



CATTARAUGUS COUNTY

John R. Searles, County Administrator

303 Court Street
Little Valley, New York 14755

(716) 938-2577 Fax (716) 938-2760

The Legislature of Cattaraugus County will meet in adjourned session at the County Center, Little Valley, New York, on **Monday, September 23, 2013**, for the transaction of such business as may properly come before the meeting.

Contingent Fund Balance: \$4,720

Tobacco Settlement Proceeds to Date: \$19,031,363

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

- Public Hearing – Local Law Number 4-2013
- Dan Piccioli - 2012 Annual Report for Department of Social Services

 RESOLUTIONS READY FOR ACTION
 UNFINISHED BUSINESS
 RESOLUTIONS – IMMEDIATE CONSIDERATION
 ADJOURNMENT

.....
ACT NO.

RESOLUTIONS READY FOR ACTION

- 394-13 LOCAL LAW NUMBER 4-2013 - A LOCAL LAW REPEALING ACT NUMBER 437-2004 ENTITLED 'A LOCAL LAW ESTABLISHING FEE SCHEDULE FOR ELECTRONIC GEOGRAPHIC INFORMATION SYSTEM DATA AND REPEALING LOCAL LAW NUMBER 27-2000 (INTRO NUMBER 31-2000) FEES FOR CATTARAUGUS COUNTY REAL PROPERTY TAX SERVICE AGENCY SERVICES'
AMENDED: in the 1st Whereas, delete "293-2010", replace with "593-2010
Approved by 9 Finance and 7 County Operations
- 401-13 Mr. Aiello and Mr. Weller
BID ACCEPTANCE FOR SECOND FLOOR COURT RENOVATIONS (Department of Public Works)
Additional sponsor: Mr. Lamberson
Approved by 7 Finance and 9 Public Works
- 402-13 Mr. Murphy
AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS GRANT TO LOCAL EMERGENCY PLANNING COMMITTEE
Approved by 7 Finance and 7 Public Safety

- 403-13 Mr. Murphy
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NEW YORK STATE EMERGENCY MANAGEMENT OFFICE FOR LOCAL EMERGENCY MANAGEMENT ASSISTANCE PROGRAM
Additional sponsor: Mr. VanRensselaer
Approved by 7 Finance and 7 Public Safety
- 404-13 Mr. Murphy
AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH NEW YORK STATE OFFICE OF HOMELAND SECURITY AND EMERGENCY SERVICES OFFICE OF COUNTER TERRORISM FOR TACTICAL TEAM TARGETED FUNDING
Additional sponsors: Mr. Aiello and Mr. VanRensselaer
Approved by 7 Finance and 7 Public Safety
- 405-13 Ms. Vickman
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Department of Nursing Homes)
Approved by 7 Finance, 7 Senior Services and 9 Public Works
- 406-13 Ms. Vickman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH OLEAN GENERAL HEALTHCARE SYSTEMS FOR DEPARTMENT OF NURSING HOMES RESPIRATORY EQUIPMENT
Approved by 7 Finance and 7 Senior Services
- 407-13 Ms. Vickman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH ABILITY NETWORK, INC. FOR ELECTRONIC BILLING FOR MEDICARE (Department of Nursing Homes)
Approved by 7 Finance, 6 County Operations and 7 Senior Services
- 408-13 Mr. Felton and Ms. Vickman
AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH THE NEW YORK STATE OFFICE FOR THE AGING FOR NY CONNECTS PROGRAM FUNDING
Approved by 7 Finance and 7 Senior Services
- 409-13 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH OLEAN YMCA FOR YMCA MEMBERSHIPS FOR FAMILIES WITH CHILDREN AT RISK OF PLACEMENT
Additional sponsors: Mr. Teachman and Mr. Padlo
Approved by 7 Finance and 7 Human Services
- 410-13 Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH OLEAN COMMUNITY SCHOOLS FOR MATH AND READING TUTORIAL SERVICES FOR DEPARTMENT OF SOCIAL SERVICES
Additional sponsors: Mr. Teachman and Mr. Padlo
Approved by 7 Finance and 6 Human Services

- 411-13 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH VARIOUS ENTITIES FOR DEPARTMENT OF SOCIAL SERVICES FAMILY GROUP CONFERENCING PROGRAM
Additional sponsor: Mr. Padlo
Approved by 7 Finance and 7 Human Services
- 412-13 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH EVERYWOMAN OPPORTUNITY CENTER, INC. FOR DEPARTMENT OF SOCIAL SERVICES TANF SERVICES GRANT FUNDING
Additional sponsors: Ms. Vickman and Mr. Padlo
Approved by 7 Finance and 7 Human Services
- 413-13 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS COMMUNITY ACTION, INC. FOR DEPARTMENT OF SOCIAL SERVICES EMPLOYMENT PROGRAM FOR YOUTH
Approved by 7 Finance and 7 Human Services
- 414-13 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS COMMUNITY ACTION, INC. FOR DEPARTMENT OF SOCIAL SERVICES TRUANCY PREVENTION PROGRAM
Approved by 7 Finance and 7 Human Services
- 415-13 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS COMMUNITY ACTION, INC. FOR DEPARTMENT OF SOCIAL SERVICES FAMILY ASSESSMENT RESPONSE SERVICES
Approved by 7 Finance and 7 Human Services
- 416-13 Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH OLEAN COMMUNITY SCHOOLS FOR AFTER SCHOOL AND SUMMER PROGRAM FOR AT-RISK YOUTH FOR DEPARTMENT OF SOCIAL SERVICES
Additional sponsors: Mr. Teachman, Ms. Vickman and Mr. Padlo
Approved by 7 Finance and 6 Human Services
- 417-13 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH OLEAN GENERAL HOSPITAL FOR LABORATORY, RADIOLOGY AND MAMMOGRAPHY SERVICES FOR HEALTH DEPARTMENT FAMILY PLANNING CLINIC
Additional sponsors: Mr. Teachman, Ms. Vickman, Mr. Lamberson and Mr. Padlo
Approved by 7 Finance and 7 Human Services
- 418-13 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH OLEAN GENERAL HOSPITAL FOR HEALTH DEPARTMENT NUTRITION, PHYSICAL OCCUPATIONAL AND SPEECH THERAPY SERVICES
Additional sponsors: Mr. Teachman and Mr. Padlo
Approved by 7 Finance and 7 Human Services

- 419-13 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH TOTAL SENIOR CARE, INC. FOR IN-HOME NURSING AND THERAPY SERVICES
Additional sponsors: Mr. Teachman, Mr. VanRensselaer and Mr. Padlo
Approved by 7 Finance and 7 Human Services
- 420-13 Mr. VanRensselaer and Mrs. Labuhn
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH SENECA-SALAMANCA AREA CHAMBER OF COMMERCE, INC., FOR INFORMATION CENTER MANAGER/COORDINATOR
Approved by 7 Finance and 6 Development & Agriculture
- 421-13 Mr. VanRensselaer and Mrs. Labuhn
AUTHORIZING THE CHAIR TO EXECUTE GRANT APPLICATION AND CONTRACT WITH DEFENSE LOGISTICS AGENCY FOR PROCUREMENT TECHNICAL ASSISTANCE PROGRAM
Approved by 7 Finance and 6 Development & Agriculture
- 422-13 Mr. VanRensselaer and Mrs. Labuhn
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH M. MARK HOWDEN FOR HUD SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT AND EMPIRE STATE DEVELOPMENT CORPORATION COMMUNITY DEVELOPMENT BLOCK GRANT LEGAL SERVICES
Additional sponsor: Mr. Teachman
Approved by 7 Finance and 6 Development & Agriculture
- 423-13 Mr. VanRensselaer and Mrs. Labuhn
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH H. SICHERMAN & COMPANY, INC. FOR GRANT WRITING TECHNICAL ASSISTANCE
Approved by 6 Finance and 6 Development & Agriculture
- 424-13 Mr. VanRensselaer and Mrs. Labuhn
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH H. SICHERMAN & COMPANY, INC. FOR HUD SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT ADMINISTRATION SERVICES
Approved by 7 Finance and 6 Development & Agriculture
- 425-13 Mr. VanRensselaer and Mrs. Labuhn
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH H. SICHERMAN & COMPANY, INC. FOR EMPIRE STATE DEVELOPMENT CORPORATION COMMUNITY DEVELOPMENT BLOCK GRANT ADMINISTRATION SERVICES
Approved by 7 Finance and 6 Development & Agriculture
- 426-13 Mrs. Stockman
CLARIFICATION OF POLICY REGARDING REIMBURSEMENT OF RELIEVED TAXES AND OTHER CHARGES
AMENDED: in the 6th Whereas, delete “electric charges”; in the 1st Resolved, add “electric”
Approved by 7 Finance and 6 County Operations

**LOCAL LAW NUMBER 4 - 2013
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW REPEALING ACT NUMBER 437-2004 ENTITLED
'A LOCAL LAW ESTABLISHING FEE SCHEDULE FOR
ELECTRONIC GEOGRAPHIC INFORMATION SYSTEM DATA AND
REPEALING LOCAL LAW NUMBER 27-2000 (INTRO NUMBER 31-2000)
FEES FOR CATTARAUGUS COUNTY
REAL PROPERTY TAX SERVICE AGENCY SERVICES'**

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 repeal Local Law Number 8-2004 (Intro Number 7-2004) since Act No. ~~293-2010~~ **593-2010**, Local Law Number 2-2010 (Intro Number 17-2010) established the fee schedule currently in use for certain services provided by the Cattaraugus County Department of Real Property Tax Services.

SECTION 2. 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 3. Statutory Repeal. Effective immediately, Act No. 437-2004, Local Law Number 8-2004 (Intro Number 7-2004) entitled "A Local Law Establishing Fee Schedule for Electronic Geographic Information System Data and Repealing Local Law Number 27-2000 (Intro Number 31-2000) Fees for Cattaraugus County Real Property Tax Service Agency Services" is hereby repealed.

SECTION 4. Effective Date. This Local Law shall take effect immediately.

**CLARIFICATION OF POLICY REGARDING REIMBURSEMENT OF
RELEVIED TAXES AND OTHER CHARGES**

Pursuant to Section 102 of the Real Property Tax Law.

- I. WHEREAS, by Local Law No. 9-1977, entitled "A Local Law to Provide for the Collection of Delinquent Village Taxes by the County of Cattaraugus", adopted November 30, 1977, Cattaraugus County agreed to accept the relevy of the delinquent village taxes, and
 - II. WHEREAS, by legislation adopted annually, the Clerk of the Legislature is authorized and directed to relevy all returned City taxes of the City of Olean, and
 - III. WHEREAS, the County is obligated by statute to relevy all returned town taxes, and
 - IV. WHEREAS, statutory and local laws require that the County reimburse towns, villages and the City of Olean for their relevied taxes, and
 - V. WHEREAS, the County is also authorized to accept the relevy of and reimburse municipalities for unpaid sewer and water charges and solid waste charges, and
 - VI. WHEREAS, the City of Olean and towns and villages in the County have in the past relevied various other charges and liens including, without limitation, ~~electric charges~~, ambulance service fees, building permit fees, demolition and cleanup charges, lawn mowing, snow removal, rubbish and paving assessments, which may constitute liens against the subject property, but regarding which the County is not required by statute to reimburse to the municipality, and
 - VII. WHEREAS, it is not in the best interest of the County to reimburse municipal entities for the collection of such other charges, now, therefore, be it
- I. RESOLVED, that the Cattaraugus County Legislature hereby determines that the County will continue to guarantee the collection of and reimburse the City of Olean and towns and villages for their relevied taxes and the authorized relevy of sewer, water, **electric** and solid waste charges, and be it further
 - II. RESOLVED, that the County will not hereafter reimburse the City of Olean or towns and villages for the charges listed in paragraph VI hereof that are not mandated by State Law, and be it further
 - III. RESOLVED, that the Clerk of the Legislature is hereby directed to forward copies of this resolution to the Mayor and Clerk of the City of Olean, mayors and clerks of all villages within Cattaraugus County and supervisors and clerks of all towns within Cattaraugus County.