

May 25, 2016

The meeting was called to order by Chairman Paula J. Stockman.

The invocation was given by Dr. Anthony Evans.

The Attendance Roll Call disclosed two Legislators absent – Helmich and Lamberson.

\* \* \* \* \*

MR. HALE moved, seconded by Mr. Neal, that the minutes of the May 11, 2016 session be approved. Carried.

\* \* \* \* \*

#### COMMUNICATIONS:

James J. Snyder, Sr., Chairman, Finance Committee: Apportionment of Mortgage Taxes for the six-month period from October 1, 2015 through March 31, 2016. (see report on page 317)

Delaware County Board of Supervisors: Resolution No. 78 entitled, "Resolution Declaring 'Mayday for Mandate Relief' and Urging the New York State Legislature and Governor to Commit to their Promise and Address Unfunded Mandates that Use Local Tax Dollars to Fund State and Federal Programs and Services".

Greene County Legislature: Resolution No. 157-16 entitled, "A Resolution Calling on the State of New York to Fully Reimburse Counties for District Attorney Salary Increases Set By the State" and Resolution No. 158-16 entitled, "A Resolution Calling on the State of New York to Fully Reimburse Counties for Mandated County Costs for Indigent Defense Services – Public Defender".

Seneca County Board of Supervisors: Resolution No. 113-16 entitled, "A Resolution Calling on the State of New York to Fully Reimburse Counties for District Attorney Salary Increases Set By the State".

\* \* \* \* \*

#### APPOINTMENTS:

##### **YOUTH BUREAU ADVISORY BOARD**

*Indefinite terms*

Marc Canella  
110 Merden Street

Salamanca, New York 14779

*to fill the positions formerly held by Kase Williams and Kyle Morton.*

Kaitlyn Bauer

P.O. Box 145

Portville, New York 14770,

\* \* \* \* \*

CHAIRMAN STOCKMAN announced this is the time and place called for a public hearing on **Act No. 225-2016**, Local Law Number 2-2016, entitled, "A Local Law Granting Partial Exemption on Real Property Taxation to Certain Senior Citizens and Repealing Local Law Number 3-2009 (Intro Number 4-2009)", and that anyone wishing to speak for or against this local law may now do so.

There being no one wishing to speak, CHAIRMAN STOCKMAN declared the public hearing closed.

\* \* \* \* \*

CHAIRMAN STOCKMAN called up **Act No. 225-2016**, Local Law Number 2-2016, and asked that it be read.

CHAIRMAN STOCKMAN requested a Roll Call vote on Act No. 225-2016, which disclosed as follows:

Ayes: Boberg, Hale, Keller, Klancer, Koch, Labuhn, Neal, Padlo, Snyder, Jr., Snyder, Sr., Stockman, VanRensselaer, Vickman - 14.

Nays: none.

Act No. 225-2016, Local Law Number 2-2016, having received a two-thirds majority vote of the Legislature, was declared Adopted.

\* \* \* \* \*

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, 2015 through March 31, 2016 is \$312,457.48 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,

James J. Snyder, Chairman  
Finance Committee

APPORTIONMENT OF MORTGAGE TAXES

|                 | ROW 1<br>CITY/TOWN<br>ASSESSED<br>VALUATION | ROW 2<br>DOUBLE<br>CITY/TOWN<br>VALUATION | ROW 3<br>VILLAGE<br>ASSESSED<br>VALUATION | ROW 4<br>VILLAGE<br>PERCENTAGE<br>SHARE | ROW 5<br>TOTAL AMOUNT<br>MORTGAGE TAX<br>DISTRIBUTED | ROW 6<br>VILLAGE<br>SHARE | ROW 7<br>CITY/<br>TOWN<br>SHARE |
|-----------------|---|---|---|---|--|---------------------------|---------------------------------|
| ALLEGANY        | 322,480,270                                 | 644,960,540                               | 69,670,989                                | 0.10802365                              | 43,376.78  | 4,685.72                  | 38,691.06                       |
| ASHFORD         | 76,187,613                                  | 152,375,226                               |   | 0.00000000                              | 9,423.17   | 0.00                      | 9,423.17                        |
| CARROLLTON      | 81,945,845                                  | 163,891,690                               |   | 0.00000000                              | 3,065.18   | 0.00                      | 3,065.18                        |
| COLDSPRING      | 58,197,347                                  | 116,394,694                               |   | 0.00000000                              | 211.74   | 0.00                      | 211.74                          |
| CONEWANGO       | 33,314,301                                  | 66,628,602                                |   | 0.00000000                              | 4,697.44   | 0.00                      | 4,697.44                        |
| DAYTON          | 48,838,603                                  | 97,677,206                                | 12,527,880                                | 0.12825797                              | 3,732.65   | 478.74                    | 3,253.91                        |
| EAST OTTO       | 50,878,860                                  | 101,757,720                               |   | 0.00000000                              | 7,251.46   | 0.00                      | 7,251.46                        |
| ELLCOTTVILLE    | 578,007,049                                 | 1,156,014,098                             | 124,891,738                               | 0.10803652                              | 52,028.54  | 5,620.98                  | 46,407.56                       |
| FARMERSVILLE    | 58,306,675                                  | 116,613,350                               |   | 0.00000000                              | 1,624.83   | 0.00                      | 1,624.83                        |
| FRANKLINVILLE   | 83,957,858                                  | 167,915,716                               | 32,528,824                                | 0.19372114                              | 4,679.55   | 906.53                    | 3,773.02                        |
| FREEDOM         | 117,230,676                                 | 234,461,352                               |   | 0.00000000                              | 10,196.96  | 0.00                      | 10,196.96                       |
| GREAT VALLEY    | 171,575,478                                 | 343,150,956                               |   | 0.00000000                              | 11,129.02  | 0.00                      | 11,129.02                       |
| HINSDALE        | 73,101,588                                  | 146,203,176                               |   | 0.00000000                              | 7,625.23   | 0.00                      | 7,625.23                        |
| HUMPHREY        | 50,432,668                                  | 100,865,336                               |   | 0.00000000                              | 2,012.40   | 0.00                      | 2,012.40                        |
| ISCHUA          | 40,535,620                                  | 81,071,240                                |   | 0.00000000                              | 2,562.64   | 0.00                      | 2,562.64                        |
| LEON            | 46,743,580                                  | 93,487,160                                |   | 0.00000000                              | 2,684.42   | 0.00                      | 2,684.42                        |
| LITTLE VALLEY   | 46,689,621                                  | 93,379,242                                | 19,103,138                                | 0.20457585                              | 1,940.92   | 397.07                    | 1,543.85                        |
| LYNDON          | 46,025,628                                  | 92,051,256                                |   | 0.00000000                              | 838.31   | 0.00                      | 838.31                          |
| MACHIAS         | 129,883,306                                 | 259,766,612                               |   | 0.00000000                              | 12,521.52  | 0.00                      | 12,521.52                       |
| MANSFIELD       | 113,219,696                                 | 226,439,392                               |   | 0.00000000                              | 7,701.56   | 0.00                      | 7,701.56                        |
| NAPOLI          | 58,998,662                                  | 117,997,324                               |   | 0.00000000                              | 1,683.44   | 0.00                      | 1,683.44                        |
| NEW ALBION      | 57,329,983                                  | 114,659,966                               | 21,435,134                                | 0.18694523                              | 6,227.20   | 1,164.15                  | 5,063.05                        |
| OLEAN, CITY     | 494,776,954                                 | 989,553,908                               |   | 0.00000000                              | 51,279.32  | 0.00                      | 51,279.32                       |
| OLEAN, TOWN     | 86,659,260                                  | 173,318,520                               |   | 0.00000000                              | 14,632.85  | 0.00                      | 14,632.85                       |
| OTTO            | 54,425,846                                  | 108,851,692                               |   | 0.00000000                              | 2,513.79   | 0.00                      | 2,513.79                        |
| PERRYSBURG      | 55,027,795                                  | 110,055,590                               |   | 0.00000000                              | 3,182.40   | 0.00                      | 3,182.40                        |
| PERSIA          | 57,992,426                                  | 115,984,852                               | 40,580,429                                | 0.34987697                              | 3,175.07   | 1,110.88                  | 2,064.19                        |
| PORTVILLE       | 135,199,653                                 | 270,399,306                               | 28,032,291                                | 0.10366998                              | 11,481.17  | 1,190.25                  | 10,290.92                       |
| RANDOLPH        | 82,623,111                                  | 165,246,222                               |   | 0.00000000                              | 7,498.51   | 0.00                      | 7,498.51                        |
| RED HOUSE       | 128,560,094                                 | 257,120,188                               |   | 0.00000000                              | 328.05   | 0.00                      | 328.05                          |
| SALAMANCA, CITY | 16,669,888                                  | 33,339,776                                |   | 0.00000000                              | 3,844.88   | 0.00                      | 3,844.88                        |
| SALAMANCA, TOWN | 27,582,388                                  | 55,164,776                                |   | 0.00000000                              | 1,473.97   | 0.00                      | 1,473.97                        |
| SOUTH VALLEY    | 30,496,830                                  | 60,993,660                                |   | 0.00000000                              | 1,463.98   | 0.00                      | 1,463.98                        |
| YORKSHIRE       | 29,028,460                                  | 58,056,920                                | 6,040,251                                 | 0.10404016                              | 14,368.53  | 1,494.90                  | 12,873.63                       |
| TOTALS          | 3,542,923,632                               |   | 354,810,674                               |   | 312,457.48   | 17,049.22                 | 295,408.26                      |

ACT NO. 234-2016 by Mr. Weller and Mr. Koch

**BID ACCEPTANCE FOR DEMOLITION AND REMOVAL OF MULTIPLE STRUCTURES<sup>1</sup>**  
**(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and  
 Section 215<sup>1</sup> of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the demolition and removal of multiple structures within Cattaraugus County, New York, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications for the demolition and removal of *a structure*<sup>1</sup> within Cattaraugus County *was the bid*<sup>1</sup> of H. H. Rauh Contracting Co., LLC, P.O. Box 28, Lakewood, New York 14750, in the amount of \$10,400.00<sup>1</sup>, to be paid as invoiced, as follows:

|                        |   |              |
|------------------------|---|--------------|
| <sup>1</sup> Project 2 | County Road No. 13, Town of Mansfield<br>(known as Tax Map No. 46.001-1-24.2) | \$10,400.00, |
|------------------------|---|--------------|

and

WHEREAS, *sufficient funds are included in the budget*<sup>1</sup> to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the *bid*<sup>1</sup> of H. H. Rauh Contracting Co., LLC, be, and the same hereby *is*<sup>1</sup>, accepted, for a term commencing upon the Notice to Proceed and terminating 45 days thereafter, and be it further

RESOLVED, that vouchers submitted in accordance with the provisions of the General Municipal Law §106-b and certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer<sup>1</sup>.

No State Bid.

Five sets of specifications were sent out.

Two bids were received that met specifications.

Approved by 6 members of the Finance Committee and 4 members of the Public Works Committee.

<sup>1</sup>MR. KOCH moved, seconded by Mrs. Labuhn to amend as follows: In the title, delete: "AND TRANSFER OF FUNDS (Contingent Fund-Building Repair/Maintenance)"; In the Pursuant section, delete: "363 and 365"; In the second Whereas, delete: "multiple structures", and replace with: "a structure"; after County, delete: "were the bids", and replace with: "was the bid"; delete: "\$36,300.00", and replace with: "\$10,400.00"; delete: "Project 1, 1210 Reed Street, City of Olean, \$25,900.00"; In the third Whereas, delete: "a transfer of funds is necessary", and replace with: "sufficient funds are included in the budget"; In the first Resolved, delete: "bids", and replace with: "bid"; delete: "are", and replace with: "is"; In the second Resolved, delete: ", and be it further"; Delete entire third Resolved. Carried.

Adopted, as amended, May 25, 2016 by voice vote.

**ACT NO. 235-2016** by Mr. Weller and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS  
WITH SCHINDLER ELEVATOR CORPORATION  
FOR DPW FACILITY, LITTLE VALLEY COUNTY CENTER AND JAIL  
ELEVATOR MAINTENANCE/INSPECTION**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 89-2011 authorized a contract with Schindler Elevator Corporation, 80 Curtwright Drive, Suite 3, Williamsville, New York 14221-7055, for the provision of maintenance/inspection services for elevators in the following three (3) locations:

- DPW Facility located at 8810 Route 242 in Little Valley,
- County Center located at 303 Court Street in Little Valley, and
- Cattaraugus County Jail at 301 Court Street in Little Valley – Haughton Elevator,

the term of which expired April 30, 2016, and

WHEREAS, the County Department of Public Works is desirous of continuing the maintenance/inspection services for the aforementioned elevators, and

WHEREAS, Schindler Elevator Corporation can provide the necessary maintenance/inspection services for an amount as follows:

| <u>Location</u>                             | <u>Monthly</u> | <u>or</u> | <u>Annually</u> |
|---|----------------|-----------|-----------------|
| County Center Building – Little Valley      | \$427.00       |           | \$5,124.00      |
| DPW Facility – Little Valley                | \$171.00       |           | \$2,052.00      |
| Cattaraugus County Jail - Haughton Elevator | \$223.00       |           | \$2,676.00      |

and

WHEREAS, the Schindler Elevator Corporation proposal includes an escalator clause which provides that the cost of the services hereby authorized may be increased by not more than 4.5% from year to year, and

WHEREAS, sufficient funds are included in the 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 Schindler Elevator Corporation, for the provision of the above-described maintenance and inspection services, for a term commencing May 1, 2016 and terminating April 30, 2021, according to the above-described terms.

Approved by 6 members of the Finance Committee and 4 members of the Public Works Committee.

Adopted May 25, 2016 by voice vote.

**ACT NO. 236-2016** by Mr. Weller and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH  
VARIOUS MUNICIPALITIES FOR SHARED HIGHWAY SERVICES**

Pursuant to Section 119-o of the General Municipal Law and  
Section 450 of the County Law.

WHEREAS, Act 232-2011 authorized contracts with various municipalities for shared highway services, the terms of which expire June 30, 2016, and

WHEREAS, the Department of Public Works is desirous of renewing the aforementioned shared highway services contracts, and

WHEREAS, local governments are authorized to enter into municipal cooperation agreements for purposes of renting, leasing, exchanging, borrowing or maintaining machinery and equipment, with operators, with other municipalities, and

WHEREAS, by renting, borrowing, exchanging, leasing or maintaining highway machinery and equipment and the borrowing or lending of materials and supplies, the cities, towns and villages of Cattaraugus County may avoid the necessity of purchasing certain needed highway machinery and equipment and the purchase or storage of a large inventory of certain extra materials and supplies, thereby saving the taxpayers money, and

WHEREAS, it is proposed that the County contract with various cities, towns, and villages within Cattaraugus County, for the above-described purposes, 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 cities, towns and villages, for the provision of the above-described shared highway services, for a term commencing July 1, 2016 and terminating June 30, 2021, according to the above-described terms.

Approved by 6 members of the Finance Committee and 4 members of the Public Works Committee.

Adopted May 25, 2016 by voice vote.

**ACT NO. 237-2016** by Mr. Weller and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH  
CONSTELLATION ENERGY SERVICES OF NEW YORK, INC.  
FOR PARTICIPATION IN ENERGY PURCHASE PROGRAM**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 476-2006, as amended by Acts 607-2009 and 231-2015, authorized the County to be a member of the Municipal Electric and Gas Alliance (MEGA), for participation in an energy purchase program, and

WHEREAS, Municipal Electric and Gas Alliance (MEGA), P.O. Box 88, Ithaca, New York 14851-0088, acts as an aggregator of power usage at no cost to the County, and

WHEREAS, MEGA has an agreement with Constellation Energy Services of New York, Inc. (formerly Integrys Energy Services of New York, Inc.) which allows the County to take advantage of the low market rate of \$.06756/kWh until November 2, 2017, and at the low market rate of \$.06380/kWh for the period November 3, 2017 through November 8, 2018, and

WHEREAS, a contract extension is necessary with Constellation Energy Services of New York, Inc., in order to lock in at the lowest market rates available for the period November 9, 2018 through November 8, 2020, and

WHEREAS, the contract extension is contingent upon the market rates being the same or lower than \$.06380/kWh, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract extension, on behalf of Cattaraugus County, with Constellation Energy Services of New York, Inc., (formerly Integrys Energy Services of New York, Inc.) in order to lock in the lowest market rates in the above-described energy purchase program, for a term commencing November 9, 2018 and terminating November 8, 2020, according to the above-described terms.

Approved by 6 members of the Finance Committee and 4 members of the Public Works Committee.

Adopted May 25, 2016 by voice vote.

**ACT NO. 238-2016** by Mr. Weller and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
SJB SERVICES, INC. FOR SOIL BORING SERVICES,  
MATERIAL TESTING, DECK CORING AND GEOTECHNICAL SERVICES**

Pursuant to Section 117 of the Highway Law and  
Section 450 of the County Law.

WHEREAS, Act 214-2015 authorized a contract with SJB Services, Inc., for the provision of soil boring services for various bridge projects, the term of which expired December 31, 2015, and

WHEREAS, the County Department of Public Works is desirous of obtaining soil boring, material testing, deck coring and geotechnical engineering services for various projects, and

WHEREAS, SJB Services, Inc., 5167 South Park Avenue, Hamburg, New York 14075, has agreed to perform soil boring, material testing, deck coring and geotechnical engineering services for various new projects on an as-needed basis, for an amount not to exceed \$30,000.00, to be paid on a percent-of-completion basis, as invoiced, and

WHEREAS, sufficient funds are included in the 2016 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 SJB Services, Inc., for the provision of the above-described services, for a term commencing January 1, 2016 and terminating December 31, 2016, according to the above-described terms.

Approved by 6 members of the Finance Committee and 4 members of the Public Works Committee.

Adopted May 25, 2016 by voice vote.

**ACT NO. 239-2016** by Ms. Vickman and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH ATHENAHEALTH, INC.  
FOR ELECTRONIC MEDICAL RECORDS AND  
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS  
(Health Department)**

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

WHEREAS, the County Health Department is desirous of purchasing a subscription through athenahealth, Inc., for use of its electronic medical records software, and

WHEREAS, athenahealth, Inc., 311 Arsenal Street, Watertown, Massachusetts 02472, shall provide the County Health Department with access to athenaNet, which is an internet-based multi-user platform used to provide athenaNet Services, together with athenaNet Functionality and associated databases, for an amount as follows:

|                                    |                    |
|------------------------------------|--------------------|
| \$1,379.40 per month for 24 months | \$33,105.60        |
| One Time Deposit                   | <u>\$ 1,225.00</u> |
| Total                              | \$34,330.60,       |

and

WHEREAS, it is necessary to adjust various appropriation accounts in order to cover the cost 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 athenahealth, Inc., for the provision of the above-described services, for a term commencing June 1, 2016 and terminating June 1, 2018, 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 Accounts:

|                       |                             |            |
|-----------------------|-----------------------------|------------|
| A.401.4017.4034.20006 | Computer Equipment/Software | \$5,441.00 |
| A.401.4017.4035.20006 | Computer Equipment/Software | \$5,441.00 |

Increase Appropriation Accounts:

|                       |                            |             |
|-----------------------|----------------------------|-------------|
| A.401.4017.4034.41258 | Electronic Medical Records | \$5,441.00  |
| A.401.4017.4035.41258 | Electronic Medical Records | \$5,441.00. |

Approved by 6 members of the Finance Committee and 4 members of the Human Services Committee.

Adopted May 25, 2016 by voice vote.



**ACT NO. 240-2016** by Ms. Vickman and Mrs. Labuhn  
and Ms. Hastings<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS  
WITH THE WAL-MART FOUNDATION FOR THE  
WAL-MART COMMUNITY PROJECT GRANT FUNDING AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Health)**

Pursuant to Section 95-a of the General Municipal Law and  
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 218-2016 authorized the Chair to apply for funding through The Wal-Mart Foundation for the provision of a Veggie Mobile program which will provide farm-fresh vegetables to promote healthier eating habits, and

WHEREAS, the County Health Department has been awarded a grant in the amount of \$2,500.00 through The Wal-Mart Foundation for the Veggie Mobile program, and

WHEREAS, the County Health Department should accept the aforementioned grant, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with The Wal-Mart Foundation in order to accept the above-described grant, 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 Account:

|                      |                     |            |
|----------------------|---------------------|------------|
| A.401.4015.4018.2705 | Gifts and Donations | \$2,500.00 |
|----------------------|---------------------|------------|

Increase Appropriation Account:

|                       |                     |             |
|-----------------------|---------------------|-------------|
| A.401.4015.4018.41603 | Contracted Services | \$2,500.00. |
|-----------------------|---------------------|-------------|

Approved by 6 members of the Finance Committee and 4 members of the Human Services Committee.

<sup>1</sup>The following Legislator requested her name be listed as an additional sponsor: "Ms. Hastings".

Adopted May 25, 2016 by voice vote.

**ACT NO. 241-2016** by Mr. VanRensselaer and Mr. Keller

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH THE  
APPALACHIAN REGIONAL COMMISSION FOR  
DEPARTMENT OF ECONOMIC DEVELOPMENT, PLANNING AND TOURISM  
COMMUNITY DEVELOPMENT INITIATIVE**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Department of Economic Development, Planning and Tourism is desirous of implementing a Community Development Initiative that will provide an opportunity

for all municipalities in Cattaraugus County to develop a community vision, motivate community members and business owners to think about positive changes, and to develop a community improvement plan, and

WHEREAS, the County will host a two-day workshop that will 1) address the challenge of revitalization of the County's community centers, and 2) provide the opportunity to learn the skills and tools such as Placemaking, Community Beautification and Complete Streets to build stronger more vibrant community centers, and

WHEREAS, it is anticipated that the total cost of the project will be approximately \$60,000.00, and

WHEREAS, funding in the amount of \$30,000.00 is available through the Appalachian Regional Commission to offset the cost of the aforementioned Community Development Initiative, and

WHEREAS, it is necessary to apply to the Appalachian Regional Commission for the aforementioned funding, and

WHEREAS, in the event the County is awarded a \$30,000.00 grant from Appalachian Regional Commission, a \$30,000.00 County match would be required, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a grant application, on behalf of Cattaraugus County, in order to apply for the above-described funding, with a cash match not to exceed \$20,000.00 and an in-kind match of \$10,000, to the Appalachian Regional Commission, according to the above-described terms.

Approved by 6 members of the Finance Committee and 7 members of the Development and Agriculture Committee.

Adopted May 25, 2016 by voice vote.

**ACT NO. 242-2016** by Mr. VanRensselaer and Mr. Keller

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH THE HERALD, INC.  
FOR PRINTING OF 2016 AMISH TRAIL BROCHURES**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Economic Development, Planning and Tourism is desirous of purchasing brochures for the Amish trail in Cattaraugus County, and

WHEREAS, The Herald, Inc., 625 South Kibler Street, New Washington, Ohio 44854, can provide 25,000 copies of the 2016 Amish Trail brochures for an amount of \$6,633.96, to be paid as invoiced, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned brochures, 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 Herald, Inc., for the provision of the above-described brochures, for a term commencing May 1, 2016 and terminating July 31, 2016, according to the above-described terms.

Held in the Finance Committee and the Development and Agriculture Committee.

**ACT NO. 243-2016** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH  
NEW YORK STATE OFFICE OF COMMUNITY RENEWAL FOR  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
COMPOSITE PANEL SOLUTIONS, INC. MANUFACTURING FACILITY PROJECT**

Pursuant to Section 450 of the County Law.

WHEREAS, Composite Panel Solutions, Inc. (the "Company"), plans to construct, equip, and operate an approximately 80,000 square foot manufacturing facility to be located on NYS Route 353 in the Town of Little Valley, New York (the "Project"), and

WHEREAS, the Cattaraugus County Economic Sustainability and Growth Corporation (the "ESGC") is assisting the Company in the facilitation of the Project, and

WHEREAS, up to \$750,000.00 is available through the New York State Office of Community Renewal (the "OCR") Community Development Block Grant (CDBG) for such projects, and

WHEREAS, the ESGC has requested that the County apply for the aforementioned grant funding through the OCR for the purpose of making a grant to the ESGC, which will make term and deferred loans to the Company to finance a portion of the machinery, equipment, moving, and working capital costs associated with the Project, and

WHEREAS, the aforementioned Project will result in substantial benefit to the County in the form of an estimated 30-50 new permanent full-time employment positions within two years of its opening, and

WHEREAS, a public hearing was held on May 11, 2016 to obtain citizens' views regarding the CDBG program as administered by OCR and the Project, and

WHEREAS, this program is 100% state funded, with no cost to the County, now, therefore, be it

RESOLVED, that the Chair of the Cattaraugus County Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Office of Community Renewal in order to apply for funding for the Project proposed by Composite Panel Solutions, Inc., and be it further

RESOLVED, that the Chair of the Cattaraugus County Legislature be, and hereby is, designated as the certifying officer responsible for all activities associated with the federal environmental review process to be completed in conjunction with the Project.

Approved by 6 members of the Finance Committee and 7 members of the Development and Agriculture Committee.

Adopted May 25, 2016 by voice vote.

**ACT NO. 244-2016** by Mr. VanRensselaer and Mr. Keller

**AMENDING ACT 587-2015 REGARDING CONTRACTS WITH  
VARIOUS ENTITIES FOR TOURISM PROMOTION**

Pursuant to Sections 224(14) and 450 of the County Law and  
Local Law Number 20-2003 (Intro Number 21-2003).

WHEREAS, Act 587-2015 authorized contracts with various municipalities for the promotion of tourism in Cattaraugus County, and listed various categories for which the funding could be used, the terms of which expire December 31, 2016, and

WHEREAS, the Ellicottville Chamber of Commerce has requested additional uses for the funds, now, therefore, be it

RESOLVED, that effective May 1, 2016, Act 587-2015 be, and hereby is, amended as follows: In the 6<sup>th</sup> Whereas, at the end of the listing, add another category, as follows:

- "Travel writers and/or FAM Tours  
(allowable expenses – food and lodging [those paying bed tax only]  
up to \$125 per day with a maximum of \$5,000.00 per year)  
[Allowable only for the Ellicottville Chamber of Commerce]".

Approved by 6 members of the Finance Committee and 7 members of the Development and Agriculture Committee.

Adopted May 25, 2016 by voice vote.

**ACT NO. 245-2016** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH THE  
LOCAL INITIATIVES SUPPORT CORPORATION (LISC) FOR  
A CAPACITY BUILDING/START-UP GRANT PROGRAM**

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

WHEREAS, the County Department of Economic Development, Planning and Tourism is desirous of applying for a capacity building/start-up grant from the Local Initiatives Support Corporation (LISC), and

WHEREAS, the LISC Capacity Building/Start-Up Grant Program aims to develop innovative models and approaches to address vacant and abandoned properties within local communities by working with said communities to build the capacity of approved Land Bank Corporations, and

WHEREAS, the formation of the Cattaraugus County Land Bank Corporation, Inc. was approved by the NYS Empire State Development Corporation on March 24, 2016 to address vacant, abandoned and problematic properties, and

WHEREAS, the LISC Capacity Building/Start-Up Grant Program is available to Land Banks that have come into existence on or before May 10, 2016, and

WHEREAS, the LISC Capacity Building/Start-Up Grant Program funds may be used for activities including, but not limited to, start-up funding, staff and administrative support, and general operating funds, and

WHEREAS, LISC is making these grants available as a result of the February 11, 2016 settlement agreement entered into between Morgan Stanley & Co., LLC and the Office of New York State Attorney General Eric T. Schneiderman, and

WHEREAS, it is necessary to apply for such application through electronic submission before 5 p.m. on May 26, 2016, at no cost to the County, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a grant application, on behalf of Cattaraugus County, with the Local Initiatives Support Corporation (LISC), in order to apply for the above-described funding, according to the above-described terms.

Approved by 6 members of the Finance Committee and 7 members of the Development and Agriculture Committee.

Adopted May 25, 2016 by voice vote.

**ACT NO. 246-2016** by Mr. VanRensselaer and Mr. Keller  
and Mr. Koch and Mr. Padlo<sup>1</sup>

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
FOR ASSISTANCE TO START-UP ENTREPRENEURS  
(Department of Economic Development, Planning & Tourism)**

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

WHEREAS, it is in the best interest of Cattaraugus County to assist with economic development-related efforts within the County, and

WHEREAS, the County is desirous of assisting new "for profit" start-up entrepreneurs that will be leasing incubator space in the former OBI building from the Olean Business Development Corp., by contributing an amount not to exceed \$4,015.00 to six (6) new start-up entrepreneurs, to help cover ½ of the monthly rent for the first year in business, not to exceed a total program amount of \$24,090.00, and

WHEREAS, not-for-profit entrepreneurs are not eligible to apply for the aforementioned assistance, and

WHEREAS, the aforementioned \$24,090.00 has been provided through the Casino revenue fund, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to accommodate the aforementioned \$24,090.00, now, therefore, be it

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

Increase Estimated Revenue Account:

|                         |   |             |
|-------------------------|---|-------------|
| ED.642.6989.0000.2725.3 | Tribal Compact Moneys, Economic Development | \$24,090.00 |
|-------------------------|---|-------------|

Increase Appropriation Account:

|                        |                                   |              |
|------------------------|-----------------------------------|--------------|
| ED.642.6989.0000.48525 | Start-Up Entrepreneurs Assistance | \$24,090.00. |
|------------------------|-----------------------------------|--------------|

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

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: "Mr. Koch and Mr. Padlo".

Adopted May 25, 2016 by voice vote.

**ACT NO. 247-2016** by Mr. VanRensselaer

**APPROVING DUES FOR PROFESSIONAL ORGANIZATION  
(Economic Development, Planning and Tourism)**

Pursuant to Section 203(1) of the County Law.

WHEREAS, it is beneficial for the Department of Economic Development, Planning and Tourism to register the Cattaraugus County Land Bank Corporation as a member of The New York Land Bank Association, Inc., c/o Greater Syracuse Land Bank, and

WHEREAS, payment of dues in this organization is beneficial to the County and serves a public purpose, and

WHEREAS, there is a reasonable connection between the activities of this organization and the official duties of the officers or employees whose membership dues will be paid therein, and

WHEREAS, annual dues in the amount of \$1,500.00 are due, now, therefore, be it

RESOLVED, that effective January 1, 2016, Cattaraugus County authorizes membership and the payment of dues to The New York Land Bank Association, Inc., c/o Greater Syracuse Land Bank.

Approved by 6 members of the Finance Committee and 7 members of the Development and Agriculture Committee.

Adopted May 25, 2016 by voice vote.

**ACT NO. 248-2016** by Mr. Boberg and Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH TASER INTERNATIONAL, INC.  
FOR TASERS, CAMERAS AND DOCKS FOR SHERIFF'S OFFICE**

Pursuant to Section 450 of the County Law.

WHEREAS, the Sheriff's Office is desirous of purchasing tasers, cameras and docks for the safety of its officers, and

WHEREAS, TASER International, Inc., 17800 North 85<sup>th</sup> Street, Scottsdale, Arizona 85255, can provide tasers, Axon cameras, hardware and accessories, plus support, maintenance and licenses for a total amount of \$237,752.61, over a five-year period, as follows:

|   |                     |
|---|---------------------|
| Year 1 – Taser, Cameras & hardware plus support & maintenance | \$ 77,000.00        |
| plus shipping/handling/training                               | <u>\$ 336.61</u>    |
| Total Year 1  | \$ 77,336.61        |
| Years 2 through 5– support & maintenance, licenses, etc.      |                     |
| Total each year   | <u>\$ 40,104.00</u> |
| Total 5 year contract   | \$ 237,752.61,      |

and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned safety equipment, 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 TASER International, Inc., for the provision

of the above-described hardware, accessories, support, maintenance and licenses, for a term commencing June 1, 2016 and terminating five (5) years after delivery and acceptance of the above-described equipment & hardware, according to the above-described terms.

Approved by 6 members of the Finance Committee and 7 members of the County Operations/Public Safety Committee.

Adopted May 25, 2016 by voice vote.

**ACT NO. 249-2016** by Mr. Boberg and Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATTARAUGUS-LITTLE VALLEY CENTRAL SCHOOL DISTRICT  
FOR SCHOOL RESOURCE OFFICER PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 336-2015 authorized a contract with the Cattaraugus-Little Valley Central School District for participation in the School Resource Officer ("SRO") Program by placing a school resource officer in its District, the term of which expires June 30, 2016, and

WHEREAS, the SRO Program is designed to provide education, law enforcement and counseling to high school students and to encourage youths not to abuse drugs or alcohol, and to promote living a safe, law abiding, successful life, and

WHEREAS, the Cattaraugus-Little Valley Central School District ("District") is desirous of continuing its participation in the SRO Program, and

WHEREAS, the Cattaraugus County Sheriff's Office has agreed to assign a law enforcement officer to the District at no cost to the County, and

WHEREAS, the District has agreed to pay to the Sheriff's Office the actual cost of one (1) full-time school resource officer, which shall include all wages and fringe benefits, and the costs associated with training, uniforms and cellular phones, and

WHEREAS, the District shall provide a vehicle for SRO-related business and shall be responsible for all operational costs related to such vehicle, including but not limited to, tires, maintenance, fuel and repairs, and

WHEREAS, during the period of the County's ownership of the vehicle, the Sheriff may equip, paint and otherwise mark the vehicle, and convey ownership of the vehicle back to the School as soon as practicable following termination of the agreement, and

WHEREAS, upon the termination of the agreement, the Sheriff shall remove all such markings on the vehicle prior to its return to the School, 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 Cattaraugus-Little Valley Central School District, for participation in the School Resource Officer Program, for a term commencing July 1, 2016 and terminating June 30, 2017, according to the above-described terms, and be it further

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

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

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

Approved by 6 members of the Finance Committee and 7 members of the County Operations/Public Safety Committee.

Adopted May 25, 2016 by voice vote.

**ACT NO. 250-2016** by Mr. Boberg and Mr. Klancer  
*and Mr. Koch and Mrs. Labuhn<sup>1</sup>*

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
SALAMANCA CITY CENTRAL SCHOOL DISTRICT  
FOR SCHOOL RESOURCE OFFICER PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 338-2015 authorized a contract with the Salamanca City Central School District for participation in the School Resource Officer ("SRO") Program by placing two (2) full-time school resource officers in its District, the term of which expires June 30, 2016, and

WHEREAS, the SRO Program is designed to provide education, law enforcement and counseling to high school students and to encourage youths not to abuse drugs or alcohol, and to promote living a safe, law abiding, successful life, and

WHEREAS, the Salamanca City Central School District ("District") is desirous of continuing its participation in the SRO Program, and

WHEREAS, the Cattaraugus County Sheriff's Office has agreed to assign law enforcement officers to the District at no cost to the County, and

WHEREAS, the District has agreed to pay to the Sheriff's Office the actual cost of two (2) full-time school resource officers, which shall include all wages and fringe benefits, and the costs associated with training, uniforms and cellular phones, and

WHEREAS, the District shall provide a vehicle for SRO-related business and shall be responsible for all operational costs related to such vehicle, and to a vehicle presently owned by Cattaraugus County, the use of which will also be devoted to SRO-related business under the contract hereby authorized, including, but not limited to, tires, maintenance, fuel and repairs, and

WHEREAS, during the period of the County's ownership of the vehicle, the Sheriff may equip, paint and otherwise mark the vehicle, and convey ownership of the vehicle back to the School as soon as practicable following termination of the agreement, and

WHEREAS, upon the termination of the agreement, the Sheriff shall remove all such markings on the vehicle prior to its return to the School, 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 City Central School District, for the provision of the School Resource Officer Program, for a term commencing July 1, 2016 and terminating June 30, 2017, according to the above-described terms, and be it further

RESOLVED, that upon termination of funding for this program, then this program shall be automatically abolished, and be it further



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

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

Approved by 6 members of the Finance Committee and 7 members of the County Operations/Public Safety Committee.

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: "Mr. Koch and Mrs. Labuhn".

Adopted May 25, 2016 by voice vote.

**ACT NO. 251-2016** by Mr. Boberg and Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
ALLEGANY-LIMESTONE CENTRAL SCHOOL DISTRICT AND  
CATTARAUGUS-ALLEGANY-ERIE-WYOMING BOCES  
FOR SCHOOL RESOURCE OFFICER PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 287-2015 authorized a contract with the Allegany-Limestone Central School District ("School") and the Cattaraugus-Allegany-Erie-Wyoming BOCES ("BOCES") for participation in the School Resource Officer ("SRO") Program, by placing a school resource officer in its District, the term of which expires June 30, 2016, and

WHEREAS, the SRO Program is designed to provide education, law enforcement and counseling to high school students and to encourage youths not to abuse drugs or alcohol, and to promote living a safe, law abiding, successful life, and

WHEREAS, it is proposed that the School and BOCES share one (1) full-time SRO on a 80-20 percent basis, with the School having the officer 80% of the time and BOCES having the officer 20% of the time, in an attempt to deter criminal behavior through positive interactions with students during school hours, and

WHEREAS, the Cattaraugus County Sheriff's Office has agreed to assign a law enforcement officer to the School and BOCES at no cost to the County, and

WHEREAS, the School shall contribute the amount of \$83,200.00 to cover 80% of the financial cost of one (1) SRO for a term commencing July 1, 2016 and terminating June 30, 2017, and

WHEREAS, the School and BOCES shall provide a vehicle for SRO-related business and shall be responsible for all operational costs related to such vehicle, and to a vehicle presently owned by Cattaraugus County, the use of which will also be devoted to SRO-related business under the contract hereby authorized, including, but not limited to, tires, maintenance, fuel and repairs, and

WHEREAS, during the period of the County's ownership of the vehicle, the Sheriff may equip, paint and otherwise mark the vehicle, and convey ownership of the vehicle back to the School and BOCES as soon as practicable following termination of the agreement, and

WHEREAS, upon the termination of the agreement, the Sheriff shall remove all such markings on the vehicle prior to its return to the School and BOCES, now, therefore, be it

WHEREAS, BOCES shall contribute an amount not to exceed \$20,800.00 to cover 20% of the financial cost of one (1) SRO for a term commencing July 1, 2016 and terminating June 30, 2017, 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 Allegany-Limestone Central School District and Cattaraugus-Allegany-Erie-Wyoming BOCES, for the provision of the School Resource Officer Program, for a term commencing July 1, 2016 and terminating June 30, 2017, according to the above-described terms, and be it further

RESOLVED, that upon termination of funding for this program, then this program shall be automatically abolished, and be it further

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

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

Approved by 6 members of the Finance Committee and 7 members of the County Operations/Public Safety Committee.

Adopted May 25, 2016 by voice vote.

**ACT NO. 252-2016** by Mr. Boberg and Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
PIONEER CENTRAL SCHOOL DISTRICT FOR  
SCHOOL RESOURCE OFFICER PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 339-2015 authorized a contract with the Pioneer Central School District for participation in the School Resource Officer ("SRO") Program by placing one (1) full-time and one (1) part-time school resource officer in its District, the term of which expires June 30, 2016, and

WHEREAS, the SRO Program is designed to provide education, law enforcement and counseling to high school students and to encourage youths not to abuse drugs or alcohol, and to promote living a safe, law abiding, successful life, and

WHEREAS, the Pioneer Central School District ("District") is desirous of continuing its participation in the SRO Program, and

WHEREAS, the Cattaraugus County Sheriff's Office has agreed to assign law enforcement officers to the District at no cost to the County, and

WHEREAS, the District has agreed to pay to the Sheriff's Office the actual cost of one (1) full-time and one (1) part-time school resource officers, which shall include all wages and fringe benefits, and the costs associated with training, uniforms and cellular phones, and

WHEREAS, the District shall be responsible for the initial purchase of the SRO vehicle and all of the operational costs associated with the SRO vehicle, including, but not limited to, tires, maintenance, fuel and repairs, and

WHEREAS, during the period of the County's ownership of the vehicle, the Sheriff may equip, paint and otherwise mark the vehicle, and convey ownership of the vehicle back to the District as soon as practicable following termination of the agreement, and

WHEREAS, upon the termination of the agreement, the Sheriff shall remove all such markings on the vehicle prior to its return to the District, 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 Pioneer Central School District, for the provision of the School Resource Officer Program, for a term commencing July 1, 2016 and terminating June 30, 2017, according to the above-described terms, and be it further

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

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

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

Approved by 6 members of the Finance Committee and 7 members of the County Operations/Public Safety Committee.

Adopted May 25, 2016 by voice vote.

**ACT NO. 253-2016** by Mr. Boberg, Mr. Klancer and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH NEW ENGLAND POLYGRAPH ASSOCIATES  
FOR POLYGRAPH SERVICES FOR PROBATION DEPARTMENT  
AND TRANSFER OF FUNDS  
(Contingent Fund - Probation Department)**

Pursuant to Sections 363, 365 and 450 of the County Law.

WHEREAS, the Probation Department is in need of polygraph services for its clients, and

WHEREAS, New England Polygraph Associates, 78 Judson Avenue, Bristol, Connecticut, 06010, can provide polygraph services for clients of the Probation Department, for an amount of \$5,000.00, to be paid as invoiced, and

WHEREAS, a transfer of funds is necessary in order 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 New England Polygraph Associates, for the provision of the above-described services, for a term commencing June 1, 2016 and terminating December 31, 2016<sup>1</sup>, 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.901.1990.0000.40601 | Contingent Fund | \$5,000.00 |
|-----------------------|-----------------|------------|

Increase Appropriation Accounts:

|                       |                    |             |
|-----------------------|--------------------|-------------|
| A.314.3140.0000.41257 | Polygraph Services | \$5,000.00. |
|-----------------------|--------------------|-------------|

Approved by 6 members of the Finance Committee and 7 members of the County Operations/Public Safety Committee.

<sup>1</sup>MR. KLANCER moved, seconded by Mr. Padlo, to amend as follows: In the first Resolved, delete: "2017", and replace with: "2016". Carried.

Adopted, as amended, May 25, 2016 by voice vote.

**ACT NO. 254-2016** by Mr. Boberg, Mr. Klancer and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH LAW ENFORCEMENT PSYCHOLOGICAL ASSOCIATION  
FOR PSYCHOLOGICAL TESTING FOR PROBATION DEPARTMENT AND  
TRANSFER OF FUNDS  
(Contingent Fund - Probation Department)**

Pursuant to Sections 363, 365 and 450 of the County Law.

WHEREAS, the Probation Department is in need of psychological testing services for newly hired and existing employees in the Probation Department, and

WHEREAS, Law Enforcement Psychological Association, 448 White Spruce Boulevard, Rochester, New York 14623, can provide psychological testing services for existing staff and newly hired employees of the Probation Department, for an amount not to exceed \$5,600.00, as follows:

- Post-Offer Evaluation (for existing staff)
  - Includes several different questionnaires (CPI, HPI, etc.), tailored to job duties with descriptors, rather than comparison to other candidates;
  - Questionnaires and interviews would be held in Olean initially, with new hires going to Rochester - \$350-400 per evaluation
- Bifurcated Model (for new hires)
  - Initial, non-medical screening, pre-offer, addressing personality traits (integrity, responsibility, interpersonal skills) – no interview-\$200/screening
  - Secondary, psychological, post-offer – interview-\$200/screening,

and

WHEREAS, a transfer of funds is necessary in order 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 Law Enforcement Psychological Association, for the provision of the above-described services, for a term commencing June 1, 2016 and terminating December 31, 2016<sup>1</sup>, 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.901.1990.0000.40601 | Contingent Fund | \$5,600.00 |
|-----------------------|-----------------|------------|

Increase Appropriation Account:

|                       |                      |             |
|-----------------------|----------------------|-------------|
| A.314.3140.0000.46105 | Employee Evaluations | \$5,600.00. |
|-----------------------|----------------------|-------------|

Approved by 6 members of the Finance Committee and 7 members of the County Operations/Public Safety Committee.

<sup>1</sup>MR. KLANCER moved, seconded by Mr. Padlo, to amend as follows: In the first Resolved, delete: "2017", and replace with: "2016". Carried.

Adopted, as amended, May 25, 2016 by voice vote.

**ACT NO. 255-2016** by Mr. Boberg and Mr. Klancer  
and Mr. Padlo<sup>1</sup>

**URGING ADOPTION OF DEFENSE MANDATE RELIEF ACT (A.6202C AND S.6341A) AND  
ENDORING NEW YORK STATE'S RESPONSIBILITY TO FULLY FUND ALL  
COUNTY PUBLIC DEFENSE PROGRAMS, INCLUDING ANY INCREASED COSTS INCURRED BY  
COMPLYING WITH THE OFFICE OF INDIGENT LEGAL SERVICES' STANDARDS**

Pursuant to Section 153 of the County Law.

WHEREAS, it is a fundamental right of all persons in the United States to be represented by counsel in all criminal prosecutions; and in the case of *Gideon vs. Wainwright*, 372 U.S. 335, the United States Supreme Court ruled that persons who were unable to afford counsel had a constitutional right to be defended by an appointed attorney paid by the State, and

WHEREAS, New York State has chosen to fulfill its obligation to provide representation to people unable to afford counsel by requiring each county outside New York City and New York City to implement and fund a plan to provide such representation, and

WHEREAS, in 2006, the Kaye Commission on the Future of Indigent Legal Services concluded that a system of county operated and funded public defense services failed to satisfy the constitutional obligation to protect the rights of persons accused of crime and recommended that funding for mandated legal services come from the State's general fund rather than from the counties, and

WHEREAS, on April 27, 2007, the Board of Directors of the New York State Defenders Association adopted a list of Defender System "Must Haves" drafted by the Chief Defenders of New York containing the following:

- "Adequate and full State funding, with no reduction in existing level of funding for any county and/or region;
- Fair and consistent level of quality throughout the state," and

WHEREAS, New York State has entered into an agreement to settle the *Hurrell-Harring vs. State of New York* class action lawsuit, and such agreement acknowledges that the Office of Indigent Legal Services and the Indigent Legal Services Board are statutorily authorized to monitor and study

indigent legal services in the state, to recommend measures to improve those services, and to establish statewide standards to improve the quality of public defense legal services, and

WHEREAS, by entering into such agreement, the State acknowledges that it is constitutionally required to fund public defense services and to fund initiatives to improve the quality of public defense, ensure representation at arraignment, implement caseload standards for providers of indigent legal services, and implement statewide standards for determining eligibility for mandated representation, and

WHEREAS, requiring counties to finance the State's obligation to provide public defense services imposes a significant uncontrollable financial burden on counties dependent on real property taxes to fund needed services and subject to a State imposed tax cap, and

WHEREAS, Assembly Bill A.6202C and Senate Bill S.6341A have been introduced to provide for the State to take over full funding of the ILS program in 2023 and relieve all counties of this financial strain and unfunded mandate, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby supports the timely implementation of the State's responsibility to fund in all counties the full amount necessary to provide public defense legal services and the full amount necessary to ensure the delivery of quality legal services for clients, including any increased costs incurred by public defense programs in complying with any standards promulgated by the Office of Indigent Legal Services (ILS), and be it further

RESOLVED, that the Cattaraugus County Legislature hereby strongly urges the passage of the Public Defense Mandate Relief Act (A.6202C and S.6341A), and be it further

RESOLVED, that a copy of this resolution be sent to Governor Cuomo, Senate Majority Leader Flanagan, Senator Young, Assembly Speaker Heastie, Assemblyman Giglio, the New York State Office of Indigent Legal Services (ILS), <sup>1</sup>the New York State Defenders Association (NYSDA), *the New York Civil Liberties Union (NYCLU)*, *the Chief Defenders Association of New York (CDANY)*, *the New York State Association of Counties (NYSAC)*, and *the Inter-County Association of Western New York*<sup>2</sup>.

Approved by 6 members of the Finance Committee and 7 members of the County Operations/Public Safety Committee.

<sup>1</sup>The following Legislator requested his name be listed as an additional sponsor: "Mr. Padlo".

<sup>2</sup>MR. KLANCER moved, seconded by Mr. Padlo, to amend as follows: In the third Resolved, delete: "and"; and after (NYSDA), add: ", the New York Civil Liberties Union (NYCLU), the Chief Defenders Association of New York (CDANY), the New York State Association of Counties (NYSAC), and the Inter-County Association of Western New York". Carried.

Adopted, as amended, May 25, 2016 by voice vote.

**ACT NO. 256-2016** by Mr. Boberg and Mr. Klancer

**ENDORISING THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES  
CRITERIA AND PROCEDURES FOR DETERMINING ASSIGNED COUNSEL ELIGIBILITY**

Pursuant to Section 450 of the County Law.

WHEREAS, the New York State Defenders Association (NYSDA) has long recognized the important role of standards in improving public defense representation by using and publicizing a wide

variety of national and state standards in many contexts; adopting “Standards for Providing Constitutionally and Statutorily Mandated Legal Representation in New York State” in 2004 and its Client Advisory Board’s “Client-Centered Representation Standards” in 2005; and commenting on drafts or otherwise assisting in standards developed by other organizations, including the New York State Bar Association, the American Bar Association, and the New York State Office of Indigent Legal Services (ILS), and

WHEREAS, in 2015, ILS was designated by the State of New York to implement the settlement of the class action lawsuit *Hurrell-Harring v State of New York*, and as part of fulfilling that responsibility undertook its own comprehensive examination of eligibility processes across the State, and

WHEREAS, ILS then developed, with the assistance of NYSDA and others, and has now promulgated “Criteria and Procedures for Determining Assigned Counsel Eligibility” consistent with the agreed-upon terms of the *Hurrell-Harring* settlement relating to eligibility determinations and pursuant to its authority under Executive Law § 832(3)(c), and

WHEREAS, implementation of those ILS standards to guide courts in determining eligibility will improve the fairness and efficiency of eligibility determinations across the State, benefitting potential public defense clients, the judiciary, and justice, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby fully endorses the “Criteria and Procedures for Determining Assigned Counsel Eligibility” promulgated by ILS on April 4, 2016 *and the extension of the effective date of April 1, 2017, as requested by the Chief Defenders Association of New York*<sup>1</sup>, and be it further

RESOLVED, that a copy of this resolution be sent to Governor Cuomo, Senate Majority Leader Flanagan, Senator Young, Assembly Speaker Heastie, Assemblyman Giglio, and the New York State Office of Indigent Legal Services (ILS), <sup>1</sup>the New York State Defenders Association (NYSDA), *the New York Civil Liberties Union (NYCLU), the Chief Defenders Association of New York (CDANY), the New York State Association of Counties (NYSAC), and the Inter-County Association of Western New York*<sup>1</sup>.

Approved by 6 members of the Finance Committee and 7 members of the County Operations/ Public Safety Committee.

<sup>1</sup>MR. KLANCER moved, seconded by Mr. Padlo, to amend as follows: In the first Resolved, delete: “and the timely implementation thereof”, and replace with: “and the extension of the effective date to April 1, 2017, as requested by the Chief Defenders Association of New York”; and in the second Resolved, delete: “and”; and after (NYSDA), add: “, the New York Civil Liberties Union (NYCLU), the Chief Defenders Association of New York (CDANY), the New York State Association of Counties (NYSAC), and the Inter-County Association of Western New York”. Carried.

Adopted, as amended, May 25, 2016 by voice vote.

**ACT NO. 257-2016** by Mr. Snyder, Sr., Mr. Padlo and Mr. Keller

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CITY OF OLEAN  
FOR OLEAN MUNICIPAL AIRPORT CAPITAL IMPROVEMENTS**

Pursuant to Section 119-s of the General Municipal Law and  
Section 450 of the County Law.

WHEREAS, the City of Olean has requested funding in an amount not to exceed \$17,000.00 for capital improvements at the Olean Municipal Airport, and

WHEREAS, the City of Olean proposes to use the aforementioned funding to offset the purchase of a Kubota RTV utility tractor, and

WHEREAS, the 2016 County budget provides for the payment of \$17,000.00 to the City of Olean for the aforementioned Olean Municipal Airport capital improvements from Account A.561.5610.0000.42002, 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 City of Olean, for payment to the City of Olean of an amount not to exceed \$17,000.00, for a term commencing January 1, 2016 and terminating December 31, 2016, according to the above-described terms.

Approved by 6 members of the Finance Committee and 7 members of the Development and Agriculture Committee.

Adopted May 25, 2016 by voice vote.

**ACT NO. 258-2016** by Mr. Snyder, Sr., Mr. Padlo and Mr. Keller

**AUTHORIZING THE CHAIR TO EXECUTE  
PAYMENT IN LIEU OF TAXES AGREEMENT WITH  
CITY OF OLEAN REGARDING OLEAN AIRPORT TAXATION**

Pursuant to Section 406(2) of the Real Property Tax Law and  
Section 450 of the County Law.

WHEREAS, Act 683-2007, as amended by Act 121-2015, authorized the Chair to execute a Payment in Lieu of Taxes (PILOT) agreement with the City of Olean regarding the Olean Airport taxation, the term of which expired January 31, 2016, and

WHEREAS, it is necessary to enter into a new PILOT agreement to be effective January 31, 2017, and

WHEREAS, a new PILOT agreement is necessary between the City of Olean and the County of Cattaraugus, under which the City of Olean would pay to Cattaraugus County a payment in lieu of taxes in an amount of \$1.00 per year, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a Payment in Lieu of Taxes (PILOT) agreement, on behalf of Cattaraugus County, with the City of Olean, for a term commencing January 31, 2017 to continue in full force and effect until terminated by either party hereto, according to the above-described terms.

Approved by 5 members of the Finance Committee and 7 members of the County Operations/ Public Safety Committee.

Adopted May 25, 2016 by voice vote.



## ACT NO. 259-2016 by Mrs. Stockman

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

Pursuant to 2 NYCRR Section 315.4.

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

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

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

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

| <u>Title</u>                        | <u>Name</u>          | <u>Ret. Reg.</u> | <u>Authority</u> | <u>Term</u>          | <u>Standard<br/>Work Hours<br/>per Day</u> | <u>Equivalent<br/>Days per<br/>Month</u> |
|-------------------------------------|----------------------|------------------|------------------|----------------------|--|--|
| Election<br>Commissioner            | Michael M. Brisky    | 41813429         | Appointed        | 1/31/16-<br>12/31/16 | 7  | 23.35                                    |
| Personnel Director                  | Julie J. Carr        | 60601606         | Appointed        | 5/1/15-<br>4/30/21   | 7  | 22.38                                    |
| Director of<br>Information Services | Patricia A. Davison  | 50389899         | Appointed        | 5/16/15-<br>5/15/19  | 7  | 21.67                                    |
| County Attorney                     | Moses M. Howden      | 40367617         | Appointed        | 1/1/16-<br>12/31/19  | 7  | 22.69                                    |
| Commissioner of<br>Public Works     | Joseph T. Pillittere | 42233676         | Appointed        | 6/12/15-<br>6/11/19  | 7  | 27.47                                    |
| County Administrator                | John R. Searles      | 32027583         | Appointed        | 9/14/15-<br>9/13/19  | 7  | 21.67                                    |
| Deputy County<br>Administrator      | Jeffrey VanDeCar     | 38876397         | Appointed        | 9/14/15-<br>9/13/19  | 7  | 21.67                                    |
| Legislator                          | Joseph F. Boberg     | 60088259         | Elected          | 1/1/16-<br>12/31/19  | 6  | 5.43                                     |
| County Clerk                        | Alan Bernstein       | 36780229         | Elected          | 1/1/16-<br>12/31/19  | 7  | 21.92                                    |
| Deputy County Clerk                 | Darrell Klute        | 61336343         | Elected          | 1/1/16-<br>12/31/19  | 7  | 21.82                                    |
| Legislator                          | David M. Koch        | 31426216         | Elected          | 1/1/16-<br>12/31/19  | 6  | 8.72                                     |
| Legislator                          | John J. Padlo        | 38764155         | Elected          | 1/1/16-<br>12/31/19  | 6  | 9.25                                     |
| Legislator                          | Paula J. Stockman    | 50464544         | Elected          | 1/1/16-<br>12/31/19  | 6  | 8.39                                     |

and be it further

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

Approved by 5 members of the Finance Committee.

Adopted May 25, 2016 by voice vote. Mr. Boberg, Mr. Koch, Mr. Padlo and Mrs. Stockman abstained from vote.

**ACT NO. 260-2016** by Ms. Vickman and Mrs. Labuhn  
*and Mr. Koch*<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATTARAUGUS COMMUNITY ACTION, INC. FOR ASSISTANCE WITH  
FOOD FOR THOUGHT CULINARY ARTS EMPLOYMENT TRAINING PROGRAM AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Social Services)**

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

WHEREAS, Act 462-2014, as amended by Act 618-2015, authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the Food for Thought Culinary Arts Employment Training Program, which is an initiative that focuses on job training, job skills development, job placement and retention, and financial and civic literacy, and

WHEREAS, the Program is operated by Cattaraugus Community Action, Inc. and is funded through the New York State Department of State's Community Services Block Grant discretionary funding program, and

WHEREAS, Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, is requesting an amount not to exceed \$50,000.00, to be paid as tuition for up to 18 participants at the rate of \$2,700.00 per student for a 15 week cycle which includes ServSafe Certificate, Work Readiness Credential, Financial Literacy Certificate, and the Culinary Arts Certificate, and

WHEREAS, in the event a student drops out within the first four (4) weeks of class (20 classes), consideration will be as follows:

1 to 10 days – charge of \$36.00 per day (up to 10 days)

11 to 20 days – charge of \$1,200 for tuition per student,

and

WHEREAS, the County is desirous of contributing an amount not to exceed \$50,000.00 to support the aforementioned program, which shall be made in monthly installments, and

WHEREAS, various appropriation and revenue accounts must be adjusted to cover the cost 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 Cattaraugus Community Action, Inc., in order to contribute an amount not to exceed \$50,000.00 towards the cost of the Food for Thought Culinary Arts Employment Training Program, as stated above, and be it further

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

Increase Estimated Revenue Account:

|                      |  |             |
|----------------------|--|-------------|
| A.601.6151.0000.4615 | Federal Aid, Flexible Fund for Family Services | \$50,000.00 |
|----------------------|--|-------------|

Increase Appropriation Account:

|                          |   |              |
|--------------------------|---|--------------|
| A.601.6151.0000.41607.30 | Contracted Services, DSS CCA Food for Thought | \$50,000.00. |
|--------------------------|---|--------------|

Approved by 6 members of the Finance Committee and 4 members of the Human Services Committee.

<sup>1</sup>The following Legislator requested his name be listed as an additional sponsor: "Mr. Koch".

Adopted May 25, 2016 by voice vote.

**ACT NO. 261-2016** by Mr. Snyder, Sr. and Mr. VanRensselaer

***TRANSFER<sup>1</sup> OF TAX TITLE PROPERTIES TO CITY OF OLEAN AND  
WAIVING RULE 40.9 OF THE RULES OF ORDER  
(City of Olean)***

Pursuant to Section 215 of the County Law, Rule 33 of the Rules of Order of the Cattaraugus County Legislature, and Section 72-h of the General Municipal Law.

WHEREAS, certain properties located in the City of Olean, known and identified as the following Tax Map Numbers, appear on the County's <sup>1</sup> in rem tax foreclosure list:

| <u>Address</u>              | <u>Tax Map No.<sup>1</sup></u> |
|-----------------------------|--------------------------------|
| 331 Thirteenth Street North | 94.055-4-44                    |
| 616 Henley Street West      | 94.064-13-31                   |
| 226 Seventh Street North    | 94.064-4-74                    |
| 602-604 Green Street West   | 94.072-4-35                    |
| 306 Eleventh Street North   | 94.056-3-27                    |
| 1202 Sullivan Street West   | 94.056-3-45                    |
| 105 Thirteenth Street South | 94.064-10-62                   |
| 305 Seventh Street North    | 94.056-6-20                    |
| 312 Wayne Street North      | 94.057-1-33                    |
| 1210 Reed Street            | 94.056-2-45                    |
| 313 Seventh Street South    | 94.072-4-48                    |
| 122 Henley Street East      | 94.073-4-6                     |
| 439 Martha Avenue           | 94.081-1-60, <sup>1</sup>      |

and

WHEREAS, the properties have been foreclosed upon and are currently owned by the County, and

WHEREAS, the City of Olean has pledged to take an aggressive stance against the blighted properties within the City, and would like to acquire the above-listed properties from the County to ensure that they do not fall into a state of disrepair, and

WHEREAS, conveyance of the properties to the City of Olean and the waiver of delinquent taxes is in the best interests of the County, now, therefore, be it

RESOLVED, that the County Treasurer shall be, and hereby is, authorized and directed to execute a deed conveying the above-described properties to the City of Olean,<sup>1</sup> and be it further

RESOLVED, that Rule 40.9 of the Rules of Order of the Cattaraugus County Legislature is hereby waived for this sale.

Approved by 5 members of the Finance Committee and 4 members of the County Operations/Public Safety Committee.

<sup>1</sup>MR. VANRENSSELAER moved, seconded by Mr. Hale, to amend as follows: In the Title, delete: "SALE", and replace with: "TRANSFER"; In the first Whereas, delete: "2015"; delete the entire Amount column; add the following: "1210 Reed Street, 94.056-2-45, 313 Seventh Street South, 94.072-4-48, 122 Henley Street East, 94.073-4-6, 439 Martha Avenue, 94.081-1-60"; In the first Resolved, delete: "for an amount of \$40,148.21, which represents the amount of city taxes made whole by the County". Carried.

Adopted, as amended, May 25, 2016 by voice vote.

**ACT NO. 262-2016** by Mr. Snyder, Jr.  
*and Mr. Boberg, Mr. Hale, Ms. Vickman, Ms. Hastings,  
Mr. Koch, Mrs. Labuhn, Mr. Padlo and Mr. Keller<sup>1</sup>*

**LOCAL LAW NUMBER 3 - 2016  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law and  
Sections 1110 and 1111 of the Real Property Tax Law.

**A LOCAL LAW REPEALING LOCAL LAW NUMBER 10-1994 (INTRO NUMBER 15-1994)  
REGARDING REDEMPTION PERIOD FOR REAL PROPERTY TAXES**

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

SECTION 1. Intent. It is the intent of this Local Law to reduce the redemption period for all property from three (3) years to two (2) years after lien date for taxes becoming liens by repealing Local Law No. 10-1994 (Intro Number 15-1994), entitled "A Local Law Extending Redemption Period for Real Property Taxes".

SECTION 2. Redemption Period. Pursuant to Real Property Tax Law Section 1110, the redemption period shall expire two (2) years after lien date.

SECTION 3. Effective Date. This Local Law shall take effect January 1, 2017 and shall apply to all taxes and other assessments appearing on all real property tax bills issued on or after the effective date, including all taxes returned to the County that appear on any such tax bill.

Approved by 6 members of the Finance Committee and 7 members of the County Operations/Public Safety Committee.

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: "Mr. Boberg, Mr. Hale, Ms. Vickman, Mrs. Hastings, Mr. Koch, Mrs. Labuhn, Mr. Padlo and Mr. Keller".

No further action taken at this time.

**ACT NO. 263-2016** by Mr. Snyder, Jr.  
*and Mr. Boberg<sup>1</sup>*

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 3 - 2016**

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 May 25, 2016, a proposed Local Law entitled, "A Local Law Repealing Local Law Number 10-1994 (Intro Number 15-1994) Regarding Redemption Period for Real Property Taxes", 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 8th day of June, 2016, at 4:01 p.m. at the Legislature's Chambers, County Center, 303 Court Street, Little Valley, New York, and that at least five 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 6 members of the Finance Committee and 7 members of the County Operations/ Public Safety Committee.

<sup>1</sup>The following Legislator requested his name be listed as an additional sponsor: "Mr. Boberg".

Adopted May 25, 2016 by voice vote.

**ACT NO. 264-2016** by Mrs. Stockman  
*and Mr. Boberg, Mr. Hale, Mr. Klancer, Mr. Neal, Mr. Snyder, Jr.,  
Mr. Snyder, Sr., Mr. VanRensselaer, Ms. Vickman, Ms. Hastings,  
Mr. Koch, Mrs. Labuhn, Mr. Padlo and Mr. Keller<sup>1</sup>*  
who ask immediate consideration

**URGING GOVERNOR CUOMO AND STATE LEGISLATURE TO FULLY REIMBURSE  
MUNICIPAL SELF-INSURED WORKERS' COMPENSATION PLANS**

Pursuant to Section 153 of the County Law.

WHEREAS, Senate Bill S03891 and Assembly Bill A05518 propose to amend the Volunteer Firefighters' Benefit Law, in relation to the expansion of coverage to include cancer of the digestive, hematological, lymphatic, urinary, prostate, neurological, breast and reproductive systems, and

WHEREAS, the New York State Association of Self-Insured Counties (NYSASIC), as the professional organization representing the majority of self-insured counties and many other municipalities in the State of New York, strongly opposes this legislation, and

WHEREAS, the proposed legislation provides that in the event that an individual passes

his or her physical examination on entry into firefighter service that any melanoma or other cancer condition that is subsequently diagnosed is presumed to arise in the performance and discharge of that individual's duties as a volunteer firefighter, and

WHEREAS, this legislation is problematic for several reasons, including the following:

- most physical examinations required for entry into a volunteer fire department are quite limited in scope and do not include the detail or the diagnostic testing typically associated with diagnosing cancer or ruling out the presence of cancer,
- many of the conditions may be present and remain undiagnosed even though an individual may still pass the physical examination associated for entry into firefighter service,
- many of the conditions identified often develop with age and/or are either genetic or hereditary in nature, and
- even if a comprehensive physical examination with diagnostic testing is performed when an individual first enters firefighter service, it would be both disingenuous and unwise to presume that in the event that such an individual eventually is diagnosed with cancer, such as prostate cancer or breast cancer many years later, that the development or cause of that cancer is in any way connected to the individual's firefighter service,

and

WHEREAS, such legislation would essentially place counties in the position of insuring that, in the event that a volunteer firefighter contracts cancer of any kind, they will need to provide indemnity, medical and, potentially, death benefits, unless they can prove that such cancer condition is unrelated with competent evidence, and

WHEREAS, providing such a presumption and placing the cost of rebutting such a presumption on county taxpayers would pose an undue financial burden and hardship, and

WHEREAS, such a presumption would also likely force counties and volunteer fire departments to change their procedures relating to physical examinations for volunteer firefighters in order to ensure that applicants are cancer free resulting in comprehensive physical examinations that would prove costly and could have a chilling effect on recruitment and the membership of volunteer fire departments, and

WHEREAS, the legislation proposed by Senate Bill S03891 and Assembly Bill A05518 is unnecessary as the Volunteer Firefighters' Benefits Law already provides such benefits in the event that a volunteer firefighter (or his or her dependents in connection with a death claim) can prove that the cancer condition arose in the line of duty, and

WHEREAS, shifting the burden of proof based upon a flawed presumption that has no medical basis would be ill advised, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature urges the State of New York not to pass Senate Bill S03891 and Assembly Bill A05518 in its current language, and be it further

RESOLVED, that the Cattaraugus County Legislature hereby urges modification of Senate Bill S03891 and Assembly Bill A05518, prior to enactment, to provide that municipal self-insured workers' compensation plans be reimbursed by the State of New York, the costs of all claims associated with such legislation, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader Flanagan, Assembly Speaker Heastie, Senator Young, Assembly Member Giglio, the New York State Association of Counties, the Western New York Inter-County Association, and the New York State Association of Self-Insured Counties.

MR. VANRENSELAER moved, seconded by Mr. Padlo to waive Rule 12, pursuant to Rule 33.1. Carried.

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: “Mr. Boberg, Mr. Hale, Mr. Klancer, Mr. Neal, Mr. Snyder, Jr., Mr. Snyder, Sr., Mr. VanRensselaer, Ms. Vickman, Ms. Hastings, Mr. Koch, Mrs. Labuhn, Mr. Padlo and Mr. Keller.

Adopted May 25, 2016 by voice vote.

**ACT NO. 265-2016** by Mr. Boberg, Mr. Hale, Mr. Helmich, Mr. Klancer, Mr. Neal, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. VanRensselaer, Ms. Vickman, Ms. Hastings, Mr. Koch, Mrs. Labuhn, Mr. Lamberson, Mr. Padlo and Mr. Keller who ask 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 properties 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 are 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:

#### **CITY OF OLEAN**

| <b>PARCEL NO.</b> | <b>TAX MAP NO.</b> | <b>HIGH BIDDER</b>                       | <b>ADDRESS</b>   | <b>COUNTY INVOLVEMENT</b> | <b>BID AMOUNT</b> |
|-------------------|--------------------|--|--|---------------------------|-------------------|
| 2                 | 94.065-6-10        | Beatriz Vazquez                          | 15246 S.W. 39 <sup>th</sup> Terrace<br>Miami, FL 33185 | \$36,706.48               | \$20,000.00       |
| 6                 | 94.033-1-3         | John E. Skadowski<br>Jeanne A. Skadowski | 1604 River Street<br>Olean, NY 14760                   | \$2,373.11                | \$1,300.00        |
| 8                 | 94.073-4-25        | Amanda Hulbert<br>Scott Hulbert          | 1523 Olean-Portville Rd.<br>Olean, NY 14760            | \$13,186.61               | \$21,000.00       |
| 15                | 94.073-4-50        | Paul D. Petruzzi                         | 169 East Flagler St., Ste. 1241<br>Miami, FL 33131     | \$8,076.49                | \$2,500.00        |

|            |                              |   |  |             |             |
|------------|------------------------------|---|--|-------------|-------------|
| 16         | 94.059-3-15.1                | Joshua Charles Dupre                      | 320 Martin Luther King Dr. SE<br>Atlanta, GA 30312 | \$12,105.26 | \$7,900.00  |
| 20         | 94.033-1-47                  | Kerri Ann Arena-Brooks<br>Ralph T. Brooks | 519 Bolivar Drive<br>Bradford, PA 16701            | \$2,556.64  | \$400.00    |
| 23         | 94.058-5-27                  | Elliot S. Koller                          | 5828 Rt. 219<br>Great Valley, NY 14741             | \$8,957.79  | \$10,000.00 |
| 24         | 94.066-4-38                  | Chestnut Capital<br>Holdings, LLC         | 757 East State Street<br>Olean, NY 14760           | \$12,740.19 | \$36,000.00 |
| 45         | 94.034-5-1                   | Asadullah Syed                            | 209 Arland Avenue<br>Olean, NY 14760               | \$298.25    | \$50.00     |
| 52         | 94.057-5-28                  | Tarrel L. James                           | P.O. Box 202<br>Olean, NY 14760                    | \$1,430.67  | \$650.00    |
| 53         | 94.075-1-36                  | Ashley L. Midder, Jr.                     | 813 W. Sullivan St.<br>Olean, NY 14760             | \$5,375.52  | \$400.00    |
| 55         | 94.058-2-3                   | Diane M. Kasperski<br>Ronda L. O'Keefe    | 526 Prospect Avenue<br>Olean, NY 14760             | \$1,063.58  | \$650.00    |
| 56         | 94.050-3-27                  | Jorge L. Rivera                           | P.O. Box 155<br>Randolph, NY 14772                 | \$6,773.18  | \$100.00    |
| 57         | 94.058-2-4                   | Ronda L. O'Keefe<br>Diane M. Kasperski    | 526 Prospect Avenue<br>Olean, NY 14760             | \$804.07    | \$450.00    |
| 66a<br>66b | 94.056-4-35.2<br>94.056-4-34 | Paul D. Petruzzi                          | 169 East Flagler St., Ste. 1241<br>Miami, FL 33131 | \$16,274.08 | \$6,200.00  |
| 66d        | 94.058-6-57                  | Timothy J. Smith                          | 1088 Olean-Portville Rd.<br>Olean, NY 14760        | \$4,287.47  | \$150.00    |
| 66e        | 94.058-6-37                  | William I. Kurowski, Jr.                  | 8071 Rt. 16<br>Franklinville, NY 14737             | \$3,269.55  | \$250.00    |
| 66f        | 94.034-4-26                  | Joseph A. Sorokes<br>Ann M. Sorokes       | 808 Main Street<br>Olean, NY 14760                 | \$1,026.20  | \$125.00    |
| 66g        | 94.058-6-65                  | Kyle Gayton                               | 629 Seneca Avenue<br>Olean, NY 14760               | \$878.21    | \$375.00    |

**TOWN OF ASHFORD**

| <b>PARCEL<br/>NO.</b> | <b>TAX MAP<br/>NO.</b> | <b>HIGH BIDDER</b>    | <b>ADDRESS</b>                               | <b>COUNTY<br/>INVOLVEMENT</b> | <b>BID<br/>AMOUNT</b> |
|-----------------------|------------------------|-----------------------|--|-------------------------------|-----------------------|
| 76                    | 28.002-2-28            | Anthony J. Panzarella | 7 Chestnut Street<br>Franklinville, NY 14737 | \$1,678.54                    | \$1,600.00            |



|     |               |  |  |             |             |
|-----|---------------|--|--|-------------|-------------|
| 78  | 29.011-2-37   | Douglas A. Studd                             | 9094 Rt. 240<br>West Valley, NY 14171          | \$35,141.47 | \$15,000.00 |
| 81  | 19.002-1-26.7 | Donald F. Knavel<br>Denise T. Knavel         | 10023 Dutch Hill Road<br>West Valley, NY 14171 | \$18,193.53 | \$61,000.00 |
| 82  | 11.004-2-34   | Ramona Williams<br>Teaselman Jackson-McCarty | 10536 Beech Tree Road<br>West Valley, NY 14171 | \$3,506.69  | \$14,000.00 |
| 83a | 20.003-2-17   | Rob Schultz                                  | 1144 Maryvale Drive<br>Cheektowaga, NY 14225   | \$1,037.69  | \$125.00    |

**TOWN OF CARROLLTON**

| PARCEL NO. | TAX MAP NO.    | HIGH BIDDER                                | ADDRESS                                      | COUNTY INVOLVEMENT | BID AMOUNT |
|------------|----------------|--|--|--------------------|------------|
| 87         | 110.001-2-6    | Joshua A. Bowers                           | 9120 Persia Road<br>Gowanda, NY 14070        | \$5,336.97         | \$1,400.00 |
| 89         | 101.004-1-35.1 | Joseph E. Przemielewski                    | 2719 William Street<br>Cheektowaga, NY 14227 | \$3,769.84         | \$8,400.00 |
| 89a        | 101.079-2-17   | Todd Hugh Goldberg<br>Melissa L. Spozdzial | 1374 Alpine Drive<br>Olean, NY 14760         | \$13,765.23        | \$3,600.00 |

**TOWN OF CONEWANGO**

| PARCEL NO. | TAX MAP NO. | HIGH BIDDER                   | ADDRESS                                      | COUNTY INVOLVEMENT | BID AMOUNT |
|------------|-------------|-------------------------------|--|--------------------|------------|
| 107        | 51.004-1-15 | Chad Swanson<br>Jamie Swanson | 12983 Route 62<br>Conewango Valley, NY 14726 | \$765.24           | \$25.00    |

**TOWN OF DAYTON**

| PARCEL NO. | TAX MAP NO.   | HIGH BIDDER                      | ADDRESS                                 | COUNTY INVOLVEMENT | BID AMOUNT  |
|------------|---------------|----------------------------------|---|--------------------|-------------|
| 118        | 16.004-1-46.3 | John A. Gibbs<br>Joshua A. Gibbs | 8488 Route 353<br>Gowanda, NY 14070     | \$492.36           | \$6,750.00  |
| 122a       | 25.002-1-6    | John A. Gibbs<br>Joshua A. Gibbs | 8488 Route 353<br>Gowanda, NY 14070     | \$14,497.25        | \$15,000.00 |
| 122b       | 16.018-2-16   | Paul J. Feger                    | 177 Tremont Avenue<br>Kenmore, NY 14217 | \$5,891.48         | \$1,100.00  |

**TOWN OF EAST OTTO**

| PARCEL NO. | TAX MAP NO.   | HIGH BIDDER     | ADDRESS                                       | COUNTY INVOLVEMENT | BID AMOUNT  |
|------------|---------------|-----------------|---|--------------------|-------------|
| 129a       | 37.002-1-25.2 | Ryan P. Close   | 145 Mill Street<br>Bradford, PA 16701         | \$253.81           | \$50.00     |
| 129b       | 28.003-1-55.3 | Andrew D. Bolya | 7211 Hawkins Hill Road<br>East Otto, NY 14729 | \$7,787.08         | \$15,500.00 |

|      |             |                  |                                       |            |          |
|------|-------------|------------------|---------------------------------------|------------|----------|
| 129c | 27.016-1-19 | Joshua A. Bowers | 9120 Persia Road<br>Gowanda, NY 14070 | \$1,251.13 | \$170.00 |
|------|-------------|------------------|---------------------------------------|------------|----------|

**TOWN OF ELLICOTTVILLE**

| <b>PARCEL NO.</b> | <b>TAX MAP NO.</b> | <b>HIGH BIDDER</b> | <b>ADDRESS</b>                                | <b>COUNTY INVOLVEMENT</b> | <b>BID AMOUNT</b> |
|-------------------|--------------------|--------------------|---|---------------------------|-------------------|
| 141               | 38.004-1-18.3      | Andrew D. Bolya    | 7211 Hawkins Hill Road<br>East Otto, NY 14729 | \$530.07                  | \$650.00          |

|     |               |  |  |            |             |
|-----|---------------|--|--|------------|-------------|
| 148 | 46.002-1-35.5 | R.P. Excavating &<br>Landscaping, Inc. | 11045 Route 240<br>West Valley, NY 14171 | \$4,930.83 | \$47,000.00 |
|-----|---------------|--|--|------------|-------------|

**TOWN OF FARMERSVILLE**

| <b>PARCEL NO.</b> | <b>TAX MAP NO.</b> | <b>HIGH BIDDER</b> | <b>ADDRESS</b>                                   | <b>COUNTY INVOLVEMENT</b> | <b>BID AMOUNT</b> |
|-------------------|--------------------|--------------------|--|---------------------------|-------------------|
| 148a              | 31.004-1-17.1      | R.L. Floyd         | 9151 Pigeon Hill Road<br>Franklinville, NY 14737 | \$0.00                    | \$92,000.00       |

|      |               |   |  |        |             |
|------|---------------|---|--|--------|-------------|
| 148b | 31.004-1-17.2 | Clinton J. Kuczkowski<br>Lisa A. Kuczkowski | 133 Coventry Road<br>Tonawanda, NY 14217 | \$0.00 | \$18,500.00 |
|------|---------------|---|--|--------|-------------|

|      |             |             |  |        |            |
|------|-------------|-------------|--|--------|------------|
| 148c | 31.004-1-18 | Rob Schultz | 1144 Maryvale Drive<br>Cheektowaga, NY 14225 | \$0.00 | \$8,400.00 |
|------|-------------|-------------|--|--------|------------|

**TOWN OF FRANKLINVILLE**

| <b>PARCEL NO.</b> | <b>TAX MAP NO.</b> | <b>HIGH BIDDER</b>       | <b>ADDRESS</b>                         | <b>COUNTY INVOLVEMENT</b> | <b>BID AMOUNT</b> |
|-------------------|--------------------|--------------------------|--|---------------------------|-------------------|
| 164               | 40.003-2-8         | William I. Kurowski, Jr. | 8071 Rt. 16<br>Franklinville, NY 14737 | \$1,133.90                | \$1,100.00        |

|     |            |                |  |            |            |
|-----|------------|----------------|--|------------|------------|
| 165 | 40.070-2-6 | Paul A. Harris | 3194 Rt. 98<br>Franklinville, NY 14737 | \$5,810.75 | \$8,000.00 |
|-----|------------|----------------|--|------------|------------|

|     |               |                |  |            |            |
|-----|---------------|----------------|--|------------|------------|
| 166 | 49.001-1-37.1 | Paul A. Harris | 3194 Rt. 98<br>Franklinville, NY 14737 | \$2,000.76 | \$6,000.00 |
|-----|---------------|----------------|--|------------|------------|

|     |               |                   |   |            |          |
|-----|---------------|-------------------|---|------------|----------|
| 167 | 39.004-2-29.1 | Bradley J. Vroman | 3112 Bakerstand Road<br>Franklinville, NY 14737 | \$2,649.71 | \$225.00 |
|-----|---------------|-------------------|---|------------|----------|

|     |             |              |   |             |            |
|-----|-------------|--------------|---|-------------|------------|
| 175 | 40.062-4-18 | Peter Trybus | 214 Eagle Street<br>Little Valley, NY 14755 | \$29,277.19 | \$6,200.00 |
|-----|-------------|--------------|---|-------------|------------|

|     |             |                                   |  |            |            |
|-----|-------------|-----------------------------------|--|------------|------------|
| 176 | 40.063-6-42 | Connie Chesebro<br>David Chesebro | 41½ Howard Street<br>Franklinville, NY 14737 | \$8,820.51 | \$3,400.00 |
|-----|-------------|-----------------------------------|--|------------|------------|

|     |               |                 |   |            |             |
|-----|---------------|-----------------|---|------------|-------------|
| 182 | 40.004-1-16.6 | Charles Horning | 524 Buffalo Road<br>East Aurora, NY 14052 | \$8,943.65 | \$15,000.00 |
|-----|---------------|-----------------|---|------------|-------------|

|     |             |   |   |            |            |
|-----|-------------|---|---|------------|------------|
| 184 | 58.001-2-16 | Richard O. Stevenson-Reisinger<br>Robert J. Reisinger | 6007 Five Mile Road<br>Hinsdale, NY 14743 | \$2,018.81 | \$6,000.00 |
|-----|-------------|---|---|------------|------------|

|      |             |                  |  |             |             |
|------|-------------|------------------|--|-------------|-------------|
| 184a | 39.003-1-39 | Joshua Dusterhus | 4490 Felton Hill Road<br>West Valley, NY 14171 | \$32,689.78 | \$47,000.00 |
|------|-------------|------------------|--|-------------|-------------|

**TOWN OF FREEDOM**

| PARCEL NO. | TAX MAP NO. | HIGH BIDDER       | ADDRESS                                | COUNTY INVOLVEMENT | BID AMOUNT  |
|------------|-------------|-------------------|--|--------------------|-------------|
| 187        | 14.005-1-29 | Michael J. Tingue | 11644 Worden Road<br>Delevan, NY 14042 | \$3,982.50         | \$20,000.00 |

**TOWN OF GREAT VALLEY**

| PARCEL NO. | TAX MAP NO.   | HIGH BIDDER   | ADDRESS                             | COUNTY INVOLVEMENT | BID AMOUNT |
|------------|---------------|---------------|-------------------------------------|--------------------|------------|
| 193        | 74.003-1-18.1 | Bradley Kyler | 918 Crown Street<br>Olean, NY 14760 | \$629.39           | \$500.00   |

**TOWN OF HINSDALE**

| PARCEL NO. | TAX MAP NO.   | HIGH BIDDER          | ADDRESS  | COUNTY INVOLVEMENT | BID AMOUNT  |
|------------|---------------|----------------------|--|--------------------|-------------|
| 196        | 77.003-2-5.3  | Robert A. Richardson | 3088 Route 16 N.<br>Olean, NY 14760            | \$1,283.10         | \$225.00    |
| 199        | 77.004-3-13.1 | Jason R. Wade        | 1264 Sherlock Hollow Rd.<br>Hinsdale, NY 14743 | \$1,826.99         | \$175.00    |
| 203        | 85.002-2-25.1 | Jerry E. Osgood      | 10344 Pleasant Valley Rd.<br>Delevan, NY 14042 | \$3,911.90         | \$21,000.00 |
| 204        | 85.002-1-16   | Jerry E. Osgood      | 10344 Pleasant Valley Rd.<br>Delevan, NY 14042 | \$7,950.00         | \$3,000.00  |
| 212        | 77.001-1-37   | Travis Mabee         | 1265 Congress Road<br>Hinsdale, NY 14743       | \$11,420.40        | \$16,000.00 |
| 214        | 77.003-1-23.1 | Kent Cobado          | 4544 Five Mile Road<br>Allegany, NY 14706      | \$1,724.55         | \$2,400.00  |
| 214a       | 77.003-2-46   | Thomas L. Hooper     | 1173 Flanigan Road<br>Hinsdale, NY 14743       | \$9,903.24         | \$3,000.00  |

**TOWN OF LEON**

| PARCEL NO. | TAX MAP NO.    | HIGH BIDDER              | ADDRESS                                    | COUNTY INVOLVEMENT | BID AMOUNT |
|------------|----------------|--------------------------|--|--------------------|------------|
| 231        | 52.002-1-27.17 | Alexander Emerson Hiller | 451 Wildwood Avenue<br>Salamanca, NY 14779 | \$1,801.56         | \$4,750.00 |

**TOWN OF LYNDON**

| PARCEL NO. | TAX MAP NO.   | HIGH BIDDER                                  | ADDRESS                           | COUNTY INVOLVEMENT | BID AMOUNT |
|------------|---------------|--|-----------------------------------|--------------------|------------|
| 245        | 41.003-1-1.11 | William Demick<br>Tim Bell<br>Scott Rickicki | 9 Keller Street<br>Cuba, NY 14727 | \$1,535.12         | \$2,900.00 |

**TOWN OF MACHIAS**

| PARCEL NO. | TAX MAP NO. | HIGH BIDDER      | ADDRESS                                   | COUNTY INVOLVEMENT | BID AMOUNT  |
|------------|-------------|------------------|---|--------------------|-------------|
| 252        | 21.020-1-23 | Charles Horning  | 524 Buffalo Road<br>East Aurora, NY 14052 | \$12,324.98        | \$15,500.00 |
| 259        | 22.013-3-35 | Robert J. Wenke  | 14687 Buffalo Street<br>Gowanda, NY 14070 | \$907.00           | \$200.00    |
| 259a       | 30.002-1-3  | Joshua A. Bowers | 9120 Persia Road<br>Gowanda, NY 14070     | \$3,150.52         | \$150.00    |

**TOWN OF NAPOLI**

| PARCEL NO. | TAX MAP NO.  | HIGH BIDDER   | ADDRESS                                       | COUNTY INVOLVEMENT | BID AMOUNT |
|------------|--------------|---|---|--------------------|------------|
| 269        | 62.003-1-7.2 | Randy Marsh<br>Susan Marsh                                      | 12 S. Kings Highway<br>Randolph, NY 14772     | \$471.44           | \$50.00    |
| 272        | 62.038-3-2   | Jordan L. John  | 83 Heather Lane<br>Randolph, NY 14772         | \$403.31           | \$400.00   |
| 275        | 62.038-2-25  | Ronald J. Kuhaneck  | 23 Geneva Street<br>Buffalo, NY 14212         | \$477.03           | \$300.00   |
| 276        | 62.062-1-30  | Henry M. Coblenz<br>Tena E. Coblenz                             | 5464 Myers Road<br>Conewango Valley, NY 14726 | \$422.04           | \$450.00   |
| 277        | 53.019-1-7   | Robert J. Avery, Jr.<br>William E. Avery<br>Bonnie L. Gallagher | 262 Abbott Road<br>Buffalo, NY 14220          | \$630.75           | \$225.00   |
| 278        | 62.070-6-54  | Randy Smith<br>Lisa Smith                                       | 5192 Windmill Road<br>Randolph, NY 14772      | \$266.21           | \$300.00   |
| 280        | 62.039-1-11  | Brenda L. Lilley  | 50 Summervale Drive<br>Randolph, NY 14772     | \$954.12           | \$1,100.00 |
| 280a       | 62.002-2-14  | Donald J. Kuhaneck II   | 5508 Forest Lane<br>Little Valley, NY 14755   | \$1,264.06         | \$250.00   |

TOWN OF NEW ALBION

| PARCEL NO. | TAX MAP NO.   | HIGH BIDDER  | ADDRESS  | COUNTY INVOLVEMENT | BID AMOUNT  |
|------------|---------------|--|--|--------------------|-------------|
| 284        | 44.004-2-19.2 | David M. Hannahs<br>Tina M. Hannahs                            | 6753 Route 353<br>Cattaraugus, NY 14719        | \$18,943.31        | \$24,000.00 |
| 286        | 53.002-2-24.2 | Elliot S. Koller   | 5828 Route 219<br>Great Valley, NY 14741       | \$14,677.00        | \$25,000.00 |
| 287        | 53.002-2-27.7 | Elliot S. Koller   | 5828 Route 219<br>Great Valley, NY 14741       | \$966.10           | \$600.00    |
| 290        | 35.082-3-13   | Kyle J. Moshier  | 1245 Old Rock City Road<br>Olean, NY 14760     | \$967.19           | \$50.00     |
| 295        | 35.082-5-16   | James S. Marshall<br>d/b/a Man of Steel<br>General Contracting | 47 Linlyco Lake Road<br>Cattaraugus, NY 14719  | \$23,408.07        | \$3,750.00  |
| 296        | 53.001-1-7.3  | Thomas Pietras   | 10698 Leon Road<br>Cattaraugus, NY 14719       | \$2,959.88         | \$8,500.00  |
| 296a       | 35.074-1-2    | Johnny G. Johnston<br>Cynthia A. Johnston                      | 29 Leavenworth Street<br>Cattaraugus, NY 14719 | \$7,720.83         | \$100.00    |

TOWN OF OLEAN

| PARCEL NO. | TAX MAP NO.    | HIGH BIDDER  | ADDRESS  | COUNTY INVOLVEMENT | BID AMOUNT  |
|------------|----------------|--|--|--------------------|-------------|
| 303        | 103.003-2-22   | Francis C. Page  | 66 Portville-Ceres Road<br>Portville, NY 14770 | \$10,057.02        | \$19,000.00 |
| 304        | 103.004-1-12.1 | Kent Cobado  | 4544 Five Mile Road<br>Allegany, NY 14706      | \$3,646.57         | \$10,500.00 |
| 305        | 94.068-1-24    | Alicia J. Hardy<br>Erika M. Hardy<br>Jeremiah C. Hardy | 7 Kaleigh Court<br>Hampton, VA 23666           | \$13,859.69        | \$8,000.00  |
| 306        | 103.001-2-44   | Michael Scott<br>Cariame Scott                         | 4461 Five Mile Road<br>Allegany, NY 14706      | \$11,533.44        | \$6,250.00  |
| 314        | 103.001-2-7.3  | Christopher M. Snyder<br>Wendy K. Snyder               | 1499 South Avenue<br>Olean, NY 14760           | \$3,398.42         | \$9,250.00  |
| 314a       | 94.076-1-19    | Arthur Peterson  | 1701 Andrews Street<br>Olean, NY 14760         | \$6,969.21         | \$100.00    |

**TOWN OF OTTO**

| <b>PARCEL NO.</b> | <b>TAX MAP NO.</b> | <b>HIGH BIDDER</b> | <b>ADDRESS</b>                                   | <b>COUNTY INVOLVEMENT</b> | <b>BID AMOUNT</b> |
|-------------------|--------------------|--------------------|--|---------------------------|-------------------|
| 315               | 36.009-2-37        | Todd A. Wulf       | 11468 Fancher Hill Road<br>Cattaraugus, NY 14719 | \$9,386.75                | \$9,000.00        |
| 324               | 36.009-2-20        | Alan Braden        | 9363 Ball Road<br>Cattaraugus, NY 14719          | \$9,941.64                | \$3,500.00        |

**TOWN OF PERRYSBURG**

| <b>PARCEL NO.</b> | <b>TAX MAP NO.</b> | <b>HIGH BIDDER</b> | <b>ADDRESS</b>                   | <b>COUNTY INVOLVEMENT</b> | <b>BID AMOUNT</b> |
|-------------------|--------------------|--------------------|----------------------------------|---------------------------|-------------------|
| 325               | 8.001-1-15.1       | Steven W. Elsholz  | P.O. Box 161<br>Dayton, NY 14041 | \$4,757.10                | \$3,800.00        |
| 326               | 8.001-1-15.2       | Steven W. Elsholz  | P.O. Box 161<br>Dayton, NY 14041 | \$14,032.48               | \$17,000.00       |
| 326a              | 8.078-1-19         | Carol A. Ronolder  | 5481 Route 305<br>Cuba, NY 14727 | \$2,635.21                | \$20.00           |

**TOWN OF PERSIA**

| <b>PARCEL NO.</b> | <b>TAX MAP NO.</b> | <b>HIGH BIDDER</b> | <b>ADDRESS</b>                                    | <b>COUNTY INVOLVEMENT</b> | <b>BID AMOUNT</b> |
|-------------------|--------------------|--------------------|---|---------------------------|-------------------|
| 331               | 16.028-1-15        | Corey Syracuse     | 20 St. John Street<br>Gowanda, NY 14070           | \$15,799.28               | \$7,000.00        |
| 332a              | 17.029-1-16        | Jerome S. Giles    | 817 Bishop Street<br>Olean, NY 14760              | \$3,572.64                | \$25.00           |
| 332b              | 8.084-2-3          | Mark Andrew Burr   | 43 Center Street, Lower Apt.<br>Gowanda, NY 14070 | \$37,488.98               | \$6,000.00        |

**TOWN OF PORTVILLE**

| <b>PARCEL NO.</b> | <b>TAX MAP NO.</b>               | <b>HIGH BIDDER</b>    | <b>ADDRESS</b>                                      | <b>COUNTY INVOLVEMENT</b> | <b>BID AMOUNT</b> |
|-------------------|----------------------------------|-----------------------|---|---------------------------|-------------------|
| 333               | 104.057-1-23                     | Kevin McCoy           | 328 North 1 <sup>st</sup> Street<br>Olean, NY 14760 | \$21,579.47               | \$1,500.00        |
| 348               | 104.082-1-21                     | Kyle J. Moshier       | 1245 Old Rock City Road<br>Olean, NY 14760          | \$3,850.31                | \$1,400.00        |
| 352<br>353        | 95.004-1-25.24<br>95.004-1-25.14 | Levia Revocable Trust | 3847 Wing Hollow Road<br>Allegany, NY 14706         | \$8,085.81                | \$4,600.00        |

**TOWN OF RANDOLPH**

| <b>PARCEL NO.</b> | <b>TAX MAP NO.</b>           | <b>HIGH BIDDER</b> | <b>ADDRESS</b>                         | <b>COUNTY INVOLVEMENT</b> | <b>BID AMOUNT</b> |
|-------------------|------------------------------|--------------------|--|---------------------------|-------------------|
| 365<br>366        | 79.003-1-8.5<br>79.003-1-8.1 | Jeffrey S. Aiken   | 12601 Flood Road<br>Randolph, NY 14772 | \$6,308.63                | \$20,000.00       |

|      |             |                 |                                       |             |          |
|------|-------------|-----------------|---------------------------------------|-------------|----------|
| 374a | 70.070-1-24 | Adrian Williams | 9 Center Street<br>Randolph, NY 14772 | \$29,049.38 | \$600.00 |
|------|-------------|-----------------|---------------------------------------|-------------|----------|

**TOWN OF SOUTH VALLEY**

| <b>PARCEL NO.</b> | <b>TAX MAP NO.</b> | <b>HIGH BIDDER</b> | <b>ADDRESS</b>                                | <b>COUNTY INVOLVEMENT</b> | <b>BID AMOUNT</b> |
|-------------------|--------------------|--------------------|---|---------------------------|-------------------|
| 382               | 105.002-1-7.2      | Donald Hoffman     | 3512 West Yorkshire Road<br>Chaffee, NY 14030 | \$12,224.23               | \$20,000.00       |

**TOWN OF YORKSHIRE**

| <b>PARCEL NO.</b> | <b>TAX MAP NO.</b> | <b>HIGH BIDDER</b>                      | <b>ADDRESS</b>                                  | <b>COUNTY INVOLVEMENT</b> | <b>BID AMOUNT</b> |
|-------------------|--------------------|---|---|---------------------------|-------------------|
| 384               | 4.004-4-13         | Joseph D. Nazzaro<br>Barbara A. Nazzaro | 9781 Route 98<br>Farmersville Station, NY 14060 | \$3,692.99                | \$3,400.00        |
| 402               | 12.001-2-47        | Michael J. Tingue                       | 11644 Worden Road<br>Delevan, NY 14042          | \$13,616.06               | \$9,000.00        |

MR. VANRENSSELAER moved, seconded by Mr. Padlo to waive Rule 12, pursuant to Rule 33.1. Carried.

Adopted May 25, 2016 by voice vote.

**MOTION TO ADJOURN IN MEMORY OF  
WILLIAM H. WELLER, SR.**

WHEREAS, William H. Weller, Sr., 68, of Franklinville, passed away on May 22, 2016 at The Pines Healthcare and Rehabilitation Center – Machias Campus, and

WHEREAS, Mr. Weller served as a County Legislator for five years having been first elected to that position in November 2011, and

WHEREAS, Legislator Weller also served as Chairman of the Public Works Committee from 2014 to the present, and

WHEREAS, Mr. Weller served as the Town of Franklinville Highway Superintendent for 35 years, retiring on December 31, 2011, and

WHEREAS, prior to that, he was employed by Honkin Construction of Allegany, Bentley-Russell, Inc., and Dresser-Clark, and

WHEREAS, Mr. Weller was a member of the Ellicottville Sportsmen's Club and an exempt member of both the Franklinville Volunteer Fire Department and the Franklinville Conservation Club, and

WHEREAS, Mr. Weller is survived by his wife of almost 50 years, Nancy; his father, Ernest; two sons – William, Jr. of Franklinville and Daniel of DeKalb, Illinois; a daughter, Tammy Krotz of Franklinville; nine grandchildren; a sister, Connie Drayer of Franklinville; 3 nephews; and 8 great nieces and nephews, and

WHEREAS, the loss of his presence will be sadly felt by his many friends and colleagues in Cattaraugus County, now, therefore, Legislator Vickman hereby

MOVES, that the Cattaraugus County Legislature hereby adjourns, and stands adjourned, in memory of William H. Weller, Sr., and this Motion be seconded by the rest of the Legislature, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby adjourns, and stands adjourned, until its next meeting, unless specially convened, in memory of William H. Weller, Sr., and be it further

RESOLVED, that the Clerk of the Legislature be, and hereby is, directed to forward a certified copy of this Motion to his wife.

\* \* \* \* \*

MR. SNYDER, SR., requested Privilege of the Floor for Mayor of the City of Olean. Chairman Stockman granted Privilege of the Floor to Mayor Aiello who thanked the Legislators for their support of the PILOT for the Olean Municipal Airport and the transfer of tax title properties in the City of Olean to the City.

\* \* \* \* \*

MS. VICKMAN moved, seconded by Mr. Snyder, Sr., to adjourn until June 8, 2016 at 4:00 p.m. Carried.

Meeting adjourned at 4:37 p.m.

Ann M. Giglio  
Journal Clerk