

January 5, 2009

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

The invocation was given by Rev. Piatt.

The Attendance Roll Call disclosed three Legislators absent - Mr. Neal, Mr. Snyder and Mr. Sprague.

MR. MURPHY moved, seconded by Mr. Hebdon that the minutes of the December 22, 2008 session be approved. Carried.

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Mr. Searles stated the Legislature should now elect a Chair for the year 2009, and asked for nominations.

Mr. Vecchiarella moved, seconded by Mr. Ellis to nominate Crystal J. Abers. Carried.

Mr. McClune moved, seconded by Mr. Aiello, to close the nominations. Carried.

By voice vote, Mrs. Abers was elected Chairman for the year 2009.

CHAIRMAN ABERS addressed the Legislature as follows:

Good afternoon fellow Legislators, department heads, press and guests. Again, I want to thank you for the honor you have given me to serve as your Chairman.

Looking back over the last year, I am proud to say that many of the visions we had a year ago have started moving forward. Our financial concerns last year included GASB 45, the Help America Vote Act, the increasing cost of fuel and steel, and more. We also have great concerns about the increased cost of health insurance and Workers' Compensation. Last year, I spoke about the State emphasizing the idea of shared services and our need to implement more ways of sharing services as well as the need to reorganize and consolidate. Our Strategic Planning Committee has been very active and we have made great strides. We've seen the consolidation of Risk Management and Human Resources. We are also looking at the possible consolidation of other departments.

Last year, our budget process went very smoothly once again. Thank you to Jack Searles, Sandy Ponczkowski, Mike O'Brien, Linda Witte and every department head for a job well done. This is the 4th year the County has had a budget where the full value tax rate has decreased. This is truly amazing for a county of our size and in today's economy. Also, I must mention that our budget has hit \$200 million plus for the first time.

2008 was our Bicentennial year and what an exciting time that has been. We have made our mark with the success of the stagecoach and wagon train run. We had many exciting celebrations throughout the year. This will end this spring with the burial of the time capsule. However, I must mention that many new friendships came about because of these many events and celebrations.

What lies ahead for us in 2009?

I feel the biggest concern is not knowing what will happen in the State budget process. We do not know what decisions will be made at the State level and how they are going to impact Cattaraugus County. Depending on what happens, I will ask what programs and services that we currently provide can be done away with. I believe that in 2009, we will need to continue looking into sharing services with other municipalities and more collaboration between departments and potential consolidation of departments. As a County, we need to set goals and work toward achieving those goals. We all know that the economy is bleak statewide as well as nationwide and we

all need to buckle our belts and look at ways to do more with less. Also, when one door closes, another opens. Here I refer to the need to promote our County's tourism and economic development. We have a lot in our County to be proud of and "naturally yours" is visited annually by many tourists. Also, we need to promote our workforce and attract new business.

In closing, I want to thank everyone for the work you have done over the past year. Thanks to all the new Legislators for your commitment and interest in moving Cattaraugus County ahead.

Again, thank you for your support, and I look forward to working with everyone for the betterment of our County for 2009.

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CHAIRMAN ABERS asked for nominations for Vice-Chairman for the year 2009.

Mr. Ellis moved, seconded by Mr. McLarney to nominate Michael T. O'Brien. Carried.

Mr. McClune moved, seconded by Mrs. Witte to close the nominations. Carried.

By voice vote, Mr. O'Brien was elected Vice-Chairman for the year 2009.

VICE-CHAIRMAN O'BRIEN'S speech included:

*Thanking everyone for the nomination and support.
Appreciating everyone thinking about the taxpayers above all other things.
Acknowledging the new legislators for their dedication to learning the process and how they have grown in their positions.
Our committees have talked and solved problems ahead of time.
Knowing there is a \$15 billion deficit in the State. The State has mortgaged our future - can no longer.
Management needs to find ways to save money.
We need to plan where we are and where we are going.
Need to take action to solve our problems.
Set goals - be specific - be obtainable.*

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CHAIRMAN ABERS announced James J. Snyder has been chosen Majority Leader for the year 2009.

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CHAIRMAN ABERS announced that Jerry Burrell has been chosen Assistant Majority Leader and that James Ellis has been chosen as Majority Whip for the year 2009.

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CHAIRMAN ABERS announced Vergilio Giardini has been chosen Minority Leader for the year 2009.

MINORITY LEADER GIARDINI addressed the legislature as follows:

Good afternoon Chairman Abers, fellow legislators, department heads, and guests.

First, I'd like to thank Chairman Crystal Abers for her dedication to the Legislature. She attends so many meetings and events, giving so much of her own time to make sure the residents of Cattaraugus County are represented.

I'd also like to thank Vice Chairman Michael O'Brien for his unwavering dedication to improving the operations of our departments and so much more.

I'd like to commend County Administrator Jack Searles and his staff. They did an excellent job with the creation of the 2009 budget, especially with the tough cuts that had to be made.

Our department heads worked hard to create a lean, but manageable, budget for this year. Many tough decisions had to be made, and we all know it wasn't easy.

Many thanks to our County employees. Because of their hard work and dedication, they help keep this County running smoothly and I know the citizens of Cattaraugus County truly appreciate them.

Looking back, we did a lot of things right last year, and, of course, there are always things we could have done better. We continued to keep taxes down; we restructured some departments to improve efficiency; we held back on spending the best we could; and we held hiring to a bare minimum.

We have much to do in this New Year because of the proposed cuts in the state budget. Some of the things on our "to do" list are:

- We need to continue to improve department efficiency by working closely with department heads. For example, we need to eliminate duplication of services.
- We must manage this year's budget, and be prepared for possible cuts in state funding. The Governor has warned us of cuts in funding and we must be prepared to alter our budget accordingly.
- In these difficult economic times, we must be more mindful than ever of our County debt.
- We should definitely do everything we can to see if we can increase grants to all county departments.

The months ahead may be a bit rocky at times, but we have the team to see it through. The new legislators have brought all kinds of talent and experience to the table. They fit right in quickly, voicing their thoughts and ideas without hesitation. They are a stand-up group and have strengthened our legislative team.

In closing, one of the most important things we must do this year is to keep in mind why we are here, and how we got here. We represent the people, and it is our duty to bring the concerns of the citizens to the table. We should never forget we are voted into office by people who trust us and who are counting on us to make life better - for them, for their families, and for their communities.

It is my privilege to be Minority Leader this year. Maybe it will be a tough year economically. Maybe we'll get lucky. Either way, I know that by working together, we will be deserving of the job the citizens of Cattaraugus County have entrusted to us.

I would like to announce that Bill Sprague will serve as Assistant Minority Leader and Kenneth "Bucky" McClune will serve as Minority Whip.

Thank you.

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MINORITY LEADER GIARDINI announced that William Sprague has been chosen Assistant Minority Leader and that Kenneth McClune has been chosen Minority Whip for the year 2009.

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COUNTY COURT JUDGE LARRY HIMELEIN administered the oaths of office to the members of the leadership and Joseph Keller, County Treasurer.

CHAIRMAN ABERS announced that Ann Giglio will serve as Journal Clerk for the year 2009.

COMMUNICATIONS: Letters of Disclosure From:

Mrs. Crystal J. Abers

Mr. Norman L. Marsh

Mr. William E. Sprague

Mrs. Linda L. Witte

Mr. Steven H. Teachman

Dear Legislators:

This letter is to advise you that I am the duly elected, qualified and acting County Legislator of District #1 of the Cattaraugus County Legislature.

It is to further advise you that my husband, Rick Abers, is employed by Cattaraugus County as a Class B Commercial Driver in the Department of Public Works.

It is to further advise you that I own and operate a number of rental units in the Town of Dayton and, in connection therewith, I do, at times, rent to people who receive assistance from the Department of Social Services of the County of Cattaraugus. I am, therefore, occasionally reimbursed indirectly by the Department of Social Services for the rent of said people receiving benefits.

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

Sincerely,

Crystal J. Abers, County Legislator

Dear Legislators:

This letter is to advise you that I am the duly elected, qualified and acting County Legislator of District #3 of the Cattaraugus County Legislature.

It is to further advise you that my wife, Charlyn Marsh, is employed by Cattaraugus County as a Senior Typist in the Emergency Services Department.

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

Sincerely,

Norman L. Marsh, County Legislator

Dear Legislators:

This letter is to advise you that I am the duly elected, qualified and acting County Legislator of District #10 of the Cattaraugus County Legislature.

It is to further advise you that my wife, Rosemary Teachman, is employed by Cattaraugus County as a Senior Account Clerk Typist in the social Services Department.

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

Sincerely,

Steven H. Teachman, 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 I own and operate a number of rental units in the Town of Yorkshire and, in connection therewith, I do, at times, rent to people who receive assistance from the Department of Social Services of the County of Cattaraugus. I am, therefore, occasionally reimbursed indirectly by the Department of Social Services for the rent of said people receiving benefits.

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

Sincerely,

William E. Sprague, County Legislator

Dear Legislators:

This letter is to advise you that I am the duly elected, qualified and acting County Legislator of District #10 of the Cattaraugus County Legislature.

It is to further advise you that my husband, Dr. Gilbert Witte, is employed by Cattaraugus County as the Medical Director for 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,

Linda L. Witte, County Legislator

APPOINTMENTS:**Empire Zone Corporation Board of Directors:**
One-year terms to expire December 31, 2009

Crystal J. Abers
Cattaraugus County Legislator
9822 Mosher Road
South Dayton, New York 14138

Gail Speedy, Executive Director
Universal Primary Care
500 Main Street
Olean, New York 14760

David Carucci, Mayor
City of Olean
Municipal Building
Olean, New York 14760

Ted Hewitt, Supervisor
Town of Olean
949 Hartwig Road
Olean, New York 14760

Michael Fischer, Dean
School of Business
St. Bonaventure University
St. Bonaventure, New York 14778

Donald Giardini
27 North 7th Street
Olean, New York 14760

Robert Guenther
Guenther Funeral Home
1303 East State Street
Olean, New York 14760

Raymond Jonak, Councilman
Town of Allegany
3408 Fortune Drive
Allegany, New York 14706

James W. Kirkpatrick
200 Jefferson Avenue
Allegany, New York 14760

Mark Saglimben
3660 Five Mile Road
Allegany, New York 14706

James Snyder
James Snyder Manufacturing, Inc.
270 Rochester Street
Salamanca, New York 14779

Michael Higgins
Abbott Welding
509 North First Street
Olean, New York 14760

James J. Snyder
P.O. Box 387
Olean, New York 14760

Edward Wilber
Vice President of Manufacturing
Dresser- Rand Turbo
P.O. Box 560
Olean, New York 14760

Memorial Museum Board***Five-year term to expire December 31, 2013***

Anne Easton
6866 Stone Road
Delevan, New York 14042

Aging Advisory Council***One-year terms to expire December 31, 2009***

Nancy Allen
3522 Buffalo Road
Allegany, New York 14706

Barbara Hastings, Public Health Director
1 Leo Moss Drive, Suite 4010
Olean, New York 14760

Diane Boser
97 North First Street
Allegany, New York 14706

Russell Coles
P.O. Box 132
Otto, New York 14766

Betty McDonald
3045 Cherry Street
Olean, New York 14760

Marilyn Piepho
1979 Dugan Road
Olean, New York 14760

Maureen Stone
PO Box 35
Sheridan, New York 14135

William Button
60 Portville-Ceres Road
Portville, New York 14770

Angie Dombeck
133 North Eleventh Street
Olean, New York 14760

MaryAnn Chamberlain
167 Columbia Avenue
Salamanca, New York 14779

James Boser
97 North First Street
Allegany, New York 14706

Doris Heath
8564 Mill Street
South Dayton, New York 14138

Elizabeth Doyle
3974 Route 517, Lot 52
Allegany, New York 14706

Marion Sticek
9772 Cottage-Nashville Road
South Dayton, New York 14138

Peggy Ann Taylor
75 Perry Street, Apt. B, PO Box 5
Gowanda, New York 14070

Kathy Hamed
Olean Senior Center, 112 North Barry Street
Olean, New York 14760

Helen Crowley
5440 Robbins Road
Ellicottville, New York 14731

Josephine Milks
9824 Edwards Corners Road
South Dayton, New York 14138

Arson Task Force

Three-year terms to expire December 31, 2011

Connie Brown
Emergency Services Department
303 Court Street
Little Valley, New York 14755

Carmen Vecchiarella
Cattaraugus County Legislator
PO Box 296
Salamanca, New York 14779

Donna Snyder
54 Eagle Street
Salamanca, New York 14779

Dennis John
Cattaraugus County Sheriff
301 Court Street
Little Valley, New York 14755

Edward Sharkey
Cattaraugus County District Attorney
303 Court Street
Little Valley, New York 14755

HIPAA Compliance Committee

Indefinite terms

Dawn Miller, Director
Community Services Department
(replacing Robert Dobmeier)

Cathy Mackay, Unit Supervisor of Services
Department of the Aging
(replacing Daryl Johnson)

Jeffrey VanDeCar
Deputy County Administrator
(replacing Jack Searles)

Traffic Safety Board

Three-year terms to expire December 31, 2011

Dennis John
Cattaraugus County Sheriff
301 Court Street
Little Valley, New York 14755

David Rivet, Commissioner
Department of Public Works
8810 Route 242
Little Valley, New York 14755

Brian Taber
Dayton Town Highway Superintendent
9100 Route 62
South Dayton, New York 14138

Carmen Vecchiarella
Cattaraugus County Legislator
PO Box 296
Salamanca, New York 14779

Thomas Windus, Director
City of Olean Public Works
PO Box 668
Olean, New York 14760

Southern Tier West

Three-year terms to expire December 31, 2011

Crystal J. Abers
Cattaraugus County Legislator
9822 Mosher Road
South Dayton, New York 14138

Robert C. Keis
7621 California Hill Road
Little Valley, New York 14755

Emergency Medical Services Advisory Committee

Terms to expire December 31, 2010

Christopher Baker, Director
Emergency Services Department
Representing Fire Districts 1 and 2
303 Court Street
Little Valley, New York 14755

Daniel Parr
Representing Fire District 4
14 Maple Avenue, PO Box 631
Portville, New York 14770

Joshua Kibbe
Representing Fire District 3
10 Sheldon Street
Randolph, New York 14772

Dorothy Button
Representing Fire District 5
9746 Route 240, PO Box 143
West Valley, New York 14171

Fish & Wildlife Management Board

Term to expire December 31, 2009

Thomas Vanderbosch
"Federated Sportsmen" Representative
7932 Utley Road
East Otto, New York 14729
(replacing Dennis Sibley)

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CHAIRMAN ABERS granted privilege of the floor to Henry Boland of the New York State Division of Criminal Justice Services who presented Sheriff Dennis John and the Cattaraugus County Sheriff's Office with a Certificate of Accreditation from the New York State Law Enforcement Accreditation Council of the New York State Division of Criminal Justice Services for December 2008 through December 2013. Mr. Boland also presented Investigator Christa Heckathorn with the John Kimball O'Neil Certificate of Achievement presented to an outstanding Program Manager of the New York State Law Enforcement Accreditation Program.

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ACT NO. 1-2009 by Mrs. Abers

ADOPTION OF 2009 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 2009 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 3:00 p.m. on the second and fourth Wednesdays of each month, except, that in the months of July and August, the only regular meeting will be the fourth Wednesday.

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 mail 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 Legislators (11) 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 mailed to each Legislator. Resolution synopses and agendas shall be sent to all City, Town, and Village Clerks in the County.

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 sent 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 All proposed local laws must appear upon the agenda described in Rule 8 on the date when the public hearing is held.

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 Civil Service Commission approving the title of such position.

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

- .1 Employee Position Vacancy Committee
- .2 Oversight 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 mailed, if possible, prior to the regular meeting or be placed on the desk of each Legislator if the adjourned meeting prevents mailing.

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 special orders, or any regular parliamentary working motion and any motion referring to a working 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. Any member who shall be present when a question is stated by the Chair shall vote thereon. Except where otherwise specifically provided by these rules, Roberts Rules of Order, or by statute, a majority vote of the members shall govern. A Legislator may abstain from voting, with the permission of the majority of the County Legislature, because of a direct interest in the question.

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	7
2.	Development & Agriculture	7
3.	Finance	9
4.	Human Services	7
5.	Labor Relations	5
6.	Public Safety	7
7.	Public Works	9
8.	Senior Services	7
9.	Strategic Planning	9

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 mail 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. Any standing or special committee making authorized trips outside the County shall make a detailed written or oral report of the proceedings of the meeting and shall furnish a reasonable and necessary bill of expense thereof. This rule shall not apply to confidential matters.

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 motion then before the Legislature, which resolution must be identified in the motion to waive rules. The rule to be waived must be specified in the motion to waive.

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.

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 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.

40.10 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.

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

40.12 A successful bidder shall be responsible for payment of the applicable current city and village taxes at the time that the bidder tenders the bid balance to the County.

40.13 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.

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 (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.

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.

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 General jurisdiction over forestry matters.
- .5 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 (9 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 Community Services
- .2 Coroners
- .3 Health
- .4 Social Services
- .5 Veterans Service Agency
- .6 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 Association for Retarded Children
 - .2 Council on Alcoholism & Substance Abuse
 - .3 Day Care Centers
 - .4 Mental Health Society.
- .3 Liaison with Cattaraugus-Allegany Workforce Investment 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 SAFETY (7 members)

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

- .1 Assigned Counsel
- .2 District Attorney
- .3 Emergency Services
- .4 Judiciary
- .5 Probation
- .6 Public Defender
- .7 Sheriff.

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

- .1 Emergency Communications Systems.
- .2 Liaison with Fire Advisory Board.
- .3 Liaison with Society for Prevention of Cruelty to Animals (SPCA).
- .4 Liaison with Nuclear Waste industry.

7. PUBLIC WORKS (9 members)

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

7.2 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.

8. SENIOR SERVICES (7 members)

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

- .1 Aging
- .2 Nursing Homes.

9. STRATEGIC PLANNING (9 members)

9.1 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.

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

Adopted January 5, 2009 by voice vote.

ACT NO. 2-2009 by Mrs. Abers**APPOINTMENT TO BOARD OF HEALTH**

Pursuant to Section 343 of the Public Health Law.

RESOLVED, that the following individual is appointed to the Board of Health with a six-year term to expire December 31, 2014:

Sondra Fox
130 North Eighth Street
Olean, New York 14760.

Adopted January 5, 2009 by voice vote.

ACT NO. 3-2009 by Mrs. Abers**APPOINTMENTS TO CATTARAUGUS COUNTY FIRE ADVISORY BOARD**

Pursuant to Section 225-a of the County Law.

RESOLVED, that the following individuals are appointed to the Cattaraugus County Fire Advisory Board for a term of three (3) years to expire on December 31, 2011:

Robert Barber, Sr.
9739 Forty Road
Cattaraugus, New York 14719

Angela Kula
3538 Buffalo Road
Allegany, New York 14706

William Pratt
8872 Dake Hill Road
Cattaraugus, New York 14719

Nelson Watkins
24 Green Street
Franklinville, New York 14737

Nicholas Bocharski, Jr.
92 Frank Street
Salamanca, New York 14779
(replacing Michael Bowley).

Adopted January 5, 2009 by voice vote.

ACT NO. 4-2009 by Mrs. Abers

**APPOINTMENT OF INTER-COUNTY ASSOCIATION
OF WESTERN NEW YORK MEMBERS**

Pursuant to Section 153 of the County Law.

RESOLVED, that the following individuals shall be the Cattaraugus County voting members to the Inter-County Association of Western New York for the year 2009:

Kenneth McClune
51 South Main Street
Salamanca, New York 14779

Robert Neal
222 Spring Street
Randolph, New York 14772

Donna Vickman
971 Back Street, PO Box 5
Farmersville Station, NY 14060

Michael T. O'Brien (*alternate*)
12 Riley Road
Portville, New York 14770

Crystal J. Abers (*alternate*)
9822 Mosher Road
South Dayton, New York 14138

James L. Boser (*alternate*)
97 North First Street
Allegany, New York 14706,

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Inter-County Association of Western New York.

Adopted January 5, 2009 by voice vote.

ACT NO. 5-2009 by Mrs. Abers

RECREATING CATTARAUGUS COUNTY EQUINE ADVISORY COMMITTEE

Pursuant to Section 235 of the County Law.

WHEREAS, Act 20-2008 created the Cattaraugus County Equine Advisory Committee as a result of the Cattaraugus County Department of Economic Development, Planning and Tourism (EDP&T) completing an economic development strategy for all economic sectors in the Route 219 highway corridor and for communities in the perimeter zones of the Allegany State Park, which expired December 31, 2008, and

WHEREAS, the EDP&T has also completed the Allegany State Park Perimeter Study by authorizing three guidebooks which present findings and recommendations for promoting the (1) equine/equestrian economy, (2) trails, and (3) villages, as implementation tools for these special elements of the County's overall economic development strategy, and

WHEREAS, these three guidebooks are called (1) *Saving Our Villages* (Volume 3, December 30, 2004); (2) *Growing the Equestrian Economy in Cattaraugus County, New York* (Volume 8, March 11, 2005); and (3) *A New Vision for Outdoor Recreation Trails in Cattaraugus County, New York* (Volume 4, November 16, 2005), and

WHEREAS, Cattaraugus County's economic development strategy and these implementation guidebooks are designed to test regional economic markets for specific projects and locations in a countywide context, and

WHEREAS, the County is desirous of continuing a long-term implementation process to bring the aforementioned recommendations to fruition in the next decade, and

WHEREAS, the citizen's advisory committee is needed to continue in order to continue to review and refine these recommendations, especially to recognize and promote the equine/equestrian community in Cattaraugus County and to advise the Cattaraugus County Legislature's Development and Agriculture Committee and EDP&T accordingly, now, therefore, be it

RESOLVED, that effective immediately, the Cattaraugus County Equine Advisory Committee is hereby recreated, and be it further

RESOLVED, that the purpose of the Committee shall be as stated above, and be it further

RESOLVED, that the Committee shall consist of eighteen (18) members to be appointed by the Chair of the County Legislature from the equine/equestrian community, the private sector, the New York State Horse Council, and Cattaraugus County government, and be it further

RESOLVED, that the committee shall terminate on December 31, 2011.

Adopted January 5, 2009 by voice vote.

ACT NO. 6-2009 by Mrs. Abers

APPOINTMENT TO CATTARAUGUS COUNTY ETHICS BOARD

Pursuant to Local Law Number 8-1990 of the
Cattaraugus County Legislature.

RESOLVED, that the following individuals are hereby appointed to the Cattaraugus County Ethics Board for three year terms to expire December 31, 2011:

Thomas Moser
1653 Haskell Road
Olean, New York 14760
(replacing Richard Haberer),

Sandra Prior
12346 Gulf Road
South Dayton, New York 14138
(replacing Joseph Eade),

Christopher Baker

50 Brooklyn Street
Portville, New York 14770
(replacing Thomas Livak).

Adopted January 5, 2009 by voice vote.

ACT NO. 7-2009 by Mrs. Abers

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 2009, 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 2009 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 5, 2009 by voice vote.

ACT NO. 8-2009 by Mr. O'Brien

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., 5768 Crabtree Lane, Cicero, New York 13039, 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 5, 2009 by voice vote.

ACT NO. 9-2009 by Mr. O'Brien

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 2009 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 2009 to perform services in relation to financing such programs as may hereafter be authorized by the Cattaraugus County Legislature.

Adopted January 5, 2009 by voice vote.

ACT NO. 10-2009 by Mr. O'Brien**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 12-2008 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 2009, now, therefore, be it

RESOLVED, that for the year 2009, 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 or less, in accordance with Section 556 of the Real Property Tax Law, and be it further

RESOLVED, that for the year 2009, the County Administrator is hereby authorized to correct tax bills and tax rolls, where the recommended tax refund is \$2,500 or less, in accordance with Section 554 of the Real Property Tax Law.

Adopted January 5, 2009 by voice vote.

ACT NO. 11-2009 by Mr. O'Brien**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, 2009, and that the County Treasurer is hereby authorized to deposit in each or any of such banking institutions in an amount not to exceed twenty million dollars (\$20,000,000):

Cattaraugus County Bank, Little Valley, New York

Cattaraugus County Bank, South Dayton, New York
Citizens Bank, Williamsville, New York
Community Bank, Olean, New York
Edward Jones Investments, Lakewood, 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
HSBC, Gowanda, New York
MBIA Municipal Investors Service Corp., Armonk, New York
Bank of Cattaraugus, Cattaraugus, New York
Key Bank of Western New York, Olean, 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
Pershing (BNY Securities Group), New Jersey
Smith Barney, Olean, New York.

Adopted January 5, 2009 by voice vote.

ACT NO. 12-2009 by Mr. O'Brien

**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 23-2008 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, 2008, and

WHEREAS, the 2009 County budget provides for the payment of \$15,759 to BOCES from Account No. A.2980.484 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 2009 with BOCES for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

Adopted January 5, 2009 by voice vote.

ACT NO. 13-2009 by Mr. O'Brien

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS EMPIRE ZONE, INC.**

Pursuant to Sections 224 (14) and 450 of the County Law.

WHEREAS, Act 24-2008 authorized a contract with the Cattaraugus Empire Zone, Inc., to administer the Cattaraugus Economic Development Zone, the term of which expired December 31, 2008, and

WHEREAS, the County has agreed to provide \$67,500 in funding to be used for the provision of staff, office space, and related expenses for the promotion and administration of the Economic Development Zone, and

WHEREAS, the 2009 County budget provides for the payment of \$67,500 to the Cattaraugus Empire Zone, Inc., from Account No. A.6422.445 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 2009 with the Cattaraugus Empire Zone, Inc., for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

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

Adopted January 5, 2009 by voice vote.

ACT NO. 14-2009 by Mr. O'Brien

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

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

WHEREAS, Act 26-2008 authorized a contract with the Cattaraugus County Arts Council for the purpose of fostering the arts in Cattaraugus County, the term of which expired December 31, 2008, and

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 2009 County budget provides for the payment of \$10,800 to the Arts Council from Account No. A.7010.445 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, 216 South Ninth Street, Olean, New York 14760, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

Adopted January 5, 2009 by voice vote.

ACT NO. 15-2009 by Mr. O'Brien

**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 27-2008 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, 2008, and

WHEREAS, the 2009 County budget provides for the payment of \$23,800 to the Southern Tier West Regional Planning and Development Board (STW) from Account No. A.8025.445 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 2009 with the Southern Tier West Regional Planning and Development Board for the provision of the above-described services for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

Adopted January 5, 2009 by voice vote.

ACT NO. 16-2009 by Mr. O'Brien

**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 28-2008 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, 2008, and

WHEREAS, the 2009 County budget provides for the payment of \$81,044 to the Cattaraugus County Soil & Water Conservation District from Account No. A.8730.445 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 2009 with the Cattaraugus County Soil & Water Conservation District for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

Adopted January 5, 2009 by voice vote.

ACT NO. 17-2009 by Mr. O'Brien

**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 29-2008 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, 2008, 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 2009 at an amount not to exceed \$18,000, and

WHEREAS, sufficient funds are included in Account No. A.8732.445 of the 2009 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, 2009 and terminating December 31, 2009, according to the above-described terms.

Adopted January 5, 2009 by voice vote.

ACT NO. 18-2009 by Mr. O'Brien

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

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

WHEREAS, Act 30-2008 authorized a contract with the Cattaraugus-Chautauqua Library System, Inc. for the provision of educational materials for the citizens of the County, the term of which expired December 31, 2008, and

WHEREAS, the 2009 County budget provides for the payment of \$85,524 to the library system from Account No. A.7415.445 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 2009 with the Cattaraugus-Chautauqua Library System, Inc., for a term commencing January 1, 2009 and terminating December 31, 2009 according to the above-described terms, and be it further

RESOLVED, that payment of the aforementioned amount be made to the Cattaraugus-Chautauqua 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 5, 2009 by voice vote.

ACT NO. 19-2009 by Mr. O'Brien

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CHAUTAUQUA COUNTY FOR STAR FLIGHT MEDIVAC PROGRAM**

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

WHEREAS, Act 31-2008 authorized a contract with Chautauqua County for the provision of air transport services for critically ill or injured persons, the term of which expired December 31, 2008, and

WHEREAS, the 2009 County budget provides for the payment of \$9,000 to Chautauqua County's Star Flight Medivac Program, from Account No. A.4545.445 for these transport 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 2009 with Chautauqua County for the Star Flight Medivac Program, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

Adopted January 5, 2009 by voice vote.

ACT NO. 20-2009 by Mr. O'Brien

**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 32-2008 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, 2008, and

WHEREAS, the 2009 County budget provides for the payment of \$9,000 to Mercy Flight, Inc., from Account No. A.4542.445 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 2009 with Mercy Flight, Inc., for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

Adopted January 5, 2009 by voice vote.

ACT NO. 21-2009 by Mr. O'Brien

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COUNTY FIRE POLICE ASSOCIATION**

Pursuant to Sections 224 (9) and 450 of the County Law.

WHEREAS, Act 33-2008 authorized a contract with the Cattaraugus County Fire Police Association for the provision of fire education within the County to improve the fire fighting skills and techniques of the fire police of Cattaraugus County, the term of which expired December 31, 2008, and

WHEREAS, the 2009 County budget provides for the payment of \$1,000 to the Cattaraugus County Fire Police Association from Account No. A. 3410.407 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 2009 with the Cattaraugus County Fire Police Association for the provision of the above-described services for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

Adopted January 5, 2009 by voice vote.

ACT NO. 22-2009 by Mr. O'Brien

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COUNTY VOLUNTEER FIREFIGHTERS' ASSOCIATION, INC.**

Pursuant to Sections 224 (9) and 450 of the County Law.

WHEREAS, Act 34-2008 authorized a contract with the Cattaraugus County Volunteer Firefighters' Association, Inc., for the provision of fire education within the County to improve the fire fighting skills and techniques of the volunteer firefighters of Cattaraugus County, the term of which expired December 31, 2008, and

WHEREAS, the 2009 County budget provides for the payment of \$1,500 to the Cattaraugus County Volunteer Firefighters' Association, Inc., from Account No. A.3410.404 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 2009 with the Cattaraugus County Volunteer Firefighters' Association, Inc., for the provision of the above-described services for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

Adopted January 5, 2009 by voice vote.

ACT NO. 23-2009 by Mr. O'Brien

**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 35-2008 authorized a contract with Southern Tier Health Care System, Inc., 222 West State Street, Olean, New York 14760, for the Cattaraugus County Advanced Life Support (flycar) Program, the term of which expired December 31, 2008, 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 2009 County budget provides for the payment of \$18,000 to Southern Tier Health Care System, Inc., for the provision of these services from Account A.4546.445, 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, 2009 and terminating December 31, 2009, for the provision of the above-described services, according the above-described terms.

Adopted January 5, 2009 by voice vote.

ACT NO. 24-2009 by Mr. O'Brien

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

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

WHEREAS, Act 36-2008 authorized a contract with the Federated Sportsman's Clubs of Cattaraugus County, Inc. for the provision of a County-wide organization for the purpose of promoting 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, the term of which expired December 31, 2008, 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, Cattaraugus County is desirous of supporting the Federated Sportsman's Clubs of Cattaraugus County, Inc., and

WHEREAS, the 2009 County budget provides for the payment of \$2,565 to the Federated Sportsman's Clubs of Cattaraugus County, Inc., from Account No. A.8720.445 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 Sportsman's Clubs of Cattaraugus County, Inc., for the year 2009 for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

Adopted January 5, 2009 by voice vote.

ACT NO. 25-2009 by Mr. O'Brien

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

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

WHEREAS, Act 37-2008 authorized a contract with the Salamanca Rail Museum for the preservation of the history of railroads in the Southern Tier, the term of which expired December 31, 2008, and

WHEREAS, the 2009 County budget provides for the payment of \$5,535 to the Salamanca Rail Museum from Account No. A.7450.445, 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 2009 with the Salamanca Rail Museum for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

Adopted January 5, 2009 by voice vote.

ACT NO. 26-2009 by Mr. O'Brien

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH YMCA CHILD CARE CENTER**

Pursuant to Section 99-h (3) of the General Municipal Law and
Sections 224(22) and 450 of the County Law.

WHEREAS, Act 38-2008 authorized a contract with the YMCA Child Care Center for the provision of day care services to working families in Cattaraugus County, the term of which expired December 31, 2008, and

WHEREAS, these services include day care and education services, nutritional services and parenting and child development information, and

WHEREAS, the 2009 County budget provides for the payment of \$3,600 to the YMCA Child Care Center from Account No. A.2982.510 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 2009 with the YMCA Child Care Center, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

Adopted January 5, 2009 by voice vote.

ACT NO. 27-2009 by Mr. O'Brien

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
OLEAN CHILD DAY CARE CENTER, INC.**

Pursuant to Section 99-h (3) of the General Municipal Law and
Sections 224(22) and 450 of the County Law.

WHEREAS, Act 39-2008 authorized a contract with the Olean Child Day Care Center, Inc., for the provision of day care services to working families in the Olean area, the term of which expired December 31, 2008, and

WHEREAS, these services include day care and education to approximately 200 children, nutritional services, and parenting and child development information, and

WHEREAS, the 2009 County budget provides for the payment of \$7,650 to the Olean Child Day Care Center, Inc., from Account No. A.2982.518 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 2009 with the Olean Child Day Care Center, Inc., for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

Adopted January 5, 2009 by voice vote.

ACT NO. 28-2009 by Mr. O'Brien

**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 40-2008 authorized a contract with Cornell Cooperative Extension Association of Cattaraugus County 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, 2008, and

WHEREAS, the 2009 County budget provides for the payment of \$299,812 to the Cornell Cooperative Extension Association of Cattaraugus County from Account No. A.2980.423 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 2009 with the Cornell Cooperative Extension Association of Cattaraugus County for a term commencing January 1, 2009 and terminating December 31, 2009, 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 in quarterly installments, upon submission of vouchers for payment certified by the Chair of the Legislature, audited by the County Administrator and paid by the County Treasurer.

Adopted January 5, 2009 by voice vote.

ACT NO. 29-2009 by Mr. O'Brien

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

Pursuant to Article 11 of the Real Property Tax Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 41-2008 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 \$80 per parcel, the terms of which expired December 31, 2008, 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 \$80 per parcel for an estimated annual cost to the County of \$35,000, 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, 2009 and terminating December 31, 2009, according to the above-described terms.

Adopted January 5, 2009 by voice vote.

ACT NO. 30-2009 by Mrs. Abers

**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 42-2008 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, 2008, and

WHEREAS, the 2009 County budget provides for the payment of \$18,680 to the Cattaraugus County SPCA from Account No. A.3510.445 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 2009 with the Cattaraugus County SPCA, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

Adopted January 5, 2009 by voice vote.

ACT NO. 31-2009 by Mr. O'Brien

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COUNTY FIRE CHIEFS' ASSOCIATION**

Pursuant to Sections 224 (9) and 450 of the County Law.

WHEREAS, Act 48-2008 authorized a contract with the Cattaraugus County Fire Chiefs' Association for the provision of fire education within the County to improve the fire fighting skills and techniques of the fire chiefs of Cattaraugus County, the term of which expired December 31, 2008, and

WHEREAS, the 2009 County budget provides for the payment of \$1,500 to the Cattaraugus County Fire Chiefs' Association from Account No. A. 3410.405 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 2009 with the Cattaraugus County Fire Chiefs' Association for the provision of the above-described services for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

Adopted January 5, 2009 by voice vote.

ACT NO. 32-2009 by Mrs. Abers

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH SENECA
NATION ALLEGANY RESERVATION EARLY CHILDHOOD LEARNING CENTER**

Pursuant to Section 99-h (3) of the General
Municipal Law and Sections 224(22) and
450 of the County Law.

WHEREAS, Act 263-2008 authorized a contract with the Seneca Nation Allegany Reservation Early Childhood Learning Center for the provision of day care services to working families in Cattaraugus County, the term of which expired December 31, 2008, and

WHEREAS, the aforementioned services include day care and education services, nutritional services and parenting and child development information, and

WHEREAS, the 2009 County budget provides for the payment of \$3,150 to the Seneca Nation Allegany Reservation Early Childhood Learning Center, 983 R. C. Hoag Drive, Salamanca, New York 14779, from Account No. A. 2982.527 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 Seneca Nation Allegany Reservation Early Childhood Learning Center, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

Adopted January 5, 2009 by voice vote.

ACT NO. 33-2009 by Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH WALKER BUSINESS SERVICES
FOR CATTARAUGUS ONE-STOP CLERICAL SERVICES AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Social Services)**

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

WHEREAS, the Department of Social Services is in need of clerical services for the Cattaraugus One-Stop offices, and

WHEREAS, Walker Business Services, 23 West State Street, Wellsville, New York 14895, can provide the necessary clerical services for the Cattaraugus One-Stop for an amount of \$12.78 per hour, not to exceed \$17,000, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to cover the cost 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 contract, on behalf of Cattaraugus County, with Walker Business Services, for the provision of the above-described services, for a term commencing January 1, 2009 and terminating June 30, 2009, 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 Accounts:

A.4792	WIA Title I Adult	\$5,850.00
A.4794	WIA Title I Dislocated	\$5,850.00

Increase Appropriation Accounts:

A.6320.455	WIA Professional Services	\$5,850.00
A.6340.455	WIA Professional Services	\$5,850.00.

Adopted January 5, 2009 by voice vote.

ACT NO. 34-2009 by Mrs. Abers**ESTABLISHING MODIFIED LIST OF APPROVED PROFESSIONAL ORGANIZATIONS**

Pursuant to Section 203(1) of the County Law.

WHEREAS, Cattaraugus County is involved in numerous governmental and proprietary activities, and

WHEREAS, there are professional organizations in which the membership of various officers and employees would be beneficial to the County, and

WHEREAS, these organizations provide ideas for implementation of cost-saving measures and provide a means of disseminating information on current trends in specialized fields, and

WHEREAS, payment of dues in these organizations is beneficial to the County and serves a public purpose, and

WHEREAS, there is a reasonable connection between the activities of these organizations and the official duties of the officers or employees whose membership dues will be paid therein, now, therefore, be it

RESOLVED, that effective January 1, 2009, the following constitutes the list of approved organizations in which Cattaraugus County authorizes membership and the payment of dues:

<u>Department</u>	<u>Organization</u>
Legislature	Inter-County Association of Western New York National Association of Counties NYS Association of Counties
Public Defender	American Bar Association Cattaraugus County Bar Association National Association of Criminal Defense Lawyers National Defender Investigation Association NYS Association of Criminal Defense Lawyers NYS Bar Association NYS Public Defender's Association
Real Property Tax	NYS Real Property Tax Directors Association NYS Assessors Association WNY Institute of Assessing Officers
County Clerk	NYS Association of County Clerks
County Attorney	American Bar Association Cattaraugus County Bar Association NYS Bar Association NYS Association of County Attorneys

Human Resources	American Payroll Association NYS Association of Personnel & Civil Service Officers NYS Public Employees Labor Relations Association Buffalo Niagara Region Payroll Association
Board of Elections	Election Commissioners Association of the State of NY
Information Services	NYS Local Government Information Technology Directors Association
Historian	Association of Public Historians of New York State
Economic Development, Planning & Tourism	American Planning Association NYS TPA Council (includes NY Hot Deals Getaway NY) New York Planning Federation NYS Hospitality & Tourism Association NYS Travel & Vacation Association Association of Procurement Technical Assistance Centers
County Administrator	Government Finance Officers Association International City Management Association NYS County Administrators Association
Treasurer	NYS County Treasurers & Finance Officers Association NYS Government Finance Officers Association Government Finance Officers Association
Risk Management	National Safety Council NYS Association of Self-Insured Counties Public Risk & Insurance Management Association-National
Coroners	New York State Association of County Coroners and Medical Examiners
Health	Beacon Institute Family Planning Association Home Care Association of NYS National Association of County & City Health Officials New York State Association of County Health Officials NYS Conference of Environmental Health Directors NYS EMS Coordinators Association WNY Public Health Alliance California Family Health Council
Community Services	NYS Conference of Local Mental Hygiene Directors Consortium of Continuing Day Treatment Directors
Social Services	Cattaraugus County Bar Association Coalition of Adoption & Foster Family Agencies (CAFFA) New York Public Welfare Association NYS Bar Association Western Regional Commissioner Association WNY Managed Care Coalition
One-Stop	Greater Olean Area Chamber of Commerce

Veterans	County Veterans Service Officers Association of the State of New York
Youth Bureau	Association of NYS Youth Bureaus Empire State Coalition Juvenile Detention Association of NYS, Inc. NYS Dispute Resolution Association, Inc. NYS Youth Court Association WNY Association of Youth Boards & Youth Bureaus Cattaraugus County Counselor's Association
Public Works	Association for Bridge Construction & Design National Conference on Weights & Measures North East Weights & Measures Association NYS Association of Municipal Purchasing Officials (SAMPO) NYS Association for Reduction, Reuse, Recycling (NYSAR) NYS Association for Solid Waste Management NYS Association of Professional Land Surveyors NYS County Highway Superintendents Association NYS Weights & Measures Association NYS Association of Floodplain and Stormwater Managers
Aging	NYS Adult Day Services Association (includes WNY Adult Day Services Association) Meals on Wheels Association of America NYS Association of Area Agencies on Aging NYS Association of Nutrition & Aging Service Programs NYS Senior Service Corps Association Southern Tier Activity Association Network in Aging of Western New York National Association of Area Agencies on Aging
Nursing Homes	American Association of Homes & Services for the Aging (AAHSA) American Health Information Management Association Association of Professionals in Infection Control (APIC Group) County Nursing Facilities of New York, Inc. NYS Association of Homes & Services for the Aging (NYSAHSA) Southern Tier Activity Association Volunteer Resource of Cattaraugus County WNY Activity Association WNY Association of Homes & Services for the Aging (WNYAHSA) WNY Mutual Aid Plan Health Information Management Association of Western New York Greater Olean Area Chamber of Commerce
District Attorney	Cattaraugus County Chiefs of Police Association Cattaraugus County Bar Association NYS Bar Association

	NYS District Attorneys Association
Sheriff	Association of Public Safety Officers (APCO) Cattaraugus County Chiefs of Police Association Computerized Voice Stress Analysis Association FBI-NAA NYS & E. Canada National Emergency Number Association NYS 911 Coordinator's Association NYS Sheriffs Association State of New York Police Juvenile Officers United Shared Services
Probation	Area I Council of Probation Administrators NYS Council of Probation Administrators
Fire Investigators	NYS Fire Investigators International Association of Arson Investigators
Emergency Services	International Association of Arson Investigators NYS Fire Investigators Association National Fire Prevention Association NYS Emergency Management Association NYS Fire Coordinators Association
Fire Advisory Board	NYS County Fire Coordinator's Association.

Adopted January 5, 2009 by voice vote.

ACT NO. 35-2009 by Mr. Vecchiarella

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE
FOR SHERIFF'S DEPARTMENT TRAFFIC SAFETY ENFORCEMENT PROGRAM AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Sheriff's Office)**

Pursuant to Section 1229-c of the Vehicle and
Traffic Law and Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 201-2008 authorized the Chair to apply for funding through the New York State Governor's Traffic Safety Committee for a Traffic Safety Enforcement Program, which shall include, but not be limited to, components such as: the Child Passenger Safety Program, the Buckle-Up New York Program, the Impaired Driving Deterrence Program, the "STEP" Enforcement Program and the Traffic Safety Partners Program, and

WHEREAS, the County Sheriff's Office has been awarded \$24,500 through the Selective Traffic Enforcement program for the period October 1, 2008 through September 30, 2009, and

WHEREAS, a contract is necessary with the New York State Governor's Traffic Safety Committee in order to accept the aforementioned funding, and

WHEREAS, various appropriation and revenue accounts must be adjusted in the 2009 budget, 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 New York State Governor's Traffic Safety Committee, in order to accept the aforementioned funding, for a term commencing October 1, 2008 and terminating September 30, 2009, 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.4516	Traffic Safety Partnership	\$24,500.00
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Increase Appropriation Accounts:

A.3324.107	Sheriff's Office-Overtime	\$11,500.00
A.3324.109	Sheriff's Office Part-Time	\$ 7,477.00
A.3324.211	Radar Unit	\$ 1,300.00
A.3324.828	Retirement	\$ 2,771.00
A.3324.833	FICA	\$ 1,452.00.

Adopted January 5, 2009 by voice vote.

ACT NO. 36-2009 by Mr. Marsh, Mr. Neal, Mr. Teachman,
Mr. Vecchiarella, and Mrs. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NTS DATA SERVICES, LLC FOR BOARD OF ELECTIONS
IMAGING SOFTWARE SYSTEM MAINTENANCE AND SUPPORT**

Pursuant to Sections 5-708(5.a) and 8-304 of the Election Law and
Section 450 of the County Law.

WHEREAS, Act 108-2007 authorized a contract for the maintenance and support services for the Team-2000 Voter Information software system, Sign-it, "IMAGE-IT! Full Document Imaging" software system, and IMS software applications, the term of which expired December 31, 2008, and

WHEREAS, the County Board of Elections is desirous of continuing the maintenance and support services on the above-described software systems, and

WHEREAS, NTS Data Services, Inc., 1342 Military Road, Niagara Falls, New York 14304-1730, can provide the maintenance and support services for the Team-2000 Voter Information software system, Sign-It, and the "IMAGE-IT! Full Document Imaging" software system, and IMS software maintenance, for an amount of \$34,520.64 annually, for a five-year period commencing January 1, 2009 and terminating December 31, 2013, and

WHEREAS, sufficient funds are included in the 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 contract, on behalf of Cattaraugus County, with NTS Data Services, Inc., for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2013, according to the above-described terms.

Adopted January 5, 2009 by voice vote.

ACT NO. 37-2009 by Mr. Vecchiarella

**AMENDING ACT 709-2008 REGARDING CONTRACT WITH
ELLICOTTVILLE PHARMACY, INC.
FOR JAIL PHARMACEUTICALS**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 709-2008 authorized a contract with Ellicottville Pharmacy, Inc., 13 Washington Street, Ellicottville, New York 14731, for the provision of pharmaceuticals for the inmates of the Cattaraugus County Jail, and

WHEREAS, Act 709-2008 should be amended to reflect a wholesale cost plus 11%, rather than 10%, now, therefore, be it

RESOLVED, that Act 709-2008 is hereby amended as follows: In the Second Whereas, delete: "10%" and replace with: "11%".

Adopted January 5, 2009 by voice vote.

ACT NO. 38-2009 by Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
ERIE COUNTY FOR MEDICAL EXAMINER OFFICE SERVICES**

Pursuant to Section 119-o of the General Municipal Law and Sections 450, 673 and 674 of the County Law.

WHEREAS, Act 485-2001 authorized a contract with Erie County for medical examiner office services, and

WHEREAS, the Erie County Legislature has revised its fee schedule for the aforementioned services effective January 1, 2009, as follows:

Fee Schedule Effective January 1, 2009

1. AUTOPSY (including Physicians charges):

a) External Examination Only	\$ 220.00
b) External Examination & Toxicology	\$ 570.00
c) Partial Autopsy	\$ 570.00
d) Partial Autopsy & Toxicology	\$ 920.00
e) Full Autopsy	\$ 850.00
f) Full Autopsy & Toxicology	\$1,200.00
g) Autopsy on inmate	\$1,500.00
h) Autopsy on inmate & Toxicology	\$1,850.00
2. IDENTIFICATION - If dental identification is needed \$ 100.00
3. LABORATORY CHARGES - Additional costs will be incurred when specialized laboratory testing or consultative pathology services are required based on the complexity of a case - Medical Examiner's Office will consult with Coroner prior to sending the work out.
4. SKELETAL EVALUATIONS:

a) Non-Human Remains (bones)	per case \$ 110.00
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5. CONSULTATION/TESTIMONY/CASE REVIEW:

- | | |
|--------------------------|------------|
| a) Criminal/Consultation | \$165/hour |
| b) Clerical Staff | \$ 33/hour |
| c) Travel Expenses | \$165/hour |

and

WHEREAS, a new contract reflecting the revised fee schedule is necessary, 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 County of Erie, for the provision of the above-described services, for a term commencing January 1, 2009 to December 31, 2011, according to the above-described terms.

Adopted January 5, 2009 by voice vote.

ACT NO. 39-2009 by Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT
WITH OLEAN YMCA FOR YMCA MEMBERSHIPS FOR FAMILIES WITH
CHILDREN AT RISK OF PLACEMENT**

Pursuant to 9 NYCRR Sections 771.6 and 771.7,
Public Law 104-193 and Act 432-2002 of the
Cattaraugus County Legislature.

WHEREAS, Act 746-2007 authorized a contract with the Olean YMCA, 130 South Union Street, Olean, New York 14760, for the provision of YMCA memberships for family activities for at-risk youth and families in an effort to reduce at-risk factors and out-of-home placement, for an amount of \$10,000, the term of which expired June 30, 2008, and

WHEREAS, the County Department of Social Services is desirous of continuing the aforementioned services, and

WHEREAS, the Olean YMCA has agreed to continue the provision of the above-described services for an amount of \$12,000, and

WHEREAS, this program is 100% federally funded, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Olean YMCA, for the provision of the above-described services, for a term commencing July 1, 2008 and terminating June 30, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

Adopted January 5, 2009 by voice vote.

ACT NO. 40-2009 by Mr. Aiello, Mr. Ellis, Mr. Marsh,
Mr. O'Brien Mr. Boser, Mr. Hebdon, Mr. Giardini and Mr. McClune

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
WENDEL DUCHSCHERER ARCHITECTS & ENGINEERS FOR
LITTLE VALLEY COUNTY CENTER ELECTRICAL SYSTEMS CONDITION STUDY**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, the County Department of Public Works is desirous of upgrading the emergency power system and other electrical systems within the Little Valley County Center, and

WHEREAS, Wendel Duchscherer Architects & Engineers, 140 John James Audubon Parkway, Suite 201, Amherst, New York 14228, can provide professional engineering services to complete an engineering study of the emergency power system and the existing conditions of all the other electrical systems within the Little Valley County Center for an amount not to exceed \$9,500, and

WHEREAS, sufficient funds are included in the 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 contract, on behalf of Cattaraugus County, with Wendel Duchscherer Architects & Engineers, for the provision of the above-described services, for a term commencing January 1, 2009 and terminating April 30, 2009, according to the above-described terms.

Adopted January 5, 2009 by voice vote.

ACT NO. 41-2009 by Mr. O'Brien

**AMENDING ACT 432-2002 REGARDING
COUNTY PURCHASING POLICY**

Pursuant to Section 104-b(2)(f) of the General Municipal Law.

WHEREAS, a recent amendment to the New York State General Municipal Law requires that municipalities identify the individual or individuals responsible for purchasing, and include that information in the municipality's purchasing policy, now, therefore, be it

RESOLVED, that Act 432-2002 is hereby amended as follows: Add the following section: "3.13 Purchasing Responsibility. In accordance with General Municipal Law Section 104-b(2)(f), the grid contained in section 3.1, supra, describes the required action and the level of approval required for purchases by Cattaraugus County."

Adopted January 5, 2009 by voice vote.

ACT NO. 42-2009 by Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
BERKSHIRE FARMS CENTER AND SERVICE FOR YOUTH FOR
DEPARTMENT OF SOCIAL SERVICES TRUANCY PREVENTION PROGRAM
AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Social Services)**

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

WHEREAS, Act 437-2007, as amended by Act 451-2008, authorized a contract with Berkshire Farms Center and Service for Youth, for the provision of a home-based truancy prevention program, the term of which expires December 31, 2008, and

WHEREAS, the County Department of Social Services is desirous of continuing the aforementioned truancy prevention program in Cattaraugus County, and

WHEREAS, Berkshire Farms Center and Service for Youth, 845 Central Avenue, Albany, New York 12206, has agreed to conduct an attendance support plan in partnership with the County Department of Social Services for an amount not to exceed \$133,032, as follows:

Target Population:

- Elementary Grades 3-8 with flexibility if attendance problems are identified earlier or later

Overarching Goals:

- Reduction in truancy rates
- Improved academic success and achievement
- Strengthening family systems that support positive relationships with schools and improve for families the value of education

Key Solution Factors:

- Collaboration with schools, DSS, families and other agencies
- Early intervention and parental involvement/accountability
- Systemic and individualized approach to root causes of truancy

Strategies:

- Early parental notification
- Attendance expectations are made clear to students and parents before school year begins
- Prompt parental/child intervention that includes individualized goal setting
- Clear and enforceable sanctions and incentives are in place,

and

WHEREAS, this program is 100% federally funded, and

WHEREAS, various appropriation and revenue accounts must be adjusted, and

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Berkshire Farms Center and Service for Youth, for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

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

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

Increase Estimated Revenue Account:		
A.4618	TANF Services Grant	\$33,032.00
Increase Appropriation Account:		
A.6018.516	Berkshire Farms	\$33,032.00.

Adopted January 5, 2009 by voice vote.

ACT NO. 43-2009 by Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH DENISE WORNER
FOR HEALTH DEPARTMENT LPN SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Health Department is in need of home care services for its home health care program, and

WHEREAS, Denise Worner, 8155 Irish Hill Road, West Valley, New York 14171, can provide licensed practical nursing services for the County Health Department's home health care program for an amount of \$18 per hour, and

WHEREAS, sufficient funds are included in the 2009 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 contract, on behalf of Cattaraugus County, with Denise Worner, for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

Adopted January 5, 2009 by voice vote.

ACT NO. 44-2009 by Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATHOLIC CHARITIES OF WESTERN NEW YORK FOR DEPARTMENT OF
SOCIAL SERVICES TANF FUNDING FOR PINS DIVERSION AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Social Services)**

Pursuant to Public Law 104-193 and
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 433-2008 authorized a contract with Catholic Charities of Western New York, 520 State Street, P.O. Box 554, Olean, New York 14760, for 1 1/2 therapists for the Multi-Systemic Therapy (MST) program, for the provision of preventive and other supportive services to persons in need of supervision (PINS), ages 16 and 17, for an amount of \$150,193, the term of which expired December 31, 2008, and

WHEREAS, the Department of Social Services is desirous of continuing the aforementioned services, and

WHEREAS, Catholic Charities of Western New York has agreed to continue the provision of home-based services to 16 and 17 year olds for whom a PINS action has been initiated in an attempt to prevent detention and foster care placements, for a total amount of \$160,617, and

WHEREAS, this program is 100% federally funded, 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 a contract, on behalf of Cattaraugus County, with Catholic Charities of Western New York for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

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

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

Increase Estimated Revenue Account:

A.4618	TANF Services Grant	\$10,417.00
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Increase Appropriation Account:

A.6018.514	Catholic Charities	\$10,417.00.
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Adopted January 5, 2009 by voice vote.

ACT NO. 45-2009 by Mr. Burrell

**REQUESTING UNITED STATES SMALL BUSINESS ADMINISTRATION
DESIGNATE CATTARAUGUS COUNTY AS A HUBZONE**

Pursuant to Section 153 of the County Law and
the Small Business Reauthorization Act of 1997,
P.L. 105-135, and 15 USCS 657a.

WHEREAS, the federal HUBZone Empowerment Contracting Program was enacted into law as part of the Small Business Reauthorization Act of 1997, and

WHEREAS, the program encourages economic development in historically underutilized business zones through the establishment of preferences, and

WHEREAS, the HUBZone Empowerment Contracting Program provides federal contracting opportunities for qualified small businesses located in distressed areas, and

WHEREAS, fostering the growth of these federal contractors as viable businesses helps to empower communities, create jobs, and attract private business, and

WHEREAS, Cattaraugus County Legislature is requesting the designation as a HUBZone in order to enable local businesses to afford themselves the opportunity to participate in this program, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby requests the United States Small Business Administration to designate Cattaraugus

County as a HUBZone for purposes of the HUBZone Empowerment Contracting Program, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the United States Small Business Administration, Senators Clinton and Schumer and Congressmen Higgins and Massa.

Adopted January 5, 2009 by voice vote.

ACT NO. 46-2009 by Mr. Snyder

**AMENDING ACT 425-2008 REGARDING CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR ADOLESCENT TOBACCO
USE PREVENTION ACT ENFORCEMENT PROGRAM AND ADJUSTING VARIOUS
APPROPRIATION AND REVENUE ACCOUNTS
(Health Department)**

Pursuant to Article 13-F of the Public Health Law and
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 425-2008 authorized a contract with New York State Department of Health for a youth tobacco enforcement and preventive work plan to reduce the use and accessibility of tobacco to youths under 18 years of age, the term of which expires September 30, 2009, and

WHEREAS, funding for the aforementioned program has been reduced from \$34,986 to \$31,864 through the 2008-2009 New York State budget reduction, and

WHEREAS, Act 425-2008 should be amended to reflect the aforementioned reduction in funding, and

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

RESOLVED, that Act 425-2008 is hereby amended as follows: In the Second Whereas, delete: "\$34,986" and replace with: "\$31,864", and be it further

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

Decrease Estimated Revenue Account:

A.3409	ATUPA Grant	\$3,122.00
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Decrease Appropriation Accounts:

A.4022.203	Computer Equipment/Software	\$1,000.00
A.4022.452	Postage	\$ 100.00
A.4022.479	Operating Supplies	\$1,122.00
A.4022.490	Small Equipment	\$ 900.00.

Adopted January 5, 2009 by voice vote.

ACT NO. 47-2009 by Mrs. Abers, Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. McLarney, Mr. Murphy, Mr. Neal, Mr. O'Brien, Mr. Snyder, Mr. Teachman, Mr. Vecchiarella and Ms. Vickman

DESIGNATING OFFICIAL REPUBLICAN NEWSPAPER FOR THE YEAR 2009

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 2009.

Adopted January 5, 2009 by voice vote.

ACT NO. 48-2009 by Mr. Boser, Mr. Giardini, Mr. Hebdon, Mr. McClune, Mr. Padlo, Mr. Sprague, Mr. Ward and Mrs. Witte

DESIGNATING OFFICIAL DEMOCRATIC NEWSPAPER FOR THE YEAR 2009

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 2009.

Adopted January 5, 2009 by voice vote.

MR. AIELLO moved, seconded by Mr. Boser to adjourn until January 28, 2009 at 3:00 p.m. Carried.

Meeting adjourned at 4:10 p.m.

Ann M. Giglio
Journal Clerk