



January 23, 2019

The meeting was called to order by the Chairman Snyder.

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed four Legislators absent – Breton, Higgins, Klancer and VanRensselaer. Mr. Klancer arrived at 4:19 p.m.

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CHAIRMAN SNYDER noted that the minutes of the January 2, 2019 and January 18, 2019 session stand approved as presented.

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**COMMUNICATIONS:**

Letters of Disclosure From:

Mr. M. Andrew Burr  
 Ms. Barbara J. Hastings  
 Mr. David M. Koch  
 Mr. John J. Padlo  
 Mr. James J. Snyder  
 Mr. Howard V. VanRensselaer

Dear Legislators:

This letter is to advise you that I am the duly elected, qualified and acting County Legislator of District #1 of the Cattaraugus County Legislature.

It is to further advise that my father, Mark C. Burr, is employed by Cattaraugus County as the Director of Engineering in the Department of Public works, and my stepmother, Karen S. Burr, is employed by Cattaraugus County as the Assistant to the Legislature.

It is to further advise that my corporation, Burrlo, Inc., owns and operates a number of rental units in the Town of Persia and, in connection therewith, I do, at times, rent to people who receive assistance from the Department of Social Services of the County of Cattaraugus. I am, therefore, occasionally reimbursed indirectly by the Department of Social Services for the rent of said people receiving benefits.

It is to further advise that I serve as a Vice-President at Gernatt Family of Companies. I provide strategic oversight and financial management services on an as needed basis to the Gernatt Companies.

It is to further advise that I serve on the Board of Directors at Brooks-TLC Hospital System, which includes the assets of the former Brooks Memorial Hospital and TLC Health Network.

It is to further advise that I serve as a volunteer financial committee member for the Village of Gowanda.

It is to further advise that my father, Mark C. Burr, serves as President of Gowanda's Historic Hollywood Theater, Ltd., which is a not-for-profit organization that has received money from Cattaraugus County.

It is to further advise that I serve as Vice-Chairman of the Cattaraugus County Republican Committee.

This letter is intended as a written disclosure of my official capacities as required by Section 803 of the General Municipal Law.

Sincerely,  
 M. Andrew Burr, County Legislator

Dear Legislators:

This letter is to advise you that I am the duly elected, qualified and acting County Legislator of District #6 of the Cattaraugus County Legislature.

It is to further advise you that my son, Michael Hastings, is employed by Cattaraugus County as a Public Health Sanitarian in the Health Department.

This letter is intended as a written disclosure of my official capacities as required by Section 803 of the General Municipal Law.

Sincerely,  
Barbara J. Hastings, County Legislator

Dear Legislators:

This letter is to advise you that I am the duly elected, qualified and acting County Legislator of District #5 of the Cattaraugus County Legislature.

It is to further advise you that my daughter, Lora Prey, is employed by Cattaraugus County as a Keyboard Specialist in the Health Department.

This letter is intended as a written disclosure of my official capacities as required by Section 803 of the General Municipal Law.

Sincerely,  
David M. Koch, County Legislator

Dear Legislators:

This letter is to advise you that I am the duly elected, qualified and acting County Legislator of District #8 of the Cattaraugus County Legislature.

It is to further advise you that my wife, Roxanne Padlo, is employed by Total Senior Care as Program Director which is a business that receives money from Cattaraugus County.

This letter is intended as a written disclosure of my official capacities as required by Section 803 of the General Municipal Law.

Sincerely,  
John J. Padlo, County Legislator

Dear Legislators:

This letter is to advise you that I am the duly elected, qualified and acting County Legislator of District #8 of the Cattaraugus County Legislature.

It is to further advise you that my daughter, Sydney Evans, is employed by Cattaraugus County as an Intensive Case Manager in the Community Services Department, and my son-in-law, Anthony Evans, is employed by Cattaraugus County as the Director of the Youth Bureau.

This letter is intended as a written disclosure of my official capacities as required by Section 803 of the General Municipal Law.

Sincerely,  
James J. Snyder, County Legislator

Dear Legislators:

This letter is to advise you that I am the duly elected, qualified and acting County Legislator of District #4 of the Cattaraugus County Legislature.

It is to further advise you that, at times, I assist at VanRensselaer & Son Funeral Home, which is owned by my son, Howard T. VanRensselaer. I may, therefore, be occasionally reimbursed indirectly by the Cattaraugus County Department of Social Services for indigent burial services.

This letter is intended as a written disclosure of my official capacities as required by Section 803 of the General Municipal Law.

Sincerely,  
Howard V. VanRensselaer, County Legislator

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## APPOINTMENTS:

**CATTARAUGUS COUNTY MEMORIAL MUSEUM BOARD***Five-year term to expire December 31, 2023*

Myra Johnson  
 10802 42<sup>nd</sup> Street  
 Cattaraugus, New York 14719

**CATTARAUGUS COUNTY THATCHER BROOK WATERSHED TASK FORCE**

David Smith, Mayor  
 Village of Gowanda  
 27 East Main Street  
 Gowanda, New York 14070,  
*to fill the unexpired term of Heather McKeever through December 31, 2019*

Kathleen Ellis, Commissioner  
 Department of Public Works  
 8810 Route 242  
 Little Valley, New York 14755,  
*to fill the unexpired term of Joseph Pillittere through December 31, 2019*

Jennifer Dabolt, Supervisor  
 Town of Perrysburg  
 12023 Buffalo Street  
 Gowanda, New York 14070  
*to fill the unexpired term of Dennis Stopen through December 31, 2019*

**CATTARAUGUS COUNTY TRAFFIC SAFETY BOARD***Three-year terms to expire December 31, 2021*

Allan Ormond  
 8937 Dutch Hill Road  
 Little Valley, New York 14755

Jeffrey Rowley, Chief  
 Olean Police Department  
 101 East State Street  
 Olean, New York 14760

Timothy Slade, Sergeant  
 New York State Police  
 9761 Route 16  
 Machias, New York 14101

Brandon Walters, Lieutenant  
 Cattaraugus County Sheriff's Office  
 301 Court Street  
 Little Valley, New York 14755

Raymond Wilson  
 Salamanca Public Works  
 241 Rochester Street  
 Salamanca, New York 14779

**CRIMINAL JUSTICE COORDINATING ADVISORY COMMITTEE**

Dan Hale  
 Cattaraugus County Legislator  
 PO Box 568  
 Portville, New York 14770,  
*to fill the unexpired term of Robert Neal through December 31, 2019*

**EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL**

*One-year terms to expire December 31, 2019*

David M. Koch  
 124 Academy Street  
 Salamanca, New York 14779

Howard V. VanRensselaer  
 161 Cemetery Hill Road (ER)  
 Randolph, New York 14772

**FEDERATED SPORTSMEN ASSOCIATION**

*One-year terms to expire December 31, 2019*

Vergilio L. Giardini, Jr.  
 4050 Mediterranean Drive  
 Allegany, New York 14706

Howard V. VanRensselaer  
 161 Cemetery Hill Road (ER)  
 Randolph, New York 14772

**FISH & WILDLIFE MANAGEMENT BOARD**

*Two-year term to expire December 31, 2020*

William Lindbergh  
 "Landowner Representative"  
 2100 Lyndon Road  
 Franklinville, New York 14737

**SOUTHERN TIER WEST REGIONAL PLANNING & DEVELOPMENT BOARD**

*Three-year terms to expire December 31, 2021*

Charles W. Couture  
 5790 Fox Valley Road  
 West Valley, New York 14171

Norman Marsh  
 121 First Street  
 Little Valley, New York 14755

Donna Vickman  
 971 Back Street, PO Box 5  
 Farmersville Station, New York 14060

**VILLAGE OFFICIALS ASSOCIATION***One-year term to expire December 31, 2019*

Robert J. Breton  
 31 Maple Avenue  
 Franklinville, New York 14737

Frank H. Higgins  
 1616 Gemini Drive  
 Olean, New York 14760

**YOUTH BUREAU BOARD OF DIRECTORS***One-year term to expire December 31, 2019*

Robert J. Breton  
 31 Maple Avenue  
 Franklinville, New York 14737

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**PRIVILEGE OF THE FLOOR:**

CHAIRMAN SNYDER granted Privilege of the Floor to Pat Davison, Director of Information Services, who recognized and thanked employee Rita Fischer for 34 years of service and congratulated Ms. Fischer on her upcoming retirement. Chairman Snyder presented Ms. Fischer with a plaque.

CHAIRMAN SNYDER granted Privilege of the Floor to Julie Carr, Personnel Director, who introduced Lori Holmes as a new member of the Deferred Compensation Committee.

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**ACT NO. 57-2019** by Mr. Snyder, Sr., Ms. Vickman and Mrs. Labuhn  
*and Mr. Boberg, Mr. Burr, Mr. Hale, Mr. Helmich,  
 Mr. Marsh, Mr. Snyder, Jr., Mr. Giardini, Ms. Hastings,  
 Mr. Koch and Mr. Padlo<sup>1</sup>*

**APPOINTMENT OF COUNTY ADMINISTRATOR**

Pursuant to Local Law Number 5-1985  
 (Intro Number 10-1985).

RESOLVED, that John R. Searles, 733 Front Street, Olean, New York 14760, be, and hereby is, appointed Cattaraugus County Administrator for a term commencing September 14, 2019 and terminating September 13, 2023, to be compensated at such salary which has heretofore been, or may hereafter be, established.

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: "Mr. Boberg, Mr. Burr, Mr. Hale, Mr. Helmich, Mr. Marsh, Mr. Snyder, Jr., Mr. Giardini, Ms. Hastings, Mr. Koch and Mr. Padlo".

Adopted January 23, 2019 by voice vote.

**ACT NO. 58-2019** by Mr. Snyder, Sr.

**APPOINTMENTS TO CATTARAUGUS COUNTY ECONOMIC SUSTAINABILITY  
AND GROWTH CORPORATION BOARD OF DIRECTORS**

Pursuant to Article 16 of the Not-for-Profit Corporation Law.

WHEREAS, Act 680-2014 established the Cattaraugus County Economic Sustainability and Growth Corporation, and

WHEREAS, the terms of office of the members of the Board of Directors established for the Cattaraugus County Economic Sustainability and Growth Corporation were to coincide with their respective terms of office for the offices listed in Act 680-2014, and

WHEREAS, it is necessary to appoint certain individuals to the Board of Directors who now hold those respective offices, now, therefore, be it

RESOLVED, that the following individuals are hereby appointed to the Cattaraugus County Economic Sustainability and Growth Corporation Board of Directors and their respective terms of office on the Board of Directors shall coincide with their respective term of office as listed below:

James J. Snyder, Sr., as Chairperson of the County Legislature

Dan Hale, as Vice-Chairperson of the County Legislature

Susan Labuhn, as Minority Leader of the County Legislature.

Adopted January 23, 2019 by voice vote.

**ACT NO. 59-2019** by Mr. Snyder, Sr.

**APPOINTMENT OF MEMBERS TO DEFERRED COMPENSATION COMMITTEE**

Pursuant to Section 457 of the Internal Revenue Code.

WHEREAS, Act 262-1986 adopted the Cattaraugus County Deferred Compensation Plan (hereinafter referred to as "Plan") naming three (3) members of the Legislature and three (3) members of the CSEA Local 805 to the Deferred Compensation Committee, and

WHEREAS, Act 436-1998 specifically named all six (6) members of the Deferred Compensation Committee (hereinafter referred to as "Committee"), and

WHEREAS, Act 15-2012 amended the Plan to name the three (3) members of the Committee from the Legislature by title:

Chairman

Vice-Chairman

Majority Leader,

and

WHEREAS, it is necessary for the CSEA Local 805 to recommend replacements for their current representative members, now, therefore, be it

RESOLVED, that effective immediately, upon the recommendation of the CSEA Local 805, the following members are hereby appointed to the Deferred Compensation Committee as their representative members:

Sally Buskist

Lori Holmes

Margo Pearl,

replacing Crystal Abers, Kathy Johnson and Rose Teachman.

Adopted January 23, 2019 by voice vote.

**ACT NO. 60-2019** by Mr. Snyder, Sr.

**ESTABLISHING MILEAGE REIMBURSEMENT RATE FOR COUNTY LEGISLATORS**

Pursuant to Section 203 of the County Law.

RESOLVED, effective January 1, 2019, the mileage reimbursement rate for County Legislators shall be at the federal IRS mileage rate.

Adopted January 23, 2019 by voice vote.

**ACT NO. 61-2019** by Mr. Marsh and Mr. Snyder, Sr.

**DECLARING COUNTY-OWNED PROPERTY IN THE  
TOWN OF SOUTH VALLEY NO LONGER NECESSARY FOR PUBLIC USE AND  
AUTHORIZING CONVEYANCE TO STATE OF NEW YORK**

Pursuant to Section 72-h of the General Municipal Law.

WHEREAS, in 2012, the County foreclosed on certain property located in the Town of South Valley, off from Bone Run Road, identified as Tax Map No. 97.001-1-12, previously owned by Claude Randall, and

WHEREAS, the aforementioned parcel consists of approximately 2.45 acres, with no road access, and is landlocked with only Paper Road to access, and

WHEREAS, Paper Road has been permanently abandoned by the Town of South Valley, and

WHEREAS, the adjacent owner on the front of the parcel refuses to allow access, and

WHEREAS, the aforementioned parcel has been offered at auction several times, with no purchase completed, and

WHEREAS, the State of New York owns forestland surrounding three (3) sides of the aforementioned County-owned parcel and is in a position to take title to it, and

WHEREAS, the County should convey the above-described parcel to the State of New York, now, therefore, be it

RESOLVED, that the above-described parcel, identified as Tax Map No. 97.001-1-12 situated in the Town of South Valley is no longer necessary for public use by the County, and be it further

RESOLVED, that the Chairman of the Legislature is hereby authorized to convey by, Quit-Claim Deed, 100% of the County's interest in the aforementioned property to the State of New York.

Adopted January 23, 2019 by voice vote.

**ACT NO. 62-2019** by Mr. Breton, Mr. Snyder, Sr. and Ms. Vickman

**DIRECTING COUNTY TREASURER TO ISSUE  
CERTIFICATE OF RESTORATION  
VILLAGE OF ELLICOTTVILLE**

Pursuant to Sections 1138 (4)(a) and 1138 (6)(d) of the Real Property Tax Law.

WHEREAS, certain parcels were withdrawn from the 2011 in rem tax foreclosure proceeding because of environmental issues affecting the property, and

WHEREAS, Act 459-2011 directed the County Treasurer to issue a Certificate of Prospective Cancellation on property located in the Village of Ellicottville, bearing Tax Map Number 55.043-1-33.1 owned by J & B Capital Partners, Inc., and

WHEREAS, it has been determined that the above parcel should be reinstated and restored to the taxable portion of the assessment roll, now, therefore, be it

RESOLVED, that the County Treasurer be, and hereby is, authorized and directed to reinstate the aforementioned parcel and issue a Certificate of Reinstatement with the Assessor and County Director of Real Property Tax Services, and be it further

RESOLVED, that the County Treasurer be, and hereby is authorized and directed to file a Certificate of Restoration with the Assessor and County Director of Real Property Tax Services, and be it further

RESOLVED, that, upon the filing of the aforementioned Certificate of Reinstatement and Restoration, the above-described parcel shall be reinstated and restored to the taxable portion of the assessment roll.

MR. SNYDER, JR. moved, seconded by Ms. Vickman, to refer Act No. 62-2019 to the Finance Committee and the County Operations/Public Safety Committee. Carried.

**ACT NO. 63-2019** by Mr. Snyder, Sr.

**CANCELING UNENFORCEABLE LIENS  
(Town of New Albion)**

Pursuant to Section 558 of the Real Property Tax Law.

WHEREAS, due to potential environmental concerns regarding certain property located at 7167 Route 353 in the Town of New Albion, it is in the best interests of the County not to foreclose upon said property, and

WHEREAS, it is necessary and prudent for the Cattaraugus County Legislature to cancel the unpaid taxes where the lien of such taxes is unenforceable, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby cancels the lien of taxes on the following property, as being unenforceable:

<u>Town/Village</u>	<u>Owner</u>	<u>Tax Map No.</u>	<u>Amount</u>
New Albion	Composite Panel Solutions	44.002-1-12.1	\$18,893.55

Adopted January 23, 2019 by voice vote.

**ACT NO. 64-2019** by Mr. Snyder, Sr.

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Sheriff's Office – WVNS Security Contract Vehicle)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, Act 499-2018 authorized a contract with CH2M Hill BWXT West Valley, LLC, 10282 Rock Springs Road, West Valley, New York 14171-9799, for the provision of on-site security law enforcement services for its facility and surrounding areas, and

WHEREAS, the budget for the CH2M Hill BWXT West Valley, LLC, should be increased to allow for the purchase of a new security patrol vehicle, and

WHEREAS, various appropriation and estimated revenue accounts must be adjusted in order to purchase the aforementioned vehicle, now, therefore, be it

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

Increase Estimated Revenue Account:

A.311.3216.0000.2260.02	Public Safety Services for Other Governments	\$48,100.00
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Increase Appropriation Account:

A.311.3216.0000.20101	WVNS Security Contract Vehicle	\$48,100.00.
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Adopted January 23, 2019 by voice vote.

**ACT NO. 65-2019** by Mr. Snyder, Sr.

**LOCAL LAW NUMBER 1-2019  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Chapter 98 of the Laws of 2009 and Section 253-x of the Tax Law.

**A LOCAL LAW IMPOSING AN ADDITIONAL MORTGAGE RECORDING TAX  
WITHIN THE COUNTY OF CATTARAUGUS**

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

**SECTION 1. Legislative Intent.** It is the intent of this Local Law to impose an additional mortgage recording tax.

**SECTION 2. Imposition of Tax.** Effective December 1, 2018 and terminating December 1, 2021, there is hereby imposed, in the County of Cattaraugus, a tax of 25 cents for each \$100 and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within Cattaraugus County and recorded on or after December 1, 2018, and a tax of 25 cents on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than \$100.

SECTION 3. Applicability. The taxes imposed under the authority of this section shall be administered and collected in the same manner as the taxes imposed under section 253(1) and section 255(1)(b) of the Tax Law. Except as otherwise provided in this section, all the provisions of the Tax Law relating to or applicable to the administration and collection of the taxes imposed by such subdivisions shall apply to the taxes imposed under the authority of this section with such modifications as may be necessary to adapt such language to the tax so authorized. Such provisions shall apply with the same force and effect as if those provisions had been set forth in full in this section except to the extent that any provision is either inconsistent with a provision of this section or not relevant to the tax authorized by this section. For purposes of this section, any reference in the Tax Law to the tax or taxes imposed by the Tax Law shall be deemed to refer to a tax imposed pursuant to this section, and any reference to the phrase “within this state” shall be read as “within Cattaraugus County”, unless a different meaning is clearly required.

SECTION 4. Real Property Located in More than One County. Where the real property covered by the mortgage subject to the tax imposed pursuant to the authority of this section is situated in this state but within and without the county imposing such tax, the amount of such tax due and payable to such county shall be determined in a manner similar to that prescribed in the first undesignated paragraph of section 260 of the Tax Law which concerns real property situated in two or more counties. Where such property is situated both within such county and without the state, the amount due and payable to such county shall be determined in the manner prescribed in the second undesignated paragraph of such section 260 which concerns property situated within and without the state. Where real property is situated within and without the county imposing such tax, the recording officer of the jurisdiction in which the mortgage is first recorded shall be required to collect the taxes imposed pursuant to this section.

SECTION 5. Additional Taxes. A tax imposed pursuant to the authority of this section shall be in addition to the taxes imposed by section 253 of the Tax Law.

SECTION 6. Disposition of Taxes. Notwithstanding any provision of the Tax Law to the contrary, the balance of all moneys paid to the recording officer of the County of Cattaraugus during each month upon account of the tax imposed pursuant to the authority of this section, after deducting the necessary expenses of his or her office as provided in section 262 of the Tax Law, except taxes paid upon mortgages which under the provisions of this section or section 260 of the Tax Law are first to be apportioned by the commissioner, shall be paid over by such officer on or before the 10<sup>th</sup> day of each succeeding month to the treasurer of Cattaraugus County and, after the deduction by such treasurer of the necessary expenses of his or her office provided in section 262 of the Tax Law shall be deposited in the general fund of the County of Cattaraugus. Notwithstanding the provisions of the preceding sentence, the tax so imposed and paid upon mortgages covering real property situated in two or more counties, which under the provisions of this section or section 260 of the Tax Law are first to be apportioned by the commissioner, shall be paid over by the recording officer receiving the same as provided by the determination of the commissioner.

SECTION 7. Payment of Taxes. The tax imposed pursuant to this Local Law will be payable on the recording of each mortgage or real property subject to taxes thereunder. The tax will be paid to the recording officer of the county in which the real property or any part thereof is situated, except where real property is situated within and without the county, the recording officer of the county in which the mortgage is first recorded will collect the tax imposed by this Local Law. It will be the duty of the recording officer to endorse upon each mortgage a receipt for the amount paid. Any mortgage so

endorsed may thereupon or thereafter be recorded by any recording officer and the receipt of the tax endorsed upon each mortgage will be recorded therewith. The record of the receipt will be conclusive proof that the amount of the tax stated therein has been paid upon the mortgage.

SECTION 8. Effective Date. This local law shall take effect immediately.

No further action at this time.

**ACT NO. 66-2019** by Mr. Snyder, Sr.

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 1 - 2019**

Pursuant to Chapter 98 of the Laws of 2009 and Section 253-x of the Tax Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on January 23, 2019, a proposed Local Law entitled "A Local Law Imposing an Additional Mortgage Recording Tax within the County of Cattaraugus", 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 13<sup>th</sup> day of February, 2019, at 4:01 p.m. at the Legislature's Chambers, Cattaraugus County Center, 303 Court Street, Little Valley, New York, and that at least five days' notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Adopted January 23, 2019 by voice vote.

**ACT NO. 67-2019** by Mr. Snyder, Sr.

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
KENNETH W. DAHLGREN, JR. FOR HEALTH DEPARTMENT  
CLEAN INDOOR AIR ACT COMPLIANCE CHECKS**

Pursuant to Article 13-F of the Public Health Law,  
Section 1399-hh(3) of the Public Health Law and  
Section 450 of the County Law.

WHEREAS, Act 196-2018 authorized a contract with Kenneth W. Dahlgren, Jr., 291 Wiltsie Road, Frewsburg, New York 14738, for the provision of Clean Indoor Air Act compliance checks on bars and restaurants within Cattaraugus County, the term of which expires March 31, 2019, and

WHEREAS, the County Health Department is desirous of continuing the aforementioned services for bars only, unless a complaint is received on a facility that is not a bar, and

WHEREAS, Kenneth W. Dahlgren, Jr., has agreed to perform the aforementioned compliance checks on bars, at sites to be determined by the Cattaraugus County Board of Health, for an amount of \$50.00 per site, not to exceed \$6,250.00, to be paid as invoiced and approved by the Health Department, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Kenneth W. Dahlgren, Jr., for the provision of the above-described services, for a term commencing April 1, 2019 and terminating March 31, 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.

Adopted January 23, 2019 by voice vote.

**ACT NO. 68-2019** by Mr. Snyder, Sr.

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
REHABILITATION TODAY SERVICES, PLLC  
FOR EARLY INTERVENTION SERVICE COORDINATOR**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 148-2018 authorized a contract with Rehabilitation Today Services, PLLC, 2416 Constitution Avenue, Olean, New York 14760, for the provision of a service coordinator for the Health Department's Early Intervention Program, the term of which expires February 28, 2019, and

WHEREAS, the County Department of Health is desirous of continuing the aforementioned services, and

WHEREAS, Rehabilitation Today Services, PLLC, can provide a service coordinator for the Health Department's Early Intervention Program for an amount not to exceed \$63,545.29 for the period March 1, 2019 through February 29, 2020, to be paid on a monthly basis as invoiced, and

WHEREAS, this program is 100% federally funded, (CFDA #93.069), 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 Rehabilitation Today Services, PLLC, for the provision of the above-described services, for a term commencing March 1, 2019 and terminating February 29, 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.

Adopted January 23, 2019 by voice vote.

**ACT NO. 69-2019** by Mr. Snyder, Sr.

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
KATHLEEN E. EBERSOLE D/B/A KEE CONCEPTS CONSULTING FOR  
HEALTH DEPARTMENT SCALE INITIATIVE CONSULTANT SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 61-2018 authorized the Chairman to execute a contract with Kathleen Ebersole, d/b/a KEE Concepts Consulting, P.O. Box 181, Ashville, New York 14710, for the provision of the SCALE Initiative Program (Spreading Community Accelerators through Learning and Evaluation), the term of which expires April 30, 2019, and

WHEREAS, the aforementioned contract should be amended to include an amount of \$2,500.00 for reimbursement for travel and other program-related expenses, for a total contract amount not to exceed \$32,776.00, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Kathleen Ebersole, d/b/a KEE Concepts Consulting, to include reimbursement for travel and other program-related expenses, to amend the original contract which commenced January 1, 2018 and terminates April 30, 2019.

Adopted January 23, 2019 by voice vote.

**ACT NO. 70-2019** by Mr. Snyder, Sr.

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
HEALTHY COMMUNITY ALLIANCE FOR  
HEALTH DEPARTMENT SCALE INITIATIVE SUPPORT SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 62-2018 authorized a contract with Healthy Community Alliance, 1 School Street, Suite #100, Gowanda, New York 14070, for the SCALE Initiative Program (Spreading Community Accelerators through Learning and Evaluation), the term of which expires April 30, 2019, and

WHEREAS, the aforementioned contract should be amended to include an amount of \$8,500.00 for reimbursement for travel and other program-related expenses, for a total contract amount not to exceed \$13,500.00, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Healthy Community Alliance, to include reimbursement for travel and other program-related expenses, to amend the original contract which commenced January 1, 2018 and terminates April 30, 2019, according to the above-described terms.

Adopted January 23, 2019 by voice vote.

**ACT NO. 71-2019** by Mr. Snyder, Sr.

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT WITH  
COUNCIL ON ADDICTION RECOVERY SERVICES, INC. FOR  
LEASING OF OFFICE SPACE AT THE STONE HOUSE**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 145-2016 authorized the Chair to execute a lease agreement with the Council on Addiction Recovery Services, Inc., for the leasing of space on the third floor of the Stone House in Machias, the term of which has expired, and

WHEREAS, the County has proposed to renew the aforementioned lease with the Council on Addiction Recovery Services, Inc., consisting of 367 square feet of office space for an amount of \$5,040.00, which includes utilities, except telephone, and

WHEREAS, the Council on Addiction Recovery Services, Inc., P.O. Box 567, 201 South Union Street, Olean, New York 14760, is desirous of leasing the aforementioned space, and

WHEREAS, the Council on Addiction Recovery Services, Inc., shall provide its own office equipment and office furniture, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease agreement, on behalf of Cattaraugus County, with Council on Addiction Recovery Services, Inc., for lease of the above-described office space, for a term commencing January 1, 2019 and terminating December 31, 2020, according to the above-described terms.

Adopted January 23, 2019 by voice vote.

**ACT NO. 72-2019** by Mr. Snyder, Sr.

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT WITH  
SOUTHERN TIER ENVIRONMENTS FOR LIVING, INC. FOR  
LEASE OF SPACE IN COUNTY PROS FACILITY**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 146-2016 authorized a lease agreement with Southern Tier Environments for Living, Inc. (STEL), 715 Central Avenue, Dunkirk, New York 14048, for the leasing of space in the County's PROS Facility, located at 212 Laurens Street in the City of Olean, the term of which has expired, and

WHEREAS, Southern Tier Environments for Living, Inc., has requested to renew the aforementioned lease, and

WHEREAS, the County shall lease to STEL approximately 120 square feet of office space for a total amount of \$2,400.00 per year, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease agreement, on behalf of Cattaraugus County, with Southern Tier Environments for Living, Inc., to lease the above-described space for a term commencing January 1, 2019 and terminating December 31, 2019, according to the above-described terms.

Adopted January 23, 2019 by voice vote.

**ACT NO. 73-2019** by Mr. Snyder, Sr.  
and Mr. Helmich<sup>1</sup>

**APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND DIRECTIONS IN INDEPENDENT LIVING, INC. FOR VETERAN PEER-TO-PEER SUPPORT PILOT PROGRAM**

Pursuant to Section 41.07 of the Mental Hygiene Law and Section 450 of the County Law.

WHEREAS, the Cattaraugus County Community Services Board desires to have a Veteran Peer-to-Peer Support Pilot Program in Cattaraugus County for veterans suffering from post-traumatic stress syndrome, and/or other related combat stress disorders, using individual and small group peer-to-peer support methods, and

WHEREAS, Directions in Independent Living, Inc., 514 West State Street, Olean, New York 14760, can provide the aforementioned services in Cattaraugus County for an amount of \$135,000.00, to be paid as invoiced, and

WHEREAS, this program is 100% state funded through OMH funds, now, therefore, be it RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract between the Cattaraugus County Community Services Board and Directions in Independent Living, Inc., to signify the County's approval, for the provision of the above-described Veteran Peer-to-Peer Support Pilot Program, for a term commencing January 1, 2019 and terminating June 30, 2020, according to the above-described terms, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, further authorized and directed to execute contract amendments, upon notification of award, for the allocation of additional state aid funding or cost of living adjustments (COLAs) for this program, 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.

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

Adopted January 23, 2019 by voice vote.

**ACT NO. 74-2019** by Mr. Snyder, Sr.

**APPROVING AMENDED CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND HOUSING OPTIONS MADE EASY, INC. FOR PEER SPECIALISTS FOR THE MOBILE TRANSITIONAL SUPPORT TEAM**

Pursuant to Section 41.07 of the Mental Hygiene Law and Section 450 of the County Law.

WHEREAS, Act 136-2018 authorized a contract with Housing Options Made Easy, Inc., 75 Jamestown Street, Gowanda, New York 14070, for the provision of peer specialists for the Mobile Transitional Support Team, the term of which expired December 31, 2018, and

WHEREAS, the County Department of Community Services has been awarded additional funds from the New York State Office of Mental Health (OMH) in the amount of \$1,891.00 for the aforementioned services, and

WHEREAS, the County Department of Community Services will pay an additional amount of \$390.00 for mileage, for a total 2018 contract amount of \$44,367.00, and

WHEREAS, an amended contract is necessary in order to accept the aforementioned additional funding, and

WHEREAS, this program is funded through state and local funds, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, between the Cattaraugus County Community Services Board and Housing Options Made Easy, Inc., to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2018 and terminating December 31, 2018, according to the above-described terms.

Adopted January 23, 2019 by voice vote.

**ACT NO. 75-2019** by Mr. Snyder, Sr.

**APPROVING CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
SOUTHERN TIER ENVIRONMENTS FOR LIVING, INC. FOR  
VARIOUS MENTAL HEALTH PROGRAMS**

Pursuant to Section 75.13 of the Mental Hygiene Law  
and Section 450 of the County Law.

WHEREAS, Act 71-2018 authorized approval of a contract with Southern Tier Environments for Living, Inc., (S.T.E.L.), 715 Central Avenue, Dunkirk, New York 14048, for the provision of intensive case management, supportive case management and supported housing services for mentally ill individuals, the term of which expired December 31, 2018, and

WHEREAS, the County Department of Community Services is desirous of renewing the aforementioned contract, and

WHEREAS, S.T.E.L., Inc., has agreed to provide Health Home Care Coordination Services and Supported Housing and Rental Assistance for a total amount not to exceed \$206,300.00, to be paid as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract for the year 2019 between the Cattaraugus County Community Services Board and S.T.E.L., Inc., to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2019 and terminating December 31, 2019, according to the above-described terms, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, further authorized and directed to execute contract amendments, upon notification of award, for the allocation of additional state aid funding or cost of living adjustments (COLAs) for this program, 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.

Adopted January 23, 2019 by voice vote.

**ACT NO. 76-2019** by Mr. Snyder, Sr.

**AUTHORIZING THE CHAIR TO EXECUTE MEMORANDUM OF UNDERSTANDING WITH  
NEW YORK STATE OFFICE OF GENERAL SERVICES FOR  
USE OF COUNTY PROPERTY BY DEPARTMENT OF CORRECTIONS**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, the New York State Department of Corrections is desirous of utilizing office space in the County Probation Offices located in Olean and Salamanca, for the operation of its community supervision operations, to allow parolees to report to their parole officers, provide a place where urine screenings can be conducted, and allow for general office operations, and

WHEREAS, the County Probation Department has agreed to allow the New York State Department of Corrections and Community Supervision (DOCCS) to utilize space in its offices, as follows:

<u>Location</u>	<u>Space</u>	<u>Amount</u>
Cattaraugus County Probation Department Olean Office Facility 1 Leo Moss Drive Olean, New York 14760	500 square feet of space in Suite 3140 (Room Nos. 298, 302 or 310)	\$2,580/year
Cattaraugus County Probation Department 22 Broad Street Salamanca, New York 14779, and	500 square feet of space	\$2,580/year

WHEREAS, the New York State Office of General Services, on behalf of DOCCS, has agreed to lease the aforementioned space from the County for the amounts listed above, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a Memorandum of Understanding, on behalf of Cattaraugus County, with the New York State Office of General Services, for use of the above-described space by the New York State Department of Corrections and Community Supervision, for a term commencing upon the date of full execution of this Memorandum of Understanding and terminating five years thereafter, according to the above-described terms.

Adopted January 23, 2019 by voice vote.

**ACT NO. 77-2019** by Mr. Boberg, Mr. Breton, Mr. Burr, Mr. Hale, Mr. Helmich, Mr. Higgins, Mr. Klancer, Mr. Marsh, Mr. Snyder, Sr., Mr. Snyder, Jr., Mr. VanRensselaer, Ms. Vickman, Mr. Giardini, Ms. Hastings, Mr. Koch, Mrs. Labuhn and Mr. Padlo

**DESIGNATING OFFICIAL NEWSPAPERS FOR THE YEAR 2019**

Pursuant to Section 214 of the County Law.

RESOLVED, that the Olean Times Herald, a newspaper published in Olean, New York, and the Salamanca Press, a newspaper published in Salamanca, New York, are hereby designated as the official newspapers for the publication of all local laws, notices, and other matters required by law to be published by Cattaraugus County for the year 2019.

Adopted January 23, 2019 by voice vote.

**ACT NO. 78-2019** by Mr. Marsh, Ms. Hastings and Mr. Koch and Mr. Boberg, Mr. Burr, Mr. Hale, Mr. Helmich, Mr. Klancer, Mr. Snyder, Sr., Mr. Snyder, Jr., Ms. Vickman, Mr. Giardini, Mrs. Labuhn and Mr. Padlo<sup>1</sup>

**URGING GOVERNOR CUOMO TO RESTORE AIM FUNDING FOR LOCAL MUNICIPALITIES IN CASES WHERE THE FUNDING ACCOUNTS FOR LESS THAN TWO PERCENT (2%) OF THE MUNICIPAL BUDGET**

Pursuant to Section 153 of the County Law.

WHEREAS, Governor Cuomo has eliminated funding from the Aid and Incentives to Municipalities (AIM) program for towns and villages in cases where the funding accounts for less than two percent (2%) of the municipal budget in his \$176 billion budget proposal which was released on January 15, 2019, and

WHEREAS, this budget proposal eliminates AIM funding for 1,328 of New York State's towns and villages, and

WHEREAS, the elimination of the AIM funding will have a significant impact on municipalities that already have their budget in place for 2019, and

WHEREAS, in the event Governor Cuomo's budget proposal is adopted, thirty-five (35) of the forty-three (43) local municipalities within Cattaraugus County will lose AIM funding, resulting in a hardship and a burden on the taxpayers of the County, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby opposes Governor Cuomo's budget proposal to eliminate Aid and Incentives to Municipalities (AIM) program funding for towns and villages in cases where the funding accounts for less than two percent (2%) of the municipal budget, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Governor Andrew Cuomo, Lieutenant Governor Kathy Hochul, Members of the Western New York State Legislature delegation, Senator Young, Assembly Member Giglio, New York State Association of Counties and the Western New York Inter-County Association.

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: “Mr. Boberg, Mr. Burr, Mr. Hale, Mr. Helmich, Mr. Klancer, Mr. Snyder, Sr., Mr. Snyder, Jr., Ms. Vickman, Mr. Giardini, Mrs. Labuhn and Mr. Padlo”.

Adopted January 23, 2019 by voice vote.

**MOTION TO ADJOURN IN MEMORY OF  
DONALD N. LAZAR**

WHEREAS, Donald N. Lazar, 85, formerly of Gowanda, passed away in Orchard Park on January 17, 2019, and

WHEREAS, Mr. Lazar served as the mayor of Gowanda for 18 years, and

WHEREAS, Mr. Lazar previously served on the Gowanda Village Board for 2 terms, and

WHEREAS, Mr. Lazar retired in 1988 from Forestville Central School as Elementary Principal, and

WHEREAS, Mr. Lazar was a member of St. Joseph Roman Catholic Church in Gowanda and honorably served his country in the United States Army, and

WHEREAS, Mr. Lazar is survived by his wife of 62 years, Carol; three sons, Michael and Richard of Kansas City, Missouri, and David of Hamburg; four grandchildren and three great-grandchildren, and

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

MOVE, that the Cattaraugus County Legislature hereby adjourns, and stands adjourned, in memory of Donald N. Lazar 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 Donald N. Lazar, 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. BURR moved, seconded by Mr. Klancer, to adjourn until February 13, 2019 at 4:00 p.m. Carried.

Meeting adjourned at 4:27 p.m.

Ann M. Giglio  
Journal Clerk