

June 10, 2009

The meeting was called to order by Chairman Crystal J. Abers.

The invocation was given by Rev. Piatt.

The Attendance Roll Call disclosed two Legislators absent - Mr. McLarney and Mr. Ward.

MR. SNYDER moved, seconded by Mr. Giardini that the minutes of the May 27, 2009 session be approved. Carried.

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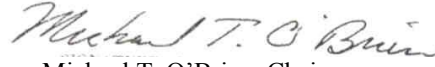
COMMUNICATIONS:

Michael T. O'Brien, Chairman, Finance Committee: Report on Apportionment of Mortgage Taxes, October 1, 2008 through March 31, 2009. (See Apportionment of Mortgage Tax Report on page 324).

To: The Chairman and Legislature of Cattaraugus County:

I, the Chairman of the Finance Committee, which committee has charge of Apportionment of Mortgage Taxes, respectfully report that the amount to be apportioned for the six-month period from October 1, 2008 through March 31, 2009 is \$315,321.36 and recommend that the amounts opposite the names of the cities/towns be paid to the fiscal officers of that city/town, and amounts in the column headed villages, be paid to the treasurers of the respective villages.

Respectfully Submitted,



Michael T. O'Brien, Chairman
Finance Committee

APPORTIONMENT OF MORTGAGE TAXES

	ROW 1 City/Town Assessed Valuation	ROW 2 Double City/Town Valuation	ROW 3 Village Assessed Valuation	ROW 4 Village Percentage Share	ROW 5 Total Amount Mortgage Tax Distributed	ROW 6 Village Share	ROW 7 City/ Town Share
ALLEGANY	312,338,139	624,676,278	68,732,636	0.11002921	33,055.30	3,637.05	29,418.25
ASHFORD	76,381,841	152,763,682		0.00000000	14,492.62	0.00	14,492.62
CARROLLTON	65,426,500	130,853,000	9,138,819	0.06984035	2,089.71	145.95	1,943.76
COLD SPRING	47,038,800	94,077,600		0.00000000	2,380.26	0.00	2,380.26
CONEWANGO	32,637,392	65,274,784	3,397,766	0.05205327	3,968.41	206.57	3,761.84
DAYTON	48,201,062	96,402,124	12,482,180	0.12948034	4,441.84	575.13	3,866.71
EAST OTTO	45,680,684	91,361,368		0.00000000	4,834.32	0.00	4,834.32
ELLCOTTVILLE	553,233,052	1,106,466,104	119,031,141	0.10757776	61,442.31	6,609.83	54,832.48
FARMERSVILLE	52,475,976	104,951,952		0.00000000	4,311.32	0.00	4,311.32
FRANKLINVILLE	86,358,814	172,717,628	33,914,732	0.19635941	6,908.53	1,356.55	5,551.98
FREEDOM	5,118,377	10,236,754		0.00000000	6,284.34	0.00	6,284.34
GREAT VALLEY	3,220,082	6,440,164		0.00000000	16,323.33	0.00	16,323.33
HINSDALE	69,306,937	138,613,874		0.00000000	4,896.12	0.00	4,896.12
HUMPHREY	23,114,999	46,229,998		0.00000000	2,565.81	0.00	2,565.81
ISCHUA	3,540,221	7,080,442		0.00000000	2,010.38	0.00	2,010.38
LEON	26,436,151	52,872,302		0.00000000	3,200.70	0.00	3,200.70
LITTLE VALLEY	47,446,679	94,893,358	20,497,197	0.21600244	7,984.34	1,724.64	6,259.70
LYNDON	27,469,053	54,938,106		0.00000000	3,590.00	0.00	3,590.00
MACHIAS	85,651,618	171,303,236		0.00000000	5,222.65	0.00	5,222.65
MANSFIELD	98,495,678	196,991,356		0.00000000	7,542.04	0.00	7,542.04
NAPOLI	32,070,031	64,140,062		0.00000000	1,756.07	0.00	1,756.07
NEW ALBION	55,404,094	110,808,188	21,067,776	0.19012833	4,101.78	779.86	3,321.92
OLEAN, TOWN	82,337,407	164,674,814		0.00000000	7,490.84	0.00	7,490.84
OLEAN, CITY	38,755,600	77,511,200		0.00000000	42,377.48	0.00	42,377.48
OTTO	30,536,709	61,073,418		0.00000000	1,973.48	0.00	1,973.48
PERRYSBURG	55,837,687	111,675,374	7,970,318	0.07137042	4,319.62	308.29	4,011.33
PERSIA	59,044,980	118,089,960	41,903,367	0.35484276	8,633.24	3,063.44	5,569.80
PORTVILLE	137,749,690	275,499,380	29,222,716	0.10607180	11,518.06	1,221.74	10,296.32
E. RANDOLPH	0	0	7,595,884	0.04732307		368.09	0.00
RANDOLPH	80,255,606	160,511,212	36,577,781	0.22788303	7,778.17	1,772.51	5,637.57
RED HOUSE	88,107,791	176,215,582		0.00000000	273.03	0.00	273.03
SALAMANCA, TOWN	27,675,052	55,350,104		0.00000000	1,983.63	0.00	1,983.63
SALAMANCA, CITY	19,394,160	38,788,320		0.00000000	6,735.85	0.00	6,735.85
SOUTH VALLEY	29,479,418	58,958,836		0.00000000	1,567.16	0.00	1,567.16
YORKSHIRE	<u>30,225,809</u>	<u>60,451,618</u>	<u>6,374,253</u>	<u>0.10544388</u>	<u>17,268.62</u>	<u>1,820.87</u>	<u>15,447.75</u>
TOTALS	2,476,446,089		417,906,566		315,321.36	23,590.53	291,730.83

ACT NO. 289-2009 by Mr. Giardini
and Mr. Ellis

**BID ACCEPTANCE FOR MINIMUM OF THREE
50-CUBIC YARD OPEN TOP CONTAINERS**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the purchase of a minimum of three (3) new and unused 50-cubic yard open top containers, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications for the purchase of a minimum of three (3) Valley Enterprises/RO50HD 50-cubic yard open top containers, was the bid of United Services Group, Inc., 46 Sager Drive, Rochester, New York 14607, for an amount of \$34,075 for five (5) units, and

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned equipment, now, therefore, be it

RESOLVED, that the bid of United Services Group, Inc., be, and the same hereby is, accepted, for a term commencing upon the signing of the contract documents and terminating 45 days thereafter, and be it further

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.

State Bid.

14 sets of specifications were sent out.

Five submitted bids.

Approved by 8 members of the Finance Committee and 8 members of the Public Works Committee.

Adopted June 10, 2009 by voice vote.

ACT NO. 290-2009 by Mr. Giardini
and Mr. Burrell, Mr. Ellis, Ms. Vickman and Mr. Hebdon

**BID ACCEPTANCE FOR PRECAST CONCRETE BOX CULVERT
FOR ELLICOTTVILLE CULVERT NO. 54**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for a precast concrete box culvert for Ellicottville Culvert No. 54, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications for the aforementioned precast concrete box culvert, was the bid of Kistner Concrete Products, Inc., P.O. Box 218, 8713 Read Road, East Pembroke, New York 14056, for an amount of \$38,146, and

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned culvert, now, therefore, be it

RESOLVED, that the bid of Kistner Concrete Products, Inc., be, and the same hereby is, accepted, for a term commencing upon the signing of the contract documents and terminating 45 days after shop drawing approval, and be it further

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.

Five sets of specifications were sent out.

Three submitted bids.

Approved by 8 members of the Finance Committee and 8 members of the Public Works Committee.

Adopted June 10, 2009 by voice vote.

ACT NO. 291-2009 by Mr. Giardini
and Mr. Ellis, Mr. Marsh and Mr. Neal

**BID ACCEPTANCE FOR SAND/SALT BUILDING AT
RANDOLPH COUNTY HIGHWAY GARAGE - TRUSS & FABRIC ROOF SYSTEM
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the construction of a sand/salt building located at 10 Borden Street, Randolph, New York, on the existing maintenance garage site, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications for the Truss & Fabric Roof System portion of the project was the bid of C. W. Fink & Associates, Ltd., P.O. Box 667, Avoca, New York 14809, in the amount of \$114,365.00, now, therefore, be it

RESOLVED, that the aforementioned bid be, and the same hereby is, accepted, for a term commencing on the date of the contract signing and terminating November 15, 2009, and be it further

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.

Sixteen sets of specifications were sent out.

Three bids were received.

Approved by 8 members of the Finance Committee and 8 members of the Public Works Committee.

Adopted June 10, 2009 by voice vote.

ACT NO. 292-2009 by Mr. Giardini
and Mr. Ellis, Mr. Marsh and Mr. Neal

**BID ACCEPTANCE FOR SAND/SALT BUILDING AT
RANDOLPH COUNTY HIGHWAY GARAGE - FOUNDATION & GRADING
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the construction of a sand/salt building located at 10 Borden Street, Randolph, New York, on the existing maintenance garage site, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications for the General Contractor - Foundation & Grading portion of the project was the bid of R. W. Construction, Inc., 65 Mid County Drive, Orchard Park, New York 14127, in the amount of \$151,500.00, now, therefore, be it

RESOLVED, that the aforementioned bid be, and the same hereby is, accepted, for a term commencing on the date of the contract signing and terminating August 17, 2009, and be it further

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.
Sixteen sets of specifications were sent.
Eight bids were received.

Approved by 8 members of the Finance Committee and 8 members of the Public Works Committee.

Adopted June 10, 2009 by voice vote.

ACT NO. 293-2009 by Mr. Giardini
and Mr. Ellis
and Mr. Aiello and Mr. Hebdon¹

**BID ACCEPTANCE FOR BRICK REPAIR AND ROOF REPLACEMENT
PROJECTS AT CATTARAUGUS COUNTY JAIL
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for a brick repair project and roof replacement project at the Cattaraugus County Jail, located on Court Street in Little Valley, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications for the General Contractor - Brick Repair & Roof Replacement projects was the bid of Jamestown Roofing, Inc., 119 Clifton Avenue, Jamestown, New York 14701, in the amount of \$56,800.00, now, therefore, be it

RESOLVED, that the aforementioned bid be, and the same hereby is, accepted, for a term commencing on the date of the contract signing and terminating sixty (60) days thereafter, and be it further

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.

Seven sets of specifications were sent out.

Four bids were received.

Approved by 8 members of the Finance Committee and 8 members of the Public Works Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello and Mr. Hebdon".

Adopted June 10, 2009 by voice vote.

ACT NO. 294-2009 by Mr. Giardini
and Mr. Ellis
and Mr. Aiello, Mr. Teachman, Mr. Padlo and Mrs. Witte¹

**BID ACCEPTANCE FOR CAPITAL IMPROVEMENT PROJECTS
AT PINES HEALTHCARE AND REHABILITATION CENTER - OLEAN CAMPUS
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for capital improvement projects at the Pines Healthcare and Rehabilitation Center - Olean Campus, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications for the General Contractor - Roof Replacement on D-Wing portion of the project was the bid of Paramount Roofing, Inc., 323 Fluvanna Avenue, Jamestown, New York 14701, in the amount of \$134,850.00, and

WHEREAS, the lowest bid received meeting specifications for the Mechanical Contractor - Air Conditioning Modification on D-Wing portion of the project was the bid of MJ Mechanical Services, Inc., 2040 Military Road, Tonawanda, New York 14150, in the amount of \$178,900.00, now, therefore, be it

RESOLVED, that the aforementioned bids be, and the same hereby are, accepted, for a term commencing on the date of the contract signing and terminating sixty (60) days thereafter, and be it further

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.

Nine sets of specifications were sent out for the General Contractor - Roof Replacement Project. Five bids were received.

Five sets of specifications were sent out for the Mechanical Contractor - Air Conditioning Modification Project. Four bids were received.

Approved by 8 members of the Finance Committee and 8 members of the Public Works Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Mr. Teachman, Mr. Padlo and Mrs. Witte".

Adopted June 10, 2009 by voice vote.

ACT NO. 295-2009 by Mr. Giardini
and Mr. Ellis, Mr. Marsh and Mr. Neal

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
FOIT-ALBERT ASSOCIATES FOR CONSTRUCTION ADMINISTRATION SERVICES
FOR NAPOLI BRIDGE NO. 8 REHABILITATION PROJECT**

Pursuant to Section 131-b of the Highway Law and
Section 450 of the County Law.

WHEREAS, construction administration services are needed for the Napoli Bridge No. 8 rehabilitation project, located on County Road No. 10, over Rod and Gun Club Pond Outlet, BIN 3-32267-0, in the Town of Napoli, and

WHEREAS, Foit-Albert Associates, 763 Main Street, Buffalo, New York 14203, has agreed to provide construction administration services for the Napoli Bridge No. 8 rehabilitation project for an amount not to exceed \$7,958, and

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Foit-Albert Associates, for the provision of the above-described services, for a term commencing June 11, 2009 and terminating December 31, 2009, according to the above-described terms.

Approved by 8 members of the Finance Committee and 8 members of the Public Works Committee.

Adopted June 10, 2009 by voice vote.

ACT NO. 296-2009 by Mr. Giardini
and Mr. Ellis
and Mr. Aiello¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
SIMPLEXGRINNELL LP FOR LIFE SAFETY SERVICE
AGREEMENT FOR VARIOUS COUNTY BUILDINGS**

Pursuant to Section 215 of the County Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 281-2006 authorized a contract with SimplexGrinnell LP, 6850 Main Street, Suite 3, Williamsville, New York 14221, for the provision of maintenance services for the master clocks and the master clock transmitter, security system test/inspection and fire alarm system test/inspection services located in the Little Valley County Center and Jail Facility, the Olean Office Facility and the DPW Facility, the term of which expires June 30, 2009, and

WHEREAS, the County Department of Public Works is desirous of renewing the aforementioned contract, and

WHEREAS, SimplexGrinnell LP, has agreed to provide Annual Systems Test & Inspections, Smoke Detector Cleaning/Sensitivity Testing, Panel Parts Replacement Coverage, Informal Training, for an amount of \$9,280, as follows:

<u>Site</u>	<u>Amount</u>
Olean Office Building	\$1,250.00
DPW Office Building	\$1,420.00
Security Panel Parts Coverage	\$1,085.00
LV County Center	\$5,525.00

now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with SimplexGrinnell LP, for the provision of the above-described services, for a term commencing July 1, 2009 and terminating June 30, 2010, according to the above-described terms.

Approved by 8 members of the Finance Committee and 8 members of the Public Works Committee.

¹ The following Legislator requested his name be listed as an additional sponsor: "Mr. Aiello".

Adopted June 10, 2009 by voice vote.

ACT NO. 297-2009 by Mr. Giardini
and Mr. Ellis
and Mr. Burrell¹

**BID ACCEPTANCE FOR GPS SURVEYING EQUIPMENT
AND TRANSFER OF FUNDS
(Contingent Fund - County Road Fund)**

Pursuant to Section 103 of the General Municipal Law and Sections 215, 363, 365 and 366 of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the purchase of GPS Surveying Equipment, according to specifications provided by the Public Works Committee, and

WHEREAS, the only bid received for the purchase of new and unused current production GPS surveying equipment was the bid of Admar Supply Co., 1394 Military Road, Buffalo, New York 14217, for an amount of \$68,409.90, and

WHEREAS, a transfer of funds is necessary to cover the costs of the aforementioned equipment, now, therefore, be it

RESOLVED, that the bid of Admar Supply Co., be, and the same hereby is, accepted, for a term commencing upon the signing of the contract documents and terminating 45 days thereafter, and be it further

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

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

Increase Appropriation Account:

A.599.0000	Contingent Fund	\$68,410.00 ²
Increase Estimated Revenue Account:		
D.2810	Transfer from General Fund	\$68,410.00
Increase Appropriation Accounts:		
A.9522.950	Transfer to County Road Fund	\$68,410.00
D.5020.211 ²	GPS Surveying Equipment	\$68,410.00.

No State Bid.
 Three sets of specifications were sent out.
 One submitted a bid.

Approved by 8 members of the Finance Committee and 8 members of the Public Works Committee.

¹ The following Legislator requested his name be listed as an additional sponsor: "Mr. Burrell".

² MR. GIARDINI moved, seconded by Mr. Ellis to amend Act No. 297-2009 as follows: In the Third Resolved, delete: "Decrease Appropriation Account: A.1990.445 Contingent Fund \$68,410.00", and replace with: "Increase Appropriation Account: A.599.0000 Contingent Fund \$68,410.00"; delete: "A.5020.211" and replace with: "D.5020.211". Carried.

Adopted, as amended, June 10, 2009 by voice vote.

ACT NO. 298-2009 by Public Works Committee:
 Mr. Giardini, Mr. Ellis, Mr. Burrell, Mr. Marsh, Mr. O'Brien,
 Mr. Teachman, Mr. Boser, Mr. Hebdon and Mr. McClune
 and Mr. Aiello¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
 WITH WENDEL DUCHSCHERER ARCHITECTS & ENGINEERS, P.C.
 FOR JAIL ELEVATOR REPAIR PROJECT ENGINEERING SERVICES**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, upon inspection of the Little Valley jail elevators, violations were identified, and

WHEREAS, due to the interpretation of applicable codes, impacts to the existing systems and the need for additional expertise, outside professional engineering services are needed for the jail elevator repair project, and

WHEREAS, the firm of Wendel Duchscherer Architects & Engineers, P.C., 140 John James Audubon Parkway, Suite 201, Amherst, New York 14228, can provide the engineering services necessary to inspect, evaluate and prepare bid documents for the Little Valley Jail elevator repair project for an amount of \$4,100, and

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Wendel Duchscherer Architects & Engineers, P.C., for the provision of the above-described services, for a term commencing June 11,

2009 and terminating December 31, 2009, according to the above-described terms.

Approved by 8 members of the Finance Committee and 6 members of the Public Safety Committee.

¹ The following Legislator requested his name be listed as an additional sponsor: "Mr. Aiello".

Adopted June 10, 2009 by voice vote.

ACT NO. 299-2009 by Mr. Burrell and Mr. Boser

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
RANDOLPH AREA COMMUNITY DEVELOPMENT CORPORATION FOR
COMMUNITY DAY EVENT AT ONOVILLE MARINA AND
RESCINDING ACT 221-2009**

Pursuant to Sections 224 (2), (14) and 450 of the County Law.

WHEREAS, the County is desirous of obtaining assistance with the planning and execution of the August 8, 2009 Community Day events at the Onoville Marina, and

WHEREAS, the Randolph Area Community Development Corporation, 72 Main Street, Randolph, New York 14772, can provide the necessary equipment, materials and services, for the implementation of the Community Day events to be held at the Onoville Marina on August 8, 2009, for an amount of \$15 per hour, not to exceed \$15,000, which includes mileage at the current rate in effect at the times services are rendered, miscellaneous expenses to include postage, photocopies and other office supplies, and the costs associated with the fireworks display and the band, and

WHEREAS, the Randolph Area Community Development Corporation shall arrange for the fireworks display and the band for the Community Day event, and

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

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

RESOLVED, that Act 221-2009 is hereby rescinded.

Approved by 8 members of the Finance Committee and 7 members of the Development and Agriculture Committee.

Adopted June 10, 2009 by voice vote.

ACT NO. 300-2009 by Mr. Giardini

and Mr. Ellis
and Mr. Aiello and Mr. Teachman¹

**AUTHORIZING THE CHAIR TO EXECUTE LICENSE AGREEMENT WITH
ADMINISTRATIVE OFFICE OF THE UNITED STATES BANKRUPTCY COURT
FOR FEDERAL USE OF COUNTY PROPERTY**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 329-2008 authorized a license agreement with the Administrative Office of the United States Bankruptcy Court for the use of the County's court facility located in the Olean Office Building one day each month, the term of which expires September 30, 2009, and

WHEREAS, the United States Bankruptcy Court is desirous of continuing the aforementioned license agreement under the same terms, and

WHEREAS, the County has agreed to allow the United States Bankruptcy Court to utilize the County's court facility located in the Olean Office Building once per month for an amount of \$600 per month, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a license agreement, on behalf of Cattaraugus County, with the Administrative Office of the United States Courts to use the above-described space for a term commencing October 1, 2009, and terminating September 30, 2010, according to the above-described terms.

Approved by 8 members of the Finance Committee, 8 members of the Public Works Committee and 6 members of the Public Safety Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello and Mr. Teachman".

Adopted June 10, 2009 by voice vote.

ACT NO. 301-2009 by Mr. Burrell, Mr. Ellis
and Mr. Boser

**DECLARING MODIFIED SOUTHWEST, FARMERSVILLE-FREEDOM AND
NORTHWEST AGRICULTURAL DISTRICTS TO BE A TYPE I SEQR ACTION**

Pursuant to 6 NYCRR Section 617.11.

WHEREAS, Act 250-2009 authorized a public hearing on requests for inclusion into the Southwest, Farmersville-Freedom and Northwest certified agricultural districts of agricultural parcels submitted during the thirty (30) day inclusion period, and

WHEREAS, the aforementioned modified agricultural districts include the Towns of Franklinville, Dayton and the Villages of Franklinville and Little Valley, and

WHEREAS, the New York State Department of Agriculture and Markets, as lead agency for the agricultural districts program, has conducted a programmatic review of the environmental effects of agricultural districting and has concluded that there is little likelihood of significant adverse environmental impact resulting from the formation or modification of such districts, and

WHEREAS, the modification of the above-described districts is a Type I SEQR Action, which will not have a significant effect on the environment and does not require an Environmental Impact Statement or other determination under 6 NYCRR Section 617.11, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby determines that the modification of the above-listed agricultural districts is a Type I SEQR Action, within the meaning of 6 NYCRR Section 617.11.

Approved by 8 members of the Finance Committee and 7 members of the Development and Agriculture Committee.

Adopted June 10, 2009 by voice vote.

ACT NO. 302-2009 by Mr. Burrell, Mr. Ellis
and Mr. Boser

**ADOPTION OF MODIFIED AGRICULTURAL DISTRICTS IN THE
TOWNS OF FRANKLINVILLE AND DAYTON AND THE VILLAGES OF
FRANKLINVILLE AND LITTLE VALLEY RESULTING FROM REQUESTS FOR
INCLUSION SUBMITTED DURING THE 2009
THIRTY-DAY INCLUSION PERIOD**

Pursuant to Section 303-b of the Agriculture and Markets Law.

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law requires counties with state certified agricultural districts to designate an annual thirty-day period to allow a landowner to submit a request for inclusion of his or her land, which is predominantly viable agricultural land, into a certified agricultural district, and

WHEREAS, the Cattaraugus County Legislature has received the recommendation of the Agricultural and Farmland Protection Board to include those parcels requesting inclusion into the appropriate agricultural district, and

WHEREAS, the inclusion of these parcels would serve the public interest by assisting in maintaining a viable agricultural industry within each applicable district, and

WHEREAS, after due notice, the Cattaraugus County Legislature held a public hearing concerning the modified districts at the Cattaraugus County Legislature's Chambers, 303 Court Street, Little Valley, New York, a place readily accessible to the residents of the proposed modified districts, on Wednesday, May 27, 2009, and

WHEREAS, all interested persons were given an opportunity to be heard, and the further opportunity to submit written statements concerning the modified district, and

WHEREAS, after due consideration, the Cattaraugus County Legislature does hereby determine that the Southwest, Farmersville-Freedom, and Northwest Agricultural Districts be modified to include the following described parcels, now, therefore, be it

RESOLVED, that the Southwest, Farmersville-Freedom, and Northwest Agricultural Districts shall be modified to include the following parcels:

Town of Franklinville

Tax Map No. 40.003-1-16.1	(Farmersville-Freedom Agricultural District #5)
Tax Map No. 49.001-1-19.3	(Farmersville-Freedom Agricultural District #5)
Tax Map No. 40.003-2-2.4	(Farmersville-Freedom Agricultural District #5)

Town of Dayton

Tax Map No. 16.003-2-9.2 (Northwest Agricultural District #1)

Village of Franklinville

Tax Map No. 40.048-1-32.1 (Farmersville-Freedom Agricultural District #5)

Village of Little Valley

Tax Map No. 54.073-1-1.1 (Southwest Agricultural District #3)

Tax Map No. 54.073-1-1.2 (Southwest Agricultural District #3)

and be it further

RESOLVED, that the Director of the Cattaraugus County Department of Economic Development, Planning and Tourism be, and hereby is, authorized and directed to submit these modifications, together with all the papers and records pertaining to the same, to the Commissioner of the New York State Department of Agriculture and Markets for certification and, upon the approval of the inclusions, to file a description thereof with the Cattaraugus County Clerk, and the New York State Commissioner of Agriculture and Markets.

Approved by 8 members of the Finance Committee and 7 members of the Development and Agriculture Committee.

Adopted June 10, 2009 by voice vote.

ACT NO. 303-2009 by Mr. Aiello
and Mr. Burrell and Ms. Vickman¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
FRANKLINVILLE CENTRAL SCHOOL DISTRICT FOR
PRE-SCHOOL HANDICAPPED TRANSPORTATION SERVICES**

Pursuant to 8 NYCRR Part 4410 and
Section 450 of the County Law.

WHEREAS, Act 296-2008 authorized a contract with Franklinville Central School District, North Main Street, Franklinville, New York 14737, for the provision of transportation services for preschool children with handicapping conditions within the Franklinville Central School District to a BOCES pre-school speech class located at Pioneer-Delevan Elementary School, the term of which expires June 30, 2009, and

WHEREAS, Franklinville Central School District has agreed to continue providing the aforementioned services at a rate of \$1.28 per mile per day, plus \$7.25 per hour per bus for an aide, on a case-by-case basis, when deemed necessary with proof of documentation in the child's IEP requiring such aide, and

WHEREAS, these services shall be provided in accordance with the provisions of Section 103 of the General Municipal Law and Section 4410 of the Education Law, and

WHEREAS, these services are 59.5% State and 40.5% County funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Franklinville Central School District for the provision of the above-described pre-school handicapped transportation services, for a term

commencing September 1, 2009 and terminating June 30, 2010, according to the above-described terms, and be it further

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

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Burrell and Ms. Vickman".

Adopted June 10, 2009 by voice vote.

ACT NO. 304-2009 by Human Services Committee:

Mr. Snyder, Mr. Aiello, Mr. Marsh,
Ms. Vickman, Mr. Giardini, Mr. Ward and Mrs. Witte

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
VARIOUS HANDICAPPED EDUCATION PROVIDERS FOR
YOUTH BUREAU CHILDREN WITH SPECIAL NEEDS PROGRAM**

Pursuant to Section 236 of the Family Court Act and
Section 450 of the County Law.

WHEREAS, Act 294-2008 authorized contracts with various handicapped education providers for the provision of educational and evaluation services for various County preschool-aged children with special needs, the terms of which expire June 30, 2009, and

WHEREAS, the Family Court Act mandates that the County provide payment for the educational and evaluation services which are approved by the Court, and

WHEREAS, contracts are necessary with education providers, related-service providers, and evaluators which are accredited by the New York State Education Department, and

WHEREAS, payments to the education providers, related-service providers, and evaluators will be in accordance with the budgetary tuition rate approved by the County and/or the State, and

WHEREAS, these services are 59.5% State funded and 40.5% County funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with various education providers, related-service providers, and evaluators for the provision of the above-described services, for a term commencing July 1, 2009 and terminating June 30, 2010, according to the above-described terms, and be it further

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

Approved by 8 members of the Finance Committee.

Adopted June 10, 2009 by voice vote.

ACT NO. 305-2090 by Human Services Committee:
Mr. Snyder, Mr. Aiello, Mr. Marsh,
Ms. Vickman, Mr. Giardini, Mr. Ward and Mrs. Witte

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
VARIOUS SCHOOL DISTRICTS FOR
PRE-SCHOOL HANDICAPPED TRANSPORTATION SERVICES**

Pursuant to 8 NYCRR Part 4410 and Section 450 of the County Law.

WHEREAS, Act 295-2008 authorized contracts with various school districts for the provision of pre-school handicapped transportation services, the terms of which expire August 31, 2009, and

WHEREAS, transportation services are required for pre-school children with handicapping conditions within the County of Cattaraugus, and

WHEREAS, various school districts in Cattaraugus County have agreed to provide the aforementioned transportation services at the rate of \$3.40 per mile per day, plus \$7.25 per hour per bus for an aide, on a case-by-case basis, when deemed necessary with proof of documentation in the child's IEP requiring such aide, and

WHEREAS, the aforementioned services shall be provided in accordance with the provisions of Section 103 of the General Municipal Law and Section 4410 of the Education Law, and

WHEREAS, this program is 59.5% state funded and 40.5% locally funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with various school districts, for the provision of the above-described transportation services, for a term commencing September 1, 2009 and terminating June 30, 2010, according to the above-described terms.

Approved by 8 members of the Finance Committee.

Adopted June 10, 2009 by voice vote.

ACT NO. 306-2009 by Mr. Aiello and Mr. Snyder
and Mrs. Witte¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT
WITH ALLEGANY COUNTY FOR HEALTH DEPARTMENT
CANCER SERVICES PROGRAM**

Pursuant to Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 429-2008 authorized a contract with the Allegany County Health Department for the provision of medical services, including cancer screening services, by the Cattaraugus County Health Department, the term of which expired March 31, 2009, and

WHEREAS, the parties are desirous of continuing the aforementioned program, and

WHEREAS, the Cattaraugus County Health Department is able to provide the aforementioned medical services, including colposcopy, colposcopy-directed biopsy and pathology, in accordance with the NYS maximum allowable reimbursement rates, for the Allegany County Health Department, and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Allegany County for the provision of the above-described services, for a term commencing April 1, 2009 and terminating March 31, 2010, according to the above-described terms.

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

¹ The following Legislator requested her name be listed as an additional sponsor: "Mrs. Witte".

Adopted June 10, 2009 by voice vote.

ACT NO. 307-2009 by Mr. Aiello and Mr. Snyder
and Mrs. Witte¹

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR PUBLIC HEALTH
PREPAREDNESS AND RESPONSE TO BIOTERRORISM**

Pursuant to Section 301 et seq. of the Public Health Service Act and
Section 450 of the County Law.

WHEREAS, Act 568-2008 authorized a contract with Health Research, Inc., in order to receive funding for the development of a terrorism emergency response and preparedness plan, the term of which expires August 9, 2009, and

WHEREAS, the New York State Department of Health has reduced the grant amount from \$98,955 to an amount of \$84,009 for the August 10, 2008 through August 9, 2009 contract term, and

WHEREAS, the County Health Department has reduced expenses accordingly, and

WHEREAS, an amended contract is necessary with the New York State Department of Health in order to reflect the reduction in the aforementioned funding, now, therefore, be it

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 the New York State Department of Health, for the provision of the above-described services, for a term commencing August 10, 2008 and terminating August 9, 2009, according to the above-described terms, and be it further

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

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

¹ The following Legislator requested her name be listed as an additional sponsor: "Mrs. Witte".

Adopted June 10, 2009 by voice vote.

ACT NO. 308-2009 by Mr. Burrell
and Mr. Ellis, Ms. Vickman and Mr. Boser¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH HARWOOD HAVEN, INC., FOR CAMPGROUND
ELECTRICAL SERVICE**

Pursuant to Section 99-h of the State Finance Law and
Section 450 of the County Law.

WHEREAS, Harwood Haven, Inc., is currently developing a
campground in the Town of Farmersville, and

WHEREAS, the company has invested nearly \$389,000 in development
of the campground site, and

WHEREAS, development of the project commenced in 2003, and

WHEREAS, the campground currently has 8 rental cabins equipped
with cooking stoves, wood burners, or propane heat, and 35 camp sites with
full hook-ups awaiting electricity, and

WHEREAS, the recently constructed lodge includes a camp store,
restrooms, coin-operated laundry, recreation room equipped with video games,
a live bait shop with fishing equipment and a fully equipped kitchen for the
eventual opening of a full service restaurant, and

WHEREAS, the company has further plans to construct an additional
30 rental cabins, 10 of which will be handicapped accessible, 40 full hook-up
camp sites, 3 additional septic systems, a second bath and shower house, a
swimming pool, service fuel pump for snowmobilers, and a separate business on
the property to service interior and exterior cleaning of RVs and boats, and

WHEREAS, the company is in need of \$42,000 which will be paid to
National Grid for installation of electric lines, and

WHEREAS, the County has \$42,000 in its economic development
program, using casino funds for economic development projects in the County,
and

WHEREAS, it is proposed that the County loan to Harwood Haven,
Inc., 8764 Route 98, Franklinville, New York 14737, the sum of \$42,000, with
1/3 of the loan being eligible to be forgiven on July 1, 2010, provided that
the campground is employing at least four people on that date; 1/3 on July 1,
2011, provided that the campground is employing at least seven people on that
date; and 1/3 on July 1, 2012, provided that the campground is employing at
least ten people on the campground site on that date, and

WHEREAS, sufficient funds are included in the economic
development fund from casino proceeds for this project, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is,
authorized and directed to execute a contract, on behalf of Cattaraugus
County, with Harwood Haven, Inc., according to the above-described terms, for
a term commencing June 11, 2009 and terminating July 2, 2012.

Approved by 8 members of the Finance Committee and 6 members of the
Development and Agriculture Committee.

¹ The following Legislators requested their names be listed as
additional sponsors: "Mr. Ellis, Ms. Vickman and Mr. Boser".

Adopted June 10, 2009 by voice vote.

ACT NO. 309-2009 by Human Services Committee:

Mr. Snyder, Mr. Aiello, Mr. Marsh,
Ms. Vickman, Mr. Giardini, Mr. Ward and Mrs. Witte

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH NEW YORK STATE COMMISSION ON NATIONAL & COMMUNITY SERVICE
FOR AMERICAN RECOVERY AND REINVESTMENT ACT
AMERICORPS PROGRAM GRANT**

Pursuant to American Recovery and Reinvestment Act and
Section 450 of the County Law.

WHEREAS, the County Youth Bureau has been awarded American Recovery and Reinvestment Act funding in the amount of \$45,700 for the Southern Tier AmeriCorps Resource Team, and

WHEREAS, a contract is necessary with the New York State Commission on National & Community Service, 52 Washington Street, North Building, Suite 338, Rensselaer, New York 12144, in order to receive the aforementioned funding, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the New York State Commission on National & Community Service, in order to receive the aforementioned funding, for a term commencing June 1, 2009 and terminating September 30, 2010, according to the above-described terms.

Approved by 8 members of the Finance Committee.

Adopted June 10, 2009 by voice vote.

ACT NO. 310-2009 by Mr. Padlo
and Mr. Neal, Mr. Teachman and Ms. Vickman¹

**LOCAL LAW NUMBER 3-2009
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law.

**PROHIBITING THE USE OF WIRELESS HANDSETS TO COMPOSE, READ OR SEND
TEXT MESSAGES WHILE OPERATING A MOTOR VEHICLE 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 prohibit the use of wireless handsets to compose, read, or send text messages while operating a motor vehicle in Cattaraugus County.

SECTION 2. Declaration of Intent. Text messaging while driving is a growing problem on our roads. This activity by its very nature involves the driver taking hands off the wheel and eyes off the road. Text messaging is a clear distraction that leads to accidents and fatalities. Often, it is the younger, less experienced, driver who texts while driving. Until such time as the New York State Legislature passes a similar law, Cattaraugus County needs to address this problem with a local law.

SECTION 3. Definitions. As used in this law, the following terms shall have the meanings indicated:

A) "Hands-free" shall mean the manner in which a wireless handset is operated for the purpose of composing, reading or sending text messages, by using an internal feature or function, or through an attachment or addition. This includes, but is not limited to, an ear piece, headset, remote microphone or short-range wireless connection, thereby allowing the user to operate such device without the use of the hands.

B) "Motor vehicle" shall mean any vehicle that is self-propelled by a motor, including, but not limited to, automobiles, trucks, vans, buses and construction vehicles.

C) "Inoperability" shall mean a motor vehicle that is incapable of being operated, or being operated, in a safe and prudent manner due to mechanical failure, including, but not limited to, engine overheating or tire failure.

D) "Person" shall mean any natural person, corporation, unincorporated association, firm, partnership, joint venture, joint stock association or other entity or business organization of any kind.

E) "Stopped" shall mean not in motion.

F) "Text message", also referred to as short messaging service (SMS), shall mean the process by which users send, read or receive messages on a wireless handset, including, but not limited to, text messages, instant messages, electronic or e-mails, in order to communicate with any person or device.

G) "Use" shall mean to hold a wireless handset in one's hand.

H) "Wireless handset" shall mean a portable electronic or computing device, including cellular telephones and personal digital assistants (PDAs) capable of transmitting data in the form of a text message.

SECTION 4. Prohibition. Effective August 1, 2009, no person shall use a wireless handset to compose, read, or send text messages while operating a motor vehicle on any public street or public highway within Cattaraugus County.

SECTION 5. Exceptions.

A. Notwithstanding Section 4, this law shall not be construed to prohibit the use of any wireless handset by:

- i. Any law enforcement, public safety or police officers, peace officers, emergency services officials, first aid, emergency medical technicians and personnel, and fire safety officials in the performance of duties arising out of, and in the course of, their employment as such;_
- ii. A person using a wireless handset to contact any individual listed in subsection (i); or
- iii. A person using a wireless handset inside a motor vehicle while such motor vehicle is parked, standing or stopped and is removed from the flow of traffic, in accordance with applicable laws, rules or ordinances, or is stopped due to the inoperability of such motor vehicle;
- iv. Any person who holds a valid amateur radio operator's license issued by the FCC and who operates a duly licensed portable mobile transmitter and in connection therewith a receiver or receiving set.

B. Notwithstanding Section 4, this law shall not be construed to prohibit a person operating a motor vehicle from utilizing a hands-free wireless handset.

SECTION 6. Penalties. A violation of Section 4 of this local law shall constitute an offense and be punishable by a fine not to exceed \$150 for each single violation. Each such violation shall constitute a separate and distinct offense.

This local law shall be enforced by the Cattaraugus County Sheriff's Office and may be enforced by any other law enforcement agency having jurisdiction.

SECTION 7. Effect of Other Laws. This local law shall be null and void on the day that New York statewide legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this local law, or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by Cattaraugus County. The County Legislature may determine via resolution whether identical or substantially similar statewide legislation or preempting regulations have been enacted for the purposes of triggering the provision of this section.

SECTION 8. 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 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 9. Supercession. All local laws and resolutions of the Cattaraugus County Legislature, to the extent that the same are inconsistent with this local law, are hereby superceded.

SECTION 10. Effective Date. This Local Law shall take effect immediately.

Approved by 6 members of the Finance Committee and 5 members of the Public Safety Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Neal, Mr. Teachman and Ms. Vickman".

MR. VECCHIARELLA moved, seconded by Mr. Burrell to postpone action on Act No. 310-2009 until June 24, 2009. Carried.

ACT NO. 311-2009 by Mr. Padlo

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 3-2009

Pursuant to Section 10 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on June 10, 2009, a proposed Local Law entitled, "Prohibiting the Use of Wireless Handsets to Compose, Read or Send Text Messages While Operating a Motor Vehicle in Cattaraugus County", and

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

RESOLVED, that a public hearing shall be held on the proposed Local Law by this County Legislature on the 24th day of June, 2009, at 3:01 p.m. at the Legislature's Chambers, Cattaraugus County Center, 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.

Approved by 8 members of the Finance Committee and 5 members of the Public Safety Committee.

Adopted June 10, 2009 by voice vote.

ACT NO. 312-2009 by Mr. McClune
and Mr. Neal, Mr. Snyder and Mr. Padlo

LOCAL LAW NUMBER 4 - 2009
COUNTY OF CATTARAUGUS, NEW YORK

Pursuant to Section 467(1) (b) of the Real Property Tax Law.

**A LOCAL LAW GRANTING PARTIAL EXEMPTION ON REAL PROPERTY
TAXATION TO CERTAIN SENIOR CITIZENS AND REPEALING
LOCAL LAW NUMBER 2-2007 (Intro Number 1-2007)**

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

SECTION 1. Legislative Intent. It is the intent of this legislation to continue to provide a real property tax exemption to certain senior citizens in accordance with Section 467 of the Real Property Tax Law and to distribute the exemption in a more equitable manner.

SECTION 2. Senior Citizen Real Property Tax Exemption. Effective January 1, 2010, Cattaraugus County shall grant a real property tax exemption to certain individuals sixty-five (65) years of age or over, in accordance with Section 467(1) (b) of the Real Property Tax Law.

SECTION 3. Maximum Income Eligibility Level. Effective January 1, 2010, the maximum income eligibility level as described in Section 467 of the Real Property Tax Law is hereby established as follows:

\$18,500 or less	=	50% of assessed value exempt
\$18,501 but less than \$19,500	=	45% of assessed value exempt
\$19,500 but less than \$20,500	=	40% of assessed value exempt
\$20,500 but less than \$21,500	=	35% of assessed value exempt
\$21,500 but less than \$22,400	=	30% of assessed value exempt
\$22,400 but less than \$23,300	=	25% of assessed value exempt
\$23,300 but less than \$24,200	=	20% of assessed value exempt.

SECTION 4. Real Property Tax Law. All other provisions of Section 467 of the Real Property Tax Law of the State of New York shall be in effect for the purposes of County real property taxation in Cattaraugus County.

SECTION 5. Repeal of Local Law Number 2-2007 (Intro No. 1-2007). Local Law Number 2-2007 (Intro Number 1-2007) entitled "A Local Law Granting Partial Exemption on Real Property Taxation to Certain Persons", as amended, is hereby repealed, effective January 1, 2010.

SECTION 6. 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 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 7. Effective Date. This Local Law shall take effect immediately.

Approved by 5 members of the Finance Committee, 5 members of the Senior Services Committee and 5 members of the County Operations Committee.

MR. McCLUNE moved, seconded by Mr. Ellis to postpone action on Act No. 312-2009 until June 24, 2009. Carried.

ACT NO. 313-2009 by Mr. McClune
and Mr. Neal, Mr. Snyder and Mr. Padlo

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 4-2009

Pursuant to Section 10 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on June 10, 2009, a proposed Local Law entitled, "A Local Law Granting Partial Exemption on Real Property Taxation to Certain Senior Citizens and Repealing Local Law Number 2-2007 (Intro Number 1-2007)", and

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

RESOLVED, that a public hearing shall be held on the proposed Local Law by this County Legislature on the 24th day of June, 2009, at 3:02 p.m. at the Legislature's Chambers, Cattaraugus County Center, 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.

Approved by 5 members of the Finance Committee, 5 members of the Senior Services Committee and 5 members of the County Operations Committee.

Adopted June 10, 2009 by voice vote.

ACT NO. 314-2009 by Mr. Marsh and Mr. Padlo

LOCAL LAW NUMBER 5 - 2009
COUNTY OF CATTARAUGUS, NEW YORK

Pursuant to Section 467 of the Real Property Tax Law.

**A LOCAL LAW GRANTING PARTIAL EXEMPTION ON REAL PROPERTY
TAXATION TO CERTAIN SENIOR CITIZENS AND REPEALING
LOCAL LAW NUMBER 2-2007 (Intro Number 1-2007)**

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

SECTION 1. Legislative Intent. It is the intent of this legislation to continue to provide a real property tax exemption to certain senior citizens in accordance with Section 467 of the Real Property Tax Law and to increase the value of such exemption. The exemption value has not been increased since 2008.

SECTION 2. Senior Citizen Real Property Tax Exemption. Effective January 1, 2010, Cattaraugus County shall grant a real property tax exemption to certain individuals sixty-five (65) years of age or over, in accordance with Section 467(1) (a) of the Real Property Tax Law.

SECTION 3. Maximum Income Eligibility Level. Effective January 1, 2010, the maximum income eligibility level as described in Section 467 of the Real Property Tax Law is hereby established at \$19,500.

SECTION 4. Real Property Tax Law. All other provisions of Section 467 of the Real Property Tax Law of the State of New York shall be in effect for the purposes of County real property taxation in Cattaraugus County.

SECTION 5. Repeal of Local Law Number 2-2007 (Intro No. 1-2007). Local Law Number 2-2007 (Intro Number 1-2007) entitled "A Local Law Granting Partial Exemption on Real Property Taxation to Certain Persons", as amended, is hereby repealed, effective January 1, 2010.

SECTION 6. 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 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 7. Effective Date. This Local Law shall take effect immediately.

Referred to the Finance Committee, the Senior Services Committee and the County Operations Committee.

ACT NO. 315-2009 by Mr. Neal, Mr. Snyder, Mr. McClune and Mr. Padlo

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 5-2009

Pursuant to Section 10 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on June 10, 2009, a proposed Local Law entitled, "A Local Law Granting Partial Exemption on Real Property Taxation to Certain Senior Citizens and Repealing Local Law Number 2-2007 (Intro Number 1-2007)", and

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

RESOLVED, that a public hearing shall be held on the proposed Local Law by this County Legislature on the 24th day of June, 2009, at 3:03 p.m. at the Legislature's Chambers, Cattaraugus County Center, 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.

Referred to the Finance Committee, the Senior Services Committee and the County Operations Committee.

ACT NO. 316-2009 by Mr. Neal
and Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. Murphy,
Mr. Vecchiarella, Mr. Giardini, Mr. Hebdon, Mr. Sprague and Mrs. Witte¹

**OPPOSING VARIOUS SENATE BILLS
REGARDING REGULATION AND CONTROL OF GUNS**

Pursuant to Section 153 of the County Law.

WHEREAS, the following bills have been introduced and are now pending in the New York State Senate:

- S.1598-A Requires the re-licensing of firearm licenses after five years (A.0801);
- S.1715 Requires the creation and imposition of restrictive commercial practices and stringent recordkeeping and reporting (A.1093);
- S.5228 Prohibits the sale of pistols or revolvers by any person, firm or corporation in the retail business of selling guns which does not contain child proofing features built into the design of the gun (A.1326);
- S.4752 Bans the sale, use or possession of 50-caliber or larger weapons (A.3211);
- S.4397 Requires semiautomatic pistols manufactured or delivered to any licensed dealer to be capable of microstamping ammunition (A.6468);
- S.5489 Broadens provisions relating to eligibility for a firearms license (A.3076);

and

WHEREAS, all of the above-listed legislation have been passed by the New York State Assembly, and

WHEREAS, there are several other bills that have been introduced and are currently pending in both the NYS Assembly and the NYS Senate regarding various areas of gun control, and

WHEREAS, gun control laws have no deterrent effect on violent criminals who acquire their weapons from the black market or simply steal them, and

WHEREAS, gun control laws interfere with the ability of law-abiding citizens to protect themselves and who are required to follow the legal process to purchase them, and

WHEREAS, the laws which are currently in place should be enforced and focus should be placed more on the criminal element, and

WHEREAS, government should not have the ability to take away the rights of U.S. citizens to protect themselves and their families when those citizens are following the laws and legally obtaining guns for home protection, sport or personal collections, and

WHEREAS, if enacted, these bills would have a serious effect on the right to bear arms granted by the United States Constitution, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby opposes the passage of the above-listed Senate Bills, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Governor Paterson, New York State Senate Majority Leader Smith, State Senator Young, New York State Assembly Member Giglio, the New York State Association of Counties and the Western New York Inter-County Association.

Approved by 8 members of the Finance Committee and 6 members of the Public Works Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. Murphy, Mr. Vecchiarella, Mr. Giardini, Mr. Hebdon, Mr. Sprague and Mrs. Witte".

Adopted June 10, 2009 by voice vote.

ACT NO. 317-2009 by Mr. Padlo
and Mr. Burrell, Ms. Vickman and Mrs. Witte¹

**SUPPORTING NEW YORK STATE LEGISLATION TO MODIFY
RETIREMENT SYSTEM STATUS OF JAMES FREITAG AND
TRANSFER OF FUNDS
(Contingent Fund - County General Accounts)**

Pursuant to Section 803(b) of the Retirement and Social Security Law and Sections 153, 363 and 365 of the County Law.

WHEREAS, James Freitag was a Cattaraugus County employee with the County Manpower Program, which administered the CETA Programs in the 1970s, and

WHEREAS, he was employed as a provisional counselor from June 5, 1975 until September 12, 1976, and

WHEREAS, Mr. Freitag has stated that he served in the military from September 11, 1976 to June 11, 1978, and

WHEREAS, Act 248-1976, which brought enumerated positions into the Classified Civil Service, was adopted by the County Legislature on October 13, 1976, and

WHEREAS, Mr. Freitag had been employed in one of the positions referred to in Act 248-1976, and

WHEREAS, in anticipation of the adoption of Act 248-1976, on or about October 8, 1976, employees were advised that they could fill out membership registrations for eligibility into the New York State Retirement System, and

WHEREAS, the Retirement System registrations were processed on October 18, 1976, and

WHEREAS, Mr. Freitag was on military leave when the opportunity was given to the Manpower Program employees to join the New York State Retirement System, and

WHEREAS, after Mr. Freitag completed his military service, he joined the Retirement System on August 9, 1978, and

WHEREAS, the 1978 entry date placed him in a Tier III status, and
 WHEREAS, if Mr. Freitag had joined the Retirement System attributable to the start date of June 5, 1975, as a provisional counselor, then he would have been in a Tier II status in the New York State Teacher's Retirement System, and

WHEREAS, Mr. Freitag has stated that if he had been working, rather than in the military in October 1976, he would have joined the New York State Retirement System, and

WHEREAS, the relief sought is appropriate because Mr. Freitag did not (i) expressly decline membership in a form filed with the County; (ii) participate in a procedure explaining the option to join the system in which a form, booklet or other written material is read from, explained or distributed, and there is no record of such form, booklet or written material which can be produced by the County, nor is there any documentation or a notation to the affect that Mr. Freitag so participated; or (iii) participate in a procedure that a reasonable person would recognize as an explanation or request requiring a formal decision by him or her to join the public retirement system, and

WHEREAS, it has been proposed that special state legislation be enacted to authorize the change in Mr. Freitag's retirement system status from Tier III to Tier II, and that the County absorb all of the past service costs of implementing the proposed legislation, and

WHEREAS, the estimated cost is \$62,000², and

WHEREAS, no funds were budgeted for this purpose, now, therefore,
 be it

RESOLVED, that the County Legislature hereby supports the change in the New York State Teacher's Retirement System status of Mr. Freitag from Tier III to Tier II for the above-described reasons, and be it further

RESOLVED, that the Chair of the Legislature is hereby authorized to sign such affidavits, as may be appropriate incorporating the rationale in this resolution, and be it

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

Decease Appropriation Account:

A.1990.445	Contingent Fund	\$62,000.00 ²
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Increase Appropriation Account:

A.9010.828	Retirement	\$62,000.00 ² .
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Approved by 6 members of the Finance Committee, 5 members of the Human Services Committee and 4 members of the Labor Relations Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Burrell, Ms. Vickman and Mrs. Witte".

² MR. PADLO moved, seconded by Mrs. Witte to amend Act No. 317-2009 as follows: In the fifteenth Whereas and in the third Resolved, delete: "\$57,000" throughout and replace with: "\$62,000". Carried.

CHAIRMAN ABERS requested a Roll Call Vote to adopt Act No. 317-2009 which disclosed as follows:

Ayes: Aiello 0.8772, Boser 1.0094, Burrell 1.0915, Ellis 1.0875, Giardini 1.0094, Hebdon 1.0915, Marsh 1.0843, McClune 0.8834, Murphy 1.0875, Neal 1.0843, Padlo 0.8772, Snyder 0.8772, Sprague 1.0530, Teachman 0.8772, Vecchiarella 0.8834, Vickman 1.0915, Witte 0.8772, Abers 1.0265 - 17.8692.

Nays: none.

Act No. 317-2009, having received the two-thirds majority vote of the Legislature, was declared Adopted, as amended.

ACT NO. 318-2009 by Mr. Aiello, Mr. Snyder and Mr. Padlo
and Mrs. Abers, Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. McLarney,
Mr. Murphy, Mr. Neal, Mr. O'Brien, Mr. Teachman,
Mr. Vecchiarella, Ms. Vickman, Mr. Boser, Mr. Giardini,
Mr. Hebdon, Mr. McClune, Mr. Sprague, Mr. Ward and Mrs. Witte¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SOUTHERN TIER HEALTH CARE SYSTEM, INC. FOR
CAPITAL FUNDING OF CHILD ADVOCACY CENTER AND
TRANSFER OF FUNDS
(Contingent Fund - Southern Tier Health Care System)**

Pursuant to Sections 224(4), 363, 365 and 450 of the County Law.

WHEREAS, Southern Tier Health Care System, Inc.'s mission is to improve the health and wellness of the rural communities in Allegany, Cattaraugus and Chautauqua counties, and

WHEREAS, the Southern Tier Health Care System, Inc., One Blue Bird Square, Olean, New York 14760, established a child advocacy center in 2007 at the Olean General Hospital, and

WHEREAS, the center serves child victims of sexual and physical abuse from Allegany and Cattaraugus counties, and

WHEREAS, the child advocacy center uses collaboration and an multi-disciplinary team approach in prevention, investigation, assessment, protection, referral for prosecution and treatment of child sexual and serious physical abuse for children in Allegany and Cattaraugus counties, and

WHEREAS, the center is in need of a permanent location, and

WHEREAS, New York State had initially proposed providing \$100,000 in funding for the purchase of a permanent facility for the center, and

WHEREAS, it is uncertain whether the New York State budget still contains funding for the facility purchase, and

WHEREAS, the County should provide \$100,000 toward the purchase of the permanent facility for the child advocacy center, and

WHEREAS, if the Southern Tier Health Care System receives grant funds from the state for all, or a portion, of the purchase price, then the Southern Tier Health Care System shall pay to the County an equivalent amount of the state grant, and³

WHEREAS, if the property being acquired with this County grant is sold within five (5) years of the date the grant contract is executed, then the amount of the grant shall be repaid to the County, and⁴

WHEREAS, Southern Tier Health Care System, Inc. understands that the \$100,000 can only be used for the purchase of the child advocacy center property, and

WHEREAS, funds must be transferred to accommodate this site acquisition, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Southern Tier Health Care System, Inc., for the above-described facility acquisition according to the above-described terms, and be it further

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

Decrease Appropriation Account:

A.6102.445 *Medical Assistance, Local Share*² \$100,000.00

Increase Appropriation Account:

A.4990.445 *Child Advocacy Center* \$100,000.00.

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mrs. Abers, Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. McLarney, Mr. Murphy, Mr. Neal, Mr. O'Brien, Mr. Teachman, Mr. Vecchiarella, Ms. Vickman, Mr. Boser, Mr. Giardini, Mr. Hebdon, Mr. McClune, Mr. Sprague, Mr. Ward and Mrs. Witte".

² MR. SNYDER moved, seconded by Mr. Aiello to amend Act No. 318-2009 as follows: In the second Resolved, delete: "Decrease Appropriation Account: A.1990.445 Contingent Fund \$100,000.00" and replace with: "Decrease Appropriation Account: A.6102.445 Medical Assistance, Local Share \$100,000.00". Carried.

³ MR. SNYDER moved, seconded by Mrs. Witte to amend Act No. 318-2009 as follows: Delete the ninth, tenth and eleventh Whereas, which reads: "WHEREAS, it is proposed that the County loan to Southern Tier Health Care System, Inc. the sum of \$100,000, due to the uncertainty as to whether there is funding available in the state budget for the purchase of the facility, and

WHEREAS, if Southern Tier Health Care System, Inc. receives state funding for the child advocacy center, then the Southern Tier Health Care System, Inc. shall, within thirty days after receipt of the state funding, repay to Cattaraugus County an amount equivalent to the amount of the state grant, and

WHEREAS, any remaining amount of the \$100,000 shall be converted to a grant to Southern Tier Health Care System, Inc. at that point, and" and replace with a new ninth Whereas as follows: "WHEREAS, if the Southern Tier Health Care System receives grant funds from the state for all, or a portion, of the purchase price, then the Southern Tier Health Care System shall pay to the County an equivalent amount of the state grant, and", and renumber the remaining Whereas paragraphs. Carried.

⁴ MR. SPRAGUE moved, seconded by Mr. Snyder to amend Act No. 318-2009 as follows: Add a new tenth Whereas as follows: "WHEREAS, if the property being acquired with this County grant is sold within five (5) years of the date the grant contract is executed, then the amount of the grant shall be repaid to the County, and", and renumber the remaining Whereas paragraphs. Carried.

Adopted, as amended, June 10, 2009 by voice vote.

ACT NO. 319-2009 by Mr. Aiello
and Mrs. Witte¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH JAMES MCGUINNESS & ASSOCIATES, INC. FOR
TRAINING FOR YOUTH BUREAU
CHILDREN WITH SPECIAL NEEDS SOFTWARE**

Pursuant to Article 19-A of the Executive Law,
Section 4410 of the Education Law and
Section 450 of the County Law.

WHEREAS, Act 694-2008 authorized a contract with James McGuinness & Associates, Inc., 263 State Street, Schenectady, New York 12305, for the provision of a software program with maintenance support for the Children with Special Needs Program, the term of which expires December 31, 2009, and

WHEREAS, the County Youth Bureau is desirous of obtaining training for the aforementioned software, and

WHEREAS, James McGuinness & Associates, Inc., 263 State Street, Schenectady, New York 12305, has agreed to provide training for an amount of \$1,650, which includes travel expenses, and

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with James McGuinness & Associates, Inc., for the provision of the above-described training services, for a term commencing May 12, 2009 and terminating May 14, 2009, according to the above-described terms, and be it further

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

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

¹ The following Legislator requested her name be listed as an additional sponsor: "Mrs. Witte".

Adopted June 10, 2009 by voice vote.

ACT NO. 320-2009 by Human Services Committee:
Mr. Snyder, Mr. Aiello, Mr. Marsh, Ms. Vickman,
Mr. Giardini, Mr. Ward and Mrs. Witte

**CREATING ONE (1) POSITION OF CASEWORKER, TO BE FILLED ON A
PART-TIME BASIS, IN DEPARTMENT OF SOCIAL SERVICES AND
ESTABLISHING COMPENSATION FOR SAME**

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

WHEREAS, due to an increase in the caseload at the Single Point of Entry that requires a caseworker to do a holistic assessment of needs of the individuals seeking services, and

WHEREAS, in addition to the above, the Department of Social Services is required to perform the social assessments and reassessments for all individuals requesting personal care and long term home health care services through Medicaid, and

WHEREAS, sufficient federal and state funds are available to cover the additional costs associated with this position, thereby at no increase in cost to the County, and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Civil Service Commission, which has approved the title in accordance with Section 22 of the Civil Service Law, now, therefore, be it

RESOLVED, that effective immediately, there is hereby created one position of Caseworker to be filled on a part-time basis, in the Department of Social Services to be compensated at Grade 23 (\$16.26 per hour) of the Part-time Non-bargaining Unit Salary Schedule, and be it further

RESOLVED, that upon a reduction in federal funding, or any other decrease in funding sufficient enough to cover the cost of this position then the position created herein shall automatically be abolished, and be it further

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

Increase Estimated Revenue Account:

A.3405	Point of Entry Grant	\$13,929.00
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Increase Appropriation Accounts:

A.4989.109	Part-Time Wages	\$11,950.00
A.4989.828	Retirement	\$ 1,064.00
A.4989.833	FICA	\$ 915.00.

Approved by 8 members of the Finance Committee and 4 members of the Labor Relations Committee.

Adopted June 10, 2009 by voice vote.

ACT NO. 321-2009 by Human Services Committee:

Mr. Snyder, Mr. Aiello, Mr. Marsh, Ms. Vickman,
Mr. Giardini, Mr. Ward and Mrs. Witte

**CREATING TWO (2) POSITIONS OF CASEWORKER, TO BE FILLED ON A
PART-TIME BASIS, IN DEPARTMENT OF SOCIAL SERVICES AND
ESTABLISHING COMPENSATION FOR SAME**

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

WHEREAS, due to an increase in funding by the New York State Office of Children and Family Services to provide additional Casework services in the area of Child Protective Services, and

WHEREAS, the Department of Social Services received 1656 reports of alleged child abuse or maltreatment in 2008, an increase of more than 125 over 2007, and

WHEREAS, the increase in the caseload impacts the Department's ability to ensure the safety of children and to meet the State mandated timelines for investigations, and

WHEREAS, these additional State funds are sufficient to cover the additional costs associated with these positions, at no increase in cost to the County, and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Civil Service Commission, which has approved the title in accordance with Section 22 of the Civil Service Law, now, therefore, be it

RESOLVED, that effective immediately, there is hereby created two positions of Caseworker to be filled on a part-time basis, in the Department of Social Services to be compensated at Grade 23 (\$16.26 per hour) of the Part-time Non-bargaining Unit Salary Schedule, and be it further

RESOLVED, that upon a reduction in State funding, or any other decrease in funding sufficient enough to cover the cost of these positions then the positions created herein shall automatically be abolished, and be it further

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

Increase Estimated Revenue Account:		
A.3612	CPS-Special Allocation	\$27,857.00
Increase Appropriation Accounts:		
A.6012.109	Part-Time Wages	\$23,900.00
A.6012.828	Retirement	\$ 2,128.00
A.6012.833	FICA	\$ 1,829.00.

Approved by 8 members of the Finance Committee and 4 members of the Labor Relations Committee.

Adopted June 10, 2009 by voice vote.

ACT NO. 322-2009 by Human Services Committee:
 Mr. Snyder, Mr. Aiello, Mr. Marsh, Ms. Vickman,
 Mr. Giardini, Mr. Ward Mrs. Witte
 and Mr. Ellis

**ABOLISHING ONE (1) POSITION OF ASSISTANT PROGRAM DIRECTOR AND
 CREATING ONE (1) POSITION OF CLINICAL SUPERVISOR IN COMMUNITY SERVICES
 DEPARTMENT AND ESTABLISHING COMPENSATION FOR SAME**

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

WHEREAS, there currently exists a vacancy in the position of Assistant Program Director in the Department Of Community Services, and

WHEREAS, through a redistribution of some of the job functions previously performed by the Assistant Program Director and the new clinic regulations requiring a licensed professional to review and sign off on documentation for mental health diagnosis it is timely and feasible to create a new position of Clinic Supervisor which as a qualification for appointment will require possession of the licensure established by the NYS Department Of Education, and

WHEREAS, there are sufficient funds included within the budget to cover the additional costs associated with this new position, and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Civil Service Commission, which has approved the title in accordance with Section 22 of the Civil Service Law, now, therefore, be it

RESOLVED, that effective immediately, there is hereby abolished one (1) position of Assistant Program Director, in the Department of Community Services, and be it further

RESOLVED, that effective immediately, there is hereby created one (1) position of Clinical Supervisor, in the Department of Community Services, to be to be compensated at Grade 31 (\$27.59 - \$32.82 per hour, 2008 schedule) of the Supervisory Bargaining Unit Salary Schedule.

Approved by 8 members of the Finance Committee and 3 members of the Labor Relations Committee.

Adopted June 10, 2009 by voice vote.

ACT NO. 323-2009 by Senior Services Committee:

Mr. Neal, Mr. McClune, Mr. Ellis,
Mr. Murphy, Ms. Vickman, Mr. Boser and Mrs. Witte

**ABOLISHING ONE (1) POSITION OF PRINCIPAL ADMINISTRATIVE SERVICES CLERK
AND CREATING ONE (1) POSITION OF PAYROLL SPECIALIST (NURSING HOMES) IN
DEPARTMENT OF NURSING HOMES AND ESTABLISHING COMPENSATION FOR SAME**

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

WHEREAS, there has been a permanent and material change of the duties and responsibilities assigned to the position of Principal Administrative Services Clerk in the Department of Nursing Homes, and

WHEREAS, these changes in the duties and responsibilities have been recognized and acknowledged by the Cattaraugus County Civil Service Commission which has proposed the new title of Payroll Specialist (Nursing Homes), and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Civil Service Commission, which has approved the title in accordance with Section 22 of the Civil Service Law, and

WHEREAS, the additional costs associated with the anticipated increase in salary have heretofore been included within the 2009 budget, now, therefore, be it

RESOLVED, that effective immediately, there is hereby abolished one (1) position of Principal Administrative Services Clerk, in the Department Of Nursing Homes, and be it further

RESOLVED, that effective immediately, there is hereby created one (1) position of Payroll Specialist (Nursing Homes), in the Department of Nursing Homes to be compensated at Grade 21 (\$18.70 - \$22.44 per hour) of the Management/Confidential Salary Schedule.

Approved by 8 members of the Finance Committee and 3 members of the Labor Relations Committee.

Adopted June 10, 2009 by voice vote.

ACT NO. 324-2009 by Mrs. Abers, Mr. McLarney and Mr. Ward
and Mr. Aiello, Ms. Vickman, Mr. Boser and Mr. Sprague¹

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT
WITH HODGSON RUSS LLP
FOR CONTRACT NEGOTIATION SERVICES**

Pursuant to Section 5 of the Rules of Order Appendix and
Section 450 of the County Law.

WHEREAS, Act 184-2007, as amended by Acts 52-2008, and 444-2008
established fees for negotiating services of Hodgson Russ LLP, for purposes
of negotiating the County's various collective bargaining agreements, and

WHEREAS, the fees established in Act 52-2008 were effective only
through June 30, 2008, and

WHEREAS, Hodgson Russ LLP has increased its fees effective July
1, 2009, as follows:

Partners	\$239 per hour
Senior Associates	227 per hour
Associate	204 per hour
Paralegals	112 per hour,

and

WHEREAS, these rates will be effective through June 30, 2010, and

WHEREAS, sufficient funds are included in the 2009 budget to
cover the increase in the costs of the aforementioned services, now,
therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is,
authorized and directed to authorize an amended contract, on behalf of
Cattaraugus County, with Hodgson Russ LLP to reflect the increased costs of
services, for a term commencing July 1, 2009 and terminating June 30, 2010,
according to the above-described terms.

Approved by 8 members of the Finance Committee and 4 members of the
Labor Relations Committee.

¹ The following Legislators requested their names be listed as
additional sponsors: "Mr. Aiello, Ms. Vickman, Mr. Boser and Mr. Sprague".

Adopted June 10, 2009 by voice vote.

ACT NO. 325-2009 by Mrs. Abers, Mr. Aiello, Mr. Burrell, Mr. Ellis,
Mr. Marsh, Mr. McLarney, Mr. Murphy,
Mr. Neal, Mr. O'Brien, Mr. Snyder, Mr. Teachman,
Mr. Vecchiarella, Ms. Vickman, Mr. Boser, Mr. Giardini,
Mr. Hebdon, Mr. McClune, Mr. Sprague,
Mr. Padlo, Mr. Ward and Mrs. Witte
who ask immediate consideration

APPOINTMENT OF DIRECTOR OF ECONOMIC DEVELOPMENT, PLANNING AND TOURISM

Pursuant to Sections 204 and 205 of the County Law.

RESOLVED, that Jean J. Sayegh, 3402 Fortune Drive, Allegany, New
York 14706 be, and hereby is, appointed Director of Economic Development,

Planning And Tourism for a term commencing July 1, 2009 and terminating June 30, 2013 at an annualized salary of \$72,000 for 2009, and at any salary as may hereinafter be established, and be it further

RESOLVED, that Jean J. Sayegh be credited prior service as a County employee and be deemed to be a seven-year employee for purposes of qualifying for all benefits in such compensation and benefit package as established for Managerial and Confidential Officers and Employees.

MR. O'BRIEN moved, seconded by Mrs. Witte to waive Rule 12. Carried.

Adopted June 10, 2009 by voice vote.

ACT NO. 326-2009 by Mr. Neal and Mr. McClune
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH NEW YORK STATE OFFICE FOR THE AGING
FOR NUTRITION PROGRAM FOR THE ELDERLY AND ADJUSTING
VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of the Aging)**

Pursuant to American Recovery and Reinvestment Act and
Sections 363, 366 and 450 of the County Law.

WHEREAS, the County Department of the Aging has been awarded funding in the amount of \$23,778 from the New York State Office for the Aging through the American Recovery and Reinvestment Act for the Nutrition Program for the Elderly, as follows:

Congregate Nutrition Services	\$15,939.00
Home Delivered Nutrition Services	\$ 7,839.00,

and

WHEREAS, a contract is necessary with the New York State Office for the Aging in order to receive the aforementioned funding, and

WHEREAS, various appropriation and revenue accounts must be adjusted to accommodate the aforementioned funding, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the New York State Office for the Aging, in order to receive the aforementioned funding, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

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

Increase Estimated Revenue Accounts:

A.4701	C-1 ARRA	\$15,939.00
A.4702	C-2 ARRA	\$ 7,839.00

Increase Appropriation Accounts:

A.6801.424	Food	\$15,939.00
A.6802.424	Food	\$ 7,839.00.

MR. BURRELL moved, seconded by Mr. McClune to waive Rule 12. Carried.

Adopted June 10, 2009 by voice vote.

ACT NO. 327-2009 by Mr. Burrell and Mr. Boser
and Mr. Vecchiarella and Mr. McClune¹
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SALAMANCA AREA CHAMBER OF COMMERCE, INC. FOR
INFORMATION CENTER MANAGER**

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

WHEREAS, Act 262-2008 authorized a contract with the Salamanca Area Chamber of Commerce, Inc., 26 Main Street, Salamanca, New York 14779, for the provision of an information center manager for the I-86 (westbound) rest area, the term of which expires June 30, 2009, and

WHEREAS, the County is responsible for staffing the rest area on I-86 (westbound) in the Town of Allegany for a minimum of five (5) hours per day for 151 days per year, plus additional hours per day during the holiday periods of Thanksgiving, Christmas and Easter, and

WHEREAS, the County Department of Economic Development, Planning and Tourism does not have sufficient staff to provide management of the information center, and

WHEREAS, the Salamanca Area Chamber of Commerce, Inc., 26 Main Street, Salamanca, New York 14779, can provide an information center manager for a minimum of 20 hours per week, with six (6) to eight (8) hours on Sundays (mandatory), as well as holiday periods, for an amount of \$15,000, per year, and

WHEREAS, funding for this program is provided through casino proceeds, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Salamanca Area Chamber of Commerce, Inc., for the provision of the above-described services, for a term commencing July 1, 2009 and terminating June 30, 2010, according to the above-described terms.

MR. VECCHIARELLA moved, seconded by Mr. Boser to waive Rule 12. Carried.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Vecchiarella and Mr. McClune".

Adopted June 10, 2009 by voice vote.

ACT NO. 328-2009 by Mr. Burrell and Mr. Boser
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH DEBRA HORN STACHURA D/B/A BUFFALO ADVERTISING MANAGEMENT
FOR DEPARTMENT OF ECONOMIC DEVELOPMENT, PLANNING AND
TOURISM SUMMER EVENTS ADVERTISING CAMPAIGN**

Pursuant to Section 164 of the Economic Development Law and
Section 450 of the County Law.

WHEREAS, Act 159-2008 authorized a contract with Debra Horn Stachura, d/b/a Buffalo Advertising Management, 374 Delaware Avenue, Suite 314, Buffalo, New York 14202, for the promotion of tourism in Cattaraugus County through various forms of advertising, the term of which expired December 31, 2008, and

WHEREAS, the County Department of Economic Development, Planning and Tourism is desirous of continuing the promotion of tourism in Cattaraugus County, and

WHEREAS, Debra Horn Stachura, d/b/a Buffalo Advertising Management, can provide various forms of advertising for the County, for an amount not to exceed \$30,000, as follows:

Television Channels 2, 4 and Time Warner:

Breakdown of cost per station will depend on the
price per spot

Use of current TV spot:

Use the "donut" to promote the Amish Trail, Festivals in Ellicottville, Griffis Sculpture Park and Rock City Park, Equestrian Events, Golfing, Seneca Events, Rally in the Valley, Taste of Olean/Art in the Park

Radio

Use of Entercomm Radio Group based in Buffalo and Rochester

Use of current radio spots that can be adapted as needed for the
above events,

and

WHEREAS, the cost of the aforementioned services will be paid through Casino funds, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Debra Horn Stachura, d/b/a Buffalo Advertising Management, for the provision of the above-described services, for a term commencing June 15, 2009 and terminating December 31, 2009, according to the above-described terms.

MR. AIELLO moved, seconded by Mr. Padlo to waive Rule 12. Carried.

Adopted June 10, 2009 by voice vote.

ACT NO. 329-2009 by Mr. Giardini
and Mr. Burrell, Mr. Ellis, Mr. Neal, Mr. O'Brien,
Mr. Teachman, Mr. Boser, Mr. McClune and Mr. Ward
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
TRAUTMAN ASSOCIATES FOR ARCHITECTURAL/ENGINEERING SERVICES FOR
FEASIBILITY STUDY TO RELOCATE BOARD OF ELECTIONS**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, the County Department of Public Works is in need of architectural/engineering services for a feasibility study to relocate the Board of Elections to 425 Erie Street, Little Valley (formerly St. Mary's Church), and

WHEREAS, the County Department of Public Works has solicited and received proposals from five architectural/engineering firms for the provision of the aforementioned services, and

WHEREAS, Trautman Associates, 470 Franklin Street, Buffalo, New York 14202, can provide the aforementioned architectural/engineering services for an amount of \$9,940, and

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Trautman Associates, for the provision of the above-described services, for a term commencing June 11, 2009 and terminating August 21, 2009, according to the above-described terms.

MR. AIELLO moved, seconded by Mr. Padlo to waive Rule 12. Carried.

Adopted June 10, 2009 by voice vote.

ACT NO. 330-2009 by Mr. Padlo
who asks immediate consideration

**REQUESTING NEW YORK STATE LEGISLATURE ENACT SENATE BILL S.5669-A AND
ASSEMBLY BILL A.8718 REGARDING AUTHORIZING JAMES FREITAG TO
APPLY FOR RETROACTIVE MEMBERSHIP IN NEW YORK STATE TEACHERS'
RETIREMENT SYSTEM**

Pursuant to Section 40 of the Municipal Home Rule Law.

WHEREAS, Act 317-2009 describes the circumstances under which James Freitag should be eligible to change his retirement system tier status from Tier III to Tier II, and

WHEREAS, Senate Bill S.5669-A and Assembly Bill A.8718 have been introduced in the New York State Legislature, which authorizes James Freitag to apply for retroactive membership in the New York State Teachers' Retirement System, and

WHEREAS, the estimated cost to Cattaraugus County for this change in tier status is \$62,000, which under the terms of the state legislation will be borne by Cattaraugus County, and

WHEREAS, a necessity exists for the passage of such legislation by the New York State Legislature, now, therefore, be it

RESOLVED, that the County Legislature hereby requests the New York State Legislature enact Senate Bill S.5669-A and Assembly Bill A.8718 for the above-described purposes, and be it further

RESOLVED, that the Clerk of the Legislature be, and hereby is, authorized and directed to submit one or more Home Rule Requests to the New York State Legislature pursuant hereto, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to Senator Young and Assembly Member Giglio.

CHAIRMAN ABERS requested a Roll Call Vote to adopt Act No. 330-2009 which disclosed as follows:

Ayes: Aiello 0.8772, Boser 1.0094, Burrell 1.0915, Ellis 1.0875, Giardini 1.0094, Hebdon 1.0915, Marsh 1.0843, McClune 0.8834, Murphy 1.0875, Neal 1.0843, Mr. O'Brien 1.0632, Padlo 0.8772, Snyder 0.8772, Sprague 1.0530, Teachman 0.8772, Vecchiarella 0.8834, Vickman 1.0915, Witte 0.8772, Abers 1.0265 - 18.9324.

Nays: none.

Act No. 330-2009, having received the two-thirds majority vote of the Legislature, was declared Adopted.

ACT NO. 331-2009 by Mr. Aiello, Mr. Burrell, Mr. Teachman and Mr. Boser who ask immediate consideration

**CREATING ONE (1) POSITION OF STUDENT AIDE TO BE FILLED ON A
SEASONAL BASIS IN THE REAL PROPERTY TAX SERVICE AGENCY,
ESTABLISHING COMPENSATION FOR SAME AND
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Real Property Tax Services Office)**

Pursuant to Article 15-A of the Real Property Tax Law,
Sections 204, 205, 363 and 366 of the County Law and
Section 22 of the Civil Service Law.

WHEREAS, the Real Property Tax Service Agency is looking to add a summer seasonal employee to its staff to assist in a variety of office and real property related functions, including assisting with GIS, and

WHEREAS, this seasonal employee will work no more than a ten (10) week period or exceed 350 hours, and

WHEREAS, sufficient funds are available in accounts A.8020.101 and A.8020.833 to cover the additional costs associated with this position, and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Civil Service Commission, which has approved the title in accordance with Section 22 of the Civil Service Law, now, therefore, be it

RESOLVED, that effective immediately, there is hereby created one position of Student Aide in the Real Property Tax Service Agency to be filled on a seasonal basis, to be compensated at Grade 16, Step A, (\$10.48 per hour) of the Seasonal Salary Schedule, and be it further

RESOLVED, that effective September 1, 2009, the position created herein shall automatically be abolished, and be it further

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

Decrease Appropriation Accounts:

A.8020.101	Planning Full-time Wages	\$3,668.00
A.8020.833	Planning FICA	\$ 281.00

Increase Appropriation Accounts:

A.1355.109	Real Property Part-time Wages	\$3,668.00
A.1355.833	Real Property Tax FICA	\$ 281.00.

Mr. Neal moved, seconded by Ms. Vickman to waive Rule 12. Carried.

Adopted June 10, 2009 by voice vote.

ACT NO. 332-2009 by Mr. Aiello and Mr. Snyder
who ask immediate consideration

**AMENDING ACT 282-2009 REGARDING CONTRACT WITH
WALKER BUSINESS & STAFFING SERVICES, INC. FOR
CATTARAUGUS ONE-STOP CLERICAL SERVICES**

Pursuant to Workforce Investment Act of 1998, and
Section 450 of the County Law.

WHEREAS, Act 282-2009 authorized a contract with Walker Business & Staffing Services, Inc., 23 West State Street, Wellsville, New York 14895, for the provision of clerical services for the Cattaraugus One-Stop offices, and

WHEREAS, Act 282-2009 should be amended to more accurately reflect the services Walker Business & Staffing Services, Inc. will provide, now, therefore, be it

RESOLVED, that Act 282-2009 be, and hereby is, amended as follows: Delete the Third Whereas and replace with the following new Third Whereas: "III. Whereas, Walker Business & Staffing Services, Inc., can provide two (2) Employment Specialists at a rate of \$24.71 per hour and one (1) Keyboard Specialist at a rate of \$12.78 per hour for the Cattaraugus One-Stop for a total amount not to exceed \$113,204".

MR. MARSH moved, seconded by Mr. Giardini to waive Rule 12. Carried.

Adopted June 10, 2009 by voice vote.

ACT NO. 333-2009 by Mr. Marsh
who asks immediate consideration

SALE OF TAX TITLE PROPERTIES

Pursuant to Section 215 of the County Law and Rule 40 of the
Rules of Order of the Cattaraugus County Legislature.

WHEREAS, Cattaraugus County has tax title to certain property situate in Cattaraugus County, as described below, and

WHEREAS, the properties were exposed to bid at public auction as required by Rule 40 of the Rules of Order of the Cattaraugus County Legislature, and

WHEREAS, the highest bids received for the properties were the bids listed below, now, therefore, be it

RESOLVED, that if the tender by the high bidder of the total purchase price is not made within 30 days after the adoption hereof, then the acceptance of that individual's bid shall thereafter be void and of no further effect, as of course, and the bid deposit shall be forfeited pursuant to Rule 40.8 of the Rules of Order, and be it further

RESOLVED, that the County Treasurer be, and hereby is, authorized and directed to execute County Treasurer's Deeds conveying the properties to the following individuals at the bid prices listed:

TOWN OF ALLEGANY

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
4	75.004-1-11.2	Molly R. Callahan	1667 Goodrich Ave. Olean, NY 14760	\$1,942.73	\$10,000
17-18	93.060-1-11 93.060-1-12	Allen Backer Deborah Backer	1554 Happy Hollow Rd. Olean, NY 14760	\$6,952.40	\$10,000

TOWN OF ASHFORD

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
21	20.003-2-17	Peter H. Brown Kymm Brown	19 Kathryn Dr. Orchard Park, NY 14127	\$611.51	\$475

TOWN OF CARROLLTON

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
44	101.079-1-14	Matthew Harrington	521 E. Pine St. Olean, NY 14760	\$14,182.35	\$12,250

TOWN OF DAYTON

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
66	33.034-1-15	Quentin Olmstead Jessica Olmstead	245 Mill St. South Dayton, NY 14738	\$945.99	\$1,000
71	33.033-3-37	Brian D. Gernatt	2600 Gowanda Zoar Rd. Gowanda, NY 14070	\$12,271.87	\$4,500
76	33.033-3-18	Jana Reynolds Joseph Reynolds	10564 Southwestern Dr. Irving, NY 14081	\$5,610.38	\$4,500

TOWN OF EAST OTTO

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
79	37.001-1-28	Ronald Wilson	8052 Erdman Rd. Cynthia Wilson Valley, NY 14755	\$6,838.82	\$25,000 Little

TOWN OF ELLICOTTVILLE

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
83	37.004-1-39	Richard Sinnott	PO Box 64 9355 Rt. 240 Apt. 3 West Valley, NY 14171	\$2,451.98	\$7,000

TOWN OF FRANKLINVILLE

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
91	40.078-2-6	Shane Randolph	143 Beech St. Gowanda, NY 14070	\$243.38	\$25

TOWN OF FREEDOM

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
91A	14.001-1-8	Thomas Randolph Linda Randolph	PO Box 156 9401 Keller Hill Cuba, NY 14727	\$1,141.03	\$1,050

TOWN OF GREAT VALLEY

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
118	73.074-1-24	Yellow Wood Real Estate Developers, LLC	c/o Deirdre Miklas 23 Sawgrass Lane Lancaster, NY 14086	\$9,163.49	\$16,000

TOWN OF LEON

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
137	52.002-1-11	Calvin Milliman	6737 Alderbottom Rd. Conewango Valley, NY 14726	\$6,685.83	\$7,500

TOWN OF LYNDON

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
143	41.004-1-8.4/1	Larry D. Milgate	11 Garfield St.	\$2,232.67	\$3,100
144	41.004-1-8.4		Lancaster, NY 14086		
146	50.001-1-42.1	Gregory S. Gabel Joan E. Gabel	89 West Girard Blvd. Kenmore, NY 14217	\$1,729.44	\$4,000

TOWN OF MACHIAS

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
148	21.003-1-2.3	Raymond P. Myers	5071 Parker Rd. Hamburg, NY 14075	\$2,903.40	\$150
163	45.018-1-24	Paul Worley Derek Worley	625 Cayuga Creek Rd. Cheektowaga, NY 14227	\$689.80	\$3,400

TOWN OF NAPOLI

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
166	62.038-3-49	William G. Wannemacher Gail S. Wannemacher	50 Summervale Dr. Randolph, NY 14772	\$430.25	\$100
168	53.019-1-43	Thomas C. Bailey	210 S. 16 th St. Olean, NY 14760	\$1,003.89	\$350
169	62.070-6-56	Edward Padgett Mary Ann Padgett	4617 Windmill Rd. Randolph, NY 14772	\$282.75	\$250
173	53.019-1-24	Thomas M. Halterman	9771 Pigeon Valley Rd. Little Valley, NY 14755	\$797.84	\$100
176	53.002-2-2.6	Andrew Bolya	3321 Bakerstand Rd. Franklinville, NY 14737	\$5,482.64	\$9,250

TOWN OF NEW ALBION

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
180	44.003-1-24	Duane R. Kelley Catherine E. Kelley	10019 Leon Rd. Cattaraugus, NY 14719	\$11,114.86	\$15,000
181	35.082-3-1	Joy E. Goodsell	PO Box 1272 74 W. Lamok Ave. Savona, NY 14879	\$1,276.90	\$3,000
182	35.081-3-25	Derrick Maxon	9411 Bucktooth Run Rd. Little Valley, NY 14755	\$10,229.99	\$15,500
183	35.082-4-22	Anthony M. Wick	35 Waverley St., Apt.1 Cattaraugus, NY 14719	\$8,945.65	\$3,500
189	35.004-2-12	Robert J. Barber, Jr.	8192 South Hill Rd. Otto, NY 14766	\$3,987.13	\$5,000
191	36.003-1-11	Darien Thomas	77 Cherry Hill Rd.	\$3,942.29	\$5,000
192	36.003-1-12		Ashville, NY 14710		

CITY OF OLEAN

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY	BID
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NO.	NO.			INVOLVEMENT	AMOUNT
197	94.072-5-18	John J. Riley	100 Hillview Homes Salamanca, NY 14779	\$12,668.43	\$15,000
198	94.072-5-19	Bruce Meyers	31 Hamilton Ave. Olean, NY 14760	\$9,488.95	\$6,000
199	94.064-3-30	Joshua J. Anderson	131 N. 3 rd St. Olean, NY 14760	\$10,496.23	\$9,500
204	94.064-13-18	Christopher Shelgren	724 Hoop St. Olean, NY 14760	\$8,021.33	\$8,000
207	94.057-5-28	Robert Pundt, Jr. d/b/a Preventure Partners	202 E. State St. Olean, NY 14760	\$6,735.71	\$850
217	94.063-5-46	Bruce Meyers	31 Hamilton Ave. Olean, NY 14760	\$6,212.09	\$9,500
222	94.065-7-14	Robert Pundt, Jr. d/b/a Preventure Partners	202 East State St. Olean, NY 14760	\$23,490.12	\$7,000
228	94.073-2-16.1	Carl Samuelson Joann Samuelson	3428 Fortune Dr. Allegany, NY 14706	\$240.11	\$40
236	94.039-1-8	Robert Pundt, Jr. d/b/a Preventure Partners	202 East State St. Olean, NY 14760	\$791.22	\$900
239	94.056-6-16	KI & KP Holdings	c/o Kim Ibbott 143 Candlewood Dr. Stoney Creek, Ont. L8J 0A3	\$5,726.21	\$15,000
240	94.064-3-48	Jesse Bartlett	6104 Clare Valley Rd. Great Valley, NY 14741	\$5,820.09	\$9,000
241	94.064-3-57	Timothy Koza	202 Worden St. Olean, NY 14760	\$504.62	\$900
244	94.072-4-9	Susan Miller	916 Washington St. Olean, NY 14760	\$515.67	\$550
249	94.049-1-82	New Life Christian School c/o Dwight Coords	3254 Humphrey Rd. Franklinville, NY 14737	\$6,114.63	\$20,000
255	94.034-5-1	Raymond Myers	5071 Parker Rd. Hamburg, NY 14075	\$212.53	\$10
256	94.064-5-20	Berry Armprester Venita Ellis	615 E. State St. Olean, NY 14760	\$10,116.58	\$6,000
256a	94.048-1-50	Daniel T. Martin	1011 Buffalo St. Olean, NY 14760	\$15,486.27	\$37,000

TOWN OF OTTO

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
267	36.001-1-13.1	James E. Grudzien Jay B. Grudzien	3937 Zoar Rd. Gowanda, NY 14070	\$2,528.47	\$12,000
274	36.009-2-39	Little A. Goodwill	PO Box 134 Otto, NY 14766	\$7,444.71	\$7,500

275	36.009-2-4	Anthony Fruci	PO Box 304 2560 S. Park Ave. West Seneca, NY 14224	\$4,116.35	\$7,750
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TOWN OF PERRYSBURG

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
279	16.021-4-14	Thomas C. Bailey	210 S. 16 th St. Olean, NY 14760	\$7,410.67	\$3,500

TOWN OF PERSIA

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
282	8.084-3-16	Doug Gross	5076 Wolf Rd. Cattaraugus, NY 14719	\$9,736.33	\$3,000
283	16.028-4-4	John P. Smigiel	93 North Main St. Holland, NY 14080	\$15,503.28	\$9,250
285	8.083-3-34	Charles A. Pfalzgraf Gladys Pfalzgraf	3286 Zoar Rd. Gowanda, NY 14070	\$18,391.98	\$18,000

TOWN OF PORTVILLE

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
292	104.001-1-3.4	Douglas E. Phillips	115 Irving St. Olean, NY 14760	\$1,123.30	\$5,100
297	95.004-1-22	Steven Hellwig	1412 West Chestnut St. Weston Mills, NY 14788	\$11,969.27	\$7,500
301	95.004-2-13.2	Paul A. Kaduc	1058 Kingston Dr. Olean, NY 14760	\$1,872.75	\$2,100
302	113.002-1-31	Kent Cobado Barbara Cobado	4544 Five Mile Rd. Allegany, NY 14706	\$833.67	\$1,900

TOWN OF RANDOLPH

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
307	70.071-4-30	Quentin Brainard	6 Ivy St. Jamestown, NY 14701	\$7,773.27	\$4,500
308	78.002-1-15	Cindy Caswell	12305 Bowen Rd. Randolph, NY 14772	\$6,036.39	\$12,000
310	70.003-1-31	Matthew Wick	8005 Mosher Hollow Rd. Cattaraugus, NY 14719	\$463.94	\$450
314	70.072-2-2	Thomas Randolph Linda Randolph	PO Box 156 9401 Keller Hill Cuba, NY 14727	\$593.14	\$650

TOWN OF SOUTH VALLEY

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
317	97.001-1-36	Jason Armstrong	627 Lyndon Center Rd. Cuba, NY 14727	\$1,145.70	\$2,300

TOWN OF YORKSHIRE

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
321	5.009-4-13	Joan V. Roberts	68 Emerald St. Fillmore, NY 14735	\$13,143.46	\$18,000

TOTALS \$356,818.73 \$427,750.00

MR. MURPHY moved, seconded by Mr. Snyder to waive Rule 12. Carried.

Adopted June 10, 2009 by voice vote.

MR. TEACHMAN moved, seconded by Mrs. Witte to adjourn until June 24, 2009 at 3:00 p.m. Carried.

Meeting adjourned at 3:59 p.m.

Ann M. Giglio
Journal Clerk