



# CATTARAUGUS COUNTY

John R. Searles, County Administrator

Contingent Fund Balance: \$316,035

Tobacco Settlement Proceeds to Date: \$16,553,868

The following committees will meet on **Wednesday, June 15, 2011**, at the County Center in Little Valley, New York, at the indicated times:

Public Works	4:00 p.m.
County Operations	5:00 p.m.
Public Safety	5:30 p.m.
Development & Agriculture	5:45 p.m.
Human Services	6:00 p.m.
Labor Relations	6:15 p.m.
Finance	6:30 p.m.

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## ACT NO.

## PREFILED RESOLUTIONS

- 280-11 Mr. Giardini and Mr. Burrell, Mr. Ellis, Mr. McLarney, Mr. O'Brien, Ms. Vickman and Mr. Hebdon  
BID ACCEPTANCE FOR COUNTY ROAD NO. 86-1 MILLING AND OVERLAY AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Department of Public Works)
- 281-11 Mr. Giardini and Mr. Ellis and Mr. Ward  
BID ACCEPTANCE FOR PRECAST CONCRETE BOX CULVERT FOR GREAT VALLEY CULVERT NO. 22
- 282-11 Mr. Giardini and Mr. Ellis, Mr. McLarney and Mr. O'Brien  
BID ACCEPTANCE FOR COUNTY ROAD NO. 51 MILLING AND OVERLAY (Department of Public Works)
- 283-11 Mr. Burrell and Mr. Giardini  
LOCAL LAW NUMBER 4-2011 – A LOCAL LAW AMENDING LOCAL LAW NUMBER 3-1982 (INTRO NUMBER 6-1982) REGARDING COUNTY LIABILITY FOR HIGHWAYS AND BRIDGES IN CATTARAUGUS COUNTY
- 284-11 Mr. Burrell and Mr. Giardini  
AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 4-2011
- 285-11 Mr. Burrell and Mr. Giardini  
LOCAL LAW NUMBER 5-2011 – A LOCAL LAW IN RELATION TO COUNTY LIABILITY FOR SIDEWALKS, PARKING LOTS AND OTHER EASEMENT OR RIGHT-OF-WAY AREAS
- 286-11 Mr. Burrell and Mr. Giardini  
AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 5-2011
- 287-11 Mr. Giardini and Mr. Ellis and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE SUPPLEMENTAL CONTRACT NO. 1 WITH ABATE ASSOCIATES ENGINEERS & SURVEYORS, P.C. FOR ENGINEERING SERVICES FOR RECONSTRUCTION OF COUNTY ROAD NO. 57 INTERSECTION WITH BENTLEY ROAD

- 288-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH JAMESTOWN PSYCHIATRIC, P.C. , FOR DEPARTMENT OF COMMUNITY SERVICES MENTAL HEALTH CLINIC SERVICES FOR ADULTS
- 289-11 Mr. O'Brien  
ESTABLISHING STANDARD WORK DAY FOR CERTAIN ELECTED AND APPOINTED OFFICIALS FOR REPORTING PURPOSES TO NEW YORK STATE RETIREMENT SYSTEM
- 290-11 Mr. O'Brien  
AMENDING ACT 636-2009, AS AMENDED, REGARDING CATTARAUGUS COUNTY PURCHASING POLICY
- 291-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH GUSTAVUS ADOLPHUS CHILD AND FAMILY SERVICES, INC. FOR SKILL BUILDING AND RESPITE SERVICES FOR DEPARTMENT OF COMMUNITY SERVICES CHILD/ADOLESCENT CLIENTS
- 292-11 Public Safety Committee: Mr. Vecchiarella, Mr. Murphy, Mr. Aiello, Mr. Neal, Mr. Giardini and Mr. Hebdon  
ABOLISHING TWO POSITIONS OF FULL-TIME CORRECTIONAL ALTERNATIVES SPECIALIST AND CREATING ONE POSITION OF PROBATION ASSISTANT TO BE FILLED ON A FULL-TIME BASIS AND ONE POSITION OF CORRECTIONAL ALTERNATIVES SPECIALIST TO BE FILLED ON A PART-TIME BASIS IN THE DEPARTMENT OF PROBATION AND CORRECTIONAL ALTERNATIVES, ESTABLISHING COMPENSATION FOR THE SAME AND TRANSFER OF FUNDS (Contingent Fund – Probation Department)
- 293-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING CERTAIN CHARGE-OFFS OF CERTAIN ACCOUNTS RECEIVABLE IN THE DEPARTMENT OF COMMUNITY SERVICES
- 294-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE DEPARTMENT OF COMMUNITY SERVICES TO JOIN NEW YORK ASSOCIATION OF PSYCHIATRIC REHABILITATION SERVICES, INC. FOR DEPARTMENT OF COMMUNITY SERVICES RECOVERY ORIENTED COMMUNITY-BASED MENTAL SERVICES AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Department of Community Services)
- 295-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS COMMUNITY ACTION, INC. FOR DEPARTMENT OF COMMUNITY SERVICES QUALITY ASSURANCE SERVICES AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS (Department of Community Services)
- 296-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS COMMUNITY ACTION, INC. FOR DEPARTMENT OF COMMUNITY SERVICES REGISTERED NURSE SERVICES AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS (Department of Community Services)
- 297-11 Mr. Aiello, Mr. Burrell, Mr. Marsh, Mr. Murphy, Mr. O'Brien, Mrs. Stockman and Ms. Vickman  
LOCAL LAW NUMBER 6-2011 – A LOCAL LAW IN RELATION TO THE REAPPORTIONMENT OF THE COUNTY LEGISLATIVE DISTRICTS OF THE COUNTY OF CATTARAUGUS, REDUCING THE NUMBER OF COUNTY LEGISLATORS FROM 21 TO 17, AMENDING LOCAL LAW NUMBER 6-1968 (INTRO NUMBER 11-1968) ENTITLED "A LOCAL LAW ESTABLISHING A COUNTY LEGISLATURE FOR CATTARAUGUS COUNTY AS REQUIRED BY ORDER OF THE NEW YORK STATE SUPREME COURT" AND REPEALING LOCAL LAW NUMBER 7-1992 (INTRO NUMBER 6-1992)

- 298-11 Mr. Aiello, Mr. Burrell, Mr. Marsh, Mr. Murphy, Mr. O'Brien, Mrs. Stockman and Ms. Vickman  
AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 6-2011
- 299-11 Mr. Boser, Mr. Giardini, Mr. Hebdon, Mr. Padlo, Mr. Sprague and Mr. Ward  
LOCAL LAW NUMBER 7-2011 – A LOCAL LAW IN RELATION TO THE  
REAPPORTIONMENT OF THE COUNTY LEGISLATIVE DISTRICTS OF THE COUNTY OF  
CATTARAUGUS, REDUCING THE NUMBER OF COUNTY LEGISLATORS FROM 21 TO 15,  
AMENDING LOCAL LAW NUMBER 6-1968 (INTRO NUMBER 11-1968) ENTITLED “A  
LOCAL LAW ESTABLISHING A COUNTY LEGISLATURE FOR CATTARAUGUS COUNTY  
AS REQUIRED BY ORDER OF THE NEW YORK STATE SUPREME COURT” AND  
REPEALING LOCAL LAW NUMBER 7-1992 (INTRO NUMBER 6-1992)
- 300-11 Mr. Boser, Mr. Giardini, Mr. Hebdon, Mr. Padlo, Mr. Sprague and Mr. Ward  
AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 7-2011
- 301-11 Mr. McClune  
LOCAL LAW NUMBER 8-2011 – A LOCAL LAW IN RELATION TO THE  
REAPPORTIONMENT OF THE COUNTY LEGISLATIVE DISTRICTS OF THE COUNTY OF  
CATTARAUGUS, REDUCING THE NUMBER OF COUNTY LEGISLATORS FROM 21 TO 17,  
AMENDING LOCAL LAW NUMBER 6-1968 (INTRO NUMBER 11-1968) ENTITLED “A  
LOCAL LAW ESTABLISHING A COUNTY LEGISLATURE FOR CATTARAUGUS COUNTY  
AS REQUIRED BY ORDER OF THE NEW YORK STATE SUPREME COURT” AND  
REPEALING LOCAL LAW NUMBER 7-1992 (INTRO NUMBER 6-1992)
- 302-11 Mr. McClune  
AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 8-2011
- 303-11 Mr. Ellis  
LOCAL LAW NUMBER 9-2011 – A LOCAL LAW IN RELATION TO THE  
REAPPORTIONMENT OF THE COUNTY LEGISLATIVE DISTRICTS OF THE COUNTY OF  
CATTARAUGUS, REDUCING THE NUMBER OF COUNTY LEGISLATORS FROM 21 TO 15,  
AMENDING LOCAL LAW NUMBER 6-1968 (INTRO NUMBER 11-1968) ENTITLED “A  
LOCAL LAW ESTABLISHING A COUNTY LEGISLATURE FOR CATTARAUGUS COUNTY  
AS REQUIRED BY ORDER OF THE NEW YORK STATE SUPREME COURT” AND  
REPEALING LOCAL LAW NUMBER 7-1992 (INTRO NUMBER 6-1992)
- 304-11 Mr. Ellis  
AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 9-2011

Committee referrals for the June 15, 2011 Committee meetings									
Act #	Finance	County Ops	DPW	Senior Services	Strategic Planning	Human Services	Develop. & Agriculture	Public Safety	Labor Relations
280	X		X						
281	X		X						
282	X		X						
283	X		X						
284	X		X						
285	X		X						
286	X		X						
287	X		X						
288	X					X			
289	X	X							X
290	X								
291	X					X			
292	X							X	X
293	X					X			
294	X					X			
295	X					X			
296	X					X			
297	X	X							
298	X	X							
299	X	X							
300	X	X							
301	X	X							
302	X	X							
303	X	X							
304	X	X							
<b>Total</b>	<b>25</b>	<b>9</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>6</b>	<b>0</b>	<b>1</b>	<b>2</b>

and Mr. Burrell, Mr. Ellis, Mr. McLarney,  
Mr. O'Brien, Ms. Vickman and Mr. Hebdon

**BID ACCEPTANCE FOR COUNTY ROAD NO. 86-1 MILLING AND OVERLAY AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and  
Sections 363, 366, 408 and 408-a of the County Law.

I. WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the County Road No. 86-1 milling and overlay project, according to specifications provided by the Public Works Committee, and

II. WHEREAS, the lowest bid received meeting specifications was the bid of D & H Excavating, Inc., 11939 Route 98 South, Arcade, New York 14009, in the total amount of \$811,685.72 to be paid by the County periodically on a percent of completion basis as determined by the Department of Public Works, and

III. WHEREAS, various appropriation accounts must be adjusted in order to cover the costs of the aforementioned project, now, therefore, be it

I. RESOLVED, that the bid of D & H Excavating, Inc., be, and the same hereby is, accepted, for a term commencing upon notice to proceed, with substantial completion by September 1, 2011, with a contract termination date of December 31, 2011, and be it further

II. RESOLVED, that the vouchers accordingly certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer, and be it further

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

Decrease Appropriation Account:

H.504.5197.5198.27037.41603 County Road No. 51 \$138,060.40

Increase Appropriation Account:

H.504.5197.5198.27035.41603 County Road No. 86-1 \$138,060.40.

No State Bid.

Ten sets of specifications were sent out.

Five bids were received.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input type="checkbox"/>
Co. Operations	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input checked="" type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>	_____	<input type="checkbox"/>

and Mr. Ellis and Mr. Ward

**BID ACCEPTANCE FOR PRECAST CONCRETE BOX CULVERT FOR  
GREAT VALLEY CULVERT NO. 22**

Pursuant to Section 103 of the General Municipal Law and  
Section 215 of the County Law.

I. WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for a precast concrete box culvert for Great Valley Culvert No. 22, located on County Road No. 67 in the Town of Great Valley, according to specifications provided by the Public Works Committee, and

II. WHEREAS, the lowest responsible bid received meeting specifications for the aforementioned precast concrete box culvert, was the bid of Binghamton Precast and Supply Corp., 18 Phelps Street, Binghamton, New York 13901, for an amount of \$71,548.28, to be paid by the County periodically on a percent of completion basis as determined by the Department of Public Works, and

III. WHEREAS, sufficient funds are included in the 2011 budget to cover the costs of the aforementioned culvert, now, therefore, be it

I. RESOLVED, that the bid of Binghamton Precast and Supply Corp., be, and the same hereby is, accepted, for a term commencing upon the signing of the contract documents with substantial completion 30 days after shop drawing approval, with a contract termination date of December 31, 2011, and be it further

II. RESOLVED, that the vouchers accordingly certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

No State Bid.

Four sets of specifications were sent out.

Three bids were received that meet specifications.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input type="checkbox"/>
Co. Operations	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input checked="" type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>	_____	<input type="checkbox"/>

**BID ACCEPTANCE FOR COUNTY ROAD NO. 51 MILLING AND OVERLAY  
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and  
Sections 408 and 408-a of the County Law.

I. WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the County Road No. 51 milling and overlay project, according to specifications provided by the Public Works Committee, and

II. WHEREAS, the lowest bid received meeting specifications was the bid of Northeast Diversification, Inc., d/b/a Northeast Paving, 2 Cadby Industrial Park, Lancaster, New York 14086, in the total amount of \$1,138,125.40 to be paid by the County periodically on a percent of completion basis as determined by the Department of Public Works, and

III. WHEREAS, sufficient funds are included in the 2011 budget to cover the costs of the aforementioned services, now, therefore, be it

I. RESOLVED, that the bid of Northeast Diversification, Inc., d/b/a Northeast Paving, be, and the same hereby is, accepted, for a term commencing upon notice to proceed, with substantial completion by September 2, 2011, with a contract termination date of December 31, 2011, and be it further

II. RESOLVED, that the vouchers accordingly certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

No State Bid.  
Eleven sets of specifications were sent out.  
Eight bids were received.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input type="checkbox"/>
Co. Operations	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input checked="" type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>	_____	<input type="checkbox"/>

**LOCAL LAW NUMBER 4 - 2011  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW AMENDING LOCAL LAW NUMBER 3-1982 (INTRO NUMBER 6-1982)  
REGARDING COUNTY LIABILITY FOR HIGHWAYS AND BRIDGES IN CATTARAUGUS COUNTY**

BE IT ENACTED by the County Legislature of the County of Cattaraugus as follows:

SECTION 1. Legislative Intent. It is the intent of this Local Law to amend Local Law 3-1982 (Intro Number 6-1982) by deleting the constructive notice provision contained in Section 2 thereof.

SECTION 2. Prior Notice. Local Law 3-1982 (Intro Number 6-1982) is hereby amended by deleting Section 2 thereof in its entirety and by adding in place thereof, the following:

"Section 2. Prior Notice. No civil action shall be maintained against the County of Cattaraugus for damages or injuries to person or property sustained by reason of any highway, bridge or culvert being defective, out of repair, unsafe, dangerous or obstructed unless written notice of such defective, unsafe, dangerous or obstructed condition was actually given to the Clerk of the Cattaraugus County Legislature or the Cattaraugus County Commissioner of Public Works; and that there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the defect, danger or obstruction regarding which the complaint is made. Constructive notice shall not be deemed an acceptable alternative to such prior written notice."

SECTION 3. Local Law No. 3-1982. Except as amended herein, Local Law No. 3-1982 (Intro Number 6-1982) shall be and remain in full force and effect.

SECTION 4. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the particular provision directly involved in the controversy in which such judgment shall have been rendered.

SECTION 5. Effective Date. This Local Law shall take effect immediately.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input type="checkbox"/>
Co. Operations	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input checked="" type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>		<input type="checkbox"/>



**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 4-2011**

Pursuant to Section 10 of the Municipal Home Rule Law.

I. WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on June 22, 2011, a proposed Local Law entitled "A Local Law Amending Local Law Number 3-1982 (Intro Number 6-1982) Regarding County Liability for Highways and Bridges in Cattaraugus County", and

II. WHEREAS, no local law shall be adopted until a public hearing thereon has been had by the Cattaraugus County Legislature upon at least five days notice, now, therefore, be it

I. RESOLVED, that a public hearing shall be held on the proposed local law by this County Legislature on the 27<sup>th</sup> day of July, 2011, at 3:01 p.m. at the Legislature's Chambers, County Office Building, 303 Court Street, Little Valley, New York, and that at least five days notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input type="checkbox"/>
Co. Operations	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input checked="" type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>	_____	<input type="checkbox"/>

**LOCAL LAW NUMBER 5 - 2011  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW IN RELATION TO COUNTY LIABILITY FOR  
SIDEWALKS, PARKING LOTS AND OTHER EASEMENT OR RIGHT-OF-WAY AREAS**

BE IT ENACTED by the County Legislature of the County of Cattaraugus as follows:

SECTION 1. Legislative Intent. It is the intent of this Local Law to enact prior notice provisions as a condition precedent to the commencement of any claim against the County for injuries because of defective or dangerous conditions of County-owned sidewalks, parking lots and other easement or right-of-way areas unrelated to highways, bridges and culverts.

SECTION 2. Prior Notice.

A. No civil action shall be maintained against the County of Cattaraugus for damages or injuries to person or property sustained by reason of any County-owned sidewalk, parking lot, easement or right-of-way area, being defective, out of repair, unsafe, dangerous or obstructed unless written notice of such defective, unsafe, dangerous or obstructed condition, relating to the particular place, was actually given to the Clerk of the Cattaraugus County Legislature or the County Commissioner of Public Works, and there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the defect, danger or obstruction regarding which the complaint is made. Constructive notice shall not be deemed an acceptable alternative to such prior written notice.

B. Within five days after receiving written notice pursuant to Section A, the Clerk of the Cattaraugus County Legislature shall deliver a copy of the notice to both the County Attorney and the County Commissioner of Public Works.

SECTION 3. Notice Transmittal. The Cattaraugus County Commissioner of Public Works shall transmit in writing to the Clerk of the Cattaraugus County Legislature within ten (10) days after the receipt thereof all written notices received by him pursuant to this local law.

SECTION 4. Record of Notices. The Clerk of the Cattaraugus County Legislature shall keep an indexed record, in a separate book, of all written notices, which he shall receive pursuant to this local law of the existence of an defective, unsafe, dangerous or obstructive condition in or upon, or of an accumulation of ice or snow upon any County sidewalk, parking lot or other easement or right-of-way area, which record shall state the date of receipt of the notice, the nature and location of the condition stated to exist, and the name and address of the person from whom the notice is received. The record of each notice shall be preserved for a period of five (5) years after the date it is received.

SECTION 5. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the particular provision directly involved in the controversy in which such judgment shall have been rendered.

SECTION 6. Effective Date. This Local Law shall take effect immediately.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input type="checkbox"/>
Co. Operations	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input checked="" type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>	_____	<input type="checkbox"/>

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 5-2011**

Pursuant to Section 10 of the Municipal Home Rule Law.

I. WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on June 22, 2011, a proposed Local Law entitled "A Local Law in Relation to County Liability for Sidewalks, Parking Lots and Other Easement or Right-of-Way Areas", and

II. WHEREAS, no local law shall be adopted until a public hearing thereon has been had by the Cattaraugus County Legislature upon at least five days notice, now, therefore, be it

I. RESOLVED, that a public hearing shall be held on the proposed local law by this County Legislature on the 27<sup>th</sup> day of July, 2011, at 3:02 p.m. at the Legislature's Chambers, County Office Building, 303 Court Street, Little Valley, New York, and that at least five days notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input type="checkbox"/>
Co. Operations	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input checked="" type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>	_____	<input type="checkbox"/>

**AUTHORIZING THE CHAIR TO EXECUTE SUPPLEMENTAL CONTRACT NO. 1 WITH  
ABATE ASSOCIATES ENGINEERS & SURVEYORS, P.C. FOR  
ENGINEERING SERVICES FOR RECONSTRUCTION OF  
COUNTY ROAD NO. 57 INTERSECTION WITH BENTLEY ROAD**

Pursuant to Sections 215 and 450 of the County Law.

I. WHEREAS, Act 315-2010, as amended, authorized a contract with Abate Associates Engineers, & Surveyors, P.C., 4455 Genesee Street, P.O. Box 218, Buffalo, New York 14225-0218, for the provision of engineering services for the reconstruction of County Road No. 57 intersection with Bentley Road in the Town of Dayton, the term of which expires December 31, 2012, and

II. WHEREAS, New York State Department of Transportation is requiring a Cultural Response Study to be completed which is outside of the original scope of services for the aforementioned project, and

III. WHEREAS, Abate Associates Engineers, & Surveyors, P.C., can provide the necessary Cultural Response Study for an amount not to exceed \$6,080.00, as follows:

Section 2.5130 Cultural Resources	Lump Sum	\$ 1,320.00
Reimbursable Costs (subcontractor)	Not to Exceed	\$ 4,760.00
	Supplemental No. 1 Total	<u>\$ 6,080.00</u>
Original Contract Amount		<u>\$153,273.00</u>
New Contract Amount		\$159,353.00

and

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

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute Supplemental Contract No. 1, on behalf of Cattaraugus County, with Abate Associates Engineers & Surveyors, P.C., for the provision of the above-described services, for a term commencing March 1, 2010 and terminating December 31, 2012, according to the above-described terms.

Resolution Referred to:

Finance <input checked="" type="checkbox"/>	Human Services <input type="checkbox"/>
Co. Operations <input type="checkbox"/>	Develop. & Ag <input type="checkbox"/>
DPW <input checked="" type="checkbox"/>	Public Safety <input type="checkbox"/>
Senior Services <input type="checkbox"/>	Labor Relations <input type="checkbox"/>
Strategic Planning <input type="checkbox"/>	<u>                    </u> <input type="checkbox"/>

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
JAMESTOWN PSYCHIATRIC, P.C., FOR DEPARTMENT OF  
COMMUNITY SERVICES MENTAL HEALTH CLINIC SERVICES FOR ADULTS**

Pursuant to 14 NYCRR Section 587.8(d)(3) and (i),  
Section 41.07 of the Mental Hygiene Law and  
Section 450 of the County Law.

I. WHEREAS, Act 726-2010 authorized a contract with Jamestown Psychiatric, P.C., 560 West Third Street, Jamestown, New York 14701, for the provision of mental health clinic services for adults for the Department of Community Services, through an Allied Health Professional, the term of which expires December 31, 2011, and

II. WHEREAS, Hardish K. Singh d/b/a Quality Psychiatric Services, provides psychiatric services for children and has requested a reduction in the number of hours that she is able to provide services for the County, and

III. WHEREAS, the Department of Community Services is desirous of amending the contract with Jamestown Psychiatric, P.C., to include the aforementioned psychiatric services for children that were previously provided by Hardish K. Singh d/b/a Quality Psychiatric Services, and

IV. WHEREAS, effective June 15, 2011, Jamestown Psychiatric, P.C., shall provide, in addition to the services it provides pursuant to the aforementioned contract, psychiatric medical services for the Department of Community Services mental health clinic, for a total contract amount, which includes the prior contract amount, not to exceed \$264,985.00, through a psychiatrist at a rate of \$165 per direct care hour, or a child psychiatrist at a rate of \$175 per direct care hour, or an Allied Health Professional at a rate of \$110 per direct care hour, for a total number of additional hours not to exceed 181 hours between the psychiatrist, the child psychiatrist and the Allied Health professional, plus \$50/hr for travel not to exceed 56 hours, and

V. WHEREAS, payment shall be made to Jamestown Psychiatric, P.C. on a monthly basis in accordance with invoices, as submitted, and

VI. WHEREAS, this program is funded through federal, state and local funds, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Jamestown Psychiatric, P.C., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms, and be it further

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

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input checked="" type="checkbox"/>
Co. Operations	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>	_____	<input type="checkbox"/>

**ESTABLISHING STANDARD WORK DAY FOR CERTAIN ELECTED AND  
APPOINTED OFFICIALS FOR REPORTING PURPOSES TO  
NEW YORK STATE RETIREMENT SYSTEM**

Pursuant to 2 NYCRR Section 315.4.

I. WHEREAS, 2 NYCRR Section 315.4, effective August 12, 2009, requires that all newly elected or appointed officials participating in the New York State Retirement System maintain a record of activities for a period of three months within 150 days of appointment or the start of a term of office, for purposes of establishing a standard work day, and

II. WHEREAS, 2 NYCRR Section 315.4 requires that the governing board shall establish, by resolution, a standard work day for each elected or appointed position, and

III. WHEREAS, certain newly appointed and elected officials have submitted their three-month record of activities, now, therefore, be it

I. RESOLVED, that the Cattaraugus County Legislature hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees Retirement System, based on the record of activities maintained and submitted by these officials to the Clerk of the Legislature:

<u>Title</u>	<u>Name</u>	<u>Authority</u>	<u>Term</u>	<u>Standard Work Hrs/Day</u>	<u>Days/Month</u>
County Attorney	Thomas Brady	Appointed	1/1/2011- 12/31/2011	8	20

and be it further

II. RESOLVED, that the Clerk of the Legislature is hereby directed to post conspicuously, on the bulletin board in the front lobby of the Little Valley County Center, for a period on thirty days, a copy of this adopted resolution and thereafter forward a certified copy of this resolution, along with a certification of such public posting, to the New York State and Local Employees Retirement System in accordance with 2 NYCRR Section 315.4.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input type="checkbox"/>
Co. Operations	<input checked="" type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input checked="" type="checkbox"/>
Strategic Planning	<input type="checkbox"/>		<input type="checkbox"/>



**AMENDING ACT 636-2009, AS AMENDED, REGARDING  
CATTARAUGUS COUNTY PURCHASING POLICY**

Pursuant to Chapter 56 of the Laws of 2010 of the State of New York.

I. WHEREAS, Act 636-2009, as amended by Act 472-2010, revised the Cattaraugus County Purchasing Policy, and

II. WHEREAS, in order to streamline the County's purchasing process into a more efficient manner, it is necessary to change the purchasing limits contained in the "Services (Other than Professional)" section, now, therefore, be it

I. RESOLVED, that Act 636-2009, as amended by Act 472-2010, is hereby amended as follows: Delete the purchasing grid contained in Act 636-2009, as amended by 472-2010, and replace with the following purchasing grid:

Resolution Referred to:			
Finance	<input checked="" type="checkbox"/>	Human Services	<input type="checkbox"/>
Co. Operations	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>	_____	<input type="checkbox"/>

# CATTARAUGUS COUNTY PURCHASING GUIDELINES

<u>Required Action</u>					<u>Level of Approval Required</u>				
3 Documented Verbal Quotes	3 Written Quotes	Bid	Contract Execution		Approval by County Attorney	Approval by Department Head	Approval by County Administrator	Approval by Chairman	Approval by Legislature
				<b>Commodities or Equipment</b>					
				\$1 - \$500		X			
X				\$501 - \$2,500		X			
	X		CoAdmin	\$2,501 - \$5,000	X	X			
	X		CoAdmin	\$5,001 - \$20,000	X	X	X		
		X	Chairman	Greater than \$20,000	X	X			X
				<b>Contracts for Public Work</b>					
				\$1 - \$500		X			
X			CoAdmin	\$501 - \$2,500	X	X			
	X		CoAdmin	\$2,501 - \$10,000	X	X			
	X		CoAdmin	\$10,001 - \$35,000	X	X	X		
		X	Chairman	Greater than \$35,000	X	X			X
				<b>Emergencies: Commodities or Equipment</b>					
			CoAdmin	\$1 - \$10,000	X	X			
			CoAdmin	\$5,001 - \$35,000	X	X	X		
			Chairman	Greater than \$35,000	X	X		X	
				<b>Emergencies: Contracts for Public Work</b>					
			CoAdmin	\$1 - \$10,000	X	X			
			CoAdmin	\$10,001 - \$35,000	X	X	X		
			Chairman	Greater than \$35,000	X	X		X	
				<b>Services (other than Professional)</b>					
				\$1 - \$500		X			
X				\$501 - \$2,500		X			
	X		CoAdmin	\$2,501 - \$5,000	X	X			
	X		CoAdmin	\$5,001 - \$10,000	X	X	X		
		X	Chairman	Greater than \$10,000	X	X			X
				<b>Professional Services</b>					
RFP Optional			CoAdmin	ALL	X	X			X

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
GUSTAVUS ADOLPHUS CHILD AND FAMILY SERVICES, INC. FOR  
SKILL BUILDING AND RESPITE SERVICES FOR  
DEPARTMENT OF COMMUNITY SERVICES CHILD/ADOLESCENT CLIENTS**

Pursuant to Section 41.07 of the Mental Hygiene Law and  
Section 450 of the County Law.

I. WHEREAS, the Department of Community Services is in need of skill-building services and respite services for its child/adolescent clients, and

II. WHEREAS, Gustavus Adolphus Child and Family Services, Inc., 1293 Union Road, West Seneca, New York 14224, can provide the aforementioned skill-building and respite services for children and adolescent clients for a total contract amount not to exceed \$35,000.00, to be paid on a monthly basis in accordance with the following breakdown:

Skill Building Services      \$9.75 per 15 minute increment  
(not to exceed \$15,000.00)

Respite Services      <6 hours - \$9.75 per 15 minute increment  
(not to exceed \$20,000.00)      6-24 hours - \$235 per occasion,

and

III. WHEREAS, sufficient funds are included in the 2011 budget to cover the costs of the aforementioned services, now, therefore, be it

I. 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 Gustavus Adolphus Child and Family Services, Inc., for the provision of the above-described services, for a term commencing June 1, 2011 and terminating December 31, 2011, according to the above-described terms, and be it further

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

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input checked="" type="checkbox"/>
Co. Operations	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>	_____	<input type="checkbox"/>

**ABOLISHING TWO POSITIONS OF FULL-TIME CORRECTIONAL  
ALTERNATIVES SPECIALIST AND CREATING ONE POSITION OF  
PROBATION ASSISTANT TO BE FILLED ON A FULL-TIME BASIS AND  
ONE POSITION OF CORRECTIONAL ALTERNATIVES SPECIALIST TO BE FILLED  
ON A PART-TIME BASIS IN THE DEPARTMENT OF PROBATION AND CORRECTIONAL  
ALTERNATIVES, ESTABLISHING COMPENSATION FOR THE SAME AND  
TRANSFER OF FUNDS  
(Contingent Fund - Probation Department)**

Pursuant to Sections 204, 205, 363 and 365 of the County Law and  
Section 22 of the Civil Service Law.

I. WHEREAS, the Department of Probation and Correctional Alternatives is desirous of re-structuring their methodology of providing services to clients by use of a "PROBATION TEAM" concept which allows the Department to allocate resources in a more cost-effective manner, while still being sensitive to the needs of the community, and

II. WHEREAS, the Department of Probation and Correctional Alternatives recommends that the current filled position of Correctional Alternatives Specialist which exists in the Cattaraugus County Pretrial Program be changed from full-time status to part-time status as a part of this restructuring plan, and

IV. WHEREAS, the second position of Correctional Alternatives Specialist is currently vacant, and

V. WHEREAS, the savings from this change will be used to finance and support the Probation Assistant position, and

VI. WHEREAS, the New Position Duties Statements have been submitted to the Cattaraugus County Civil Service Commission, which has approved and certified the titles as Probation Assistant and Correctional Alternatives Specialist, respectively, in accordance with Section 22 of the Civil Service Law, and

VII. WHEREAS, a transfer of funds is needed in order to cover the cost of the aforementioned positions, now, therefore, be it

I. RESOLVED, that effective July 3, 2011, there is hereby abolished one position of Correctional Alternatives Specialist, and effective July 30, 2011, there is hereby abolished one position of Correctional Alternatives Specialist, currently filled on a full-time basis (one currently vacant) in the Department of Probation and Correctional Alternatives, and be it further

II. RESOLVED, that effective July 4, 2011 there is hereby created one position of Probation Assistant to be filled on a full-time basis, Grade 20, General Bargaining Unit, \$19.11 - \$21.28 per hour, and be it further

III. RESOLVED, that effective August 1, 2011 there is hereby created one position of Correctional Alternatives Specialist to be filled on a part-time basis, Grade 17, Part-Time Non-Bargaining Unit, \$13.58 per hour, and be it further

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

Decrease Appropriation Accounts:

A.314.3145.0000.11000	Full-Time Wages	\$15,823.00
A.314.3145.0000.81000	FICA	\$ 616.00
A.314.3145.0000.82000	Retirement	\$ 1,273.00
A.314.3145.0000.83000	Health Insurance	\$ 6,083.00
A.314.3145.0000.84000	Dental Insurance	\$ 46.00

Increase Appropriation Accounts:

A.314.3144.0000.11000	Full-Time Wages	\$ 1,684.00
A.314.3144.0000.81000	FICA	\$ 129.00
A.314.3144.0000.82000	Retirement	\$ 214.00
A.314.3145.0000.12000	Part-Time Wages	\$ 7,768.00
A.901.1990.0000.40601	Contingent Fund	\$14,046.00.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input type="checkbox"/>
Co. Operations	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input type="checkbox"/>	Public Safety	<input checked="" type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input checked="" type="checkbox"/>
Strategic Planning	<input type="checkbox"/>	_____	<input type="checkbox"/>

**AUTHORIZING CERTAIN CHARGE-OFFS OF CERTAIN ACCOUNTS  
RECEIVABLE IN THE DEPARTMENT OF COMMUNITY SERVICES**

Pursuant to Section 153 of the County Law.

I. WHEREAS, the Department of Community Services has accounts receivable which have been deemed uncollectible after numerous attempts to collect, and

II. WHEREAS, the New York State Department of Audit and Control has recommended that the County remove these bad debts from the records of the Department of Community Services, now, therefore, be it

I. RESOLVED, that the Cattaraugus County Legislature hereby authorizes the removal of the debts from the accounts receivable records of the Department of Community Services in an amount of \$126,953.20.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input checked="" type="checkbox"/>
Co. Operations	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>	_____	<input type="checkbox"/>

**AUTHORIZING THE DEPARTMENT OF COMMUNITY SERVICES TO JOIN  
NEW YORK ASSOCIATION OF PSYCHIATRIC REHABILITATION SERVICES, INC.  
FOR DEPARTMENT OF COMMUNITY SERVICES RECOVERY ORIENTED  
COMMUNITY-BASED MENTAL SERVICES AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Community Services)**

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

I. WHEREAS, the Department of Community Services is desirous of joining The New York Association of Psychiatric Rehabilitation Services, Inc. (NYAPRS), which is a statewide coalition of people who use and/or provide recovery oriented community-based mental services, and

II. WHEREAS, the NYAPRS is leading a Health Home Learning Collaborative to prepare for the evolution of mental health services into behavioral health organizations and health homes, and this Collaborative is only available to NYAPRS members, and

III. WHEREAS, the NYAPRS will provide mentoring and guidance services through the Learning Collaborative that will be critical to the successful development of mental health services for the residents of Cattaraugus County, and

IV. WHEREAS, the annual membership dues are \$3,375.00, and

V. WHEREAS, various appropriation accounts must be adjusted in order to cover the cost of the aforementioned services, now, therefore, be it

I. RESOLVED, that the Director of the Department of Community Services be, and hereby is, authorized and directed to join The New York Association of Psychiatric Rehabilitation Services, Inc. (NYAPRS), for the provision of the above-described services, for a term commencing June 22, 2011 and terminating June 21, 2012, according to the above-described terms, and be it further

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

Decrease Appropriation Accounts:

A.431.4330.2100.46102 Adult MH Clinic-Employee Mileage Reimb	\$ 1,145.00
A.431.4331.2100.46102 Child Clinic-Employee Mileage Reimb	\$ 2,130.00
A.431.4340.6340.46102 PROS: Employee Mileage Reimb	\$ 100.00

Increase Appropriation Account:

A.431.4310.0890.48002 LGU Administration: Dues	\$ 3,375.00.
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Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input checked="" type="checkbox"/>
Co. Operations	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>		<input type="checkbox"/>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATTARAUGUS COMMUNITY ACTION, INC. FOR  
DEPARTMENT OF COMMUNITY SERVICES QUALITY ASSURANCE SERVICES AND  
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS  
(Department of Community Services)**

Pursuant to Section 41.07 of the Mental Hygiene Law and  
Sections 363, 366 and 450 of the County Law.

I. WHEREAS, the County Department of Community Services is desirous of providing quality assurance services for its Mental Health Clinic, and

II. WHEREAS, a County quality assurance staff member is retiring, and

III. WHEREAS, Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, can provide part-time staff for the provision of quality assurance services for the Mental Health Clinic for an amount of \$14,312.00, representing significant savings to the County, and

IV. WHEREAS, various appropriation accounts must be adjusted in order to cover the cost of the aforementioned services, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Cattaraugus Community Action, Inc., for the provision of the above-described services, for a term commencing June 27, 2011 and terminating December 31, 2011, according to the above-described terms, and be it further

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

Decrease Appropriation Accounts:

A.431.4330.2100.12000 Adult MH Clinic-Part-Time Wages	\$ 7,156.00
A.431.4331.2100.12000 Children's MH Clinic-Part-Time Wages	\$ 7,156.00

Increase Appropriation Accounts:

A.431.4330.2100.41414 Adult MH Clinic-Contracted Services	\$ 7,156.00
A.431.4331.2100.41414 Children's MH Clinic- Contracted Services	\$ 7,156.00.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input checked="" type="checkbox"/>
Co. Operations	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>	_____	<input type="checkbox"/>



**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATTARAUGUS COMMUNITY ACTION, INC. FOR  
DEPARTMENT OF COMMUNITY SERVICES REGISTERED NURSE SERVICES AND  
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS  
(Department of Community Services)**

Pursuant to Section 41.07 of the Mental Hygiene Law and  
Sections 363, 366 and 450 of the County Law.

I. WHEREAS, the County Department of Community Services is desirous of providing registered nursing services for its Mental Health Clinic, and

II. WHEREAS, a County registered nurse will retire effective July 29, 2011, and

III. WHEREAS, Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, can provide a registered nurse for the provision of nursing services for the Mental Health Clinic for an amount of \$24,054.00, representing significant savings to the County, and

IV. WHEREAS, various appropriation accounts must be adjusted in order to cover the cost of the aforementioned services, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Cattaraugus Community Action, Inc., for the provision of the above-described services, for a term commencing August 1, 2011 and terminating December 31, 2011, according to the above-described terms, and be it further

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

Decrease Appropriation Accounts:

A.431.4340.6340.11000 PROS-Full Time Wages	\$12,590.00
A.431.4340.6340.81000 PROS-FICA	\$ 2,670.00
A.431.4340.6340.82000 PROS-Retirement	\$ 3,975.00
A.431.4340.6340.83000 PROS-Health Insurance	\$ 4,769.00
A.431.4340.6340.84000 PROS-Dental Insurance	\$ 50.00

Increase Appropriation Account:

A.431.4340.6340.41220 PROS-Nursing Services Contracted	\$24,054.00.
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Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input checked="" type="checkbox"/>
Co. Operations	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>		<input type="checkbox"/>

LOCAL LAW NUMBER 6 - 2011  
COUNTY OF CATTARAUGUS, NEW YORK

Pursuant to Sections 10(1)(ii)(a)(13) and 23 of  
the Municipal Home Rule Law.

A LOCAL LAW IN RELATION TO THE REAPPORTIONMENT OF THE  
COUNTY LEGISLATIVE DISTRICTS OF THE COUNTY OF CATTARAUGUS,  
REDUCING THE NUMBER OF COUNTY LEGISLATORS FROM 21 TO 17,  
AMENDING LOCAL LAW NUMBER 6-1968 (INTRO NUMBER 11-1968) ENTITLED  
"A LOCAL LAW ESTABLISHING A COUNTY LEGISLATURE FOR CATTARAUGUS  
COUNTY AS REQUIRED BY ORDER OF THE NEW YORK STATE SUPREME COURT"  
AND REPEALING LOCAL LAW NUMBER 7-1992 (INTRO NUMBER 6-1992)

BE IT ENACTED by the County Legislature of the County of Cattaraugus as  
follows:

SECTION 1. Legislative Intent. It is the intent of this Local Law to amend  
Local Law Number 6-1968 (Intro Number 11-1968), entitled "A Local Law  
Establishing a County Legislature for Cattaraugus County as required by Order of  
the New York State Supreme Court", adopted August 14, 1968 by the Cattaraugus  
County Board of Supervisors and to repeal Local Law Number 7-1992 (Intro Number  
6-1992).

SECTION 2. Amendment of Local Law Number 6-1968. Effective for the general  
election in November 2015, for terms to commence January 1, 2016 and thereafter,  
Local Law Number 6-1968 (Intro Number 11-1968), is hereby amended by deleting  
Section 2 thereof and replacing such section with the following:

"SECTION 2. Legislative Districts. For the purpose of electing County  
Legislators, Cattaraugus County shall be divided into eight (8) districts,  
described as follows and further described on the map annexed hereto, each of  
which shall be represented by the number of legislators set forth herein:

<u>Dist.</u>	<u>Description</u>	<u>Population</u>	<u>Number of Legislators</u>	<u>Population Per Legislator</u>	<u>Deviation % Per District</u>
1	Towns of Perrysburg, Dayton, Persia, Otto and New Albion	9,010	2	4,505	-4.65%
2	Towns of East Otto, Ashford, Yorkshire and Freedom	9,512	2	4,756	0.67%
3	Towns of Mansfield, Ellicottville, Franklinville, Lyndon, Machias and Farmersville	9,568	2	4,784	1.26%

4	Towns of Leon, Conewango, Napoli, Little Valley, Randolph and South Valley	9,082	2	4,541	-3.88%
5	Salamanca (City and Town), Towns of Coldspring, Red House and Great Valley	9,842	2	4,921	4.16%
6	Towns of Carrollton and Allegany	9,444	2	4,722	-0.05%
7	Towns of Olean, Portville, Hinsdale, Ischua and Humphrey	9,407	2	4,703.5	-0.45%
8	City of Olean	14,452	3	4,817.33	1.96%

SECTION 3. Legislative Districts Continued. The ten (10) legislative districts as previously bounded and described by Local Law Number 7-1992 (Intro Number 6-1992) shall continue in existence for the limited purpose of continuing in office the legislators presently elected from such districts, those legislators who will be elected at the November 2011 general election, as well as any legislators appointed to fill vacancies as defined in Section 30 of the Public Officers' Law in such districts and/or elected to fill the unexpired terms of legislators in such districts, and shall cease to exist as such at the time all of the terms and provisions of this local law become effective.

SECTION 4. Construction. This local law shall be liberally construed to achieve its objectives and purposes. If the districts described herein do not carry out the purposes hereof because of unintentional omissions, duplications, overlapping areas, erroneous nomenclature, lack of adequate maps or descriptions or descriptions of political subdivisions, wards, or other divisions thereof, or changes of public places, alteration of the boundary or courses of waters or waterways, accretion or other changes in shorelines, the County Clerk, at the request of any person or candidate aggrieved thereby, shall, by order, correct such omissions, overlaps, erroneous nomenclature or other defects in the description of districts so as to accomplish the purposes and objectives of this local law.

SECTION 5. Repeal of Local Law Number 7-1992 (Intro Number 6-1992). Local Law Number 7-1992 (Intro Number 6-1992) is hereby repealed, effective at the time set forth in Section 3, supra.

SECTION 6. Local Law No. 6-1968. All other provisions of Local Law Number 6-1968 (Intro Number 11-1968) not otherwise amended herein shall remain in full force and effect.

SECTION 7. Severability. If any provision of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not

affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the particular provision directly involved in the controversy in which such judgment shall have been rendered.

SECTION 8. Effective Date. This local law shall take effect only after it has been approved by the affirmative vote of the majority of the qualified electors of Cattaraugus County voting on a proposition for its approval submitted at a general election to be held November 8, 2011 in the County of Cattaraugus.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input type="checkbox"/>
Co. Operations	<input checked="" type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>	_____	<input type="checkbox"/>

(2 Legislators per District  
except for 3 in District 8)



### Map 2

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 6-2011**

Pursuant to Section 10 of the Municipal Home Rule Law.

I. WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on June 22, 2011, a proposed Local Law entitled "A Local Law in Relation to the Reapportionment of the County Legislative Districts of the County of Cattaraugus, Reducing the Number of County Legislators from 21 to 17, Amending Local Law Number 6-1968 (Intro Number 11-1968) Entitled "A Local Law Establishing a County Legislature for Cattaraugus County as Required by Order of the New York State Supreme Court" and Repealing Local Law Number 7-1992 (Intro Number 6-1992)", and

II. WHEREAS, no local law shall be adopted until a public hearing thereon has been had by the Cattaraugus County Legislature upon at least five days notice, now, therefore, be it

I. RESOLVED, that a public hearing shall be held on the proposed local law by this County Legislature on the 27<sup>th</sup> day of July, 2011, at 3:03 p.m. at the Legislature's Chambers, County Office Building, 303 Court Street, Little Valley, New York, and that at least five days notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input type="checkbox"/>
Co. Operations	<input checked="" type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>	_____	<input type="checkbox"/>

**LOCAL LAW NUMBER 7 - 2011**  
**COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Sections 10(1)(ii)(a)(13) and 23 of  
the Municipal Home Rule Law.

**A LOCAL LAW IN RELATION TO THE REAPPORTIONMENT OF THE  
COUNTY LEGISLATIVE DISTRICTS OF THE COUNTY OF CATTARAUGUS,  
REDUCING THE NUMBER OF COUNTY LEGISLATORS FROM 21 TO 15,  
AMENDING LOCAL LAW NUMBER 6-1968 (INTRO NUMBER 11-1968) ENTITLED  
"A LOCAL LAW ESTABLISHING A COUNTY LEGISLATURE FOR CATTARAUGUS  
COUNTY AS REQUIRED BY ORDER OF THE NEW YORK STATE SUPREME COURT"  
AND REPEALING LOCAL LAW NUMBER 7-1992 (INTRO NUMBER 6-1992)**

BE IT ENACTED by the County Legislature of the County of Cattaraugus as follows:

SECTION 1. Legislative Intent. It is the intent of this Local Law to amend Local Law Number 6-1968 (Intro Number 11-1968), entitled "A Local Law Establishing a County Legislature for Cattaraugus County as required by Order of the New York State Supreme Court", adopted August 14, 1968 by the Cattaraugus County Board of Supervisors and to repeal Local Law Number 7-1992 (Intro Number 6-1992).

SECTION 2. Amendment of Local Law Number 6-1968. Effective for the general election in November 2015, for terms to commence January 1, 2016 and thereafter, Local Law Number 6-1968 (Intro Number 11-1968), is hereby amended by deleting Section 2 thereof and replacing such section with the following:

"SECTION 2. Legislative Districts. For the purpose of electing County Legislators, Cattaraugus County shall be divided into six (6) districts, described as follows and further described on the map annexed hereto, each of which shall be represented by the number of legislators set forth herein:

<u>Dist.</u>	<u>Description</u>	<u>Population</u>	<u>Number of Legislators</u>	<u>Population Per Legislator</u>	<u>Deviation % Per District</u>
1	City and Town of Olean	16,415	3	5,471.67	2.20%
2	Towns of Franklinville, Humphrey, Ischua, Hinsdale and Portville	10,434	2	5,217	-2.56%
3	Towns of Yorkshire, Freedom, Machias, Farmersville and Lyndon	10,490	2	5,245	-2.04%
4	Towns of Allegany, Carrollton, Red	10,664	2	5,332	-0.41%

	House, Coldspring and South Valley				
5	Towns of Perrysburg, Dayton, Persia, Otto, East Otto, Ashford, Leon, New Albion, Mansfield and Ellicottville	15,975	3	5,325	-0.54%
6	Towns of Conewango, Napoli, Little Valley, Randolph, Great Valley and Salamanca (City and Town),	16,339	3	5,446.33	1.72%

SECTION 3. Legislative Districts Continued. The ten (10) legislative districts as previously bounded and described by Local Law Number 7-1992 (Intro Number 6-1992) shall continue in existence for the limited purpose of continuing in office the legislators presently elected from such districts, those legislators who will be elected at the November 2011 general election, as well as any legislators appointed to fill vacancies as defined in Section 30 of the Public Officers' Law in such districts and/or elected to fill the unexpired terms of legislators in such districts, and shall cease to exist as such at the time all of the terms and provisions of this local law become effective.

SECTION 4. Construction. This local law shall be liberally construed to achieve its objectives and purposes. If the districts described herein do not carry out the purposes hereof because of unintentional omissions, duplications, overlapping areas, erroneous nomenclature, lack of adequate maps or descriptions or descriptions of political subdivisions, wards, or other divisions thereof, or changes of public places, alteration of the boundary or courses of waters or waterways, accretion or other changes in shorelines, the County Clerk, at the request of any person or candidate aggrieved thereby, shall, by order, correct such omissions, overlaps, erroneous nomenclature or other defects in the description of districts so as to accomplish the purposes and objectives of this local law.

SECTION 5. Repeal of Local Law Number 7-1992 (Intro Number 6-1992). Local Law Number 7-1992 (Intro Number 6-1992) is hereby repealed, effective at the time set forth in Section 3, supra.

SECTION 6. Local Law No. 6-1968. All other provisions of Local Law Number 6-1968 (Intro Number 11-1968) not otherwise amended herein shall remain in full force and effect.

SECTION 7. Severability. If any provision of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not affect, impair or invalidate the remainder thereof, but shall be confined in its

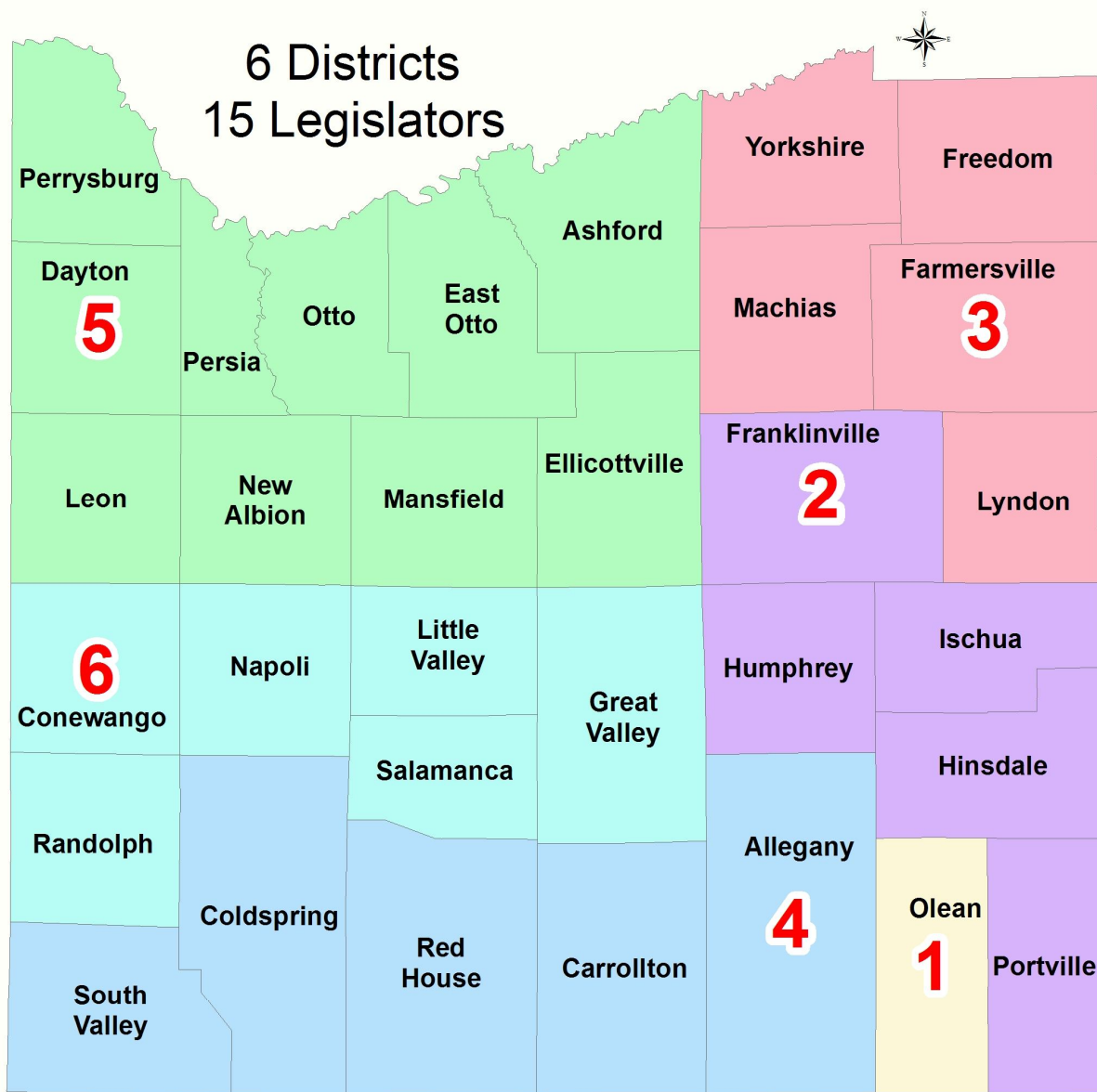


operation to the particular provision directly involved in the controversy in which such judgment shall have been rendered.

SECTION 8. Effective Date. This local law shall take effect only after it has been approved by the affirmative vote of the majority of the qualified electors of Cattaraugus County voting on a proposition for its approval submitted at a general election to be held November 8, 2011, in the County of Cattaraugus.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input type="checkbox"/>
Co. Operations	<input checked="" type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>	_____	<input type="checkbox"/>



**Legend**

**6 Districts 15 Legislators**

**District**

- 1
- 2
- 3
- 4
- 5
- 6

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 7-2011**

Pursuant to Section 10 of the Municipal Home Rule Law.

I. WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on June 22, 2011, a proposed Local Law entitled " A Local Law in Relation to the Reapportionment of the County Legislative Districts of the County of Cattaraugus, Reducing the Number of County Legislators from 21 to 15, Amending Local Law Number 6-1968 (Intro Number 11-1968) Entitled "A Local Law Establishing A County Legislature for Cattaraugus County as Required by Order of the New York State Supreme Court" and Repealing Local Law Number 7-1992 (Intro Number 6-1992), and

II. WHEREAS, no local law shall be adopted until a public hearing thereon has been had by the Cattaraugus County Legislature upon at least five days notice, now, therefore, be it

I. RESOLVED, that a public hearing shall be held on the proposed local law by this County Legislature on the 27<sup>th</sup> day of July, 2011, at 3:04 p.m. at the Legislature's Chambers, County Office Building, 303 Court Street, Little Valley, New York, and that at least five days notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input type="checkbox"/>
Co. Operations	<input checked="" type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>	_____	<input type="checkbox"/>

**LOCAL LAW NUMBER 8 - 2011  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Sections 10(1)(ii)(a)(13) and 23 of  
the Municipal Home Rule Law.

**A LOCAL LAW IN RELATION TO THE REAPPORTIONMENT OF THE  
COUNTY LEGISLATIVE DISTRICTS OF THE COUNTY OF CATTARAUGUS,  
REDUCING THE NUMBER OF COUNTY LEGISLATORS FROM 21 TO 17,  
AMENDING LOCAL LAW NUMBER 6-1968 (INTRO NUMBER 11-1968) ENTITLED  
"A LOCAL LAW ESTABLISHING A COUNTY LEGISLATURE FOR CATTARAUGUS  
COUNTY AS REQUIRED BY ORDER OF THE NEW YORK STATE SUPREME COURT"  
AND REPEALING LOCAL LAW NUMBER 7-1992 (INTRO NUMBER 6-1992)**

BE IT ENACTED by the County Legislature of the County of Cattaraugus as follows:

SECTION 1. Legislative Intent. It is the intent of this Local Law to amend Local Law Number 6-1968 (Intro Number 11-1968), entitled "A Local Law Establishing a County Legislature for Cattaraugus County as required by Order of the New York State Supreme Court", adopted August 14, 1968 by the Cattaraugus County Board of Supervisors and to repeal Local Law Number 7-1992 (Intro Number 6-1992).

SECTION 2. Amendment of Local Law Number 6-1968. Effective for the general election in November 2015, for terms to commence January 1, 2016 and thereafter, Local Law Number 6-1968 (Intro Number 11-1968), is hereby amended by deleting Section 2 thereof and replacing such section with the following:

"SECTION 2. Legislative Districts. For the purpose of electing County Legislators, Cattaraugus County shall be divided into eight (8) districts, described as follows and further described on the map annexed hereto, each of which shall be represented by the number of legislators set forth herein:

<u>Dist.</u>	<u>Description</u>	<u>Population</u>	<u>Number of Legislators</u>	<u>Population Per Legislator</u>	<u>Deviation % Per District</u>
1	Towns of Perrysburg, Dayton, Persia, Otto and New Albion	9,010	2	4,505	-4.65%
2	Towns of East Otto, Ashford, Yorkshire and Freedom	9,512	2	4,756	0.67%
3	Towns of Mansfield, Ellicottville, Franklinville, Lyndon, Machias and Farmersville	9,568	2	4,784	1.26%
4	Towns of Leon,	9,082	2	4,541	-3.88%

Conewango, Napoli,  
Little Valley,  
Randolph and South  
Valley

5	Ward 5 of the City of Salamanca as presently constituted and the Towns of Coldspring, Red House, Salamanca and Great Valley	4,960	1	4,960	4.98%
6	Towns of Carrollton and Allegany	9,444	2	4,722	-0.05%
7	Towns of Olean, Portville, Hinsdale, Ischua and Humphrey	9,407	2	4,703.5	-0.45%
8	City of Olean	14,452	3	4,817.33	1.96%
9	Salamanca City Wards 1,2,3 and 4 as presently constituted	4,882	1	4,882	3.33%

SECTION 3. Legislative Districts Continued. The ten (10) legislative districts as previously bounded and described by Local Law Number 7-1992 (Intro Number 6-1992) shall continue in existence for the limited purpose of continuing in office the legislators presently elected from such districts, those legislators who will be elected at the November 2011 general election, as well as any legislators appointed to fill vacancies as defined in Section 30 of the Public Officers' Law in such districts and/or elected to fill the unexpired terms of legislators in such districts, and shall cease to exist as such at the time all of the terms and provisions of this local law become effective.

SECTION 4. Construction. This local law shall be liberally construed to achieve its objectives and purposes. If the districts described herein do not carry out the purposes hereof because of unintentional omissions, duplications, overlapping areas, erroneous nomenclature, lack of adequate maps or descriptions or descriptions of political subdivisions, wards, or other divisions thereof, or changes of public places, alteration of the boundary or courses of waters or waterways, accretion or other changes in shorelines, the County Clerk, at the request of any person or candidate aggrieved thereby, shall, by order, correct such omissions, overlaps, erroneous nomenclature or other defects in the description of districts so as to accomplish the purposes and objectives of this local law.

SECTION 5. Repeal of Local Law Number 7-1992 (Intro Number 6-1992). Local Law Number 7-1992 (Intro Number 6-1992) is hereby repealed, effective at the time set forth in Section 3, supra.

SECTION 6. Local Law No. 6-1968. All other provisions of Local Law Number 6-1968 (Intro Number 11-1968) not otherwise amended herein shall remain in full force and effect.

SECTION 7. Severability. If any provision of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the particular provision directly involved in the controversy in which such judgment shall have been rendered.

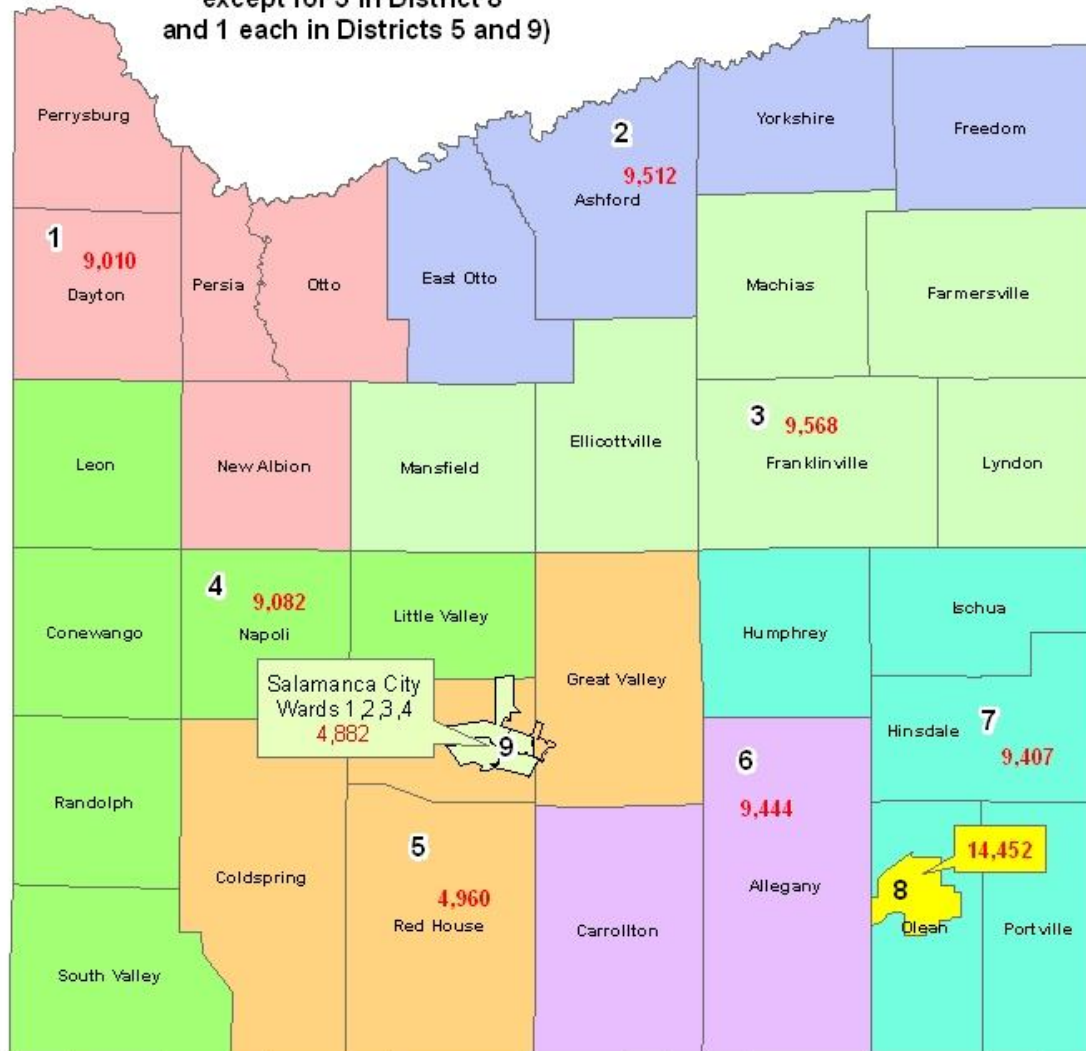
SECTION 8. Effective Date. This local law shall take effect only after it has been approved by the affirmative vote of the majority of the qualified electors of Cattaraugus County voting on a proposition for its approval submitted at a general election to be held November 8, 2011 in the County of Cattaraugus.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input type="checkbox"/>
Co. Operations	<input checked="" type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>	_____	<input type="checkbox"/>

## 17 Legislators

(2 Legislators per District  
except for 3 in District 8  
and 1 each in Districts 5 and 9)



Map 4

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 8-2011**

Pursuant to Section 10 of the Municipal Home Rule Law.

I. WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on June 22, 2011, a proposed Local Law entitled "A Local Law in Relation to the Reapportionment of the County Legislative Districts Of The County Of Cattaraugus, Reducing The Number Of County Legislators from 21 To 17, Amending Local Law Number 6-1968 (Intro Number 11-1968) Entitled "A Local Law Establishing a County Legislature for Cattaraugus County as Required by Order of the New York State Supreme Court" and Repealing Local Law Number 7-1992 (Intro Number 6-1992), and

II. WHEREAS, no local law shall be adopted until a public hearing thereon has been had by the Cattaraugus County Legislature upon at least five days notice, now, therefore, be it

I. RESOLVED, that a public hearing shall be held on the proposed local law by this County Legislature on the 27<sup>th</sup> day of July, 2011, at 3:05 p.m. at the Legislature's Chambers, County Office Building, 303 Court Street, Little Valley, New York, and that at least five days notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input type="checkbox"/>
Co. Operations	<input checked="" type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>	_____	<input type="checkbox"/>



**LOCAL LAW NUMBER 9 - 2011  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Sections 10(1)(ii)(a)(13) and 23 of  
the Municipal Home Rule Law.

**A LOCAL LAW IN RELATION TO THE REAPPORTIONMENT OF THE  
COUNTY LEGISLATIVE DISTRICTS OF THE COUNTY OF CATTARAUGUS,  
REDUCING THE NUMBER OF COUNTY LEGISLATORS FROM 21 TO 15,  
AMENDING LOCAL LAW NUMBER 6-1968 (INTRO NUMBER 11-1968) ENTITLED  
"A LOCAL LAW ESTABLISHING A COUNTY LEGISLATURE FOR CATTARAUGUS  
COUNTY AS REQUIRED BY ORDER OF THE NEW YORK STATE SUPREME COURT"  
AND REPEALING LOCAL LAW NUMBER 7-1992 (INTRO NUMBER 6-1992)**

BE IT ENACTED by the County Legislature of the County of Cattaraugus as follows:

SECTION 1. Legislative Intent. It is the intent of this Local Law to amend Local Law Number 6-1968 (Intro Number 11-1968), entitled "A Local Law Establishing a County Legislature for Cattaraugus County as required by Order of the New York State Supreme Court", adopted August 14, 1968 by the Cattaraugus County Board of Supervisors and to repeal Local Law Number 7-1992 (Intro Number 6-1992).

SECTION 2. Amendment of Local Law Number 6-1968. Effective for the general election in November 2015, for terms to commence January 1, 2016 and thereafter, Local Law Number 6-1968 (Intro Number 11-1968), is hereby amended by deleting Section 2 thereof and replacing such section with the following:

"SECTION 2. Legislative Districts. For the purpose of electing County Legislators, Cattaraugus County shall be divided into seven (7) districts, described as follows and further described on the map annexed hereto, each of which shall be represented by the number of legislators set forth herein:

<u>Dist.</u>	<u>Description</u>	<u>Population</u>	<u>Number of Legislators</u>	<u>Population Per Legislator</u>	<u>Deviation % Per District</u>
1	Towns of Perrysburg, Dayton, Leon, Persia, New Albion and Mansfield	10,375	2	5,187.5	-3.12%
2	Towns of Otto, East Otto, Ashford and Ellicottville	5,600	1	5,600	4.59%
3	Towns of Yorkshire, Freedom, Machias, Farmersville and Lyndon	10,490	2	5,245	-2.04%
4	Towns of Franklinville, Humphrey, Ischua,	10,434	2	5,217	-2.57%

	Hinsdale and Portville				
5	Towns of Conewango, Randolph, South Valley, Coldspring, Napoli, Little Valley and Great Valley	10,915	2	5,457.5	1.92%
6	City and Town of Salamanca and Towns of Red House, Carrollton and Allegany	16,088	3	5,362.67	0.15%
7	City and Town of Olean	16,415	3	5,471.67	2.19%

SECTION 3. Legislative Districts Continued. The ten (10) legislative districts as previously bounded and described by Local Law Number 7-1992 (Intro Number 6-1992) shall continue in existence for the limited purpose of continuing in office the legislators presently elected from such districts, those legislators who will be elected at the November 2011 general election, as well as any legislators appointed to fill vacancies as defined in Section 30 of the Public Officers' Law in such districts and/or elected to fill the unexpired terms of legislators in such districts, and shall cease to exist as such at the time all of the terms and provisions of this local law become effective.

SECTION 4. Construction. This local law shall be liberally construed to achieve its objectives and purposes. If the districts described herein do not carry out the purposes hereof because of unintentional omissions, duplications, overlapping areas, erroneous nomenclature, lack of adequate maps or descriptions or descriptions of political subdivisions, wards, or other divisions thereof, or changes of public places, alteration of the boundary or courses of waters or waterways, accretion or other changes in shorelines, the County Clerk, at the request of any person or candidate aggrieved thereby, shall, by order, correct such omissions, overlaps, erroneous nomenclature or other defects in the description of districts so as to accomplish the purposes and objectives of this local law.

SECTION 5. Repeal of Local Law Number 7-1992 (Intro Number 6-1992). Local Law Number 7-1992 (Intro Number 6-1992) is hereby repealed, effective at the time set forth in Section 3, supra.

SECTION 6. Local Law No. 6-1968. All other provisions of Local Law Number 6-1968 (Intro Number 11-1968) not otherwise amended herein shall remain in full force and effect.

SECTION 7. Severability. If any provision of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not affect, impair or invalidate the remainder thereof, but shall be confined in its

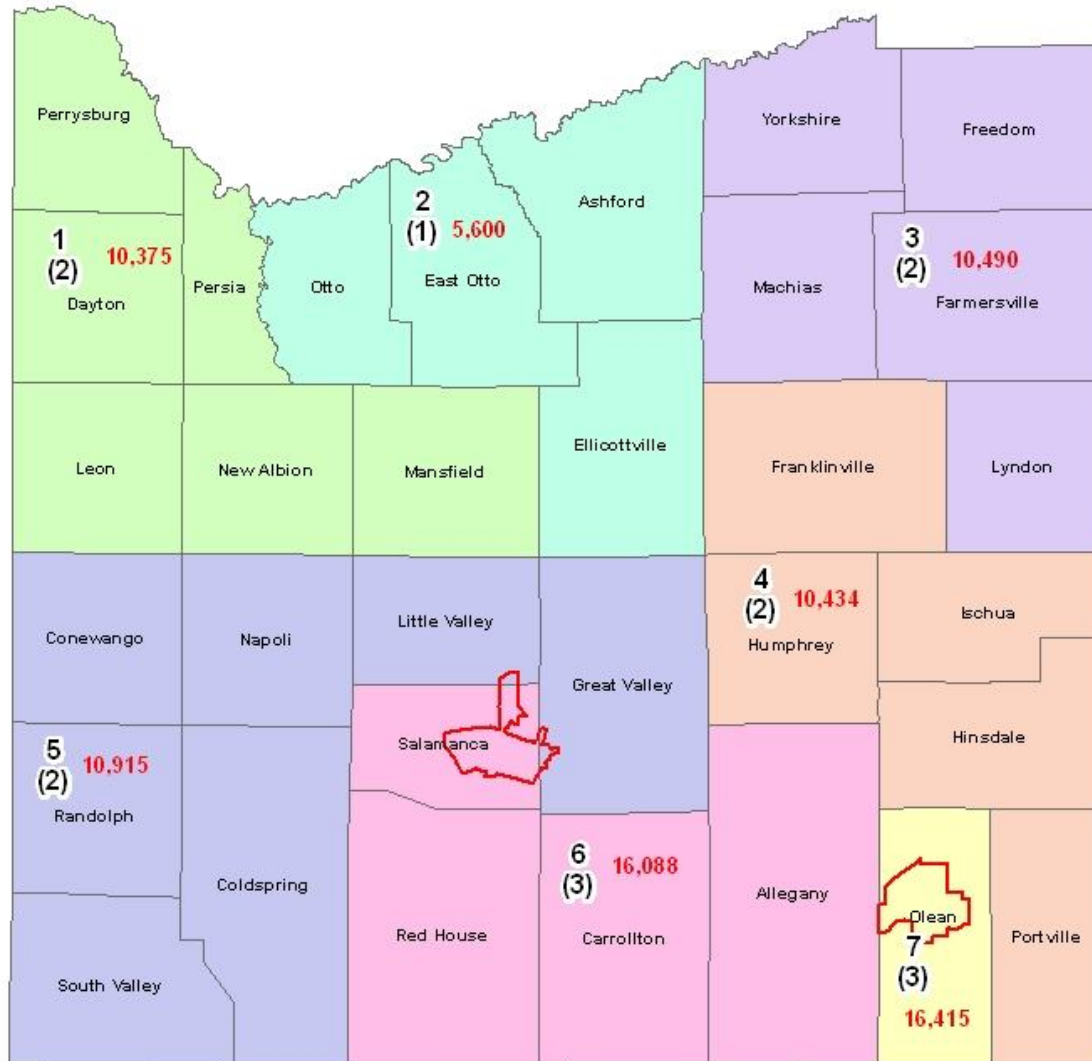
operation to the particular provision directly involved in the controversy in which such judgment shall have been rendered.

SECTION 8. Effective Date. This local law shall take effect only after it has been approved by the affirmative vote of the majority of the qualified electors of Cattaraugus County voting on a proposition for its approval submitted at a general election to be held November 8, 2011, in the County of Cattaraugus.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input type="checkbox"/>
Co. Operations	<input checked="" type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>	_____	<input type="checkbox"/>

# 15 Legislators 7 Districts



**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 9-2011**

Pursuant to Section 10 of the Municipal Home Rule Law.

I. WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on June 22, 2011, a proposed Local Law entitled "A Local Law in Relation to the Reapportionment of the County Legislative Districts of the County of Cattaraugus, Reducing the Number of County Legislators from 21 to 15, Amending Local Law Number 6-1968 (Intro Number 11-1968) Entitled "A Local Law Establishing A County Legislature for Cattaraugus County as Required by Order of the New York State Supreme Court" and Repealing Local Law Number 7-1992 (Intro Number 6-1992), and

II. WHEREAS, no local law shall be adopted until a public hearing thereon has been had by the Cattaraugus County Legislature upon at least five days notice, now, therefore, be it

I. RESOLVED, that a public hearing shall be held on the proposed local law by this County Legislature on the 27<sup>th</sup> day of July, 2011, at 3:06 p.m. at the Legislature's Chambers, County Office Building, 303 Court Street, Little Valley, New York, and that at least five days notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input type="checkbox"/>
Co. Operations	<input checked="" type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>	_____	<input type="checkbox"/>