent (10%) of the high bid, and then fails to complete the purchase, the County shall retain ten percent (10%) of the bid price. The excess shall be returned to the highest bidder within a reasonable time after the public auction.

40.6 All property shall be sold to the highest bidder, upon the recommendation of the County Operations Committee and upon the adoption of a resolution by the County Legislature. However, the County Operations Committee and the County Legislature reserve the right to reject any and all bids.

40.7 No property shall be sold to the former owner without competitive bidding if tender of payment of taxes, interest, penalties and other charges due on the property, including those County charges, County liens or County mortgages which may have been extinguished by the judgment of foreclosure, is made less than fifteen (15) business days prior to the date of public auction. The former owner shall not be given another opportunity to repurchase the County-owned tax title property if the property is not sold at the initial public auction but is subsequently reaucted.

40.8 The former owner shall not have an opportunity to tender payment of the back taxes, penalties, interest and other charges due on the property if the County conveys the property to another municipality, or the County declares the property necessary for County purposes.

40.9 No property shall be conveyed to another municipality unless the municipality reimburses the County for the amount of returned taxes for which the County has made whole to the municipality involved or any other town, city, village or school district.

40.10 Failure to tender the balance due to the County within 30 days from the date of bid acceptance by the Legislature will result in the forfeiture of the bid deposit by the highest bidder.

40.11 If the highest bidder fails to tender the balance due to the County within 30 days from the date of bid acceptance by the County Legislature, then the second highest bidder shall be notified that the Legislature will consider sale of the property to the second highest bidder at the high bid price. The second highest bidder shall notify the County within 30 days after notification by the County as to whether the second highest bidder will tender the high bid price to the County. Failure of the second highest bidder to tender the entire bid price within 30 days after notification by the County shall result in the property being placed on the next auction list.

40.12 The County Treasurer's office shall assist the highest bidder, or former owner, in recording the County Treasurer's deed.

40.13 A successful bidder shall be responsible for payment of the applicable current city and village taxes related to the spring auction, and school taxes related to the fall auction, at the time that the bidder tenders the bid balance to the County.

40.14 No sale of tax title property shall be made to any County Legislator, or County Legislator's spouse or dependent children, as defined by the County Ethics Code.

40.15 In the event that properties remain unsold after they have been offered for sale at two annual spring property tax auctions, and at the sole discretion of the County Treasurer and the Director of Real Property Tax Services, the County Treasurer's Office is hereby authorized to accept sealed bids for the purchase of such property until the close of business on the last day of July in each year, and a resolution authorizing the sale of any such property to the highest bidder shall thereafter be submitted to the Legislature for its consideration.

RULE 41. SALE OF SURPLUS EQUIPMENT

41.1 The Public Works Committee shall be responsible for the disposition of surplus equipment and other personal property of the County. Such Committee shall fix the times and places at which public auctions, the minimum number thereof being one per annum, shall be held and shall promulgate such additional rules and establish such procedures as may be necessary to effect the orderly and proper conduct thereof.

41.2 All sales shall become final upon payment by the purchaser of the full amount of the purchase price.

41.3 The Public Works Committee is authorized to employ such professional auctioneers from time to time for this purpose as may be necessary and to delegate its responsibility for the conduct of such auctions to one or more of its members or to any office of county government.

41.4 All officers, departments, and other agencies of county government shall dispose of equipment no longer necessary for public use in the manner set forth herein. The disposition of a specific item of equipment by another method may be permitted, however, by the Committee.

41.5 No sale of surplus equipment shall be made to any County Legislator, or County Legislator's spouse or dependent children, as defined by the County Ethics Code.

RULE 42. PROCEDURE FOR BIDDING AND ACCEPTING BIDS

42.1 Specifications and bids will be set and determined by the Department Head and the standing committee of the Legislature that governs the respective department for which the item or services are being procured and, wherever possible, the specifications shall be written to conform with State bid specifications.

42.2 No department, board, or other agency of County government shall advertise for sealed bids for any purpose which has not been included in the current year budget, without prior approval of the legislative committee which exercises jurisdiction over such agency.

42.3 No committee shall authorize advertisement for sealed bids, unless the bid item is partially or entirely included in the current year's budget.

**APPENDIX
STANDING COMMITTEES**

1. COUNTY OPERATIONS/PUBLIC SAFETY (7 members)

1.1 This committee shall have charge of all matters relating to the following departments:

- .1 Board of Elections
- .2 County Attorney
- .3 County Clerk
- .4 County Museum
- .5 Information Services
- .6 Real Property Tax Service
- .7 Assigned Counsel
- .8 District Attorney
- .9 Emergency Services

- .10 Judiciary
- .11 Probation
- .12 Public Defender
- .13 Sheriff.

1.2 In addition, the committee shall have the following responsibilities:

- .1 General jurisdiction over general governmental functions.
- .2 Liaison with Chautauqua-Cattaraugus Library System.
- .3 Emergency Communications Systems.
- .4 Liaison with Fire Advisory Board.
- .5 Liaison with Society for Prevention of Cruelty to Animals (SPCA).
- .6 Liaison with Nuclear Waste industry.

2. DEVELOPMENT & AGRICULTURE (7 members)

2.1 This committee shall have charge of all matters relating to the Department of Economic Development, Planning and Tourism.

2.2 In addition, the committee shall have the following responsibilities:

- .1 General jurisdiction over matters relating to tourism and economic development in the County.
- .2 Liaison with the County Planning Board.
- .3 General jurisdiction over agricultural matters.
- .4 Liaison with the following:
 - .1 Agricultural Society
 - .2 Business Development Corporations
 - .3 Chambers of Commerce
 - .4 Cornell Cooperative Extension
 - .5 Empire Zone Corporation
 - .6 Federated Sportsmen
 - .7 Industrial Development Agency
 - .8 Local Development Corporations
 - .9 Salamanca Rail Museum
 - .10 Southern Tier West Regional Planning & Development Board.

3. FINANCE (7 members)

3.1 This committee shall have charge of all matters relating to the following departments:

- .1 County Administrator
- .2 County Treasurer.

3.2 In addition, the committee shall have the following responsibilities:

- .1 General jurisdiction over the financial affairs of the County.
- .2 Review tentative budget.
- .3 General jurisdiction over the following administrative divisions of the County Administrator:
 - .1 Auditing
 - .2 General Administration
 - .3 Purchasing.

- .4 General jurisdiction over community college issues.
- .5 Liaison with Off-Track Betting Corporation.

4. HUMAN SERVICES (7 members)

4.1 This committee shall have charge of all matters relating to the following departments:

- .1 Aging
- .2 Community Services
- .3 Coroners
- .4 Health
- .5 Nursing Homes
- .6 Social Services
- .7 Veterans Service Agency
- .8 Youth Bureau.

4.2 In addition, the committee shall have the following responsibilities:

- .1 General jurisdiction over all matters relating to the general welfare of persons in the County.
- .2 Liaison with the following contract agencies:
 - .1 Cattaraugus County Chapter NYSARC, Inc.
 - .2 Council on Addiction Recovery Services, Inc. (CaRES)
- .3 Liaison with Cattaraugus-Allegany Workforce Development Board.

5. LABOR RELATIONS (5 members)

5.1 This committee shall have charge of all matters relating to the following department:

- .1 Human Resources.

5.2 In addition, the committee shall have the following responsibilities:

- .1 All employee classifications, salary changes, and employment practices.
- .2 Vacancies shall be filled in accordance with Act 68-2003, as amended.
- .3 Shall review personnel issues after those issues have been reviewed by the respective program committees.
- .4 Shall have charge of matters that influence the general labor relations and employment policies of the County.

5.3 Upon delegation by the Chair, this committee shall consider fiscal and other matters dealing with collective bargaining and employee relations.

5.4 This committee's members, plus the Chair of the County Legislature, are the Employer representatives to the Labor-Management Committees referred to in the collective bargaining agreements.

6. PUBLIC WORKS (7 members)

6.1 This committee shall have charge of all matters relating to the Public Works Department.

6.2 In addition, the committee shall have the following responsibilities:

- .1 General jurisdiction over all County buildings and grounds.
- .2 Watershed Program.
- .3 Liaison with Cattaraugus County Soil & Water Conservation District.

- .4 Approve or disapprove requests from non-County government groups for County facility usage.
- .5 General jurisdiction over all matters relating to solid waste.
- .6 General jurisdiction over forestry matters.

7. STRATEGIC PLANNING (Chair and Vice-Chair of Each Standing Committee)

7.1 This committee will have the following responsibilities:

- .1 General jurisdiction relating to the process of governmental review of planning mechanisms.
- .2 Liaison with the following entities:
 - .1 Southern Tier West regarding governmental planning.
 - .2 All local governments within Cattaraugus County regarding sharing/coordination of services.

7.2 In addition, this committee shall have charge of all matters relating to cooperation and coordination/sharing of County services within Cattaraugus County.

Adopted January 6, 2016 by voice vote.

ACT NO. 2-2016 by Mrs. Stockman

APPOINTMENT OF COUNTY ATTORNEY

Pursuant to Sections 204, 205 and 500 of the County Law.

RESOLVED, that M. Mark Howden, Esq., Main Street, Olean, New York 14760, be, and hereby is, appointed County Attorney for the term commencing January 1, 2016 and terminating December 31, 2019, at a bi-weekly salary of \$4,644.06 or such other salary as may hereafter be established, and be it further

RESOLVED, that M. Mark Howden, Esq. shall be credited prior service as a County employee and be further credited with twenty (20) days of annual leave time on the first day of January in each year of his term of office and with any and all other benefits provided for in such compensation and benefit package as is, or may hereafter be, established for Managerial and Confidential Officers and Employees.

Adopted January 6, 2016 by voice vote.

ACT NO. 3-2016 by Mrs. Stockman

AUTHORIZATION TO EMPLOY OUTSIDE COUNSEL

Pursuant to Section 501 of the County Law.

WHEREAS, it is anticipated that the County of Cattaraugus will be involved in civil actions during the year 2016, and

WHEREAS, the civil actions may require the services of outside counsel, now, therefore, be it

RESOLVED, that the County Attorney be, and hereby is, authorized and directed, on behalf of Cattaraugus County, to employ outside counsel from time-to-time in the year 2016 to perform services in relation to civil actions that may be pending or may hereafter occur, with preference given to attorneys in Cattaraugus County.

Adopted January 6, 2016 by voice vote.

ACT NO. 4-2016 by Mrs. Stockman

AUTHORIZATION TO EMPLOY FISCAL ADVISORS

Pursuant to Section 153 of the County Law.

WHEREAS, it is necessary to prepare in-depth financial statements and other financial paraphernalia to market the financial instruments issued by the County, and

WHEREAS, Fiscal Advisors and Marketing, Inc., 120 Walton Street, Suite 600, Syracuse, New York 13202, is a reputable municipal bond marketing service, and

WHEREAS, the cost of these professional services will come from the proceeds of the financial issues, and

WHEREAS, it is desirable to retain the services of Fiscal Advisors and Marketing, Inc., to prepare the necessary financial information, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby retains the firm of Fiscal Advisors and Marketing, Inc., to undertake the above-described financial services for Cattaraugus County.

Adopted January 6, 2016 by voice vote.

ACT NO. 5-2016 by Mrs. Stockman

AUTHORIZATION TO EMPLOY BONDING ATTORNEY

Pursuant to Section 501 of the County Law.

WHEREAS, it is anticipated that the County of Cattaraugus will undertake certain programs during the year 2016 which will be financed through the sale of bonds, and

WHEREAS, these projects will require the services of a recognized bonding attorney, now, therefore, be it

RESOLVED, that the County Attorney be, and hereby is, authorized and directed, on behalf of Cattaraugus County, to employ a recognized bonding attorney from time-to-time in the year 2016 to perform services in relation to financing such programs as may hereafter be authorized by the Cattaraugus County Legislature.

Adopted January 6, 2016 by voice vote.

ACT NO. 6-2016 by Mrs. Stockman

**DELEGATING AUTHORITY FOR CERTAIN REAL PROPERTY TAX
REFUNDS AND CORRECTION OF TAX BILLS AND TAX ROLLS**

Pursuant to Sections 554(a) and 556(8)(a) of the Real Property Tax Law.

WHEREAS, Act 6-2015 delegated the authority to make real property tax refunds and to correct tax bills and tax rolls to the County Administrator, and

WHEREAS, that delegation should be continued for the year 2016, now, therefore, be it

RESOLVED, that for the year 2016, the County Administrator is hereby authorized to perform the duties of the County Legislature in providing real property tax refunds, where the recommended refund is \$2,500.00 or less, in accordance with Section 556 of the Real Property Tax Law, and be it further

RESOLVED, that for the year 2016, the County Administrator is hereby authorized to correct tax bills and tax rolls, where the recommended tax refund is \$2,500.00 or less, in accordance with Section 554 of the Real Property Tax Law.

Adopted January 6, 2016 by voice vote.

ACT NO. 7-2016 by Mrs. Stockman

DESIGNATION OF OFFICIAL DEPOSITORIES AND TRADING PARTNERS

Pursuant to Section 212 of the County Law.

RESOLVED, that the following banking institutions in Cattaraugus County be designated as official depositories for County funds, commencing January 1, 2016, and that the County Treasurer is hereby authorized to deposit in each or any of such banking institutions in an amount not to exceed thirty million dollars (\$30,000,000):

Cattaraugus County Bank, Little Valley, New York
Cattaraugus County Bank, South Dayton, New York
Community Bank, Gowanda, New York
Community Bank, Olean, New York
JP Morgan Chase, Buffalo, New York
Bank of America, Buffalo, New York
Five Star Bank, Allegany, New York
Five Star Bank, Ellicottville, New York
Five Star Bank, Olean, New York
Five Star Bank, Salamanca, New York
First Niagara Commercial Bank, Albion, New York
Bank of Cattaraugus, Cattaraugus, New York
M & T Bank, Ellicottville, New York
M & T Bank, Delevan, New York
M & T Bank, Olean, New York
Morgan Stanley/Dean Witter, Buffalo, New York.

Adopted January 6, 2016 by voice vote.

ACT NO. 8-2016 by Mr. Boberg, Mr. Hale, Mr. Helmich, Mr. Klancer,
Mr. Neal, Mr. Snyder, Sr., Mr. Snyder, Jr., Mrs. Stockman,
Mr. VanRensselaer, Ms. Vickman and Mr. Weller

DESIGNATING OFFICIAL REPUBLICAN NEWSPAPER FOR THE YEAR 2016

Pursuant to Section 214 of the County Law.

RESOLVED, that the Olean Times Herald, a newspaper published in Olean, New York, and advocating the principles of the Republican Party be, and the same hereby is, designated as one of the newspapers for the publication of all local laws, notices, and other matters required by law to be published by Cattaraugus County for the year 2016.

Adopted January 6, 2016 by voice vote.

ACT NO. 9-2016 by Mrs. Hastings, Mr. Koch, Mrs. Labuhn,
Mr. Lamberson and Mr. Padlo

DESIGNATING OFFICIAL DEMOCRATIC NEWSPAPER FOR THE YEAR 2016

Pursuant to Section 214 of the County Law.

RESOLVED, that the Salamanca Press, a newspaper published in Salamanca, New York, and advocating the principles of the Democratic Party be, and the same hereby is, designated as one of the newspapers for the publication of all local laws, notices, and other matters required by law to be published by Cattaraugus County for the year 2016.

Adopted January 6, 2016 by voice vote.

ACT NO. 10-2016 by Mrs. Stockman

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS FOR
TAX FORECLOSURE SEARCHES**

Pursuant to Article 11 of the Real Property Tax Law and
Act 290-2011, as amended, of the Cattaraugus County Legislature.

WHEREAS, Act 10-2015 authorized contracts with Cattaraugus Abstract Corporation, 406 Erie Street, Little Valley, New York 14755, and Empire Search Company, 208 Court Street, Little Valley, New York 14755, for the provision of tax foreclosure searches at a rate of \$90.00 per parcel, the terms of which expired December 31, 2015, and

WHEREAS, searches of the various records in the County Clerk's Office are necessary in order to comply with statutory notification provisions as Cattaraugus County prepares to commence its in rem foreclosure proceedings for unpaid taxes, and

WHEREAS, the County is desirous of renewing the aforementioned contracts, and

WHEREAS, Cattaraugus Abstract Corporation and Empire Search Company have agreed to perform the aforementioned searches for the amount of \$90.00 per parcel, for an estimated annual cost to the County of \$42,500.00, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with Cattaraugus Abstract Corporation and Empire Search Company for the provision of the above-described tax foreclosure searches, for a term commencing January 1, 2016 and terminating December 31, 2016, according to the above-described terms.

Adopted January 6, 2016 by voice vote.

ACT NO. 11-2016 by Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CHAUTAUQUA-CATTARAUGUS LIBRARY SYSTEM, INC.**

Pursuant to Sections 224, 233-a and 450 of the County Law and
Section 256 of the Education Law.

WHEREAS, Act 11-2015 authorized a contract with the Chautauqua-Cattaraugus Library System, Inc. for the provision of educational materials for the citizens of the County, the term of which expired December 31, 2015, and

WHEREAS, the 2016 County budget provides for the payment of \$81,248.00 to the library system from Account No. A.298.7415.0000.42009 for these services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract for the year 2016 with the Chautauqua-Cattaraugus Library System, Inc., for a term commencing January 1, 2016 and terminating December 31, 2016, according to the above-described terms, and be it further

RESOLVED, that payment of the aforementioned amount be made to the Chautauqua-Cattaraugus Library System, Inc., in quarterly installments, upon submission of vouchers for payments certified by the Chair of the Legislature, audited by the County Administrator, and paid by the County Treasurer.

Adopted January 6, 2016 by voice vote.

ACT NO. 12-2016 by Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SALAMANCA RAIL MUSEUM**

Pursuant to Sections 224 (12) and 450 of the County Law.

WHEREAS, Act 12-2015 authorized a contract with the Salamanca Rail Museum to assist with the preservation of the history of railroads in the Southern Tier, the term of which expired December 31, 2015, and

WHEREAS, the Salamanca Rail Museum attracts thousands of visitors to Cattaraugus County annually, and

WHEREAS, it is important that the County assist the Salamanca Rail Museum with the preservation of the history of railroads in the Southern Tier, and

WHEREAS, the 2016 County budget provides for the payment of \$5,500.00 to the Salamanca Rail Museum from Account No. A.298.7450.0000.42010 for these services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract for the year 2016 with the Salamanca Rail Museum, to assist with the preservation of the history of railroads in the Southern Tier, for a term commencing January 1, 2016 and terminating December 31, 2016, according to the above-described terms.

Adopted January 6, 2016 by voice vote.

ACT NO. 13-2016 by Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH CATTARAUGUS COUNTY SPCA**

Pursuant to Sections 224 (4) and 450 of the County Law and
Section 120 of the Agriculture and Markets Law.

WHEREAS, Act 13-2015 authorized a contract with the Cattaraugus County SPCA for the provision of dog control services and humanitarian assistance to animals in Cattaraugus County, the term of which expired December 31, 2015, and

WHEREAS, it is important that the County assist the Cattaraugus County SPCA with the provision of dog control services and humanitarian assistance to animals in Cattaraugus County, and

WHEREAS, the 2016 County budget provides for the payment of \$20,000.00 to the Cattaraugus County SPCA from Account No. A.298.3510.0000.42007 for these services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract for the year 2016 with the Cattaraugus County SPCA, for a term commencing January 1, 2016 and terminating December 31, 2016, according to the above-described terms.

Adopted January 6, 2016 by voice vote.

ACT NO. 14-2016 by Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SOUTHERN TIER WEST REGIONAL PLANNING AND DEVELOPMENT BOARD**

Pursuant to Section 239-c of the General Municipal Law and
Section 450 of the County Law.

WHEREAS, Act 14-2015 authorized a contract with the Southern Tier West Regional Planning and Development Board for the provision of planning assistance to municipalities and businesses in Cattaraugus, Chautauqua, and Allegany Counties, the term of which expired December 31, 2015, and

WHEREAS, the 2016 County budget provides for the payment of \$24,970.00 to the Southern Tier West Regional Planning and Development Board (STW) from Account No. A.643.8025.0000.42032 for these services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract for the year 2016 with the Southern Tier West Regional Planning and Development Board for the provision of the above-described services for a term commencing January 1, 2016 and terminating December 31, 2016, according to the above-described terms.

Adopted January 6, 2016 by voice vote.

ACT NO. 15-2016 by Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
BOCES FOR STUDENT GOVERNMENT PROGRAM**

Pursuant to Section 95 of the General Municipal Law and
Section 450 of the County Law.

WHEREAS, Act 15-2015 authorized a contract with BOCES for the provision of a student government program conducted by BOCES to teach students about local government, with an emphasis on County government, the term of which expired December 31, 2015, and

WHEREAS, the 2016 County budget provides for the payment of \$6,860.00 to BOCES from Account No. A.101.2980.0000.42001 for this program, of which 50% is reimbursable by the New York State Office of Children and Family Services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract for the year 2016 with BOCES for a term commencing January 1, 2016 and terminating December 31, 2016, according to the above-described terms.

Adopted January 6, 2016 by voice vote.

ACT NO. 16-2016 by Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COUNTY SOIL & WATER CONSERVATION DISTRICT**

Pursuant to Sections 224 (3) and 450 of the County Law.

WHEREAS, Act 16-2015 authorized a contract with the Cattaraugus County Soil & Water Conservation District for the provision of conservation of the soil and water resources of the County through prevention of soil erosion and prevention of flood water and sediment damages, the term of which expired December 31, 2015, and

WHEREAS, the 2016 County budget provides for the payment of \$118,932.00 to the Cattaraugus County Soil & Water Conservation District from Account No. A.871.8710.0000.42033 for these services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract for the year 2016 with the Cattaraugus County Soil & Water Conservation District for a term commencing January 1, 2016 and terminating December 31, 2016, according to the above-described terms.

Adopted January 6, 2016 by voice vote.

ACT NO. 17-2016 by Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COUNTY SOIL & WATER CONSERVATION DISTRICT FOR
ISCHUA CREEK WATERSHED MAINTENANCE PROGRAM**

Pursuant to Sections 299-m and 450 of the County Law.

WHEREAS, Act 17-2015 authorized a contract with the Cattaraugus County Soil & Water Conservation District, Cooperative Extension Center, Parkside Drive, Ellicottville, New York 14731, for the provision of a maintenance program for the County's watershed sites, the term of which expired December 31, 2015, and

WHEREAS, the County Department of Public Works is desirous of continuing the maintenance program for the Ischua Creek Watershed, and

WHEREAS, the Cattaraugus County Soil & Water Conservation District has agreed to provide the aforementioned maintenance program for the year 2016 at an amount not to exceed \$18,000.00, and

WHEREAS, sufficient funds are included in Account No. A.871.8740.0000.40809 of the 2016 budget of the Department of Public Works for the cost of the aforementioned watershed maintenance program, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Cattaraugus County Soil & Water Conservation District, for the provision of the above-described watershed maintenance program, for a term commencing January 1, 2016 and terminating December 31, 2016, according to the above-described terms.

Adopted January 6, 2016 by voice vote.

ACT NO. 18-2016 by Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
MERCY FLIGHT, INC.**

Pursuant to Sections 224 (14) and 450 of the County Law and
Section 122-b of the General Municipal Law.

WHEREAS, Act 18-2015 authorized a contract with Mercy Flight, Inc., for the provision of vital emergency transportation services to Western New York, the term of which expired December 31, 2015, and

WHEREAS, the 2016 County budget provides for the payment of \$7,650.00 to Mercy Flight, Inc., from Account No. A.454.4540.0000.42015 for these services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract for the year 2016 with Mercy Flight, Inc., for a term commencing January 1, 2016 and terminating December 31, 2016, according to the above-described terms.

Adopted January 6, 2016 by voice vote.

ACT NO. 19-2016 by Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH SOUTHERN
TIER HEALTH CARE SYSTEM, INC., FOR FLYCAR FUNDING**

Pursuant to Section 122-b of the General Municipal Law and
Section 450 of the County Law.

WHEREAS, Act 19-2015 authorized a contract with Southern Tier Health Care System, Inc., One Blue Bird Square, Olean, New York 14760, for the Cattaraugus County Advanced Life Support (flycar) Program, the term of which expired December 31, 2015, and

WHEREAS, Southern Tier Health Care System, Inc., is a principal sponsor of the aforementioned program, and

WHEREAS, this program provides pre-hospital emergency medical treatment for ill or injured individuals, and

WHEREAS, the 2016 County budget provides for the payment of \$15,300.00 to Southern Tier Health Care System, Inc., for the provision of these services from Account A.454.4540.0000.42017, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Southern Tier Health Care System, Inc., for a term commencing January 1, 2016 and terminating December 31, 2016, for the provision of the above-described services, according the above-described terms.

Adopted January 6, 2016 by voice vote.

ACT NO. 20-2016 by Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COUNTY ARTS COUNCIL**

Pursuant to Sections 224 (13) and 450 of the County Law.

WHEREAS, the Arts Council will be involved in sponsoring arts programs throughout Cattaraugus County, working in partnership with existing organizations throughout the County, and

WHEREAS, the 2016 County budget provides for the payment of \$9,250.00 to the Arts Council from Account No. A.298.7010.0000.42008 for these services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Cattaraugus County Arts Council, 100 West Main Street, Allegany, New York 14706, with a mailing address of P.O. Box 406, Olean, New York 14760, for a term commencing January 1, 2016 and terminating December 31, 2016, according to the above-described terms.

Adopted January 6, 2016 by voice vote.

ACT NO. 21-2016 by Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
FEDERATED SPORTSMEN'S CLUBS OF CATTARAUGUS COUNTY, INC.**

Pursuant to Sections 224 (3) and 450 of the County Law.

WHEREAS, Cattaraugus County is desirous of supporting the Federated Sportsmen's Clubs of Cattaraugus County, Inc., and

WHEREAS, the Federated Sportsmen's Clubs of Cattaraugus County, Inc. is a County-wide organization which promotes interest pertaining to the development and expansion of conservation as applied to reforestation, propagation of fish and game, and purchase and maintenance of public game refuges and shooting grounds, and

WHEREAS, the organization has gathered many facts representing a cross section of recreation needs of Cattaraugus County as applied to forests, public parks, fish and game, and

WHEREAS, the 2016 County budget provides for the payment of \$2,400.00 to the Federated Sportsmen's Clubs of Cattaraugus County, Inc., from Account No. A.298.8720.0000.42011 for these services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract with the Federated Sportsmen's Clubs of Cattaraugus County, Inc., for the year 2016 for a term commencing January 1, 2016 and terminating December 31, 2016, according to the above-described terms.

Adopted January 6, 2016 by voice vote.

ACT NO. 22-2016 by Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CORNELL COOPERATIVE EXTENSION ASSOCIATION OF CATTARAUGUS COUNTY**

Pursuant to Sections 224 (8) and 450 of the County Law.

WHEREAS, Act 450-2015 authorized a contract with the Cornell Cooperative Extension Association of Cattaraugus County, which was organized and effective October 1, 2015, for the provision of a variety of services to the youth, farmers, and general public of Cattaraugus County, the term of which expired December 31, 2015, and

WHEREAS, the County Legislature is desirous of assisting the newly formed Cooperative Extension by providing the amount of \$130,000.00 for the provision of services, which includes the 4-H program, and

WHEREAS, the 2016 County budget provides for the payment of \$130,000.00 to the Cornell Cooperative Extension Association of Cattaraugus County from Account No. A.298.2980.0000.42003 for these services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract for the year 2016 with the Cornell Cooperative Extension Association of Cattaraugus County for a term commencing January 1, 2016 and terminating December 31, 2016, according to the above-described terms, and be it further

RESOLVED, that payment of the aforementioned amount be made to the Cornell Cooperative Extension Association of Cattaraugus County upon submission of an invoice for payment certified by the Chair of the Legislature, audited by the County Administrator and paid by the County Treasurer.

Adopted January 6, 2016 by voice vote.

ACT NO. 23-2016 by Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
GOVERNMENT PAYMENT SERVICE, INC. FOR CREDIT CARD
COLLECTION OF PROBATION DEPARTMENT FINES AND FEES**

Pursuant to Section 520.10 of the Criminal Procedure Law,
Section 5 of the General Municipal Law and
Section 450 of the County Law.

WHEREAS, Act 193-2009 authorized a contract with Government Payment Service, Inc., 7920 Georgetown Road, Suite 900, Indianapolis, Indiana 46268, for the provision of credit card services for the purpose of collecting funds including restitution, fines and other fees for the Cattaraugus County Probation Department, the term of which has expired, and

WHEREAS, the Cattaraugus County Probation Department is desirous of continuing the aforementioned services and entering into a contract for the above-described credit card services at no cost to the County, and

WHEREAS, Government Payment Services, Inc., shall charge the following fees on each transaction:

<u>Payments made via Internet</u>	
<u>Transaction Amount</u>	<u>Service Fee</u>
ALL	5%
Minimum Fee Internet	\$3.50
<u>Payments made via Phone</u>	
ALL	5%
Minimum Fee Phone	\$5.00

now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Government Payment Service, Inc., for the

provision of the above-described services, for a term commencing January 1, 2016 and terminating December 31, 2016, with automatic renewals for five (5) additional one-year periods at the same rates, according to the above-described terms.

Adopted January 6, 2016 by voice vote.

ACT NO. 24-2016 by Mrs. Stockman

**SALE OF TAX TITLE PROPERTY TO FORMER OWNER
(Town of Ellicottville)**

Pursuant to Section 215 of the County Law and
Rule 40 of the Rules of Order of the
Cattaraugus County Legislature.

WHEREAS, Cattaraugus County has tax title to certain property situate in the Town of Ellicottville bearing Tax Map No. 56.001-1-6.1/1, and

WHEREAS, the former owner of the property has offered to purchase the same at a cost which will cover the County's financial involvement in this premises, and

WHEREAS, the cost involved for this premises has been tendered to the County Treasurer's Office, now, therefore, be it

RESOLVED, that the County Treasurer be, and hereby is, authorized and directed, on behalf of Cattaraugus County, to execute a County Treasurer's Deed conveying this property to the following entity:

TOWN OF ELLICOTTVILLE

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
138 (2012 List)	56.001-1-6.1/1	New Cingular Wireless PCS, LLC	575 Morosgo Drive Atlanta, GA 30321	\$35,977.53

Adopted January 6, 2016 by voice vote.

ACT NO. 25-2016 by Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE EMPIRE STATE DEVELOPMENT FOR
STRATEGIC PLANNING AND FEASIBILITY STUDY FUNDS AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Economic Development, Planning and Tourism)**

Pursuant to Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 383-2015 authorized the Department of Economic Development, Planning and Tourism to apply for funding through New York State Empire State Development for Strategic Planning and Feasibility Study for a feasibility study to assess the practicality of returning four

(4) targeted manufacturing facilities to a condition that will create jobs and support economic development within Cattaraugus County, and

WHEREAS, the County has been notified that it will receive a grant up to \$50,000.00 through New York State Empire State Development to fund the aforementioned feasibility study, and

WHEREAS, a contract is necessary in order to accept the aforementioned funding, and

WHEREAS, the aforementioned program is 50% state and 50% locally funded, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to accommodate the aforementioned grant funds, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with New York State Empire State Development, in order to accept the aforementioned funding, for a term commencing January 1, 2016 and terminating December 31, 2016, according to the above-described terms, and be it further

RESOLVED, that upon termination of either state or federal funding for this program, then this program shall be automatically abolished, and be it further

RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days written notice, and be it further

RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting, and be it further

RESOLVED, that the County Administrator is hereby directed to make the following budgetary changes:

Increase Estimated Revenue Account:

A.642.6420.0000.3789.02	Site Redevelopment Assessment	\$50,000.00
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Increase Appropriation Account:

A.642.6420.0000.41233	Professional Services	\$50,000.00.
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Adopted January 6, 2016 by voice vote.

ACT NO. 26-2016 by Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE COUNCIL ON THE ARTS FOR
ARTS, CULTURE AND HERITAGE NEW INITIATIVES – PLANNING ROUND 5 FUNDS
AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Economic Development, Planning & Tourism)**

Pursuant to Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 384-2015 authorized the Chairman to apply for funding through the Western New York Regional Economic Development Council Consolidated Funding Application for various eligible projects, and

WHEREAS, the County Department of Economic Development, Planning and Tourism has been awarded the amount of \$49,500.00 through the New York Empire State Council on the Arts for Arts, Culture and Heritage New Initiatives – Planning Round 5 funds, and

WHEREAS, this funding will be used for new initiatives developed through partnerships between non-profit, for-profit and government entities, and

WHEREAS, a contract is necessary in order to accept the aforementioned funds, and

WHEREAS, the program is 100% state funded with no cost to the County, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to accommodate the aforementioned grant funds, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with New York State Council on the Arts, in order to accept and receive the above-described funding, according to the above-described terms, and be it further

RESOLVED, that upon termination of either state or federal funding for this program, then this program shall be automatically abolished, and be it further

RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days written notice, and be it further

RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting, and be it further

RESOLVED, that the County Administrator is hereby directed to make the following budgetary changes:

Increase Estimated Revenue Account:

A.642.8020.0000.3902.02	County Wide Cultural Plan	\$49,500.00
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Increase Appropriation Account:

A.642.8020.0000.41233	Professional Services	\$49,500.00.
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Adopted January 6, 2016 by voice vote.

ACT NO. 27-2016 by Mrs. Stockman

**BID ACCEPTANCE FOR LAUNDRY SERVICES
AND TRANSFER OF FUNDS
(Contingent Fund – Contracted Laundry Services)**

Pursuant to Sections 103, 363 and 365 of the General Municipal Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for laundry services for The Pines Healthcare and Rehabilitation Center – Olean and Machias Campuses, according to specifications provided by the Senior Services Committee, and

WHEREAS, the only bid received meeting specifications was the bid of Healthcare Services Group, Inc., 27 Meriden Avenue, Suite 3B, Southington, Connecticut 06489, in an amount as follows:

Two-Year Period 1/15/2016 – 1/14/2018	Total Cost	\$234,642.86
Two-Year Period 1/15/2018 – 1/14/2020	Total Cost	\$241,682.14
Two-Year Period 1/15/2020 – 1/14/2022	Total Cost	\$248,932.61,

and

WHEREAS, a transfer of funds is necessary to cover the cost of the aforementioned services, now, therefore, be it

RESOLVED, that the bid of Healthcare Services Group, Inc., be, and the same hereby is, accepted for a term commencing January 15, 2016 and terminating January 14, 2018, with the option to renew for two (2) additional two-year periods at the bid prices listed above, and be it further

RESOLVED, that the vouchers accordingly certified by the Director of the Department of Nursing Homes be audited by the Auditor and paid by the County Treasurer, and be it further

RESOLVED, that the County Administrator is hereby directed to appropriate the amount of \$13,894.00 from Fund Balance Account EF.909.0000, and make the following budgetary changes:

Decrease Appropriation Account:

A.901.1990.0000.40601	Contingent Fund	\$12,285.00
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Increase Estimated Revenue Account:

EI.990.9901.0000.5031	Transfer from General Fund	\$12,285.00
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Increase Appropriation Accounts:

EF.453.4530.8253.41628	Contracted Laundry Services	\$ 2,850.00
EF.453.4530.8254.41628	Contracted Laundry Services	\$11,044.00
EI.453.4530.8254.41628	Contracted Laundry Services	\$12,285.00
A.990.9901.0000.90300	Transfer to The Pines-Machias	\$12,285.00.

No State Bid.

Five sets of specifications were sent out.

One bid was received.

Adopted January 6, 2016 by voice vote.

ACT NO. 28-2016 by Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
CHAUTAUQUA COUNTY FOR
SOUTHERN TIER TASK FORCE DRUG ENFORCEMENT PROGRAM**

Pursuant to Section 119-o of the General Municipal Law and
Section 450 of the County Law.

WHEREAS, Act 234-2013, as amended by Act 484-2014, authorized a contract with Chautauqua County for the reimbursement for operational expenses related to the Southern Tier Task Force Drug Enforcement Program, including overtime and fringe benefits for personnel, for the period July 1, 2012 through December 31, 2014, and

WHEREAS, Chautauqua County has requested an extension of the aforementioned contract through December 31, 2015, for the aforementioned reimbursement to Cattaraugus County, and

WHEREAS, the contract to be extended and/or amended, is known as Agreement 13-06-02C, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract amendment, on behalf of Cattaraugus County, with Chautauqua County and the New York State Division of Criminal Justice Services for the provision of the Southern Tier Task Force Drug Enforcement Program, for a term commencing July 1, 2012 and terminating December 31, 2015, according to the above-described terms.

Adopted January 6, 2016 by voice vote.

ACT NO. 29-2016 by Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
CATTARAUGUS COUNTY FEDERATION OF SNOWMOBILE CLUBS, INC. AND
VARIOUS SNOWMOBILE CLUBS IN CATTARAUGUS COUNTY FOR
SNOWMOBILE TRAIL GRANT PROGRAM AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Economic Development, Planning & Tourism)**

Pursuant to Article 27 of the Parks, Recreation and Historic
Preservation Law and Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 101-2015 authorized the Chair to execute contracts with the New York State Office of Parks, Recreation and Historic Preservation, the Cattaraugus County Federation of Snowmobile Clubs, Inc., and various snowmobile clubs for the snowmobile trail grant program, the terms of which expired March 31, 2015, and

WHEREAS, the Cattaraugus County Federation of Snowmobile Clubs, Inc., oversees the activities of various snowmobile clubs within the County, and

WHEREAS, the County desires that the development and maintenance of snowmobile trails be the responsibility of the Cattaraugus County Federation of Snowmobile Clubs, Inc., and

WHEREAS, the County shall act as a pass-through agency for purposes of disbursing the aforementioned grant funds, and

WHEREAS, the Cattaraugus County Federation of Snowmobile Clubs, Inc., shall distribute the aforementioned grant funds to the snowmobile clubs listed below:

	<u>2015 Grant</u>	<u>2016 Grant</u>
Ashford Snowmobile Club, Inc. PO Box 96 West Valley, NY 14171	\$ 8,977.50	\$ 9,525.00
Elibomwons, Inc. 4164 Elm Creek Road Randolph, NY 14772	\$ 21,113.75	\$ 23,070.00
Enchanted Mountains Border Riders, Inc. PO Box 325 Westons Mills, NY 14788	\$ 4,788.00	\$ 5,025.00

Franklinville Snow Sled Club, Inc. PO Box 22 Franklinville, NY 14737	\$ 23,474.50	\$ 25,375.00
Portville Snowmobile Club, Inc. PO Box 466 Portville, NY 14770	\$11,072.25	\$ 12,395.00
Snow Bounders, Inc. 9189 Cattaraugus-Otto Road Cattaraugus, NY 14719	\$44,355.50	\$ 56,990.00
Southern Tier Snow Drifters, Inc. PO Box 755 North Collins, NY 14111	\$11,072.25	\$ 11,835.00
Tri-County Drift Hoppers, Inc. Snowmobile Club PO Box 161 Sandusky, NY 14133-0161	\$11,371.50	\$ 12,730.00
Western New York Snowmobile Club of Boston, Inc. PO Box 137 Boston, NY 14025	\$ 4,189.50	\$ 4,445.00

and

WHEREAS, various appropriation and revenue accounts must be adjusted, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with the New York State Office of Parks, Recreation and Historic Preservation, the Cattaraugus County Federation of Snowmobile Clubs, Inc., and the above-listed snowmobile clubs, for the provision of the above-described services, for a term commencing April 1, 2015 and terminating March 31, 2016, according to the above-described terms, and be it further

RESOLVED, that the County Administrator is hereby directed to make the following budgetary changes:

Increase Estimated Revenue Account:

A.644.7180.0000.3889.01	NYS Snowmobile Trail Grant	\$161,390.00
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Increase Appropriation Account:

A.644.7180.0000.42037	NYS Snowmobile Trail Program	\$161,390.00.
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Adopted January 6, 2016 by voice vote.

ACT NO. 30-2016 by Mrs. Stockman**APPOINTMENT OF PUBLIC DEFENDER**

Pursuant to Local Law Number 30-2002 and
Section 716 of the County Law.

RESOLVED, that Mark S. Williams, 3788 Main Street, P.O. Box 275, Hinsdale, New York 14743 be, and hereby is, appointed Public Defender in the Office of Public Defender for a term of four (4) years commencing January 1, 2016 and continuing until December 31, 2019, at a bi-weekly salary of \$3,746.39, or such other salary as may hereafter be established, and be it further

RESOLVED, that Mark S. Williams be credited prior service as a County employee and be deemed to be a twenty year employee for purposes of qualifying for all benefits in such compensation and benefit package as established for Managerial and Confidential Officers and Employees.

Adopted January 6, 2016 by voice vote.

ACT NO. 31-2016 by Mrs. Stockman**APPOINTMENTS TO COMMUNITY SERVICES BOARD**

Pursuant to Section 41.11 of the Mental Hygiene Law.

RESOLVED, that the following individuals are appointed to the Community Services Board effective January 1, 2016 with a term to expire December 31, 2019:

Jon K. Baker	Gail F. Hammond
120 North 21 st Street	2337 Five Mile Road
Olean, New York 14760	Allegany, New York 14706
Mari L. Howard	Steve McCord
2624 Swartz Road	68 South Main Street
Olean, New York 14760	Salamanca, New York 14779.

Adopted January 6, 2016 by voice vote.

ACT NO. 32-2016 by Mrs. Stockman**APPOINTMENTS TO COMMUNITY SERVICES BOARD
MENTAL HEALTH SUBCOMMITTEE**

Pursuant to Section 41.11 of the Mental Hygiene Law.

RESOLVED, that the following individuals are appointed to the Community Services Board Mental Health Subcommittee effective January 1, 2016 with a term to expire December 31, 2019:

Jodi Fuller
42 Lincoln Avenue
Salamanca, New York 14779

Steve McCord
68 South Main Street
Salamanca, New York 14779

Stephen S. Morgan
453 Washington Street
Bradford, Pennsylvania 16701.

Adopted January 6, 2016 by voice vote.

ACT NO. 33-2016 by Mrs. Stockman

**APPOINTMENTS TO COMMUNITY SERVICES BOARD
ALCOHOL & SUBSTANCE ABUSE SUBCOMMITTEE**

Pursuant to Section 41.11 of the Mental Hygiene Law.

RESOLVED, that the following individuals are appointed to the Community Services Board Alcohol and Substance Abuse Subcommittee effective January 1, 2016 with a term to expire December 31, 2019:

Derah Black-Day
P.O. Box 480
Salamanca, New York 14779

Donna Kahm
111 Virginia Street
Olean, New York 14760

Wendy R. Maines
12212 Versailles Road
Irving, New York 14081.

Adopted January 6, 2016 by voice vote.

ACT NO. 34-2016 by Mrs. Stockman

**APPOINTMENTS TO COMMUNITY SERVICES BOARD
PEOPLE WITH DEVELOPMENTAL DISABILITIES SUBCOMMITTEE**

Pursuant to Section 41.11 of the Mental Hygiene Law.

RESOLVED, that the following individuals are appointed to the Community Services Board People with Developmental Disabilities Subcommittee effective January 1, 2016 with a term to expire December 31, 2019:

Gail Hammond
2337 Five Mile Road
Allegany, New York 14706

Leonard Liguori
515 ½ West State Street
Olean, New York 14760,

and be it further

RESOLVED, that the following individual is appointed to the Community Services Board People with Developmental Disabilities Subcommittee effective January 1, 2016 with a term to expire December 31, 2017:

Linda Edstrom
408 Laurens Street
Olean, New York 14760,
to fill the unexpired term of Robert Wood,

and be it further

RESOLVED, that the following individual is appointed to the Community Services Board People with Developmental Disabilities Subcommittee effective December 4, 2015 with a term to expire December 31, 2016:

Jon K. Baker
120 N. 21st Street
Olean, New York 14760,
to fill the unexpired term of Dodi McIntyre.

Adopted January 6, 2016 by voice vote.

ACT NO. 35-2016 by Mrs. Stockman

APPOINTMENT OF GROW CATTARAUGUS LOAN FUND COMMITTEE MEMBERS

Pursuant to Section 153 of the County Law.

RESOLVED, that the following individuals are appointed to the Grow Cattaraugus Loan Fund Committee effective January 1, 2016 with a term to expire December 31, 2019:

Mary George
Community Development Coordinator, City of Olean
720 Maple Street
Olean, New York 14760

Ralph Swanson
VP and Branch Manager, Community Bank, Gowanda
69 Caroline Road
Gowanda, New York 14070.

Adopted January 6, 2016 by voice vote.

ACT NO. 36-2016 by Mrs. Stockman

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING
THROUGH CITIZENS' INSTITUTE ON RURAL DESIGN
FOR COMMUNITY DESIGN WORKSHOP**

Pursuant to Section 450 of the County Law.

WHEREAS, funding in the amount of \$44,000.00 is available through the Citizens' Institute on Rural Design to fund an intensive community design workshop, and

WHEREAS, the Citizens' Institute on Rural Design is a leadership initiative of the National Endowment for the Arts conducted in partnership with the U.S. Department of Agriculture and Project for Public Spaces, Inc., along with the Orton Family Foundation Partnership, and

WHEREAS, the Department of Economic Development, Planning and Tourism proposes to host a 2 ½ day intensive community design workshop with the goal of providing residents, decision-makers and organizations with the tools, knowledge and skills to address their communities' challenges, and is seeking partners for this initiative, and

WHEREAS, for this funding opportunity, the Department of Economic Development, Planning and Tourism is required to form a local planning committee comprised of key constituents who will meet on a regular basis throughout the workshop planning period, and

WHEREAS, this grant program requires a County match up to \$10,000.00 of either cash or in-kind services, and

WHEREAS, the Department of Economic Development, Planning and Tourism is desirous of applying for the aforementioned grant, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a grant application, on behalf of Cattaraugus County, with the Citizens' Institute on Rural Design in order to apply for the aforementioned grant, according to the above-described terms.

Adopted January 6, 2016 by voice vote.

ACT NO. 37-2016 by Mrs. Stockman

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING
THROUGH NATIONAL ASSOCIATION OF CHRONIC DISEASE DIRECTORS
FOR REACHING PEOPLE WITH DISABILITIES THROUGH HEALTHY COMMUNITIES**

Pursuant to Section 450 of the County Law.

WHEREAS, funding is available through the National Association of Chronic Disease Directors for the Reaching People with Disabilities through Healthy Communities program, and

WHEREAS, the aforementioned grant program will promote linkages between disability services and public health to increase awareness and support for the inclusion of people with disabilities in existing health promotion programs, and

WHEREAS, the Health Department is desirous of applying for the aforementioned grant, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a grant application, on behalf of Cattaraugus County, with the National Association of

Chronic Disease Director, in order to apply for the aforementioned grant, according to the above-described terms.

Adopted January 6, 2016 by voice vote.

ACT NO. 38-2016 by Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE AFFILIATION AGREEMENT WITH
BOWLING GREEN STATE UNIVERSITY FOR
DISTANCE INTERNSHIP PROGRAM IN NUTRITION AND DIETETICS**

Pursuant to Section 450 of the County Law.

WHEREAS, Bowling Green State University offers internships and educational programs to students in the Distance Internship Program in Nutrition and Dietetics who would benefit from such experience at the Cattaraugus County Department of Aging, and

WHEREAS, the Department of Aging is desirous of contracting with Bowling Green State University to work collaboratively for the implementation of field instruction internship programs, at no cost to the County, and

WHEREAS, Bowling Green State University has agreed to provide interns to the County Department of Aging for participation in the Distance Internship Program in Nutrition and Dietetics, at no cost to the County, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an Affiliation Agreement, on behalf of Cattaraugus County, with Bowling Green State University, for the provision of the Distance Internship Program in Nutrition and Dietetics, for a term commencing January 1, 2016 to continue in full force and effect until terminated by either party hereto, according to the above-described terms.

Adopted January 6, 2016 by voice vote.

ACT NO. 39-2016 by Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED LEASE AGREEMENT WITH
DAVID O. NICHOLAS, THE ESTATE OF OLIVER W. NICHOLAS AND CONSTANCE L. KRAMER
FOR COMMUNICATIONS TOWER SITE**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 385-2015 authorized a lease agreement with David O. Nicholas for property located on Indiana Avenue in the Town of Olean necessary for the development of a new 180' self-support communications tower, for an amount of \$500.00 per month for the initial five-year term, and

WHEREAS, David O. Nicholas has requested an increase in the monthly lease payment from \$500.00 to \$600.00 per month effective August 1, 2015 for the initial five-year term, with an amount not to exceed \$150.00 per month increase for the additional five-year period, and

WHEREAS, the County shall receive a monthly credit of \$75.00 for each antenna owned by Lessee located on the Indiana Avenue tower, for a total credit of \$150.00 per month, and

WHEREAS, administration of the Estate of Oliver W. Nicholas is anticipated and may result in distribution of the property containing the site of the communications tower to Constance L. Kramer and/or David O. Nicholas, and

WHEREAS, an amended lease agreement is necessary, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended lease agreement, on behalf of Cattaraugus County, with David O. Nicholas, the Estate of Oliver W. Nicholas and Constance L. Kramer, for the leasing of property for a communications tower, for a five (5) year term commencing August 1, 2015 and terminating July 31, 2020, according to the above-described terms, with the County's option to renew for an additional five (5) year period, and be it further

RESOLVED, that the lease shall also provide that should either Constance L. Kramer or David O. Nicholas or both receive title and ownership of the portion of the property where the communications tower is located, the terms of the lease shall be binding upon him/her or both.

Adopted January 6, 2016 by voice vote.

ACT NO. 40-2016 by Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT WITH
DELEVAN VOLUNTEER FIRE DEPARTMENT FOR
MOTOR VEHICLE OFFICE SPACE**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 651-2014 authorized a lease agreement with the Delevan Volunteer Fire Department for the County's Motor Vehicle Office, the term of which expired December 31, 2015, and

WHEREAS, the County is desirous of renewing the aforementioned lease agreement, and

WHEREAS, the Delevan Volunteer Fire Department, 1006 North Main Street, Delevan, New York 14042, has agreed to lease the aforementioned space for an amount of \$1,600.00 per month, to be paid as invoiced, and

WHEREAS, sufficient funds are included in the 2016 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease agreement, on behalf of Cattaraugus County, with the Delevan Volunteer Fire Department, for the leasing of the above-described space, for a term commencing January 1, 2016 and terminating December 31, 2016, according to the above-described terms.

Adopted January 6, 2016 by voice vote.

MR. KLANCER moved, seconded by Mr. Neal to adjourn until January 27, 2016 at 4:00 p.m. Carried.

Meeting adjourned at 3:44 p.m.

Ann M. Giglio
Journal Clerk