



# CATTARAUGUS COUNTY

John R. Searles, County Administrator

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Phone (716) 938-2577

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Olean, New York 14760  
Phone (716) 701-3201

The Legislature of Cattaraugus County will meet in adjourned session at the County Center, Little Valley, New York, on **Wednesday, August 24, 2016**, for the transaction of such business as may properly come before the meeting.

Contingent Fund Balance: \$55,809

4:00 p.m.      CALL TO ORDER  
                    ROLL CALL  
                    INVOCATION  
                    MINUTES OF PREVIOUS MEETING  
                    COMMUNICATIONS  
                    PRIVILEGE OF THE FLOOR

- *Mike McCarthy, McCarthy & Conlon – 2015 NH Audit Report*

                    RESOLUTIONS READY FOR ACTION  
                    RESOLUTIONS – IMMEDIATE CONSIDERATION  
                    UNFINISHED BUSINESS  
                    ADJOURNMENT

.....  
**ACT NO.**

**RESOLUTIONS NOT READY FOR ACTION**

- 376-16      County Operations/Public Safety Committee: Mr. Neal, Mr. Padlo, Mr. Boberg, Mr. Klancer, Mr. Snyder, Jr., Mr. VanRensselaer and Mr. Koch and Mrs. Stockman  
LOCAL LAW NUMBER 7-2016 – A LOCAL LAW ESTABLISHING SALARY FOR PUBLIC DEFENDER  
Approved by 6 Finance
- 399-16      Mr. Helmich, Mr. Neal, Ms. Vickman, Ms. Hastings and Mrs. Labuhn  
LOCAL LAW NUMBER 8-2016 – A LOCAL LAW RAISING THE LEGAL AGE FOR THE PURCHASE OF TOBACCO PRODUCTS IN CATTARAUGUS COUNTY TO TWENTY-ONE  
Approved by 4 Finance and 6 Human Services

**RESOLUTIONS READY FOR ACTION**

- 375-16      County Operations/Public Safety Committee: Mr. Neal, Mr. Padlo, Mr. Boberg, Mr. Klancer, Mr. Snyder, Jr., Mr. VanRensselaer and Mr. Koch and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES FOR INDIGENT LEGAL SERVICES FUNDING AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (January 1, 2015 – December 31, 2017 Grant – Round 5)  
Approved by 6 Finance

- 377-16 County Operations/Public Safety Committee: Mr. Neal, Mr. Padlo, Mr. Boberg, Mr. Klancer, Mr. Snyder, Jr., Mr. VanRensselaer and Mr. Koch and Mrs. Stockman  
AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 7-2016  
**AMENDED: In the 1<sup>st</sup> Resolved, delete “24<sup>th</sup> day of August”, replace with “14<sup>th</sup> day of September”**  
Approved by 6 Finance
- 385-16 Mrs. Stockman  
APPOINTMENT OF MEMBER TO THE CHAUTAUQUA, CATTARAUGUS, ALLEGANY AND STEUBEN SOUTHERN TIER EXTENSION RAILROAD AUTHORITY  
***Additional sponsor: Mr. Padlo***  
Approved by 7 Finance and 6 Development & Agriculture
- 386-16 Mr. Klancer, Ms. Vickman and Mr. Koch  
ADOPTING CATTARAUGUS COUNTY HAZARD COMMUNICATION PROGRAM  
“RIGHT TO KNOW POLICY”  
Approved by 7 Finance, 6 Public Works and 5 Labor Relations
- 387-16 Mr. Klancer and Mr. Koch  
BID ACCEPTANCE FOR PURCHASE OF CHEVROLET SUBURBAN AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS (Department of Public Works)  
Approved by 7 Finance and 6 Public Works
- 388-16 Mr. Klancer and Mr. Koch  
AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH NYS DEPARTMENT OF CONSERVATION HOUSEHOLD HAZARDOUS WASTE STATE ASSISTANCE PROGRAM FOR ELECTRONIC WASTE ASSISTANCE GRANT  
***Additional sponsor: Mr. Boberg***  
Approved by 7 Finance and 6 Public Works
- 389-16 Mr. VanRensselaer  
AUTHORIZING THE CHAIR TO EXECUTE LOAN DOCUMENTS WITH PREMO LIMOUSINE SERVICE OF WNY, LLC FOR ADDITIONAL EXPANSION PROJECT  
***Additional sponsor: Mr. Padlo***  
Approved by 7 Finance and 6 Development & Agriculture
- 390-16 Mr. VanRensselaer  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH LAMAR COMPANIES FOR ADVERTISING SERVICES ON DIGITAL AND VINYL BILLBOARDS  
Approved by 7 Finance and 6 Development & Agriculture
- 391-16 Mr. VanRensselaer  
AUTHORIZING PUBLIC HEARING ON COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION  
Approved by 7 Finance and 6 Development & Agriculture

- 392-16 Ms. Vickman and Mrs. Labuhn  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH LEVANT WESLEYAN CHURCH FOR FATHERS SUPPORT/PARENTING GROUP AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Department of Social Services)  
Approved by 7 Finance and 7 Human Services
- 393-16 Ms. Vickman and Mrs. Labuhn  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS COMMUNITY ACTION, INC. FOR WIC NUTRITIONIST AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Health Department)  
***Additional sponsor: Ms. Hastings***  
Approved by 7 Finance and 7 Human Services
- 394-16 Ms. Vickman and Mrs. Labuhn  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH STRATEGY SOLUTIONS, INC. FOR HEALTH DEPARTMENT COMMUNITY HEALTH NEEDS ASSESSMENT AND IMPROVEMENTS PLAN AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS (Health Department)  
Approved by 7 Finance and 7 Human Services
- 395-16 Ms. Vickman and Mrs. Labuhn  
APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND OLEAN GENERAL HOSPITAL FOR OPERATION OF A 24-HOUR TELEPHONE CRISIS HOTLINE  
***Additional sponsor: Mr. Padlo***  
Approved by 7 Finance and 7 Human Services
- 396-16 Ms. Vickman and Mrs. Labuhn  
APPROVING AMENDED CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND CATHOLIC CHARITIES OF BUFFALO NEW YORK FOR CASE MANAGEMENT SERVICES FOR CHILDREN AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Department of Community Services)  
Approved by 7 Finance and 7 Human Services
- 397-16 Ms. Vickman and Mrs. Labuhn  
APPROVING AMENDED CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND HOUSING OPTIONS MADE EASY, INC. FOR VARIOUS SERVICES, SERVING AS THE LEAD AGENCY FOR RECOVERY CENTER SERVICES AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Department of Community Services)  
Approved by 7 Finance and 7 Human Services

- 398-16 Mr. Snyder, Sr.  
UPDATING COUNTY PURCHASING CARD POLICY  
Approved by 7 Finance
- 400-16 Mr. Helmich, Mr. Neal, Ms. Vickman, Ms. Hastings and Mrs. Labuhn  
AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 8-2016  
Approved by 6 Finance and 6 Human Services

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH  
NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES FOR  
INDIGENT LEGAL SERVICES FUNDING AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(January 1, 2015 – December 31, 2017 Grant - Round 5)**

Pursuant to Article 30 of the Executive Law, Article 18-B  
and Sections 363, 366 and 450 of the County Law.

I. WHEREAS, the New York State Office of Indigent Legal Services has announced that it is accepting proposals for a three-year distribution of funds from the Indigent Legal Services Fund (ILSF) for the period January 1, 2015 through December 31, 2017, and

II. WHEREAS, a three-year plan must be submitted to the Office of Indigent Legal Services which demonstrates that the funding provided will be utilized to improve the quality of legal representation under Article 18-B of the County Law, and

III. WHEREAS, Cattaraugus County has been notified that it shall receive an amount of \$161,466.00 per year for three (3) years, for a total three-year grant in the amount of \$484,398.00 for the period January 1, 2015 through December 31, 2017, and

IV. WHEREAS, the application for the aforementioned funding shall reflect the following proposed uses as have been agreed upon by the Public Defender, the Administrator of Assigned Counsel and Legal Assistance of Western New York, with the approval of the Executive Officer of Cattaraugus County:

<u>Description</u>	<u>3 Year Total</u>
3/4 time Family Court Paralegal Position at LawNY (Southern Tier Legal Services), Office Space and Office Equipment for Position	\$ 82,329.00
Full-time Social Worker/Mitigation Specialist Position at Public Defender's Office, Office Equipment, Office Expenses, Training and Continuing Education	\$266,294.00
Pay Parity for Public Defender (based on 20% in 1 <sup>st</sup> year, 5% in 2 <sup>nd</sup> year and 5% in 3 <sup>rd</sup> year)	\$ 94,310.00
Training/Evaluation Contract with Erie County Bar Association Aid to Indigent Prisoners Society, Inc. for Assigned Counsel Program	\$ 22,500.00
Equipment Purchases and Updates for Public Defender Offices	\$ 7,965.00
Equipment Purchases for LawNY (photocopier/printer)	\$ 11,000.00

and

V. WHEREAS, it is in the best interests of Cattaraugus County to submit the aforementioned three-year proposal and apply for the ILSF funding at no cost to the County, and

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

I. RESOLVED, that the Public Defender's Office, with the agreement of the Administrator of Assigned Counsel and Legal Assistance of Western New York, and subject to the advice and consent of the Executive Officer of Cattaraugus County, be, and hereby is, authorized and directed to submit to the NYS Office of Indigent Legal Services a three-year proposal for its proposed use of the aforementioned funds within the parameters set forth herein, and be it further

II. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents and a contract, on behalf of Cattaraugus County, with the New York State Office of Indigent Legal Services, in order to apply, accept and receive the aforementioned Round 5 grant funds, and commit Cattaraugus County to their use as prescribed by such office, for a term commencing January 1, 2015 through December 31, 2017, according to the above-described terms, and be it further

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

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

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

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

Increase Estimated Revenue Account:

A.117.1170.1181.3025	State Aid, ILS Fund	\$161,466.00
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Increase Appropriation Accounts:

A.117.1170.1181.11000	Full-Time Wages	\$ 74,246.00
A.117.1170.1181.20006	Computer Equipment/Software	\$ 2,900.00
A.117.1170.1181.40401.1	Assigned Counsel Legal Aid of WNY, Inc.	\$ 38,477.00
A.117.1170.1181.40401.3	Erie Co. Bar Association Assigned Counsel Plan	\$ 7,500.00
A.117.1170.1181.41404	Internet Contracts	\$ 600.00
A.117.1170.1181.46106	Training	\$ 2,500.00
A.117.1170.1181.46108	Cellular Phone Charges	\$ 600.00
A.117.1170.1181.47002	Office Supplies	\$ 3,291.00
A.117.1170.1181.81000	FICA	\$ 5,680.00

A.117.1170.1181.82000	Retirement	\$ 8,211.00
A.117.1170.1181.83000	Health Insurance	\$ 17,320.00
A.117.1170.1181.84000	Dental Insurance	\$ 141.00.

Resolution Referred to:

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

**ACT NO. 376-2016**

by County Operations/Public Safety Committee:  
Mr. Neal, Mr. Padlo, Mr. Boberg, Mr. Klancer,  
Mr. Snyder, Jr., Mr. VanRensselaer and Mr. Koch  
and Mrs. Stockman

**LOCAL LAW NUMBER 7 - 2016  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law and  
Sections 201 and 205 of the County Law.

**A LOCAL LAW ESTABLISHING SALARY FOR PUBLIC DEFENDER**

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 establish a salary for the Public Defender.

SECTION 2. Salary. Effective January 1, 2016, the Public Defender shall receive a bi-weekly salary as follows:

2016	\$4,495.67
2017	\$4,720.45
2018	\$4,956.47.

SECTION 4. Supercession. All local laws and resolutions of the Cattaraugus County Legislature, including without limitation Local Law Number 3-2014 and Act No. 205-2014, to the extent that the same are inconsistent with this local law, are hereby superceded.

SECTION 5. Effective Date. This Local Law is subject to permissive referendum in accordance with Section 24 of the Municipal Home Rule Law.

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



**ACT NO. 377-2016**

by County Operations/Public Safety Committee:  
Mr. Neal, Mr. Padlo, Mr. Boberg, Mr. Klancer,  
Mr. Snyder, Jr., Mr. VanRensselaer and Mr. Koch  
and Mrs. Stockman

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 7 - 2016**

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 August 10, 2016, a proposed Local Law entitled, "A Local Law Establishing Salary for Public Defender", 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 (5) 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 ~~24<sup>th</sup> day of August~~ **14<sup>th</sup> day of September**, 2016, at 4:01 p.m. at the Legislature's Chambers, County Center, 303 Court Street, Little Valley, New York, and that at least five (5) 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"/>
DPW	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
Labor Relations	<input type="checkbox"/>	Strategic Planning	<input type="checkbox"/>
Co. Operations/Public Safety	<input type="checkbox"/>		<input type="checkbox"/>