



# CATTARAUGUS COUNTY

John R. Searles, County Administrator

The Legislature of Cattaraugus County will meet in adjourned session at the County Center, Little Valley, New York, on **Wednesday, July 27, 2011**, for the transaction of such business as may properly come before the meeting.

Contingent Fund Balance: \$312,916

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

3:00 p.m.      CALL TO ORDER  
ROLL CALL  
INVOCATION  
MINUTES OF PREVIOUS MEETING  
COMMUNICATIONS  
PRIVILEGE OF THE FLOOR

*Public Hearings:*

- Local Law #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
- Local Law #5-2011 – 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
- Local Law #6-2011 - 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)

RESOLUTIONS READY FOR ACTION  
UNFINISHED BUSINESS  
RESOLUTIONS – IMMEDIATE CONSIDERATION  
ADJOURNMENT

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ACT NO.	RESOLUTIONS HELD
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314-11	Mr. O'Brien APPOINTMENT TO BOARD OF HEALTH Held in Finance and Human Services
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329-11	Mr. Giardini and Mr. Ellis AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH SWBR ARCHITECTS FOR HARDIEPLANK® CORRECTIONS PROJECT AT PINES HEALTHCARE AND REHABILITATION CENTER – MACHIAS CAMPUS Held in Finance, Senior Services and Public Works
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330-11	Mr. Giardini and Mr. Ellis AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH WENDEL DUCHSCHERER ARCHITECTS & ENGINEERS FOR EXTERIOR LIGHTING IMPROVEMENTS DESIGN AND ROOF REPLACEMENT STUDY AT PINES HEALTHCARE AND REHABILITATION CENTER – OLEAN CAMPUS Held in Finance
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**ACT NO.      PREFILED RESOLUTIONS – READY FOR ACTION**

- 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  
Approved by 8 Finance and 8 Public Works
- 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  
Approved by 8 Finance and 8 Public Works
- 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)  
Approved by 5 Finance and 4 County Operations
- 224-11      Senior Services Committee: Ms. Vickman, Mr. McClune, Ms. Edstrom, Mr. Neal, and Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. McLarney, Mr. McClune, Mr. Sprague and Mr. Ward  
AUTHORIZING COUNTY ADMINISTRATOR TO SOLICIT PROPOSALS FOR CONSULTANT SERVICES TO ASSIST IN EVALUATION OPTIONS FOR OPERATION, MANAGEMENT, AND/OR SALE OF SKILLED NURSING FACILITIES  
Approved by 8 Finance and 6 Senior Services
- 315-11      Mr. O'Brien  
APPOINTMENT TO THE CHAUTAUQUA, CATTARAUGUS, ALLEGANY AND STEUBEN SOUTHERN TIER EXTENSION RAILROAD AUTHORITY  
Approved by 8 Finance and 6 Development & Agriculture
- 316-11      Mr. O'Brien  
APPOINTMENT TO COMMUNITY SERVICES BOARD AND APPOINTMENT TO COMMUNITY SERVICES BOARD MENTAL RETARDATION/DEVELOPMENTAL DISABILITIES SUBCOMMITTEE  
Approved by 8 Finance and 6 Human Services
- 317-11      Mr. Giardini and Mr. Ellis  
BID ACCEPTANCE FOR PURCHASE OF NATURAL GAS (Department of Public Works)  
Approved by 8 Finance and 8 Public Works
- 318-11      Mr. Giardini and Mr. Ellis, Mr. McLarney and Mr. O'Brien  
BID ACCEPTANCE FOR 2011 BRIDGE DECK OVERLAY PROGRAM (Ischua Bridge No. 35)  
Approved by 8 Finance and 8 Public Works
- 319-11      Mr. Giardini and Mr. Ellis, Mr. Murphy and Mr. Vecchiarella  
BID ACCEPTANCE FOR SECURITY AND CONTROL SYSTEM IMPROVEMENTS – COUNTY JAIL (GENERAL CONTRACTOR) (Department of Public Works) **Additional sponsors: Mr. Burrell and Ms. Vickman**  
Approved by 8 Finance, 8 Public Works and 7 Public Safety

- 320-11 Mr. Giardini and Mr. Ellis, Mr. Murphy and Mr. Vecchiarella  
BID ACCEPTANCE FOR SECURITY AND CONTROL SYSTEM IMPROVEMENTS – COUNTY JAIL (PLUMBING AND FIRE PROTECTION CONSTRUCTION) (Department of Public Works)  
**Additional sponsors: Mr. Burrell and Ms. Vickman**  
Approved by 8 Finance, 8 Public Works and 7 Public Safety
- 321-11 Mr. Giardini and Mr. Ellis, Mr. Murphy and Mr. Vecchiarella  
BID ACCEPTANCE FOR SECURITY AND CONTROL SYSTEM IMPROVEMENTS – COUNTY JAIL (MECHANICAL CONSTRUCTION) (Department of Public Works) **Additional sponsors: Mr. Burrell and Ms. Vickman**  
Approved by 8 Finance, 8 Public Works and 7 Public Safety
- 322-11 Mr. Giardini and Mr. Ellis, Mr. Murphy and Mr. Vecchiarella  
BID ACCEPTANCE FOR SECURITY AND CONTROL SYSTEM IMPROVEMENTS – COUNTY JAIL (ELECTRICAL/SECURITY CONTROL CONSTRUCTION) (Department of Public Works)  
**Additional sponsors: Mr. Burrell and Ms. Vickman**  
Approved by 8 Finance, 8 Public Works and 7 Public Safety
- 323-11 Mr. Giardini and Mr. Ellis  
BID ACCEPTANCE FOR SEPTIC TANK, OIL SEPARATOR TANK AND GREASE/WATER TANK CLEANING SERVICES IN VARIOUS LOCATIONS THROUGHOUT COUNTY (Department of Public Works) **Additional sponsors: Mr. Burrell and Ms. Vickman**  
Approved by 8 Finance, 6 Senior Services, 8 Public Works and 7 Public Safety
- 324-11 Mr. Giardini and Mr. Ellis  
REJECTING CERTAIN DEPARTMENT OF PUBLIC WORKS BIDS FOR FIRE SUPPRESSION SYSTEMS (Department of Public Works)  
Approved by 8 Finance and 8 Public Works
- 325-11 Mr. Giardini and Mr. Ellis  
REJECTING CERTAIN DEPARTMENT OF PUBLIC WORKS BIDS FOR CEMENT BOARD REPLACEMENT FOR PINES HEALTHCARE AND REHABILITATION CENTER – MACHIAS CAMPUS (Department of Public Works) **Additional sponsor: Mr. Sprague**  
Approved by 8 Finance, 5 Senior Services and 5 Public Works
- 326-11 Mr. Giardini and Mr. Ellis  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH WENDEL DUCHSCHERER ARCHITECTS & ENGINEERS FOR LITTLE VALLEY COUNTY CENTER CHIMNEY LINER DESIGN  
Approved by 8 Finance and 8 Public Works
- 327-11 Mr. Giardini and Mr. Ellis  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH OCCUPATIONAL HEALTH SERVICES, PLLC FOR DRUG AND ALCOHOL TESTING FOR COMMERCIAL MOTOR VEHICLE DRIVERS  
Approved by 8 Finance and 8 Public Works
- 328-11 Mr. Giardini and Mr. Ellis  
AUTHORIZING THE CHAIR TO EXECUTE SETTLEMENT AGREEMENT WITH JAMES HARDIE BUILDING PRODUCTS FOR WARRANTY CLAIM FOR HARDIEPLANK® MATERIAL AT PINES HEALTHCARE AND REHABILITATION CENTER – MACHIAS CAMPUS  
Approved by 8 Finance, 6 Senior Services and 8 Public Works

- 331-11 Mr. Burrell and Mr. Ward  
REFUNDING BOND RESOLUTION DATED JULY 27, 2011 – A RESOLUTION AUTHORIZING THE ISSUANCE PURSUANT TO SECTION 90.10 OF THE LOCAL FINANCE LAW OF REFUNDING BONDS OF THE COUNTY OF CATTARAUGUS, NEW YORK, TO BE DESIGNATED SUBSTANTIALLY “PUBLIC IMPROVEMENT REFUNDING (SERIAL) BONDS”, AND PROVIDING FOR THE OTHER MATTERS IN RELATION THERETO AND THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY  
Approved by 8 Finance
- 332-11 Mr. Snyder and Mrs. Stockman  
AMENDING ACT 265-2011 REGARDING CONTRACT WITH EVERYWOMAN OPPORTUNITY CENTER, INC. FOR DEPARTMENT OF SOCIAL SERVICES TANF SERVICES GRANT FUNDING **Additional sponsors: Ms. Edstrom and Ms. Vickman**  
Approved by 8 Finance and 6 Human Services
- 333-11 Ms. Vickman and Mr. McClune  
AMENDING ACT 271-2011 REGARDING CONTRACTS WITH VARIOUS ENTITIES FOR DEPARTMENT OF NURSING HOMES ANCILLARY SERVICES  
Approved by 8 Finance and 6 Senior Services
- 334-11 Mr. O'Brien and Mr. Vecchiarella  
TRANSFER OF FUNDS (Contingent Fund – Legal Defense to Indigents)  
Approved by 8 Finance and 7 Public Safety
- 335-11 Mr. Marsh  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH SUBCON INDUSTRIES, INC. FOR SHREDDING SERVICES AND TRANSFER OF FUNDS (Contingent Fund – Records Manager) **Additional sponsors: Mr. Neal and Mr. Sprague**  
Approved by 8 Finance and 6 County Operations
- 336-11 Mr. Marsh and Mr. Teachman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH JAMES B. SCHWAB CO., INC. FOR COUNTY OFFICE PHOTOCOPIERS  
Approved by 8 Finance and 6 County Operations
- 337-11 Development & Agriculture Committee: Mr. McLarney, Mr. Boser, Mr. Burrell, Mr. Ellis, Mr. Snyder, Mr. Vecchiarella and Mr. Giardini  
AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH NEW YORK STATE OFFICE OF COMMUNITY RENEWAL FOR COMMUNITY DEVELOPMENT BLOCK GRANT AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Department of Economic Development, Planning and Tourism) **Additional sponsor: Mr. Sprague**  
Approved by 8 Finance and 6 Development & Agriculture
- 338-11 Mr. McLarney and Mr. Boser  
AUTHORIZING APPLICATION FOR GRANT TOURISM PROMOTION AND DESIGNATING GRANT ADMINISTRATOR  
Approved by 8 Finance and 6 Development & Agriculture
- 339-11 Mr. Marsh and Mr. Teachman  
ESTABLISHING COMPENSATION FOR ELECTION INSPECTORS, ELECTION CHAIRS, ELECTION INSPECTOR COORDINATORS AND POLLING SITE COORDINATORS FOR 2011 AND 2012 ELECTIONS **Additional sponsors: Mrs. Stockman and Mr. Sprague**  
Approved by 8 Finance, 6 County Operations and 5 Labor Relations

- 340-11 Mr. Vecchiarella  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NYS DEPARTMENT OF CORRECTIONAL SERVICES FOR INMATE FOOD PRODUCTS  
Approved by 8 Finance and 7 Public Safety
- 341-11 Mr. Vecchiarella  
AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR VIDEO TELECONFERENCING EQUIPMENT GRANT AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Sheriff's Office)  
Approved by 8 Finance and 7 Public Safety
- 342-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH SOUTHERN TIER CREDIT CENTER, INC. FOR COLLECTION SERVICES FOR VARIOUS COUNTY DEPARTMENTS  
Approved by 8 Finance and 6 Human Services
- 343-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH ST. BONAVENTURE UNIVERSITY FOR COMMUNITY MENTAL HEALTH COUNSELING FIELD INSTRUCTION PROGRAM **Additional sponsor: Ms. Edstrom**  
Approved by 8 Finance and 6 Human Services
- 344-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH DOCUTRAC, INC. FOR DEPARTMENT OF COMMUNITY SERVICES QUICDOC SOFTWARE LICENSE MAINTENANCE AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS (Department of Community Services)  
Approved by 8 Finance and 6 Human Services
- 345-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH OLEAN BUSINESS INSTITUTE FOR WORK STUDY INTERNSHIP PROGRAM  
Approved by 8 Finance and 5 Human Services
- 346-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH SALAMANCA CITY SCHOOL DISTRICT FOR MENTAL HEALTH SOCIAL WORKER SERVICES **Additional sponsors: Mr. Vecchiarella and Mr. McClune**  
Approved by 8 Finance and 6 Human Services
- 347-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH PORTVILLE CENTRAL SCHOOL DISTRICT FOR MENTAL HEALTH THERAPIST/SOCIAL WORKER  
Approved by 8 Finance and 6 Human Services
- 348-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NEW YORK STATE OFFICE OF MENTAL HEALTH FOR ACCESS TO NEW YORK EMPLOYMENT SERVICES SYSTEM (NYESS)  
Approved by 8 Finance and 6 Human Services
- 349-11 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  
Approved by 8 Finance and 6 Human Services

- 350-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING CERTAIN CHARGE-OFFS OF CERTAIN ACCOUNTS RECEIVABLE IN THE  
DEPARTMENT OF COMMUNITY SERVICES  
Approved by 8 Finance and 6 Human Services
- 351-11 Mr. Snyder  
APPROVING JCC CAPITAL PROJECTS – JAMESTOWN CAMPUS (Residence Hall)  
Approved by 8 Finance
- 352-11 Mr. Vecchiarella  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH ALERE TOXICOLOGY  
SERVICES, INC. FOR PROBATION DEPARTMENT DRUG TESTING SERVICES  
Approved by 8 Finance and 7 Public Safety
- 353-11 Mr. Marsh  
SALE OF TAX TITLE PROPERTIES (Towns of Franklinville and Randolph)  
Approved by 8 Finance and 6 County Operations

**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.

**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.

**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.

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



## Map 2