

November 20, 2018

The meeting was called to order by Chairman Snyder.

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed all Legislators present.

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CHAIRMAN SNYDER noted that the minutes of the November 14, 2018 session stand approved as presented.

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COMMUNICATIONS:

New York State Department of State: Acknowledging receipt of Local Law Number 8-2018 (Intro Number 8-2018) and the filing of the same.

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PUBLIC HEARING:

CHAIRMAN SNYDER announced this is the time and place called for a public hearing on the **2019 Tentative Budget** and that anyone wishing to speak on the 2019 Tentative Budget may now do so.

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

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MRS. LABUHN moved, seconded by Mr. Padlo, to accept the Finance Committee Report on the 2019 Tentative Budget. Carried.

MR. BURR moved, seconded by Mr. VanRensselaer, to delete Item A.101.1010.0000.41201.01, Minority Counsel Contracting, \$70,347.00, from the 2019 Tentative Budget.

CHAIRMAN SNYDER requested a Roll Call vote on Motion, which disclosed as follows:

Ayes: Boberg, Breton, Burr, Hale, Helmich, Higgins, Klancer, Marsh, Snyder, Jr., Snyder, Sr., VanRensselaer, Vickman - 12.

Nays: Giardini, Hastings, Koch, Labuhn, Padlo - 5.

Motion, having received a majority vote of the Legislature, was declared Carried.

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CHAIRMAN SNYDER called up the budget resolutions for immediate consideration.

MS. VICKMAN moved, seconded by Mr. Klancer, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 547-2018 through Act No. 573-2018, inclusive. Carried.

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ACT NO. 547-2018 by Mrs. Labuhn
who asks immediate consideration

ADOPTION OF 2019 BUDGET

Pursuant to Section 360 of the County Law.

RESOLVED, that the tentative County Budget for the year 2019, as amended and filed with the Clerk of the Legislature and as hereafter attached, is hereby adopted as the County Budget for 2019 and the budget requires the raising by tax of the amount of \$56,623,000.00.

Adopted November 20, 2018 by voice vote.

ACT NO. 548-2018 by Mrs. Labuhn
who asks immediate consideration

APPORTIONMENT OF COUNTY BUDGET

Pursuant to Section 804 of the Real Property Tax Law.

RESOLVED, that the following report of the assessed value of all property assessed in each of the several towns and cities of the County for 2019 shows the equalized value of real estate and the amount of the County budget apportioned to each district:

PROPERTY TAX REPORT		November 20, 2018				
PROPERTY TAX AMOUNT.....		\$56,623,000				
TOWN	Taxable Value	Taxable Value With Fixed Exemptions	Equalization Rate	Full Value	Apportioned Tax	Tax Rate
ALLEGANY	362,091,777	362,096,677	100.00	362,096,677	4,651,017.94	12.8449
ASHFORD	76,379,646	76,388,346	53.00	144,128,955	1,851,291.10	24.2380
CARROLLTON	74,029,876	74,032,326	86.00	86,084,100	1,105,723.19	14.9362
COLDSRING	64,587,044	64,590,044	100.00	64,590,044	829,638.80	12.8453
CONEWANGO	33,116,025	33,117,525	57.00	58,100,921	746,288.06	22.5356
DAYTON	64,511,902	64,516,902	100.00	64,516,902	828,699.32	12.8457
EAST OTTO	85,370,305	85,371,805	100.00	85,371,805	1,096,573.99	12.8449
ELLCOTTVILLE	602,944,127	602,944,127	99.00	609,034,472	7,822,856.25	12.9744
FARMERSVILLE	65,723,910	65,726,910	100.00	65,726,910	844,241.49	12.8453
FRANKLINVILLE	83,028,827	83,107,193	64.00	129,854,989	1,667,946.49	20.0888
FREEDOM	118,092,063	118,100,593	100.00	118,100,593	1,516,964.97	12.8456
GREAT VALLEY	174,522,884	174,522,884	95.00	183,708,299	2,359,675.32	13.5207
HINSDALE	118,836,168	118,839,693	91.00	130,593,069	1,677,426.90	14.1155
HUMPHREY	83,581,209	83,581,209	88.00	94,978,647	1,219,970.85	14.5962
ISCHUA	40,453,732	40,461,832	91.00	44,463,552	571,120.34	14.1179
LEON	46,617,584	46,619,484	92.00	50,673,352	650,883.27	13.9622
LITTLE VALLEY	47,042,890	47,045,340	68.00	69,184,324	888,650.88	18.8902
LYNDON	48,623,741	48,623,741	100.00	48,623,741	624,556.66	12.8447
MACHIAS	142,483,752	142,491,752	97.00	146,898,713	1,886,867.77	13.2427
MANSFIELD	115,595,438	115,601,405	100.00	115,601,405	1,484,863.69	12.8453
NAPOLI	56,501,929	56,501,929	91.00	62,090,032	797,526.93	14.1150
NEW ALBION	56,724,688	56,726,188	62.00	91,493,852	1,175,209.75	20.7178
OLEAN/CITY	490,577,329	490,668,529	97.00	505,843,844	6,497,405.09	13.2444
OLEAN/TOWN	82,013,242	82,027,192	73.00	112,366,016	1,443,306.14	17.5985
OTTO	62,884,983	62,892,283	97.00	64,837,405	832,816.08	13.2435
PERRYSBURG	55,669,305	55,790,515	66.00	84,531,083	1,085,775.18	19.5040
PERSIA	58,104,922	58,104,922	73.00	79,595,784	1,022,382.81	17.5955
PORTVILLE	133,525,008	133,546,838	93.00	143,598,751	1,844,480.79	13.8137
RANDOLPH	84,197,369	84,201,869	79.00	106,584,644	1,369,046.23	16.2600
RED HOUSE	123,790,705	123,790,705	100.00	123,790,705	1,590,052.67	12.8447
SALAMANCA/CITY	15,854,246	15,903,196	17.00	93,548,212	1,201,597.36	75.7903
SALAMANCA/TOWN	28,160,459	28,161,359	88.00	32,001,544	411,049.77	14.5967
SOUTH VALLEY	31,634,656	31,636,156	72.00	43,939,106	564,384.00	17.8407
YORKSHIRE	28,749,081	28,759,481	15.00	191,729,873	2,462,709.92	85.6622
	3,756,020,822	3,756,490,950		4,408,282,321	56,623,000.00	
TAX RATE % FULL VALUE		0.0128446855				
TAX RATE % TAXABLE VALUE		0.0150752625				

*** Assessment Values as of November 20, 2018.

Adopted November 20, 2018 by voice vote.

ACT NO. 549-2018 by Mrs. Labuhn
who asks immediate consideration

APPROPRIATIONS FOR THE FISCAL YEAR 2019

Pursuant to Sections 356 and 360 of the County Law.

WHEREAS, the Cattaraugus County Legislature has, by resolution, adopted a budget for the fiscal year 2019, now, therefore, be it

RESOLVED, that the several subtotals specified in such budget, in the column headed "Adopted" opposite the several items of expenditures, be approved for such items, effective January 1, 2019.

Adopted November 20, 2018 by voice vote.

ACT NO. 550-2018 by Mrs. Labuhn
who asks immediate consideration

AUTHORIZING THE CHAIR AND CLERK TO SIGN AND ATTACH WARRANTS

Pursuant to Section 904 of the Real Property Tax Law.

RESOLVED, that tax levies as extended upon the several rolls of the County be, and they hereby are, approved, and be it further

RESOLVED, that the Chair and the Clerk of the Legislature be, and they hereby are, authorized and directed to sign and attach warrants thereto under the date of December 10, 2018.

Adopted November 20, 2018 by voice vote.

ACT NO. 551-2018 by Mrs. Labuhn
who asks immediate consideration

AUTHORIZATION TO DEBIT AND CREDIT ACCOUNTS OF TOWNS AND CITIES

Pursuant to Section 940 of the Real Property Tax Law.

WHEREAS, at the meeting of the Legislature on November 20, 2018, a report was filed by the County Treasurer in the Office of the County Treasurer showing the debits and credits of all the towns and cities in the County, now, therefore, be it

RESOLVED, that the Clerk of the Legislature be, and hereby is, authorized and directed to debit and credit the respective towns and cities as set forth on such report in the tax levy:

<u>TOWN</u>	<u>DEBIT</u>	<u>CREDIT</u>
Allegany		
Ashford	.41	
Carrollton		.43
Coldspring		
Conewango		

Dayton		
East Otto		
Ellicottville		
Farmersville		
Franklinville	.08	
Freedom	.20	
Great Valley		
Hinsdale	.95	
Humphrey		
Ischua		
Leon		.38
Little Valley		
Lyndon	.08	
Machias		
Mansfield		
Napoli	.58	
New Albion	.12	
Olean City		.45
Olean Town		3.55
Otto		
Perrysburg		.04
Persia		.07
Portville		
Randolph		2.28
Red House		
Salamanca City		.24
Salamanca		.06
Town		
South Valley		
Yorkshire		

Adopted November 20, 2018 by voice vote.

ACT NO. 552-2018 by Mrs. Labuhn
who asks immediate consideration

**AUTHORIZING RELEVY OF RETURNED SCHOOL TAXES AND
RETURNED CITY TAXES OF THE CITY OF OLEAN**

Pursuant to Section 1330 of the Real Property Tax Law.

RESOLVED, that effective November 30, 2018, the Clerk of the Legislature be, and hereby is, authorized and directed to relevy all returned school taxes and returned city taxes of the City of Olean.

Adopted November 20, 2018 by voice vote.

ACT NO. 553-2018 by Mrs. Labuhn
who asks immediate consideration

**AUTHORIZING RELEVY OF VILLAGE TAXES OF
THE COUNTY OF CATTARAUGUS**

Pursuant to Section 1442 of the Real Property Tax Law.

RESOLVED, that effective November 30, 2018, the Clerk of the Legislature be, and hereby is, authorized and directed to relevy all returned village taxes of the County of Cattaraugus.

Adopted November 20, 2018 by voice vote.

ACT NO. 554-2018 by Mrs. Labuhn
who asks immediate consideration

**AUTHORIZATION TO APPLY PORTION OF TOWN OF PORTVILLE'S
SHARE OF SALES TAX REVENUE TO REDUCTION OF
COUNTY TAX LEVIED AGAINST THE TOWN**

Pursuant to Article 29 of the Tax Law.

WHEREAS, the Town of Portville has elected to take its share of the sales tax revenue in cash, and

WHEREAS, the share due to the Town of Portville will result in a surplus, and

WHEREAS, the Town of Portville has requested that a portion of such surplus be applied to reduce the County Tax against the Town of Portville (outside), now, therefore, be it

RESOLVED, that \$339,000.00 of the 2019 sales tax revenue due the Town of Portville be applied to the reduction of the County Tax levied against the real property in the Town of Portville (outside).

Adopted November 20, 2018 by voice vote.

ACT NO. 555-2018 by Mrs. Labuhn
who asks immediate consideration

**AUTHORIZATION TO APPLY PORTION OF TOWN OF FARMERSVILLE'S
SHARE OF SALES TAX REVENUE TO REDUCTION OF
COUNTY TAX LEVIED AGAINST THE TOWN**

Pursuant to Article 29 of the Tax Law.

WHEREAS, the Town of Farmersville has elected to take its share of the sales tax revenue in cash, and

WHEREAS, the share due to the Town of Farmersville will result in a surplus, and

WHEREAS, the Town of Farmersville has requested that a portion of such surplus be applied to reduce the County Tax against the Town of Farmersville, now, therefore, be it

RESOLVED, that \$199,000.00 of the 2019 sales tax revenue due the Town of Farmersville be applied to the reduction of the County Tax levied against the real property in the Town of Farmersville.

Adopted November 20, 2018 by voice vote.

ACT NO. 556-2018 by Mrs. Labuhn
who asks immediate consideration

**AUTHORIZATION TO APPLY PORTION OF TOWN OF RED HOUSE'S
SHARE OF SALES TAX REVENUE TO REDUCTION OF
COUNTY TAX LEVIED AGAINST THE TOWN**

Pursuant to Article 29 of the Tax Law.

WHEREAS, the Town of Red House has elected to take its share of the sales tax revenue in cash, and

WHEREAS, the share due to the Town of Red House will result in a surplus, and

WHEREAS, the Town of Red House has requested that a portion of such surplus be applied to reduce the County Tax against the Town of Red House, now, therefore, be it

RESOLVED, that \$385,000.00 of the 2019 sales tax revenue due the Town of Red House be applied to the reduction of the County Tax levied against the real property in the Town of Red House.

Adopted November 20, 2018 by voice vote.

ACT NO. 557-2018 by Mrs. Labuhn
who asks immediate consideration

ADOPTION OF EQUALIZATION RATES

Pursuant to Section 804 of the Real Property Tax Law.

RESOLVED, that the Cattaraugus County Legislature does hereby adopt the equalization rate fixed by the State Board of Real Property Tax Services for the year 2018 as follows:

<u>Towns</u>	<u>Equalization</u> <u>Rates</u>
Allegany	100.00
Ashford	53.00
Carrollton	86.00
Cold Spring	100.00
Conewango	57.00
Dayton	100.00
East Otto	100.00

Ellicottville	99.00
Farmersville	100.00
Franklinville	64.00
Freedom	100.00
Great Valley	95.00
Hinsdale	91.00
Humphrey	88.00
Ischua	91.00
Leon	92.00
Little Valley	68.00
Lyndon	100.00
Machias	97.00
Mansfield	100.00
Napoli	91.00
New Albion	62.00
Olean, City	97.00
Olean, Town	73.00
Otto	97.00
Perrysburg	66.00
Persia	73.00
Portville	93.00
Randolph	79.00
Red House	100.00
Salamanca, City	17.00
Salamanca, Town	88.00
South Valley	72.00
Yorkshire	15.00

Adopted November 20, 2018 by voice vote.

ACT NO. 558-2018 by Ms. Vickman
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH NYS OFFICE OF CHILDREN AND FAMILY SERVICES
FOR DEPARTMENT OF SOCIAL SERVICES CAPTA/CARA GRANT**

Pursuant to Section 450 of the County Law.

WHEREAS, \$70,000.00 per year for five years is available through the federal Child Abuse or Neglect Prevention and Treatment Act (CAPTA) Comprehensive Addiction and Recovery Act of 2016 (CARA) in the State Fiscal Year 2018-2019 improve the response to families and infants affected by substance use disorders (both alcohol and drugs), and

WHEREAS, the aforementioned grant funds must be used to either hire, or contract with, a public health nurse to work alongside Child Protective Services and preventive services caseworkers to identify and support the behavioral needs of both the adults and children where substance abuse is an issue, and

WHEREAS, the Department of Social Services is desirous of accepting the CAPTA/CARA funding for the purpose of developing, implementing and monitoring plans of safe care for infants affected by prenatal exposure to substance abuse and their caregivers, and

WHEREAS, grant documents must be executed in order to accept, and receive, the aforementioned funding, and

WHEREAS, this program is 100% federally reimbursed to the Department of Social Services, 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 New York State Office of Children and Family Services, in order to accept and receive the aforementioned funding, for a term commencing January 1, 2019 and terminating December 31, 2023, 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.

MR. PADLO moved, seconded by Mr. Hale, to waive Rule 12. Carried.

Adopted November 20, 2018 by voice vote.

ACT NO. 559-2018 by Mr. Klancer and Mr. Marsh
who ask immediate consideration

**CREATING ONE (1) FULL-TIME POSITION OF PROPERTY TAX CLERK,
ABOLISHING ONE (1) FULL-TIME POSITION OF SENIOR ACCOUNT CLERK TYPIST AND
ONE (1) FULL-TIME POSITION OF ACCOUNT CLERK TYPIST IN THE
TREASURER'S OFFICE, AND ESTABLISHING COMPENSATION FOR THE SAME
(Treasurer's Office)**

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

WHEREAS, the Treasurer's Office can be more efficiently served by the position of Property Tax Clerk, and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Personnel Officer, who has approved and certified the title of Property Tax Clerk in accordance with Civil Service Law Section 22, and

WHEREAS, sufficient funds have been included in the 2019 budget for this position, and

WHEREAS, the Treasurer's Office has a vacant Account Clerk Typist position that should be abolished, now, therefore, be it

RESOLVED, that effective January 1, 2019, there is hereby created one (1) position of Property Tax Clerk in the Treasurer's Office to be filled on a full-time basis, Cattaraugus County

Employees Unit Salary Schedule, Pay Grade 19 (\$22.62 per hour), Position No. 132-262-005, and be it further

RESOLVED, that effective January 2, 2019, there is hereby abolished one (1) full-time position of Senior Account Clerk Typist in the Treasurer's Office, Position No. 132-313-004 and one (1) full-time position of Account Clerk Typist in the Treasurer's Office, Position No. 132-002-006.

Adopted November 20, 2018 by voice vote.

ACT NO. 560-2018 by Mr. Klancer and Mr. Marsh
who ask immediate consideration

**CREATING ONE (1) FULL-TIME POSITION OF PRINCIPAL ACCOUNT CLERK TYPIST,
ABOLISHING ONE (1) FULL-TIME POSITION OF SENIOR ACCOUNT CLERK TYPIST IN THE
SHERIFF'S OFFICE, AND ESTABLISHING COMPENSATION FOR THE SAME
(Sheriff's Office)**

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

WHEREAS, the Sheriff's Office can be more efficiently served by the position of Principal Account Clerk Typist, and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Personnel Officer, who has approved and certified the title of Principal Account Clerk Typist in accordance with Civil Service Law Section 22, and

WHEREAS, sufficient funds have been included in the 2019 budget for this position, now, therefore, be it

RESOLVED, that effective January 1, 2019, there is hereby created one (1) position of Principal Account Clerk Typist in the Sheriff's Office to be filled on a full-time basis, Cattaraugus County Sheriff's Office Employees Unit Salary Schedule, Pay Grade 19 (\$23.62 per hour), Position No. 311-250-001, and be it further

RESOLVED, that effective January 2, 2019, there is hereby abolished one (1) full-time position of Senior Account Clerk Typist in the Sheriff's Office, Position No. 311-313-001.

Adopted November 20, 2018 by voice vote.

ACT NO. 561-2018 by Mr. Klancer and Mr. Marsh
who ask immediate consideration

**CREATING ONE (1) PART-TIME POSITION OF PROBATION ASSISTANT IN THE
PROBATION DEPARTMENT AND ESTABLISHING COMPENSATION FOR THE SAME
(Probation Department)**

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

WHEREAS, the Probation Department is in need of additional assistance in order to meet the needs of the department and serve its clients, and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Personnel Officer, who has approved and certified the title of Probation Assistant in accordance with Civil Service Law Section 22, and

WHEREAS, sufficient funds have been included in the 2019 budget for this position, now, therefore, be it

RESOLVED, that effective January 1, 2019, there is hereby created one (1) position of Probation Assistant in the Probation Department to be filled on a part-time basis, Cattaraugus County Part-Time Employee Unit Salary Schedule, Pay Grade 20 (\$20.35 per hour), Position No. 314-251-006.

Adopted November 20, 2018 by voice vote.

ACT NO. 562-2018 by Ms. Vickman and Mr. Snyder, Jr.
who ask immediate consideration

**CREATING ONE (1) FULL-TIME POSITION OF KEYBOARD SPECIALIST,
ABOLISHING ONE (1) FULL-TIME POSITION OF MEDICAL RECORDS CLERK IN THE
DEPARTMENT OF COMMUNITY SERVICES, AND ESTABLISHING COMPENSATION FOR THE SAME
(Department of Community Services)**

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

WHEREAS, the Department of Community Services is in need of clerical staff to assist with the daily functions of the department, and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Personnel Officer, who has approved and certified the title of Keyboard Specialist in accordance with Civil Service Law Section 22, and

WHEREAS, sufficient funds have been included in the 2019 budget for this position, and

WHEREAS, the Department of Community Services has a vacant Medical Records Clerk position which should be abolished, now, therefore, be it

RESOLVED, that effective January 11, 2019, there is hereby created one (1) position of Keyboard Specialist in the Department of Community Services to be filled on a full-time basis, Cattaraugus County Employees Unit Salary Schedule, Pay Grade 11 (\$17.96 per hour), Position No. 431-185-006, and be it further

RESOLVED, that effective January 12, 2019, due to retirement, there is hereby abolished one (1) full-time position of Medical Records Clerk in the Department of Community Services, Position No. 431-212-001.

Adopted November 20, 2018 by voice vote.

ACT NO. 563-2018 by Mr. Giardini and Mr. Helmich
who ask immediate consideration

**CREATING ONE (1) FULL-TIME POSITION OF CIVIL ENGINEER, ONE (1) FULL-TIME POSITION
OF HIGHWAY ENGINEER AND TWO (2) FULL-TIME POSITIONS OF LABORER II;
ABOLISHING ONE (1) FULL-TIME POSITION OF TRAFFIC SIGN MAINTAINER, ONE (1) FULL-TIME
POSITION OF TRAFFIC CONTROL ENGINEER, AND ONE (1) FULL-TIME POSITION OF
MICROCOMPUTER SPECIALIST IN THE DEPARTMENT OF PUBLIC WORKS;
AND ESTABLISHING COMPENSATION FOR THE SAME
(Public Works Department)**

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

WHEREAS, the Public Works Department is in need of restructuring some positions in order to properly address the daily needs and functions of the department, and

WHEREAS, the New Position Duties Statements have been submitted to the Cattaraugus County Personnel Officer, who has approved and certified the titles of Civil Engineer, Laborer II, and Highway Engineer in accordance with Civil Service Law Section 22, and

WHEREAS, sufficient funds have been included in the 2019 budget for these positions, and

WHEREAS, the Public Works Department has a vacant Traffic Sign Maintainer position which should be abolished, and

WHEREAS, the Public Works Department desires to abolish the position of Traffic Control Engineer and transfer the incumbent to the position of Highway Engineer, and

WHEREAS, the Public Works Department desires to abolish the position of Microcomputer Specialist upon the retirement of the incumbent, now, therefore, be it

RESOLVED, that effective January 1, 2019, there is hereby created one (1) position of Civil Engineer in the Public Works Department to be filled on a full-time basis, Cattaraugus County Supervisory Unit Salary Schedule, Pay Grade 30 (\$30.71 per hour), Position No. 502-046-002, and be it further

RESOLVED, that effective January 1, 2019, there is hereby created one (1) position of Highway Engineer in the Public Works Department to be filled on a full-time basis, Cattaraugus County Supervisory Unit Salary Schedule, Pay Grade 30 (\$31.81 per hour), Position No. 502-161-002, and be it further

RESOLVED, that effective July 1, 2019, there is hereby created two (2) positions of Laborer II in the Public Works Department to be filled on a full-time basis, Cattaraugus County Employees Unit Salary Schedule, Pay Grade 15 (\$18.23 per hour), Position Nos. 502-194-039 and 502-194-040, and be it further

RESOLVED, that effective January 1, 2019, there is hereby abolished one (1) full-time position of Traffic Sign Maintainer in the Public Works Department, Position No. 502-361-002, and be it further

RESOLVED, that effective January 2, 2019, there is hereby abolished one (1) full-time position of Traffic Control Engineer in the Public Works Department, Position No. 502-361-001, and be it further

RESOLVED, that effective July 2, 2019, there is hereby abolished one (1) full-time position of Microcomputer Specialist in the Public Works Department, Position No. 502-215-001.

Adopted November 20, 2018 by voice vote.

ACT NO. 564-2018 by Ms. Vickman, Mr. Snyder, Jr. and Mr. Giardini
who ask immediate consideration

**CREATING ONE (1) FULL-TIME POSITION OF LABORER AND
ONE (1) FULL-TIME POSITION OF HEAD CLEANER AT THE PINES-OLEAN;
ONE (1) FULL-TIME POSITION OF ASSISTANT LEISURE TIME ACTIVITIES DIRECTOR,
ONE (1) FULL-TIME POSITION OF LABORER, AND ONE (1) FULL-TIME
POSITION OF HEAD NURSE AT THE PINES-MACHIAS;
ABOLISHING ONE (1) FULL-TIME POSITION OF CLEANER, TWO (2) PART-TIME
POSITIONS OF MAINTENANCE WORKER, AND SEVEN (7) SUBSTITUTE POSITIONS OF CLEANER
AT THE PINES-OLEAN; ONE (1) PART-TIME POSITION OF MAINTENANCE WORKER
AND SEVEN (7) SUBSTITUTE POSITIONS OF CLEANER AT THE PINES-MACHIAS;
AND ESTABLISHING COMPENSATION FOR THE SAME
(Department of Nursing Homes and Department of Public Works)**

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

WHEREAS, the Department of Nursing Homes and the Department of Public Works are in need of restructuring some positions in order to properly address the daily needs and functions of the Nursing Homes, and

WHEREAS, the New Position Duties Statements have been submitted to the Cattaraugus County Personnel Officer, who has approved and certified the titles of Laborer, Head Cleaner, Assistant Leisure Time Activities Director, and Head Nurse in accordance with Civil Service Law Section 22, and

WHEREAS, sufficient funds have been included in the 2019 budget for these positions,
and

WHEREAS, the Department of Public Works at The Pines-Olean has vacant part-time Maintenance Worker and substitute Cleaner positions which should be abolished, and

WHEREAS, the Department of Public Works at The Pines-Machias has vacant part-time Maintenance Worker and substitute Cleaner positions which should be abolished, and

WHEREAS, the Department of Public Works at The Pines-Olean desires to abolish the position of full-time Cleaner and transfer the incumbent to the position of Head Cleaner, now, therefore, be it

RESOLVED, that effective January 1, 2019, there is hereby created one (1) position of Laborer in the Department of Public Works at The Pines-Olean to be filled on a full-time basis, Cattaraugus County Employees Unit Salary Schedule, Pay Grade 15 (\$18.23 per hour), Position No. 502-192-002, and be it further

RESOLVED, that effective January 1, 2019, there is hereby created one (1) position of Head Cleaner in the Department of Public Works at The Pines-Olean to be filled on a full-time basis, Cattaraugus County Supervisory Unit Salary Schedule, Pay Grade 14 (\$17.93 per hour), Position No. 502-156-003, and be it further

RESOLVED, that effective January 1, 2019, there is hereby created one (1) position of Assistant Leisure Time Activities Director in the Department of Nursing Homes, The Pines-Machias, to be filled on a full-time basis, Cattaraugus County Employees Unit Salary Schedule, Pay Grade 19 (\$20.15 per hour), Position No. 300-016-001, and be it further

RESOLVED, that effective January 1, 2019, there is hereby created one (1) position of Laborer in the Department of Public Works at The Pines-Machias to be filled on a full-time basis,

Cattaraugus County Employees Unit Salary Schedule, Pay Grade 15 (\$18.23 per hour), Position No. 502-192-003, and be it further

RESOLVED, that effective January 1, 2019, there is hereby created one (1) position of Head Nurse in the Department of Nursing Homes, The Pines-Machias, to be filled on a full-time basis, Cattaraugus County Supervisory Unit Salary Schedule, Pay Grade 28 (\$28.54 per hour), Position No. 300-157-119, and be it further

RESOLVED, that effective January 1, 2019, there is hereby abolished one (1) full-time position of Cleaner in the Department of Public Works at The Pines-Olean, Position No. to be determined after position movement, and be it further

RESOLVED, that effective January 1, 2019, there is hereby abolished two (2) part-time positions of Maintenance Worker in the Department of Public Works at The Pines-Olean, Position Nos. 502-207-012 and 502-207-004, and be it further

RESOLVED, that effective January 2, 2019, there is hereby abolished seven (7) substitute positions of Cleaner in the Department of Public Works at The Pines-Olean, Position Nos. 502-905-001, 502-905-013, 502-905-014, 502-905-015, 502-905-016, 502-905-017 and 502-905-018, and be it further

RESOLVED, that effective January 1, 2019, there is hereby abolished one (1) part-time position of Maintenance Worker in the Department of Public Works at The Pines-Machias, Position No. 502-207-014, and be it further

RESOLVED, that effective January 2, 2019, there is hereby abolished seven (7) substitute positions of Cleaner in the Department of Public Works at The Pines-Machias, Position Nos. 502-905-002, 502-905-005, 502-905-010, 502-905-011, 502-905-020, 502-905-021 and 502-905-022.

Adopted November 20, 2018 by voice vote.

ACT NO. 565-2018 by Mrs. Labuhn
who asks immediate consideration

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(CHIPS – Department of Public Works)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, Cattaraugus County has received CHIPS funding in the amount of \$3,433,925.00 for 2019, and

WHEREAS, the Department of Public Works is desirous of allocating the CHIPS funding for various highway projects, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to accommodate this funding, now, therefore, be it

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

Increase Estimated Revenue Account:

H.504.5197.5197.3501	Consolidated Highway Aid	\$ 3,433,925.00
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Increase Appropriation Accounts:

H.504.5197.5197.25090.41603	Yorkshire Bridge No. 14	\$ 390,337.00
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H.504.5197.5197.23081.41603	New Albion Culvert No. 50	\$ 75,000.00
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H.504.5197.5197.23082.41603	Napoli Culvert No. 2	\$ 75,000.00
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H.504.5197.5197.23083.41603	East Otto Culvert No. 40	\$ 50,000.00
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H.504.5197.5197.27019.41603	County Road No. 32	\$ 500,000.00
H.504.5197.5197.27033.41603	County Road No. 13	\$ 500,000.00
H.504.5197.5197.27068.41603	County Road No. 59	\$ 350,000.00
H.504.5197.5197.27051.41603	County Road No. 18	\$ 450,000.00
H.504.5197.5197.27073.41603	County Road No. 75	\$ 300,000.00
H.504.5197.5197.27018.41603	County Road No. 57	\$ 339,448.00
H.504.5197.5197.27069.41603	County Road No. 38	\$ 205,000.00
H.504.5197.5197.27013.41603	County Road No. 89	\$ 199,140.00.

Adopted November 20, 2018 by voice vote.

ACT NO. 566-2018 by Mrs. Labuhn
who asks immediate consideration

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(2019 Capital Project Program)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, various appropriation and revenue accounts must be adjusted to cover the cost of the various projects included in the County's 2019 Capital Project Program, now, therefore, be it

RESOLVED, that the County Administrator is hereby directed to appropriate \$600,000.00 from Fund Balance Account A.909.0000 and make the following budgetary changes:

Increase Estimated Revenue Account:

H.990.9950.0000.5031	Interfund Transfers	\$600,000.00
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Increase Appropriation Accounts:

A.990.9950.0000.90504	Transfer to Capital Projects Fund	\$600,000.00
H.504.5197.5198.23080.41603	Yorkshire Culvert No. 7	\$ 20,000.00
H.504.5197.5198.23079.41603	Great Valley Culvert No. 62	\$ 50,000.00
H.504.5197.5198.23057.41603	New Albion Culvert C1205227	\$ 50,000.00
H.504.5197.5198.27064.41603	County Road No. 10	\$290,000.00
H.504.5197.5198.27063.41603	County Road No. 5	\$190,000.00.

Adopted November 20, 2018 by voice vote.

ACT NO. 567-2018 by Public Works Committee:
Mr. Giardini, Mr. Helmich, Mr. Boberg, Mr. Breton,
Mr. Klancer, Mr. Koch and Mr. Snyder, Jr.
who ask immediate consideration

**BID ACCEPTANCE AND AUTHORIZING THE CHAIR TO
EXECUTE CONTRACT FOR SALE OF TIMBER
(Town of South Valley)**

Pursuant to Sections 219 and 450 of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the sale of timber on 117± acres of County-owned property located in the Town of South Valley, according to specifications provided by Generations Forestry, and

WHEREAS, the highest bid received meeting specifications for the sale of marked timber from the aforementioned property was the bid of Northwest Hardwoods, Inc., P.O. Box 309, Marienville, Pennsylvania 16239, in the amount of \$234,861.00, and

WHEREAS, Generations Forestry, the County's Forest Manager, has indicated that the price offered is fair and reasonable and should therefore be accepted, and

WHEREAS, Northwest Hardwoods, Inc., will complete the harvest and cleanup/restoration of the property within two (2) years from the date the contract is signed between Northwest Hardwoods, Inc. and the County, now, therefore, be it

RESOLVED, that the bid of Northwest Hardwoods, Inc. be, and the same hereby is, accepted, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Northwest Hardwoods, Inc., for the above-described sale of timber.

43 sets of specifications were sent out.

5 bids were received meeting specifications.

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

Adopted November 20, 2018 by voice vote.

ACT NO. 568-2018 by Ms. Vickman
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE DOCUMENTS NECESSARY
TO SETTLE DEPARTMENT OF NURSING HOMES OMIG AUDIT #10-7156**

Pursuant to Section 450 of the County Law.

WHEREAS, the County has been offered a settlement for Nursing Homes OMIG Audit #10-7156, and

WHEREAS, OMIG has agreed to reverse the change to the WEF adjustments in settlement, which results in a decrease to the audit impact of \$1,000,204.00, and

WHEREAS, it is in the best interests of the County to accept OMIG's settlement offer for Audit #10-7156, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute the documents necessary to settle OMIG Audit #10-7156 which decreases the audit impact as described above.

MR. HELMICH moved, seconded by Mr. Koch, to waive Rule 12. Carried.

Adopted November 20, 2018 by voice vote.

ACT NO. 569-2018 by Ms. Vickman
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS
WITH NEW YORK STATE DEPARTMENT OF LABOR FOR THE
TRADE AND ECONOMIC TRANSITION NATIONAL DISLOCATED WORKER GRANT**

Pursuant to 2 CFR Part 200 and Section 450 of the County Law.

WHEREAS, under the authority of the Workforce Innovation and Opportunity Act (WIOA), the County has been awarded \$50,000.00 under the Trade and Economic Transition National Dislocated Worker Grant (Grant #DW-32566-18-60-A-36), and

WHEREAS, the purpose of this grant is to address ongoing or emerging workforce and economic challenges by providing training and career services to dislocated workers seeking reentry into the workforce, and

WHEREAS, it is necessary to execute grant documents in order to accept the aforementioned grant funding, and

WHEREAS, the aforementioned program is 100% federally funded (CFDA #17.277-WIOA National Dislocated Worker), 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 New York State Department of Labor, in order to accept and receive the aforementioned grant, for a term commencing October 1, 2018 and terminating September 30, 2020, 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.

MR. BRETON moved, seconded by Mr. Burr, to waive Rule 12. Carried.

Adopted November 20, 2018 by voice vote.

ACT NO. 570-2018 by Mrs. Labuhn
who asks immediate consideration

BOND RESOLUTION DATED NOVEMBER 20, 2018.

**A RESOLUTION AUTHORIZING BUILDING AND GROUNDS IMPROVEMENTS IN AND FOR THE
COUNTY OF CATTARAUGUS, NEW YORK, AT A MAXIMUM ESTIMATED COST OF
\$8,360,000, AND AUTHORIZING THE ISSUANCE OF \$3,402,500 BONDS OF SAID
COUNTY TO PAY PART OF THE COST THEREOF.**

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Cattaraugus, New York, as follows:

Section 1. Building and grounds improvements, including incidental costs, is hereby authorized in and for said County of Cattaraugus at a maximum estimated cost of \$8,360,000.

Section 2. The plan for the financing of such maximum estimated cost shall be as follows:

- (a) By the expenditure of \$4,257,500 available funds;
- (b) By the expenditure of \$700,000 to be received as grants-in-aid; and
- (c) By the issuance of \$3,402,500 bonds of said County hereby authorized to be issued pursuant to the provisions of the Local Finance Law; provided, however, such bonds shall only be allocated toward improvements to buildings and structures including replacement thereof.

Section 3. It is hereby determined that the period of probable usefulness of said class of objects or purposes for which such bonds are to be issued is twenty-five years, pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Cattaraugus, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the Salamanca Press and the Olean Times Herald, the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

CHAIRMAN SNYDER requested a Roll Call vote, which disclosed as follows:

Ayes: Boberg, Breton, Burr, Giardini, Hale, Hastings, Helmich, Higgins, Klancer, Koch, Labuhn, Marsh, Padlo, Snyder, Sr., Snyder, Jr., Vickman, VanRensselaer - 17.

Nays: none.

Act No. 570-2018, having received a unanimous vote of the Legislature, was declared Adopted.

ACT NO. 571-2018 by Mrs. Labuhn
who asks immediate consideration

BOND RESOLUTION DATED NOVEMBER 20, 2018.

**A RESOLUTION AUTHORIZING ROAD IMPROVEMENTS IN AND FOR THE
COUNTY OF CATTARAUGUS, NEW YORK, AT A MAXIMUM ESTIMATED COST OF
\$6,425,000, AND AUTHORIZING THE ISSUANCE OF \$2,276,551 BONDS OF
SAID COUNTY TO PAY PART OF THE COST THEREOF.**

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Cattaraugus, New York, as follows:

Section 1. Road improvements, including sidewalks, curbs, gutters, drainage, landscaping and incidental costs, is hereby authorized in and for said County of Cattaraugus at a maximum estimated cost of \$6,425,000.

Section 2. The plan for the financing of such maximum estimated cost shall be as follows:

- (a) By the expenditure of \$1,404,861 available funds;
- (b) By the expenditure of \$2,743,588 to be received as grants-in-aid; and
- (c) By the issuance of \$2,276,551 bonds of said County hereby authorized to be issued pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of said class of objects or purposes is fifteen years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Cattaraugus, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become

due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the Salamanca Press and the Olean Times Herald, the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

CHAIRMAN SNYDER requested a Roll Call vote, which disclosed as follows:

Ayes: Boberg, Breton, Burr, Giardini, Hale, Hastings, Helmich, Higgins, Klancer, Koch, Labuhn, Marsh, Padlo, Snyder, Sr., Snyder, Jr., Vickman, VanRensselaer - 17.

Nays: none.

Act No. 571-2018, having received a unanimous vote of the Legislature, was declared Adopted.

ACT NO. 572-2018 by Mrs. Labuhn
who asks immediate consideration

BOND RESOLUTION DATED NOVEMBER 20, 2018.

**A RESOLUTION AUTHORIZING CULVERT IMPROVEMENTS IN AND FOR THE
COUNTY OF CATTARAUGUS, NEW YORK, AT A MAXIMUM ESTIMATED COST
OF \$1,230,000, AND AUTHORIZING THE ISSUANCE OF \$275,000 BONDS
OF SAID COUNTY TO PAY PART OF THE COST THEREOF.**

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Cattaraugus, New York, as follows:

Section 1. Culvert improvements, including drainage, landscaping and incidental costs, are hereby authorized in and for said County of Cattaraugus at a maximum estimated cost of \$1,230,000.

Section 2. The plan for the financing of such maximum estimated cost shall be as follows:

- (a) By the expenditure of \$655,000 available funds;
- (b) By the expenditure of \$300,000 to be received as grants-in-aid; and
- (c) By the issuance of \$275,000 bonds of said County hereby authorized to be issued pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of said class of objects or purposes is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Cattaraugus, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the Salamanca Press and the Olean Times Herald, the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

CHAIRMAN SNYDER requested a Roll Call vote, which disclosed as follows:

Ayes: Boberg, Breton, Burr, Giardini, Hale, Hastings, Helmich, Higgins, Klancer, Koch, Labuhn, Marsh, Padlo, Snyder, Sr., Snyder, Jr., Vickman, VanRensselaer - 17.

Nays: none.

Act No. 572-2018, having received a unanimous vote of the Legislature, was declared Adopted.

ACT NO. 573-2018 by Mrs. Labuhn
who asks immediate consideration

**INCREASING APPROPRIATION AND ESTIMATED REVENUE ACCOUNTS
(Department of Public Works)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, Acts 570-2018, 571-2018 and 572-2018 authorized bond issues in the total amount of \$5,954,051.00, and

WHEREAS, it is necessary to create appropriation and revenue accounts to accommodate the aforementioned bond funds, now, therefore, be it

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

Increase Estimated Revenue Accounts:

H.504.5197.5198.5710.01	Serial Bonds Culverts	\$ 275,000.00
H.504.5197.5198.5710.03	Serial Bonds Roads	\$2,276,551.00
H.504.5130.5198.21082.5710.04	Serial Bonds Buildings	\$3,402,500.00

Increase Appropriation Accounts:

H.504.5130.5198.21082.41603	Franklinville Highway Barn	\$3,402,500.00
H.504.5197.5198.23081.41603	New Albion Culvert No. 50	\$ 75,000.00

H.504.5197.5198.23082.41603	Napoli Culvert No. 2	\$ 50,000.00
H.504.5197.5198.23079.41603	Great Valley Culvert No. 62	\$ 50,000.00
H.504.5197.5198.23083.41603	East Otto Culvert No. 40	\$ 50,000.00
H.504.5197.5198.23057.41603	New Albion Culvert C1205227	\$ 50,000.00
H.504.5197.5198.27019.41603	County Road No. 32	\$ 139,140.00
H.504.5197.5198.27082.41603	County Road No. 63	\$ 251,551.00
H.504.5197.5198.27033.41603	County Road No. 13	\$ 135,000.00
H.504.5197.5198.27068.41603	County Road No. 59	\$ 100,000.00
H.504.5197.5198.27034.41603	County Road No. 21	\$ 600,000.00
H.504.5197.5198.27051.41603	County Road No. 18	\$ 340,000.00
H.504.5197.5198.27073.41603	County Road No. 75	\$ 195,000.00
H.504.5197.5198.27018.41603	County Road No. 57	\$ 180,000.00
H.504.5197.5198.27069.41603	County Road No. 38	\$ 185,000.00
H.504.5197.5198.27013.41603	County Road No. 89	\$ 150,860.00.

Adopted November 20, 2018 by voice vote.

ACT NO. 574-2018 by Mr. Higgins, Mr. Klancer and Mr. Marsh
who ask immediate consideration

**REQUESTING NEW YORK STATE LEGISLATURE AUTHORIZE IMPOSITION OF
25 CENT MORTGAGE RECORDING FEE**

Pursuant to Section 40 of the Municipal Home Rule Law.

WHEREAS, the New York State Legislature has authorized most counties in New York State to charge a 25 cent per \$100 recording tax for mortgages, and

WHEREAS, in preparation for anticipated difficulties in municipal finances, Cattaraugus County should have the same option for the mortgage recording tax revenue stream as afforded to other municipalities in New York State, and

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

RESOLVED, that the Cattaraugus County Legislature hereby requests the New York State Legislature to adopt such legislation to amend such laws, including the New York State Tax Law, to authorize the Cattaraugus County Legislature to impose a 25 cent per \$100 mortgage recording tax, and be it further

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

MR. GIARDINI moved, seconded by Ms. Hastings, to waive Rule 12. Carried.

Adopted November 20, 2018 by voice vote.

* * * * *

MR. BRETON moved, seconded by Mr. VanRensselaer, to adjourn until December 12, 2018 at 4:00 p.m. Carried.

Meeting adjourned at 4:42 p.m.

Ann M. Giglio
Journal Clerk