

November 23, 2010

The meeting was called to order by Chairman Michael T. O'Brien.

The invocation was given by Rev. Lefebvre.

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

MR. MARSH moved, seconded by Mr. Ellis that the minutes of the November 10, 2010 session be approved. Carried.

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COMMUNICATIONS:

Senator Young: Letter acknowledging receipt of Act No. 544-2010 and a copy of Senate Bill S8502 regarding casino payments.

Oswego County Legislature: Copy of its Resolution No. 218, Urging the New York State Public Service Commission to Reject the Proposal from National Grid to Increase Residential Natural Gas and Electric Rates.

Town of Hinsdale: Letter of thanks to Commissioner Bourgeois for assistance of The Work Experience Program in maintaining its park this year.

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ACT NO. 588-2010 by Mr. McLarney and Mr. Boser

**BID ACCEPTANCE FOR 2011 CATTARAUGUS COUNTY ACTIVITIES GUIDE
(Department of Economic Development, Planning & Tourism)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for printing of the 2011 Cattaraugus County Activities Guide, according to specifications provided by the Development and Agriculture Committee, and

WHEREAS, the lowest bid received meeting specifications for 160,000 copies of the 2011 Cattaraugus County Activities Guide was the bid of Kenyon Press, Inc., 1 Kenyon Press Drive, Sherburne, New York 13460-8086, for a total print cost of \$37,897, based on each of the following categories:

Printing of 2011 Cattaraugus County Activities Guide

160,000 copies	48 pages	\$37,897.00
8-3/8" x 10-7/8", four color,		
4 page cover - 100# Gloss Text #3;		
Inside 44 pages - 45# Gloss Text #3;		
folded, gathered, saddle stitched and trimmed to size		

<u>Option #1</u> - 160,000 copies Fold-Out Map Insert	\$ 6,607.00
40# White offset, #3 Coated for map	
Map will be 21.5" x 33.5" flat, folded down,	
trimmed and stitched into center of guide	

and

WHEREAS, the aforementioned cost is 50% reimbursable through New York State matching funds, now, therefore, be it

RESOLVED, that the bid of Kenyon Press, Inc., be, and the same hereby is, accepted, for a term commencing November 30, 2010 and terminating May 31, 2011, and be it further

RESOLVED, that the vouchers accordingly certified by the Director of the Department of Economic Development, Planning & Tourism be audited by the Auditor and paid by the County Treasurer.

No State Bid.

74 sets of specifications were sent out.

Five bids were received.

Approved by 9 members of the Finance Committee and 7 members of the Development and Agriculture Committee.

Adopted November 23, 2010 by voice vote.

ACT NO. 589-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT
WITH JENNIFER CORNISH GENOVESE FOR SECONDARY TRAUMATIC STRESS
TRAINING FOR DEPARTMENT OF COMMUNITY SERVICES AND ADJUSTING VARIOUS
APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

Pursuant to Sections 363 and 366 of the County Law and
Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, the Department of Community Services is desirous of obtaining Secondary Traumatic Stress training for its clinical staff in order to better serve clients, and

WHEREAS, Jennifer Cornish Genovese, ACSW, LCSW, 6315 Fly Road, Suite 106, East Syracuse, New York 13057, can provide one (1) half-day training session on or about November 16, 2010 for an amount not to exceed \$500, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to cover the cost of the aforementioned services, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Jennifer Cornish Genovese, ACSW, LCSW, for the provision of the above-described training, for a term commencing November 16, 2010 and terminating December 31, 2010, according to the above-described terms, and be it further

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

Increase Estimated Revenue Account:

A.4490	OMH Federal Salary Sharing	\$500.00
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Increase Appropriation Account:

A.4342.455	OMH Federal Salary Sharing	\$500.00.
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Approved by 9 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted November 23, 2010 by voice vote.

ACT NO. 590-2010 by Mr. Neal and Mr. Snyder
and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
TOTAL SENIOR CARE, INC. FOR
IN-HOME NURSING AND THERAPY SERVICES**

Pursuant to 10 NYCRR Part 40-1 and Section 450 of the County Law.

WHEREAS, Act 174-2010 authorized a contract with Total Senior Care, Inc., 519 North Union Street, Olean, New York 14760, for the operation of the PACE Program for the Health Department, the term of which expires December 31, 2010, and

WHEREAS, Total Senior Care, Inc., is authorized by New York State Department of Health and the Centers for Medicare and Medicaid Services to operate a Program for All Inclusive Care for the Elderly (PACE Program) as a comprehensive program of services to participants, and

WHEREAS, Total Senior Care, Inc., is desirous of obtaining in-home nursing and therapy services from the County Department of Health for PACE Program participants, and

WHEREAS, the Department of Health has agreed to provide the following in-home nursing and therapy services to PACE Program participants in accordance with NYS Medicaid approved CHHA rates:

Registered Nurse
Physical Therapist
Occupational Therapist
Speech and Language Pathologist
Certified Home Health Aide,

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 Total Senior Care, Inc., for the provision of the above-described in-home nursing and therapy services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

Approved by 9 members of the Finance Committee and 6 members of the Human Services Committee.

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

Adopted November 23, 2010 by voice vote.

ACT NO. 591-2010 by Mr. McLarney and Mr. Ward

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT
WITH STEPHEN R. THOMAS ACTUARIAL ASSOCIATES, INC. FOR
MEDICARE PART D PRESCRIPTION SUBSIDY ACTUARIAL ATTESTATION**

Pursuant to Section 1860D-22 of the Social Security Act,
42 CFR Section 423.880, 42 USC Section 1395w-101 and
Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 670-2007 authorized a contract with S. R. Thomas & Associates for the provision of actuarial attestation services, the term of which expired December 31, 2007, and

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

WHEREAS, a federal subsidy equal to 28% of a qualifying retiree and/or spouse's allowable drug costs between \$250 and \$5,000 is available for retiree health plan sponsors, and

WHEREAS, under the Medicare Prescription Drug, Improvements and Modernization Act of 2003, plan sponsors offering Medicare retiree benefits will be able to apply for the aforementioned subsidy to provide continued coverage, and

WHEREAS, in order to collect the 28% subsidy, the County must file the "Application and Attestation of Actuarial Equivalence for Subsidy" annually, and

WHEREAS, Stephen R. Thomas Actuarial Associates, Inc., Golden Crest Corporate Center, 2277 Highway 33, Suite 409, Trenton, NJ 08690, can provide the aforementioned actuarial attestation for the amount of \$1,000 annually, and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Stephen R. Thomas Actuarial Associates, Inc., for the provision of the above-described services, for a term commencing January 1, 2008 to continue in full force and effect until amended or terminated by either party hereto, according to the above-described terms.

Approved by 9 members of the Finance Committee and 4 members of the Labor Relations Committee.

Adopted November 23, 2010 by voice vote.

ACT NO. 592-2010 by Mr. Marsh and Mr. Padlo

**AUTHORIZING BOARD OF ELECTIONS TO CHARGE BACK
50% OF ALL EXPENSES OF VILLAGE ELECTIONS**

Pursuant to Section 361-a of the County Law,
Sections 3-226, 4-138 and 15-104 of the Election Law,
Help America Vote Act (HAVA) and
the Election Reform Management Act of 2005 (ERMA).

WHEREAS, effective January 1, 2011, villages in Cattaraugus County will no longer be allowed to use the lever voting machines, and

WHEREAS, villages have had, and continue to have, the option of asking the County Board of Elections to conduct village elections, and

WHEREAS, the new HAVA-compliant optical scan voting machines purchased by the County have increased costs due to increased man hours for programming, ballot testing, test ballots, and election day ballots, and

WHEREAS, the County Board of Elections is desirous of charging back, to all villages in the County, 50% of all expenses connected with elections that the County conducts, and matters preliminary or relating thereto that were directly incurred by villages, as well as those county expenses that were specifically chargeable to villages pursuant to a provision of law, including the expenses of election inspectors and expenses

relating to the ballots, test decking ballots, testing of machines, preparing machines and programming voting machines, now, therefore, be it

RESOLVED, that effective January 1, 2011, the Cattaraugus County Board of Elections shall charge back, to all villages in the County, 50% of all expenses connected with elections that the County conducts, and matters preliminary or relating thereto that were directly incurred by villages, as well as those county expenses that were specifically chargeable to villages pursuant to a provision of law, including, but not limited to, the expenses of election inspectors and expenses relating to the ballots, test decking ballots, testing of machines, preparing machines and programming voting machines.

Approved by 9 members of the Finance Committee and 7 members of the County Operations Committee.

Adopted November 23, 2010 by voice vote.

ACT NO. 593-2010 by Mrs. Stockman and Mr. Sprague

**LOCAL LAW NUMBER 17 - 2010
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW ESTABLISHING FEES FOR CATTARAUGUS COUNTY
REAL PROPERTY TAX SERVICE AGENCY SERVICES AND
REPEALING ACT 605-1999**

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 revise the fee schedule currently in effect for certain services provided by the Cattaraugus County Department of Real Property Tax Services.

SECTION 2. Fee Schedule. Effective January 1, 2011, the following fees shall be charged by the Cattaraugus County Real Property Tax Service Agency:

Tax Maps to General Public	30 x 42	\$ 6.00 per map
	11 x 17	\$ 2.00 per map
	8.5 x 11	\$ 1.00 per map
Digital PDF Tax Maps		\$ 5.00 per map
GIS Maps	30 x 42	\$ 12.00 per map
	17 x 22	\$ 7.00 per map
	11 x 17	\$ 5.00 per map
	8.5 x 11	\$ 3.00 per map
Street Maps		\$ 2.00 per map
Mailing Labels		\$ 0.03 per label
8.5 x 11 general prints/copies		\$ 0.25 per page
Digital Parcel Information		\$ 0.01 per parcel

GIS Parcel Lines with Data	\$ 0.03 per parcel
GIS County Shapefiles	\$100.00 per shapefile
<i>Town Tax Roll Processing and Printing</i>	<i>\$ 1.00 per parcel</i>
Village Tax Roll Processing and Printing	\$ 1.25 per parcel
School Tax Roll Processing and Printing	\$ 1.25 per parcel
City of Salamanca Tax Roll Processing and Printing	\$ 1.00 per parcel
City of Olean Tax Roll Processing and Printing	\$ 0.75 per parcel
	Plus annual NYS RPS User fee

**All Towns, Village, Cities, Schools, Committees, Boards, and Non For Profits shall be half off of the stated price.

**If a duplicate Village/Town/School Tax Roll must be run due to an error created by the Village/Town/School, an additional \$.25 per parcel will be charged over and above the initial cost per parcel.

**Any special requests for tax bill preparation will have the applicable fee listed above plus an additional \$200.00 fee.

**Any special request for computer data not available on existing programs will be considered on a case-by-case basis for accessibility and be charged the applicable fee listed above plus an additional \$200.00 fee.

SECTION 3. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the particular provision directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4. Statutory Repeal. Effective January 1, 2011, Act No. 605-1999, Local Law Number 5-1999 (Intro Number 4-1999) entitled "A Local Law Establishing Fees for Cattaraugus County Real Property Tax Service Agency Services" is hereby repealed.

SECTION 5. Effective Date. This Local Law shall take effect immediately.

Approved by 9 members of the Finance Committee and 7 members of the County Operations Committee.

MR. VECCHIARELLA moved, seconded by Mr. Burrell to postpone action on Act No. 593-2010 until December 8, 2010. Carried.

ACT NO. 594-2010 by Mrs. Stockman and Mr. Sprague

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 17-2010

Pursuant to Section 20 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on November 23, 2010, a proposed Local Law entitled "A Local Law Establishing Fees for Cattaraugus County Real Property Tax Service Agency Services and Repealing Act 605-1999", and

WHEREAS, no local law shall be adopted until a public hearing thereon has been had by the Cattaraugus County Legislature upon at least five days notice, now, therefore, be it

RESOLVED, that a public hearing shall be held on the proposed local law by this County Legislature on the 8th day of December¹, 2010, at 3:02 p.m. at the Legislature's Chambers, County Office Building, 303 Court Street, Little Valley, New York, and that at least five days notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Approved by 9 members of the Finance Committee and 7 members of the County Operations Committee.

¹ MR. VECCHIARELLA moved, seconded by Mr. Aiello to amend Act No. 594-2010 as follows: In the Resolved, delete: "23rd day of November", and replace with: "8th day of December". Carried.

Adopted, as amended, November 23, 2010 by voice vote.

ACT NO. 595-2010 by Human Services Committee:

Mr. Snyder, Mr. Neal, Mr. Aiello,
Mrs. Stockman, Ms. Vickman, Mr. Nenno and Mr. Ward
who ask immediate consideration

APPOINTMENT TO BOARD OF HEALTH

Pursuant to Section 343 of the Public Health Law.

RESOLVED, that the following individual is appointed to the Board of Health to fill the unexpired six-year term of Thomas Thrasher, to expire December 31, 2015:

Rev. Vernon Saile
65 Memorial Drive
Gowanda, New York 14070.

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

Adopted November 23, 2010 by voice vote.

ACT NO. 596-2010 by County Operations Committee:

Mr. Marsh, Mr. Padlo, Mr. Ellis, Mrs. Stockman,
Mr. Teachman and Mr. Vecchiarella
and Mr. Burrell and Mr. Snyder
who ask immediate consideration

APPOINTMENT OF COUNTY ATTORNEY

Pursuant to Sections 204, 205 and 501 of the County Law.

RESOLVED, that Thomas C. Brady, Main Street, Salamanca, New York 14779 be, and hereby is, appointed County Attorney, to fill the unexpired term of the retiring County Attorney, Dennis V. Tobolski, commencing January 5, 2011, and terminating December 31, 2011, at an annualized salary of \$110,396.

MR. BOSER moved, seconded by Mr. Teachman to waive Rule 12. Carried.

Adopted November 23, 2010 by voice vote.

ACT NO. 597-2010 by County Operations Committee:
Mr. Marsh, Mr. Padlo, Mr. Ellis, Mrs. Stockman,
Mr. Teachman and Mr. Vecchiarella
and Mr. Burrell and Mr. Snyder
who ask immediate consideration

**CREATING ONE POSITION OF ASSISTANT COUNTY ATTORNEY IN THE
OFFICE OF COUNTY ATTORNEY TO BE FILLED ON A TEMPORARY BASIS AND
ESTABLISHING COMPENSATION FOR SAME AND
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Contingent Fund - County Attorney's Office)**

Pursuant to Sections 204, 205, 363 and 365 of the County Law and
Sections 22 and 64 of the Civil Service Law.

WHEREAS, due to the pending retirement of the County Attorney, there is a need to appoint an Assistant County Attorney on a temporary basis to ensure an effective and efficient transfer of current, active and pending case files, and

WHEREAS, this temporary position will be filled with the proposed successor to the current County Attorney, and

WHEREAS, Civil Service Law Section 64(3) provides for the creation of temporary positions for a period not to exceed eighteen months, wherein such positions are not expected to last longer than an eighteen month period, and providing that such positions render professional services, and

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

RESOLVED, that effective December 27, 2010, there is hereby created one temporary position of Assistant County Attorney in the Office of the County Attorney to be compensated at an hourly rate of \$59.33 (\$108,396 annualized) per hour, and be it further

RESOLVED, that effective January 4, 2011, this position shall automatically be abolished, and be it further

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

Decrease Appropriation Account:

A.1990.445	Contingent Fund	\$2,045.00
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Increase Appropriation Accounts:

A.1420.109	Part-time Wages	\$1,662.00
A.1420.828	Retirement	\$ 255.00
A.1420.833	FICA	\$ 128.00.

MR. NENNO moved, seconded by Mr. Aiello to waive Rule 12. Carried.

Adopted November 23, 2010 by voice vote.

ACT NO. 598-2010 by Public Works Committee:
Mr. Giardini, Mr. Ellis, Mr. Burrell, Mr. Marsh, Mr. McLarney,
Mr. Teachman, Mr. Boser, Mr. Hebdon and Mr. McClune
and Ms. Vickman
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE TRANSFER DOCUMENTS WITH TOWN OF ASHFORD FOR
TRANSFER OF COUNTY ROAD NOS. 77 AND 85 AND TRANSFER OF FUNDS
(Contingent Fund - Department of Public Works)**

Pursuant to Sections 115-b and 231 of the Highway Law and
Sections 363, 365 and 450 of the County Law.

WHEREAS, the County Department of Public Works is desirous of
transferring ownership of its portions of County Road No. 77 (Henrietta Road)
and County Road No. 85 (Gulf Road) to the Town of Ashford, and

WHEREAS, as a condition of the aforementioned transfer, the
County will pay to the Town of Ashford an amount not to exceed \$178,800, as
follows:

County Road No. 77 (Henrietta Road)	\$ 63,600.00
County Road No. 85 (Gulf Road)	\$115,200.00,

and

WHEREAS, a transfer of funds is necessary to cover the costs
associated with the above-described road transfer, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is,
authorized and directed to execute transfer documents, on behalf of
Cattaraugus County, with the Town of Ashford, for the transfer of the above-
described roads, according to the above-described terms, and be it further

RESOLVED, that the Clerk of the Legislature be, and hereby is,
authorized and directed to forward a certified copy of this resolution to the
Ashford Town Supervisor, and be it further

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

Decrease Appropriation Accounts:

A.1990.445	Contingent Fund	\$108,800.00
A.9522.950	Transfer to County Road Fund	\$ 70,000.00
D.5110.450	Bridge Materials	\$ 35,000.00
D.5110.459	Road Materials	\$ 35,000.00

Decrease Estimated Revenue Account:

D.2810	Transfer from General Fund	\$ 70,000.00
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Increase Estimated Revenue Account:

H.2810	Transfer from General Fund	\$178,800.00
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Increase Appropriation Accounts:

A.9522.954	Transfer to Capital Projects Fund	\$178,800.00
H.5198.768	County Road Nos. 77 & 85	\$178,800.00.

MR. SPRAGUE moved, seconded by Mr. Hebdon to waive Rule 12. Carried.

Adopted November 23, 2010 by voice vote.

ACT NO. 599-2010 by Mr. Burrell, Mr. Murphy,
Ms. Vickman and Mr. Hebdon
who ask immediate consideration

**REQUESTING NEW YORK STATE DEPARTMENT OF TRANSPORTATION
INSTALL TRAFFIC SIGNAL AT PETERS ROAD INTERCHANGE WITH ROUTE 219**

Pursuant to Section 153 of the County Law.

WHEREAS, the New York State Department of Transportation (NYSDOT) has opened an extension of the limited access Route 219 from Springville to the Peters Road Interchange in the Town of Ashford, and

WHEREAS, Route 219 is the major north-south route in this portion of New York State, and

WHEREAS, the NYSDOT has not installed a traffic signal at the Peters Road interchange with Route 219, and

WHEREAS, due to the volume of traffic and safety concerns associated with the lack of a traffic signal at that interchange, the NYSDOT should immediately install a traffic signal at that interchange, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby requests the NYSDOT install a traffic signal at the Peters Road Interchange with Route 219 in the Town of Ashford, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to Governor Paterson, Senator Young, Assembly Member Giglio and the Acting Commissioner of the New York State Department of Transportation Stanley Gee, and the Acting Region 5 Director of the New York State Department of Transportation Darrell F. Kaminski.

MR. BOSER moved, seconded by Mr. Ward to waive Rule 12. Carried.

Adopted November 23, 2010 by voice vote.

ACT NO. 600-2010 by Mr. Aiello, Mr. Burrell, Mr. Ellis,
Mr. Marsh, Mr. McLarney, Mr. Murphy, Mr. Neal, Mr. O'Brien,
Mr. Snyder, Mrs. Stockman, Mr. Teachman, Mr. Vecchiarella,
Ms. Vickman, Mr. Boser, Mr. Giardini, Mr. Hebdon,
Mr. McClune, Mr. Nenno, Mr. Padlo, Mr. Sprague and Mr. Ward
who ask immediate consideration

**CONGRATULATING RANDOLPH LADY CARDINALS VOLLEYBALL TEAM FOR
WINNING 2010 NEW YORK STATE CLASS D CHAMPIONSHIP**

Pursuant to Section 153 of the County Law.

WHEREAS, the Randolph Central School Lady Cardinals volleyball team won the New York State Class D volleyball championship on Sunday, November 21, 2010 by defeating Section 2 Haldane at the Glens Falls Civic Center, and

WHEREAS, the Lady Cardinals came back and won the state title by defeating the Lady Blue Devils by scores of 16-25, 25-22, 25-15 and 25-13, and

WHEREAS, the Lady Cardinals have won three State crowns in seven years, and

WHEREAS, the Lady Cardinals beat Portville at Jamestown Community College in four sets, capturing the Section 6 title, and

WHEREAS, the Lady Cardinals beat Section 5 Cuba-Rushford in four sets in the Far West Regional Championship at Genesee Community College, and

WHEREAS, the Lady Cardinals had a perfect, undefeated season with a final record of 23 - 0, and

WHEREAS, the team and coach should be commended for their hard work and dedication, which led to a successful 2010 season, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby congratulates Coach Robin Maycock and the Randolph Central School District Lady Cardinals Volleyball Team on the 2010 New York State Class D title, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Superintendent of Schools Kimberly Moritz and Coach Robin Maycock.

MR. NENNO moved, seconded by Mrs. Stockman to waive Rule 12. Carried.

Adopted November 23, 2010 by voice vote.

ACT NO. 601-2010 by Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. McLarney, Mr. Murphy, Mr. Neal, Mr. O'Brien, Mr. Snyder, Mrs. Stockman, Mr. Teachman, Mr. Vecchiarella, Ms. Vickman, Mr. Boser, Mr. Giardini, Mr. Hebdon, Mr. McClune, Mr. Nenno, Mr. Padlo, Mr. Sprague and Mr. Ward who ask immediate consideration

**CONGRATULATING ELLICOTTVILLE LADY EAGLES SOCCER TEAM ON
NEW YORK STATE CLASS D FAR WEST REGIONAL CHAMPIONSHIP**

Pursuant to Section 153 of the County Law.

WHEREAS, the Ellicottville Lady Eagles soccer team won the 2010 New York State Class D Far West Regional Championship soccer game on Friday, November 12, 2010, at Genesee Community College, and

WHEREAS, the team beat the Section 5 champion Whitesville by a score of 2 - 1, and

WHEREAS, top-seeded Ellicottville beat No. 2-seeded North Collins for the Section 6 title by a score of 2-0 on November 5, 2010, and

WHEREAS, the Lady Eagles have reached the New York State semi-finals ten times since 1989, and

WHEREAS, the Lady Eagles finished the season with a record of 13-5-2, and

WHEREAS, the team and coach should be commended for their hard work and dedication, which led to a successful 2010 season, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby congratulates Coach Mary Neilon and the Ellicottville Lady Eagles soccer team for their successful 2010 season, and their Class D Far West Regional Championship, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Mark Ward, Superintendent of Schools and Coach Mary Neilon.

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

Adopted November 23, 2010 by voice vote.

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MR. SNYDER moved, seconded by Mr. Giardini to adjourn for the public hearing on the 2011 tentative budget. Carried.

CHAIRMAN O'BRIEN announced that anyone wishing to speak on the 2011 tentative budget may now do so.

The following thanked the Legislature for restoring the funding to the libraries and the Library System:

Gwen Bixby, Delevan-Yorkshire Library	Lance Chaffee, Olean Library
Gretchen Taft, Little Valley Library	Sid Emmons, Blount Library
Bradley Parker, King Memorial Library	Jacqueline Hovey, Gowanda Library
Tom Congdon, Randolph Library	Laura Flanagan, Ellicottville Library
Rachel Boyer, Portville Library	Ruth Brown, Little Valley Library
Pamela Bowen, Seneca Nation Indians Library	Catherine Way, Chautauqua-Cattaraugus Library System

Larry Mack spoke on employee benefits and raises in the budget and the layoff of 17 employees.

The following spoke against layoffs in the budget due to privatization of services:

Rose Teachman, CSEA President	Laurie Rosenthal, County employee
Sheri Ambuske, County Employee	Lonny Lewis, CSEA Representative
Brian Blinn, CSEA Representative	

There being no one else wishing to speak, CHAIRMAN O'BRIEN declared the public hearing closed.

MR. VECCHIARELLA moved, seconded by Mr. Marsh to accept the Finance Committee Report on the 2011 tentative budget. Carried.

MR. WARD moved, seconded by Mr. Vecchiarella to accept the 2011 budget. Carried.

REPORT OF COMMITTEE ACTIONS
ACCEPTED BY FINANCE COMMITTEE ON NOVEMBER 18, 2010

	Recommended Co. Admin.	Motion	Recommended Committees	Contingent Fund	Impact on Tax Levy
Tentative Budget				\$ 380,000	\$ 47,483,000

County Operations

# 1 To recognize elimination of County Clerk Law Books account -					
141	County Clerk				
	Law Books	A . 1410.436	1,400	(1,400)	0
	Contingent Fund	A . 1990.445	380,000	1,400	381,400
					1,400

Recommended Committees

2010 Tax Levy

% Increase

381,400	47,483,000
338,568	46,100,000
	3.00%

ADDITIONAL FINANCE COMMITTEE ACTIONS

			Recommended Committees	Motion	Recommended Finance	Contingent Fund	Impact on Tax Levy
	Recommended Committees					\$ 381,400	\$ 47,483,000
# 1 To restore a portion of Contract Agency funding -							
298	Contract Agencies						
	YMCA Child Care, Olean	A .2982.510	2,880	180	3,060		
	Olean Child Daycare	A .2982.518	6,120	383	6,503		
	Seneca Daycare, Salamanca	A .2982.527	2,520	158	2,678		
	SPCA In Cattaraugus County	A .3510.445	14,944	934	15,878		
	Council on Arts	A .7010.445	8,640	540	9,180		
	Salamanca Rail Museum	A .7450.445	4,428	277	4,705		
	Catt Co Federated Sportsmen	A .8720.445	2,052	128	2,180		
365	Emergency Services Contract Agencies						
	Mercy Flight, Inc.	A .4542.445	7,200	450	7,650		
	Southern Tier Health Care System	A .4546.445	14,400	900	15,300		
434	ARC Rehab Center						
	OMRDD Funding	A .4322.402	365,928	2,025	367,953		
439	Suburban Adult Services, Inc.						
	Suburban Adult Services, Inc.	A .4320.445	24,846	461	25,307		
901	County General Accounts						
	Contingent Fund	A .1990.445	381,400	(6,436)	374,964	(6,436)	
# 2 To modify Cooperative Extension funding -							
298	Contract Agencies						
	Cooperative Extension	A .2980.423	239,850	(71,028)	168,822		
	Cooperative Extension 4H Program	A .2980.445	0	86,018	86,018		
901	County General Accounts						
	Contingent Fund	A .1990.445	374,964	(14,990)	359,974	(14,990)	

3 To restore a portion of Chautauqua/Cattaraugus Library System funding -

298	Contract Agencies					
	Chautauqua/ Cattaraugus Library System	A .7415.445	68,419	12,829	81,248	
901	County General Accounts					
	Contingent Fund	A .1990.445	359,974	(12,829)	347,145	(12,829)

4 To modify Community Services Contract Agency funding for reductions in State Aid -

432	Mental Health Association					
	OMH Drop-In Center	A .3475	76,988	(128)	76,860	
	CSS State Aid MH Assn	A .3493	69,235	(13,846)	55,389	
	OMH Drop-In Center	A .3808.445	76,988	(128)	76,860	
	CSS State Aid MH Assn	A .3812.445	69,235	(13,846)	55,389	
434	NYSARC, Inc.					
	OMRDD State Aid ARC Reg	A .3496	333,528	(24,020)	309,508	
	OMRDD Funding	A .4322.402	367,953	(24,020)	343,933	
437	Housing Options Made Easy					
	H.O.M.E. Inc. OMH Housing	A .3463	69,657	(1,497)	68,160	
	Comm Performance Funds	A .3470	127,528	(5,704)	121,824	
	H.O.M.E. Inc. Reinvestment	A .3478	60,092	(2,292)	57,800	
	H.O.M.E. Inc. CSS Funds	A .3479	34,490	(1,986)	32,504	
	H.O.M.E. Inc. Reinvestment	A .4341.445	60,092	(2,292)	57,800	
	H.O.M.E. Inc. CSS Funds	A .4343.445	34,490	(1,986)	32,504	
	Comm Performance Funds	A .4345.445	127,528	(5,704)	121,824	
	H.O.M.E. Inc. OMH Housing	A .4346.445	69,657	(1,497)	68,160	
438	Directions in Independent Living, Inc.					
	Reinvestment Funds	A .3472	24,000	(944)	23,056	
	PROS Residual Funding	A .3474	33,890	(3,627)	30,263	
	Reinvestment Peer Advocacy	A .4328.455	24,000	(944)	23,056	
	Drop-In Center	A .4328.476	33,890	(3,627)	30,263	
442	TLC Health Newtwork					
	DAAA State Aid	A .3456	925,967	(346,593)	579,374	
	TLC Health Newtwork	A .4318.445	925,967	(346,593)	579,374	
443	Catholic Charities					
	Reinvestment Catholic Charities	A .3443	12,000	(12,000)	0	
	HCRA Children Catholic Charities	A .3454	114,285	(67,773)	46,512	
	HCRA Children Catholic Charities	A .4347.445	114,285	(67,773)	46,512	
	Reinvestment Catholic Charities	A .4347.455	12,000	(12,000)	0	

# 5 To provide funding for Traffic Control Part-time Wages required for Fire District signage -						
502	County Road					
	Part-time Wages	D .3310.109	0	15,000	15,000	
	Retirement	D .3310.828	25,220	2,205	27,425	
	FICA	D .3310.833	13,181	1,148	14,329	
950	Interfund Transfers					
	Transfer from General Fund	D .2810	8,692,616	18,353	8,710,969	
	Transfer to County Road Fund	A .9522.950	8,692,616	18,353	8,710,969	
901	County General Accounts					
	Contingent Fund	A .1990.445	347,145	(18,353)	328,792	(18,353)

# 6 To reduce the tax levy -						
901	County General Accounts					
	Contingent Fund	A .1990.445	328,792	(10,000)	318,792	(10,000) (10,000)

# 7 To provide funding for the Olean Municipal Airport -						
102	Airport Improvements					
	Olean Municipal Airport	A .5610.445	0	15,130	15,130	
901	County General Accounts					
	Contingent Fund	A .1990.445	318,792	(15,130)	303,662	(15,130)

# 8 To eliminate funding for management services for County Reforestation Services -						
880	Reforestation					
	Regeneration Program	A .8710.415	7,000	(7,000)	283,963	
	Forest Management Services	A .8710.455	19,000	(19,000)	40,534	
901	County General Accounts					
	Contingent Fund	A .1990.445	303,662	26,000	329,662	26,000

Recommended Finance

329,662	47,473,000
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2010 Tax Levy

338,568	46,100,000
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% Increase

2.98%

ACT NO. 602-2010 by Mr. Vecchiarella
who asks immediate consideration

ADOPTION OF 2011 BUDGET

Pursuant to Section 360 of the County Law.

RESOLVED, that the tentative County Budget for the year 2011, as amended and filed with the Clerk of the Legislature and as hereafter attached, is hereby adopted as the County Budget for 2011 and the budget requires the raising by tax of the amount of \$47,473,000.

Adopted November 23, 2010 by voice vote.

ACT NO. 603-2010 by Mr. Vecchiarella
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 2011 shows the equalized value of real estate and the amount of the County budget apportioned to each district:

--see report on the following page--

PROPERTY TAX REPORT

November 23, 2010

PROPERTY TAX AMOUNT.....

\$47,473,000

TOWN	Taxable Value	Taxable Value With Fixed Exemptions	Equalization Rate	Full Value	Apportioned Tax	Tax Rate
ALLEGANY	320,113,993	320,135,543	100.00	320,135,543	3,920,756.24	12.2480
ASHFORD	76,141,151	76,152,451	62.00	122,826,534	1,504,278.14	19.7564
CARROLLTON	77,505,309	77,512,759	100.00	77,512,759	949,312.38	12.2484
COLDSPRING	47,043,798	47,047,248	67.00	70,219,773	859,993.90	18.2807
CONEWANGO	33,330,363	33,333,363	67.00	49,751,288	609,312.76	18.2810
DAYTON	48,494,919	48,501,419	80.00	60,626,774	742,506.75	15.3110
EAST OTTO	47,682,696	47,685,186	69.50	68,611,778	840,300.50	17.6228
ELLCOTTVILLE	555,621,175	555,624,175	100.00	555,624,175	6,804,826.88	12.2472
FARMERSVILLE	56,241,358	56,244,658	100.00	56,244,658	688,838.21	12.2479
FRANKLINVILLE	85,782,379	85,864,695	75.00	114,486,260	1,402,133.34	16.3452
FREEDOM	5,118,941	5,142,751	4.50	114,283,356	1,399,648.34	273.4254
GREAT VALLEY	3,120,142	3,157,092	2.18	144,820,734	1,773,644.97	568.4501
HINSDALE	71,808,622	71,815,600	100.00	71,815,600	879,538.27	12.2484
HUMPHREY	49,789,245	49,789,245	100.00	49,789,245	609,777.63	12.2472
ISCHUA	41,676,904	41,691,504	100.00	41,691,504	510,603.17	12.2515
LEON	27,876,865	27,878,765	61.00	45,702,893	559,731.36	20.0787
LITTLE VALLEY	47,033,216	47,046,716	70.00	67,209,594	823,127.70	17.5010
LYNDON	27,667,944	27,667,944	75.00	36,890,592	451,805.56	16.3296
MACHIAS	129,840,738	129,847,238	100.00	129,847,238	1,590,261.94	12.2478
MANSFIELD	106,551,619	106,564,086	100.00	106,564,086	1,305,109.08	12.2486
NAPOLI	32,794,345	32,794,345	59.00	55,583,636	680,742.55	20.7579
NEW ALBION	56,725,989	56,731,989	78.00	72,733,319	890,777.74	15.7032
OLEAN/CITY	486,850,733	486,862,733	100.00	486,862,733	5,962,693.42	12.2475
OLEAN/TOWN	83,084,984	83,102,724	78.00	106,541,954	1,304,838.03	15.7049
OTTO	30,850,797	30,858,597	59.50	51,863,188	635,177.57	20.5887
PERRYSBURG	57,085,005	57,085,005	74.00	77,141,899	944,770.39	16.5502
PERSIA	58,392,355	58,404,605	76.00	76,848,164	941,172.96	16.1181
PORTVILLE	137,529,853	137,827,753	98.00	140,640,564	1,722,449.69	12.5242
RANDOLPH	81,555,097	81,558,747	92.00	88,650,812	1,085,722.07	13.3127
RED HOUSE	97,527,011	97,527,011	100.00	97,527,011	1,194,430.44	12.2472
SALAMANCA/CITY	17,975,208	18,100,758	19.32	93,689,224	1,147,428.39	63.8339
SALAMANCA/TOWN	27,917,298	27,918,448	100.00	27,918,448	341,922.14	12.2477
SOUTH VALLEY	29,440,144	29,441,644	78.00	37,745,697	462,278.18	15.7023
YORKSHIRE	29,975,424	29,989,524	19.00	157,839,600	1,933,089.31	64.4891
	3,086,145,620	3,086,906,321		3,876,240,633	47,473,000.00	
TAX RATE % FULL VALUE		0.0122471757				
TAX RATE % TAXABLE VALUE		0.0153826183				

ACT NO. 604-2010 by Mr. Vecchiarella
who asks immediate consideration

APPROPRIATIONS FOR THE FISCAL YEAR 2011

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 2011, 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, 2011.

Adopted November 23, 2010 by voice vote.

ACT NO. 605-2010 by Mr. Vecchiarella
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, 2010.

Adopted November 23, 2010 by voice vote.

ACT NO. 606-2010 by Mr. Vecchiarella
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 23, 2010, 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	\$5,066.14	
Ashford	\$2,327.78	
Carrollton		\$ 0.49
Cold Spring	\$ 2.25	
Conewango	\$ 0.02	
Dayton		\$ 279.58
East Otto	\$ 474.98	

Ellicottville	\$ 261.31	
Farmersville	\$ 383.38	
Franklinville	\$ 375.53	
Freedom	\$ 558.16	
Great Valley	\$4,394.75	
Hinsdale	\$ 0.23	
Humphrey	\$ 139.15	
Ischua		\$ 0.23
Leon	\$ 0.22	
Little Valley	\$4,608.20	
Lyndon	\$ 6.66	
Machias	\$1,276.04	
Mansfield	\$ 925.67	
Napoli	\$ 3.51	
New Albion	\$ 461.97	
Olean, Town	\$ 641.43	
Otto	\$ 744.98	
Perrysburg	\$ 852.96	
Persia	\$ 49.89	
Portville	\$ 302.26	
Randolph	\$ 502.92	
Red House	\$ 0.06	
Salamanca, Town	\$2,531.68	
South Valley	\$ 104.78	
Yorkshire	\$3,399.91	
<u>CITY</u>		
Olean, City	\$6,735.59	
Salamanca, City	\$ 0.15	

Adopted November 23, 2010 by voice vote.

ACT NO. 607-2010 by Mr. Vecchiarella
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 16, 2010, 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 23, 2010 by voice vote.

ACT NO. 608-2010 by Mr. Vecchiarella
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 16, 2010, the Clerk of the Legislature be, and hereby is, authorized and directed to releve all returned village taxes of the County of Cattaraugus.

Adopted November 23, 2010 by voice vote.

ACT NO. 609-2010 by Mr. Vecchiarella
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 \$370,000 of the 2011 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 23, 2010 by voice vote.

ACT NO. 610-2010 by Mr. Vecchiarella
who asks immediate consideration

**AUTHORIZATION TO APPLY PORTION OF TOWN OF GREAT VALLEY'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 Great Valley has elected to take its share of the sales tax revenue in cash, and

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

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

RESOLVED, that \$475,000 of the 2011 sales tax revenue due the Town of Great Valley be applied to the reduction of the County Tax levied against the real property in the Town of Great Valley.

Adopted November 23, 2010 by voice vote.

ACT NO. 611-2010 by Mr. Vecchiarella
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 \$180,000 of the 2011 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 23, 2010 by voice vote.

ACT NO. 612-2010 by Mr. Vecchiarella
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 \$350,000 of the 2011 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 23, 2010 by voice vote.

ACT NO. 613-2010 by Mr. Vecchiarella
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 2011 as follows:

<u>TOWNS</u>	<u>EQUALIZATION RATES</u>
Allegany	100.00
Ashford	62.00
Carrollton	100.00
Cold Spring	67.00
Conewango	67.00
Dayton	80.00
East Otto	69.50
Ellicottville	100.00
Farmersville	100.00
Franklinville	75.00
Freedom	4.50
Great Valley	2.18
Hinsdale	100.00
Humphrey	100.00
Ischua	100.00
Leon	61.00
Little Valley	70.00
Lyndon	75.00
Machias	100.00
Mansfield	100.00
Napoli	59.00
New Albion	78.00
Olean, City	100.00
Olean, Town	78.00
Otto	59.50
Perrysburg	74.00
Persia	76.00
Portville	98.00
Randolph	92.00
Red House	100.00
Salamanca, Town	100.00
Salamanca, City	19.32
South Valley	78.00
Yorkshire	19.00

Adopted November 23, 2010 by voice vote.

ACT NO. 614-2010 by Mr. Vecchiarella
who asks immediate consideration

WORKERS' COMPENSATION INSURANCE PREMIUMS CHARGED TO TOWNS

Pursuant to Local Law Number 3-1989.

RESOLVED, that the following items covering workers' compensation self-insurance premiums under the Cattaraugus County Self-Insurance Program for the period January 1, 2009 to January 1, 2010 be charged back to the town set opposite each item and the same be included in taxes levied in the year 2011:

<u>TOWNS</u>	<u>TOTAL TO BE LEVIED</u>
Ashford	\$55,833.49
Cold Spring	\$26,523.92
Conewango	\$20,772.92

Dayton	\$11,129.22
East Otto	\$20,995.19
Farmersville	\$13,582.44
Franklinville	\$39,314.41
Great Valley	\$47,468.17
Hinsdale	\$23,589.52
Ischua	\$22,422.18
Leon	\$11,740.23
Little Valley	\$35,442.42
Lyndon	\$ 8,976.97
Machias	\$46,881.38
Mansfield	\$37,613.81
Napoli	\$13,154.47
New Albion	\$11,410.08
Olean	\$38,408.78
Otto	\$20,932.26
Perrysburg	\$28,751.27
Persia	\$ 6,656.77
Portville	\$36,671.97
Randolph	\$10,569.10
Yorkshire	\$33,342.04

VILLAGES

Cattaraugus	\$31,793.58
Delevan	\$ 8,412.78
Franklinville	\$32,500.60
Gowanda	\$51,969.71
Little Valley	\$32,003.08
Perrysburg	\$ 2,676.54
Randolph	\$10,640.04
South Dayton	\$ 3,918.58

CITY

Salamanca	\$90,865.90
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Adopted November 23, 2010 by voice vote.

ACT NO. 615-2010 by Mr. O'Brien, Mr. Vecchiarella, Mr. Marsh,
Mr. Ellis, Mr. Aiello, Mr. Ward,
Mr. Sprague and Mr. McClune
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CORNELL
COOPERATIVE EXTENSION ASSOCIATION OF CATTARAUGUS COUNTY**

Pursuant to Sections 224 (8) and 450 of the County Law.

WHEREAS, Act 28-2010 authorized a contract with Cornell Cooperative Extension Association of Cattaraugus County for the provision of a variety of services to the youth, farmers, and general public of Cattaraugus County, the term of which expires December 31, 2010, and

WHEREAS, the 2011 County budget provides for the payment of \$254,840, of which \$86,018 must be used for the 4-H program, to the Cornell Cooperative Extension Association of Cattaraugus County from Account Nos. A.2980.423 and A.2980.445 for these services, 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 2011 with the Cornell Cooperative Extension Association of Cattaraugus County for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms, and be it further

RESOLVED, that payment of the aforementioned amount be made to the Cornell Cooperative Extension Association of Cattaraugus County in quarterly installments, upon submission of vouchers for payment certified by the Chair of the Legislature, audited by the County Administrator and paid by the County Treasurer.

Adopted November 23, 2010 by voice vote.

**MOTION TO ADJOURN IN MEMORY OF
REV. KENNETH N. SNYDER**

WHEREAS, Rev. Kenneth N. Snyder, of Gowanda, passed away on November 21, 2010, and

WHEREAS, Rev. Snyder served as the Legislative Chaplain only for a few months, being appointed September 22, 2010, and

WHEREAS, he graduated from SUNY at Alfred with a Bachelor of Science degree, then graduated from Alfred School of Theology, and received his education as a student pastor in Jasper, New York, and

WHEREAS, Rev. Snyder became an Ordained Elder with the United Methodist Church, and

WHEREAS, his first full time appointment was with the Arcade United Methodist Church, and

WHEREAS, Rev. Snyder has served many churches as a Supervising Elder throughout Western New York, and currently the Gowanda United Methodist Church since 1983 and the Four Corners Church in Versailles since 1985, and

WHEREAS, Rev. Snyder also served in the United States Air Force, during the Korean War, and

WHEREAS, he was also the Chaplain for the Gowanda Police Department and the Gowanda Volunteer Fire Department, and

WHEREAS, Rev. Snyder will be remembered for his gentleness and his ability to make people feel comfortable along with his soft sense of humor, and

WHEREAS, Rev. Snyder was a life member of the American Legion Post #409, James Cruden VFW Post #5007 and the Gowanda Kiwanis Club, and

WHEREAS, Rev. Snyder especially enjoyed woodcarving as a hobby, and

WHEREAS, Rev. Snyder is survived by his wife, Joanne of 54 years; one son, Rev. Jeffrey Snyder of Arcade; four daughters, Janice Herrick of Cobleskill, New York; Kay Louise Swyers of Castile, New York; Nancy Snyder of Houghton; and Jennifer Hoffman of Yorkshire; 16 grandchildren and 14 great-grandchildren; one sister, Jean Haines of Salamanca; a half-brother, Earl Crouse of Carrollton, and many nieces and nephews, and

WHEREAS, the loss of his presence will be sadly felt by his many friends and colleagues in Cattaraugus County, now, therefore, Chairman O'Brien hereby

MOVES, that the Cattaraugus County Legislature hereby adjourns, and stands adjourned, in memory of Rev. Kenneth N. Snyder, 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 Rev. Kenneth N. Snyder, 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. VECCHIARELLA moved, seconded by Mr. Padlo to adjourn until December 8, 2010 at 3:00 p.m. Carried.

Meeting adjourned at 4:26 p.m.

Ann M. Giglio
Journal Clerk

November 23, 2010

The meeting was called to order by Chairman Michael T. O'Brien.

The invocation was given by Rev. Lefebvre.

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

MR. MARSH moved, seconded by Mr. Ellis that the minutes of the November 10, 2010 session be approved. Carried.

* * * * *

COMMUNICATIONS:

Senator Young: Letter acknowledging receipt of Act No. 544-2010 and a copy of Senate Bill S8502 regarding casino payments.

Oswego County Legislature: Copy of its Resolution No. 218, Urging the New York State Public Service Commission to Reject the Proposal from National Grid to Increase Residential Natural Gas and Electric Rates.

Town of Hinsdale: Letter of thanks to Commissioner Bourgeois for assistance of The Work Experience Program in maintaining its park this year.

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ACT NO. 588-2010 by Mr. McLarney and Mr. Boser

**BID ACCEPTANCE FOR 2011 CATTARAUGUS COUNTY ACTIVITIES GUIDE
(Department of Economic Development, Planning & Tourism)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for printing of the 2011 Cattaraugus County Activities Guide, according to specifications provided by the Development and Agriculture Committee, and

WHEREAS, the lowest bid received meeting specifications for 160,000 copies of the 2011 Cattaraugus County Activities Guide was the bid of Kenyon Press, Inc., 1 Kenyon Press Drive, Sherburne, New York 13460-8086, for a total print cost of \$37,897, based on each of the following categories:

Printing of 2011 Cattaraugus County Activities Guide

160,000 copies	48 pages	\$37,897.00
8-3/8" x 10-7/8", four color,		
4 page cover - 100# Gloss Text #3;		
Inside 44 pages - 45# Gloss Text #3;		
folded, gathered, saddle stitched and trimmed to size		

<u>Option #1</u> - 160,000 copies Fold-Out Map Insert	\$ 6,607.00
40# White offset, #3 Coated for map	
Map will be 21.5" x 33.5" flat, folded down,	
trimmed and stitched into center of guide	

and

WHEREAS, the aforementioned cost is 50% reimbursable through New York State matching funds, now, therefore, be it

RESOLVED, that the bid of Kenyon Press, Inc., be, and the same hereby is, accepted, for a term commencing November 30, 2010 and terminating May 31, 2011, and be it further

RESOLVED, that the vouchers accordingly certified by the Director of the Department of Economic Development, Planning & Tourism be audited by the Auditor and paid by the County Treasurer.

No State Bid.

74 sets of specifications were sent out.

Five bids were received.

Approved by 9 members of the Finance Committee and 7 members of the Development and Agriculture Committee.

Adopted November 23, 2010 by voice vote.

ACT NO. 589-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT
WITH JENNIFER CORNISH GENOVESE FOR SECONDARY TRAUMATIC STRESS
TRAINING FOR DEPARTMENT OF COMMUNITY SERVICES AND ADJUSTING VARIOUS
APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

Pursuant to Sections 363 and 366 of the County Law and
Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, the Department of Community Services is desirous of obtaining Secondary Traumatic Stress training for its clinical staff in order to better serve clients, and

WHEREAS, Jennifer Cornish Genovese, ACSW, LCSW, 6315 Fly Road, Suite 106, East Syracuse, New York 13057, can provide one (1) half-day training session on or about November 16, 2010 for an amount not to exceed \$500, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to cover the cost of the aforementioned services, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Jennifer Cornish Genovese, ACSW, LCSW, for the provision of the above-described training, for a term commencing November 16, 2010 and terminating December 31, 2010, according to the above-described terms, and be it further

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

Increase Estimated Revenue Account:

A.4490	OMH Federal Salary Sharing	\$500.00
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Increase Appropriation Account:

A.4342.455	OMH Federal Salary Sharing	\$500.00.
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Approved by 9 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted November 23, 2010 by voice vote.

ACT NO. 590-2010 by Mr. Neal and Mr. Snyder
and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
TOTAL SENIOR CARE, INC. FOR
IN-HOME NURSING AND THERAPY SERVICES**

Pursuant to 10 NYCRR Part 40-1 and Section 450 of the County Law.

WHEREAS, Act 174-2010 authorized a contract with Total Senior Care, Inc., 519 North Union Street, Olean, New York 14760, for the operation of the PACE Program for the Health Department, the term of which expires December 31, 2010, and

WHEREAS, Total Senior Care, Inc., is authorized by New York State Department of Health and the Centers for Medicare and Medicaid Services to operate a Program for All Inclusive Care for the Elderly (PACE Program) as a comprehensive program of services to participants, and

WHEREAS, Total Senior Care, Inc., is desirous of obtaining in-home nursing and therapy services from the County Department of Health for PACE Program participants, and

WHEREAS, the Department of Health has agreed to provide the following in-home nursing and therapy services to PACE Program participants in accordance with NYS Medicaid approved CHHA rates:

Registered Nurse
Physical Therapist
Occupational Therapist
Speech and Language Pathologist
Certified Home Health Aide,

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 Total Senior Care, Inc., for the provision of the above-described in-home nursing and therapy services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

Approved by 9 members of the Finance Committee and 6 members of the Human Services Committee.

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

Adopted November 23, 2010 by voice vote.

ACT NO. 591-2010 by Mr. McLarney and Mr. Ward

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT
WITH STEPHEN R. THOMAS ACTUARIAL ASSOCIATES, INC. FOR
MEDICARE PART D PRESCRIPTION SUBSIDY ACTUARIAL ATTESTATION**

Pursuant to Section 1860D-22 of the Social Security Act,
42 CFR Section 423.880, 42 USC Section 1395w-101 and
Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 670-2007 authorized a contract with S. R. Thomas & Associates for the provision of actuarial attestation services, the term of which expired December 31, 2007, and

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

WHEREAS, a federal subsidy equal to 28% of a qualifying retiree and/or spouse's allowable drug costs between \$250 and \$5,000 is available for retiree health plan sponsors, and

WHEREAS, under the Medicare Prescription Drug, Improvements and Modernization Act of 2003, plan sponsors offering Medicare retiree benefits will be able to apply for the aforementioned subsidy to provide continued coverage, and

WHEREAS, in order to collect the 28% subsidy, the County must file the "Application and Attestation of Actuarial Equivalence for Subsidy" annually, and

WHEREAS, Stephen R. Thomas Actuarial Associates, Inc., Golden Crest Corporate Center, 2277 Highway 33, Suite 409, Trenton, NJ 08690, can provide the aforementioned actuarial attestation for the amount of \$1,000 annually, and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Stephen R. Thomas Actuarial Associates, Inc., for the provision of the above-described services, for a term commencing January 1, 2008 to continue in full force and effect until amended or terminated by either party hereto, according to the above-described terms.

Approved by 9 members of the Finance Committee and 4 members of the Labor Relations Committee.

Adopted November 23, 2010 by voice vote.

ACT NO. 592-2010 by Mr. Marsh and Mr. Padlo

**AUTHORIZING BOARD OF ELECTIONS TO CHARGE BACK
50% OF ALL EXPENSES OF VILLAGE ELECTIONS**

Pursuant to Section 361-a of the County Law,
Sections 3-226, 4-138 and 15-104 of the Election Law,
Help America Vote Act (HAVA) and
the Election Reform Management Act of 2005 (ERMA).

WHEREAS, effective January 1, 2011, villages in Cattaraugus County will no longer be allowed to use the lever voting machines, and

WHEREAS, villages have had, and continue to have, the option of asking the County Board of Elections to conduct village elections, and

WHEREAS, the new HAVA-compliant optical scan voting machines purchased by the County have increased costs due to increased man hours for programming, ballot testing, test ballots, and election day ballots, and

WHEREAS, the County Board of Elections is desirous of charging back, to all villages in the County, 50% of all expenses connected with elections that the County conducts, and matters preliminary or relating thereto that were directly incurred by villages, as well as those county expenses that were specifically chargeable to villages pursuant to a provision of law, including the expenses of election inspectors and expenses

relating to the ballots, test decking ballots, testing of machines, preparing machines and programming voting machines, now, therefore, be it

RESOLVED, that effective January 1, 2011, the Cattaraugus County Board of Elections shall charge back, to all villages in the County, 50% of all expenses connected with elections that the County conducts, and matters preliminary or relating thereto that were directly incurred by villages, as well as those county expenses that were specifically chargeable to villages pursuant to a provision of law, including, but not limited to, the expenses of election inspectors and expenses relating to the ballots, test decking ballots, testing of machines, preparing machines and programming voting machines.

Approved by 9 members of the Finance Committee and 7 members of the County Operations Committee.

Adopted November 23, 2010 by voice vote.

ACT NO. 593-2010 by Mrs. Stockman and Mr. Sprague

**LOCAL LAW NUMBER 17 - 2010
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW ESTABLISHING FEES FOR CATTARAUGUS COUNTY
REAL PROPERTY TAX SERVICE AGENCY SERVICES AND
REPEALING ACT 605-1999**

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 revise the fee schedule currently in effect for certain services provided by the Cattaraugus County Department of Real Property Tax Services.

SECTION 2. Fee Schedule. Effective January 1, 2011, the following fees shall be charged by the Cattaraugus County Real Property Tax Service Agency:

Tax Maps to General Public	30 x 42	\$ 6.00 per map
	11 x 17	\$ 2.00 per map
	8.5 x 11	\$ 1.00 per map
Digital PDF Tax Maps		\$ 5.00 per map
GIS Maps	30 x 42	\$ 12.00 per map
	17 x 22	\$ 7.00 per map
	11 x 17	\$ 5.00 per map
	8.5 x 11	\$ 3.00 per map
Street Maps		\$ 2.00 per map
Mailing Labels		\$ 0.03 per label
8.5 x 11 general prints/copies		\$ 0.25 per page
Digital Parcel Information		\$ 0.01 per parcel

GIS Parcel Lines with Data	\$ 0.03 per parcel
GIS County Shapefiles	\$100.00 per shapefile
<i>Town Tax Roll Processing and Printing</i>	<i>\$ 1.00 per parcel</i>
Village Tax Roll Processing and Printing	\$ 1.25 per parcel
School Tax Roll Processing and Printing	\$ 1.25 per parcel
City of Salamanca Tax Roll Processing and Printing	\$ 1.00 per parcel
City of Olean Tax Roll Processing and Printing	\$ 0.75 per parcel
	Plus annual NYS RPS User fee

**All Towns, Village, Cities, Schools, Committees, Boards, and Non For Profits shall be half off of the stated price.

**If a duplicate Village/Town/School Tax Roll must be run due to an error created by the Village/Town/School, an additional \$.25 per parcel will be charged over and above the initial cost per parcel.

**Any special requests for tax bill preparation will have the applicable fee listed above plus an additional \$200.00 fee.

**Any special request for computer data not available on existing programs will be considered on a case-by-case basis for accessibility and be charged the applicable fee listed above plus an additional \$200.00 fee.

SECTION 3. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the particular provision directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4. Statutory Repeal. Effective January 1, 2011, Act No. 605-1999, Local Law Number 5-1999 (Intro Number 4-1999) entitled "A Local Law Establishing Fees for Cattaraugus County Real Property Tax Service Agency Services" is hereby repealed.

SECTION 5. Effective Date. This Local Law shall take effect immediately.

Approved by 9 members of the Finance Committee and 7 members of the County Operations Committee.

MR. VECCHIARELLA moved, seconded by Mr. Burrell to postpone action on Act No. 593-2010 until December 8, 2010. Carried.

ACT NO. 594-2010 by Mrs. Stockman and Mr. Sprague

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 17-2010

Pursuant to Section 20 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on November 23, 2010, a proposed Local Law entitled "A Local Law Establishing Fees for Cattaraugus County Real Property Tax Service Agency Services and Repealing Act 605-1999", and

WHEREAS, no local law shall be adopted until a public hearing thereon has been had by the Cattaraugus County Legislature upon at least five days notice, now, therefore, be it

RESOLVED, that a public hearing shall be held on the proposed local law by this County Legislature on the 8th day of December¹, 2010, at 3:02 p.m. at the Legislature's Chambers, County Office Building, 303 Court Street, Little Valley, New York, and that at least five days notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Approved by 9 members of the Finance Committee and 7 members of the County Operations Committee.

¹ MR. VECCHIARELLA moved, seconded by Mr. Aiello to amend Act No. 594-2010 as follows: In the Resolved, delete: "23rd day of November", and replace with: "8th day of December". Carried.

Adopted, as amended, November 23, 2010 by voice vote.

ACT NO. 595-2010 by Human Services Committee:

Mr. Snyder, Mr. Neal, Mr. Aiello,
Mrs. Stockman, Ms. Vickman, Mr. Nenno and Mr. Ward
who ask immediate consideration

APPOINTMENT TO BOARD OF HEALTH

Pursuant to Section 343 of the Public Health Law.

RESOLVED, that the following individual is appointed to the Board of Health to fill the unexpired six-year term of Thomas Thrasher, to expire December 31, 2015:

Rev. Vernon Saile
65 Memorial Drive
Gowanda, New York 14070.

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

Adopted November 23, 2010 by voice vote.

ACT NO. 596-2010 by County Operations Committee:

Mr. Marsh, Mr. Padlo, Mr. Ellis, Mrs. Stockman,
Mr. Teachman and Mr. Vecchiarella
and Mr. Burrell and Mr. Snyder
who ask immediate consideration

APPOINTMENT OF COUNTY ATTORNEY

Pursuant to Sections 204, 205 and 501 of the County Law.

RESOLVED, that Thomas C. Brady, Main Street, Salamanca, New York 14779 be, and hereby is, appointed County Attorney, to fill the unexpired term of the retiring County Attorney, Dennis V. Tobolski, commencing January 5, 2011, and terminating December 31, 2011, at an annualized salary of \$110,396.

MR. BOSER moved, seconded by Mr. Teachman to waive Rule 12. Carried.

Adopted November 23, 2010 by voice vote.

ACT NO. 597-2010 by County Operations Committee:
Mr. Marsh, Mr. Padlo, Mr. Ellis, Mrs. Stockman,
Mr. Teachman and Mr. Vecchiarella
and Mr. Burrell and Mr. Snyder
who ask immediate consideration

**CREATING ONE POSITION OF ASSISTANT COUNTY ATTORNEY IN THE
OFFICE OF COUNTY ATTORNEY TO BE FILLED ON A TEMPORARY BASIS AND
ESTABLISHING COMPENSATION FOR SAME AND
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Contingent Fund - County Attorney's Office)**

Pursuant to Sections 204, 205, 363 and 365 of the County Law and
Sections 22 and 64 of the Civil Service Law.

WHEREAS, due to the pending retirement of the County Attorney,
there is a need to appoint an Assistant County Attorney on a temporary basis
to ensure an effective and efficient transfer of current, active and pending
case files, and

WHEREAS, this temporary position will be filled with the proposed
successor to the current County Attorney, and

WHEREAS, Civil Service Law Section 64(3) provides for the
creation of temporary positions for a period not to exceed eighteen months,
wherein such positions are not expected to last longer than an eighteen month
period, and providing that such positions render professional services, and

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

RESOLVED, that effective December 27, 2010, there is hereby
created one temporary position of Assistant County Attorney in the Office of
the County Attorney to be compensated at an hourly rate of \$59.33 (\$108,396
annualized) per hour, and be it further

RESOLVED, that effective January 4, 2011, this position shall
automatically be abolished, and be it further

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

Decrease Appropriation Account:

A.1990.445	Contingent Fund	\$2,045.00
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Increase Appropriation Accounts:

A.1420.109	Part-time Wages	\$1,662.00
A.1420.828	Retirement	\$ 255.00
A.1420.833	FICA	\$ 128.00.

MR. NENNO moved, seconded by Mr. Aiello to waive Rule 12. Carried.

Adopted November 23, 2010 by voice vote.

ACT NO. 598-2010 by Public Works Committee:
 Mr. Giardini, Mr. Ellis, Mr. Burrell, Mr. Marsh, Mr. McLarney,
 Mr. Teachman, Mr. Boser, Mr. Hebdon and Mr. McClune
 and Ms. Vickman
 who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE TRANSFER DOCUMENTS WITH TOWN OF ASHFORD FOR
 TRANSFER OF COUNTY ROAD NOS. 77 AND 85 AND TRANSFER OF FUNDS
 (Contingent Fund - Department of Public Works)**

Pursuant to Sections 115-b and 231 of the Highway Law and
 Sections 363, 365 and 450 of the County Law.

WHEREAS, the County Department of Public Works is desirous of transferring ownership of its portions of County Road No. 77 (Henrietta Road) and County Road No. 85 (Gulf Road) to the Town of Ashford, and

WHEREAS, as a condition of the aforementioned transfer, the County will pay to the Town of Ashford an amount not to exceed \$178,800, as follows:

County Road No. 77 (Henrietta Road)	\$ 63,600.00
County Road No. 85 (Gulf Road)	\$115,200.00,

and

WHEREAS, a transfer of funds is necessary to cover the costs associated with the above-described road transfer, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute transfer documents, on behalf of Cattaraugus County, with the Town of Ashford, for the transfer of the above-described roads, according to the above-described terms, and be it further

RESOLVED, that the Clerk of the Legislature be, and hereby is, authorized and directed to forward a certified copy of this resolution to the Ashford Town Supervisor, and be it further

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

Decrease Appropriation Accounts:

A.1990.445	Contingent Fund	\$108,800.00
A.9522.950	Transfer to County Road Fund	\$ 70,000.00
D.5110.450	Bridge Materials	\$ 35,000.00
D.5110.459	Road Materials	\$ 35,000.00

Decrease Estimated Revenue Account:

D.2810	Transfer from General Fund	\$ 70,000.00
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Increase Estimated Revenue Account:

H.2810	Transfer from General Fund	\$178,800.00
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Increase Appropriation Accounts:

A.9522.954	Transfer to Capital Projects Fund	\$178,800.00
H.5198.768	County Road Nos. 77 & 85	\$178,800.00.

MR. SPRAGUE moved, seconded by Mr. Hebdon to waive Rule 12. Carried.

Adopted November 23, 2010 by voice vote.

ACT NO. 599-2010 by Mr. Burrell, Mr. Murphy,
Ms. Vickman and Mr. Hebdon
who ask immediate consideration

**REQUESTING NEW YORK STATE DEPARTMENT OF TRANSPORTATION
INSTALL TRAFFIC SIGNAL AT PETERS ROAD INTERCHANGE WITH ROUTE 219**

Pursuant to Section 153 of the County Law.

WHEREAS, the New York State Department of Transportation (NYSDOT) has opened an extension of the limited access Route 219 from Springville to the Peters Road Interchange in the Town of Ashford, and

WHEREAS, Route 219 is the major north-south route in this portion of New York State, and

WHEREAS, the NYSDOT has not installed a traffic signal at the Peters Road interchange with Route 219, and

WHEREAS, due to the volume of traffic and safety concerns associated with the lack of a traffic signal at that interchange, the NYSDOT should immediately install a traffic signal at that interchange, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby requests the NYSDOT install a traffic signal at the Peters Road Interchange with Route 219 in the Town of Ashford, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to Governor Paterson, Senator Young, Assembly Member Giglio and the Acting Commissioner of the New York State Department of Transportation Stanley Gee, and the Acting Region 5 Director of the New York State Department of Transportation Darrell F. Kaminski.

MR. BOSER moved, seconded by Mr. Ward to waive Rule 12. Carried.

Adopted November 23, 2010 by voice vote.

ACT NO. 600-2010 by Mr. Aiello, Mr. Burrell, Mr. Ellis,
Mr. Marsh, Mr. McLarney, Mr. Murphy, Mr. Neal, Mr. O'Brien,
Mr. Snyder, Mrs. Stockman, Mr. Teachman, Mr. Vecchiarella,
Ms. Vickman, Mr. Boser, Mr. Giardini, Mr. Hebdon,
Mr. McClune, Mr. Nenno, Mr. Padlo, Mr. Sprague and Mr. Ward
who ask immediate consideration

**CONGRATULATING RANDOLPH LADY CARDINALS VOLLEYBALL TEAM FOR
WINNING 2010 NEW YORK STATE CLASS D CHAMPIONSHIP**

Pursuant to Section 153 of the County Law.

WHEREAS, the Randolph Central School Lady Cardinals volleyball team won the New York State Class D volleyball championship on Sunday, November 21, 2010 by defeating Section 2 Haldane at the Glens Falls Civic Center, and

WHEREAS, the Lady Cardinals came back and won the state title by defeating the Lady Blue Devils by scores of 16-25, 25-22, 25-15 and 25-13, and

WHEREAS, the Lady Cardinals have won three State crowns in seven years, and

WHEREAS, the Lady Cardinals beat Portville at Jamestown Community College in four sets, capturing the Section 6 title, and

WHEREAS, the Lady Cardinals beat Section 5 Cuba-Rushford in four sets in the Far West Regional Championship at Genesee Community College, and

WHEREAS, the Lady Cardinals had a perfect, undefeated season with a final record of 23 - 0, and

WHEREAS, the team and coach should be commended for their hard work and dedication, which led to a successful 2010 season, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby congratulates Coach Robin Maycock and the Randolph Central School District Lady Cardinals Volleyball Team on the 2010 New York State Class D title, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Superintendent of Schools Kimberly Moritz and Coach Robin Maycock.

MR. NENNO moved, seconded by Mrs. Stockman to waive Rule 12. Carried.

Adopted November 23, 2010 by voice vote.

ACT NO. 601-2010 by Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. McLarney, Mr. Murphy, Mr. Neal, Mr. O'Brien, Mr. Snyder, Mrs. Stockman, Mr. Teachman, Mr. Vecchiarella, Ms. Vickman, Mr. Boser, Mr. Giardini, Mr. Hebdon, Mr. McClune, Mr. Nenno, Mr. Padlo, Mr. Sprague and Mr. Ward who ask immediate consideration

**CONGRATULATING ELLICOTTVILLE LADY EAGLES SOCCER TEAM ON
NEW YORK STATE CLASS D FAR WEST REGIONAL CHAMPIONSHIP**

Pursuant to Section 153 of the County Law.

WHEREAS, the Ellicottville Lady Eagles soccer team won the 2010 New York State Class D Far West Regional Championship soccer game on Friday, November 12, 2010, at Genesee Community College, and

WHEREAS, the team beat the Section 5 champion Whitesville by a score of 2 - 1, and

WHEREAS, top-seeded Ellicottville beat No. 2-seeded North Collins for the Section 6 title by a score of 2-0 on November 5, 2010, and

WHEREAS, the Lady Eagles have reached the New York State semi-finals ten times since 1989, and

WHEREAS, the Lady Eagles finished the season with a record of 13-5-2, and

WHEREAS, the team and coach should be commended for their hard work and dedication, which led to a successful 2010 season, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby congratulates Coach Mary Neilon and the Ellicottville Lady Eagles soccer team for their successful 2010 season, and their Class D Far West Regional Championship, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Mark Ward, Superintendent of Schools and Coach Mary Neilon.

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

Adopted November 23, 2010 by voice vote.

* * * * *

MR. SNYDER moved, seconded by Mr. Giardini to adjourn for the public hearing on the 2011 tentative budget. Carried.

CHAIRMAN O'BRIEN announced that anyone wishing to speak on the 2011 tentative budget may now do so.

The following thanked the Legislature for restoring the funding to the libraries and the Library System:

Gwen Bixby, Delevan-Yorkshire Library	Lance Chaffee, Olean Library
Gretchen Taft, Little Valley Library	Sid Emmons, Blount Library
Bradley Parker, King Memorial Library	Jacqueline Hovey, Gowanda Library
Tom Congdon, Randolph Library	Laura Flanagan, Ellicottville Library
Rachel Boyer, Portville Library	Ruth Brown, Little Valley Library
Pamela Bowen, Seneca Nation Indians Library	Catherine Way, Chautauqua-Cattaraugus Library System

Larry Mack spoke on employee benefits and raises in the budget and the layoff of 17 employees.

The following spoke against layoffs in the budget due to privatization of services:

Rose Teachman, CSEA President	Laurie Rosenthal, County employee
Sheri Ambuske, County Employee	Lonny Lewis, CSEA Representative
Brian Blinn, CSEA Representative	

There being no one else wishing to speak, CHAIRMAN O'BRIEN declared the public hearing closed.

MR. VECCHIARELLA moved, seconded by Mr. Marsh to accept the Finance Committee Report on the 2011 tentative budget. Carried.

MR. WARD moved, seconded by Mr. Vecchiarella to accept the 2011 budget. Carried.

REPORT OF COMMITTEE ACTIONS
ACCEPTED BY FINANCE COMMITTEE ON NOVEMBER 18, 2010

	Recommended Co. Admin.	Motion	Recommended Committees	Contingent Fund	Impact on Tax Levy
Tentative Budget				\$ 380,000	\$ 47,483,000

County Operations

# 1 To recognize elimination of County Clerk Law Books account -					
141	County Clerk				
	Law Books	A . 1410.436	1,400	(1,400)	0
	Contingent Fund	A . 1990.445	380,000	1,400	381,400
					1,400

Recommended Committees

2010 Tax Levy

% Increase

381,400	47,483,000
338,568	46,100,000
	3.00%

ADDITIONAL FINANCE COMMITTEE ACTIONS

			Recommended Committees	Motion	Recommended Finance	Contingent Fund	Impact on Tax Levy
	Recommended Committees					\$ 381,400	\$ 47,483,000
# 1 To restore a portion of Contract Agency funding -							
298	Contract Agencies						
	YMCA Child Care, Olean	A .2982.510	2,880	180	3,060		
	Olean Child Daycare	A .2982.518	6,120	383	6,503		
	Seneca Daycare, Salamanca	A .2982.527	2,520	158	2,678		
	SPCA In Cattaraugus County	A .3510.445	14,944	934	15,878		
	Council on Arts	A .7010.445	8,640	540	9,180		
	Salamanca Rail Museum	A .7450.445	4,428	277	4,705		
	Catt Co Federated Sportsmen	A .8720.445	2,052	128	2,180		
365	Emergency Services Contract Agencies						
	Mercy Flight, Inc.	A .4542.445	7,200	450	7,650		
	Southern Tier Health Care System	A .4546.445	14,400	900	15,300		
434	ARC Rehab Center						
	OMRDD Funding	A .4322.402	365,928	2,025	367,953		
439	Suburban Adult Services, Inc.						
	Suburban Adult Services, Inc.	A .4320.445	24,846	461	25,307		
901	County General Accounts						
	Contingent Fund	A .1990.445	381,400	(6,436)	374,964	(6,436)	
# 2 To modify Cooperative Extension funding -							
298	Contract Agencies						
	Cooperative Extension	A .2980.423	239,850	(71,028)	168,822		
	Cooperative Extension 4H Program	A .2980.445	0	86,018	86,018		
901	County General Accounts						
	Contingent Fund	A .1990.445	374,964	(14,990)	359,974	(14,990)	

3 To restore a portion of Chautauqua/Cattaraugus Library System funding -

298	Contract Agencies					
	Chautauqua/ Cattaraugus Library System	A .7415.445	68,419	12,829	81,248	
901	County General Accounts					
	Contingent Fund	A .1990.445	359,974	(12,829)	347,145	(12,829)

4 To modify Community Services Contract Agency funding for reductions in State Aid -

432	Mental Health Association					
	OMH Drop-In Center	A .3475	76,988	(128)	76,860	
	CSS State Aid MH Assn	A .3493	69,235	(13,846)	55,389	
	OMH Drop-In Center	A .3808.445	76,988	(128)	76,860	
	CSS State Aid MH Assn	A .3812.445	69,235	(13,846)	55,389	
434	NYSARC, Inc.					
	OMRDD State Aid ARC Reg	A .3496	333,528	(24,020)	309,508	
	OMRDD Funding	A .4322.402	367,953	(24,020)	343,933	
437	Housing Options Made Easy					
	H.O.M.E. Inc. OMH Housing	A .3463	69,657	(1,497)	68,160	
	Comm Performance Funds	A .3470	127,528	(5,704)	121,824	
	H.O.M.E. Inc. Reinvestment	A .3478	60,092	(2,292)	57,800	
	H.O.M.E. Inc. CSS Funds	A .3479	34,490	(1,986)	32,504	
	H.O.M.E. Inc. Reinvestment	A .4341.445	60,092	(2,292)	57,800	
	H.O.M.E. Inc. CSS Funds	A .4343.445	34,490	(1,986)	32,504	
	Comm Performance Funds	A .4345.445	127,528	(5,704)	121,824	
	H.O.M.E. Inc. OMH Housing	A .4346.445	69,657	(1,497)	68,160	
438	Directions in Independent Living, Inc.					
	Reinvestment Funds	A .3472	24,000	(944)	23,056	
	PROS Residual Funding	A .3474	33,890	(3,627)	30,263	
	Reinvestment Peer Advocacy	A .4328.455	24,000	(944)	23,056	
	Drop-In Center	A .4328.476	33,890	(3,627)	30,263	
442	TLC Health Newtwork					
	DAAA State Aid	A .3456	925,967	(346,593)	579,374	
	TLC Health Newtwork	A .4318.445	925,967	(346,593)	579,374	
443	Catholic Charities					
	Reinvestment Catholic Charities	A .3443	12,000	(12,000)	0	
	HCRA Children Catholic Charities	A .3454	114,285	(67,773)	46,512	
	HCRA Children Catholic Charities	A .4347.445	114,285	(67,773)	46,512	
	Reinvestment Catholic Charities	A .4347.455	12,000	(12,000)	0	

# 5 To provide funding for Traffic Control Part-time Wages required for Fire District signage -						
502	County Road					
	Part-time Wages	D .3310.109	0	15,000	15,000	
	Retirement	D .3310.828	25,220	2,205	27,425	
	FICA	D .3310.833	13,181	1,148	14,329	
950	Interfund Transfers					
	Transfer from General Fund	D .2810	8,692,616	18,353	8,710,969	
	Transfer to County Road Fund	A .9522.950	8,692,616	18,353	8,710,969	
901	County General Accounts					
	Contingent Fund	A .1990.445	347,145	(18,353)	328,792	(18,353)

# 6 To reduce the tax levy -						
901	County General Accounts					
	Contingent Fund	A .1990.445	328,792	(10,000)	318,792	(10,000) (10,000)

# 7 To provide funding for the Olean Municipal Airport -						
102	Airport Improvements					
	Olean Municipal Airport	A .5610.445	0	15,130	15,130	
901	County General Accounts					
	Contingent Fund	A .1990.445	318,792	(15,130)	303,662	(15,130)

# 8 To eliminate funding for management services for County Reforestation Services -						
880	Reforestation					
	Regeneration Program	A .8710.415	7,000	(7,000)	283,963	
	Forest Management Services	A .8710.455	19,000	(19,000)	40,534	
901	County General Accounts					
	Contingent Fund	A .1990.445	303,662	26,000	329,662	26,000

Recommended Finance

329,662	47,473,000
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2010 Tax Levy

338,568	46,100,000
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% Increase

2.98%

ACT NO. 602-2010 by Mr. Vecchiarella
who asks immediate consideration

ADOPTION OF 2011 BUDGET

Pursuant to Section 360 of the County Law.

RESOLVED, that the tentative County Budget for the year 2011, as amended and filed with the Clerk of the Legislature and as hereafter attached, is hereby adopted as the County Budget for 2011 and the budget requires the raising by tax of the amount of \$47,473,000.

Adopted November 23, 2010 by voice vote.

ACT NO. 603-2010 by Mr. Vecchiarella
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 2011 shows the equalized value of real estate and the amount of the County budget apportioned to each district:

--see report on the following page--

PROPERTY TAX REPORT

November 23, 2010

PROPERTY TAX AMOUNT.....

\$47,473,000

TOWN	Taxable Value	Taxable Value With Fixed Exemptions	Equalization Rate	Full Value	Apportioned Tax	Tax Rate
ALLEGANY	320,113,993	320,135,543	100.00	320,135,543	3,920,756.24	12.2480
ASHFORD	76,141,151	76,152,451	62.00	122,826,534	1,504,278.14	19.7564
CARROLLTON	77,505,309	77,512,759	100.00	77,512,759	949,312.38	12.2484
COLDSPRING	47,043,798	47,047,248	67.00	70,219,773	859,993.90	18.2807
CONEWANGO	33,330,363	33,333,363	67.00	49,751,288	609,312.76	18.2810
DAYTON	48,494,919	48,501,419	80.00	60,626,774	742,506.75	15.3110
EAST OTTO	47,682,696	47,685,186	69.50	68,611,778	840,300.50	17.6228
ELLCOTTVILLE	555,621,175	555,624,175	100.00	555,624,175	6,804,826.88	12.2472
FARMERSVILLE	56,241,358	56,244,658	100.00	56,244,658	688,838.21	12.2479
FRANKLINVILLE	85,782,379	85,864,695	75.00	114,486,260	1,402,133.34	16.3452
FREEDOM	5,118,941	5,142,751	4.50	114,283,356	1,399,648.34	273.4254
GREAT VALLEY	3,120,142	3,157,092	2.18	144,820,734	1,773,644.97	568.4501
HINSDALE	71,808,622	71,815,600	100.00	71,815,600	879,538.27	12.2484
HUMPHREY	49,789,245	49,789,245	100.00	49,789,245	609,777.63	12.2472
ISCHUA	41,676,904	41,691,504	100.00	41,691,504	510,603.17	12.2515
LEON	27,876,865	27,878,765	61.00	45,702,893	559,731.36	20.0787
LITTLE VALLEY	47,033,216	47,046,716	70.00	67,209,594	823,127.70	17.5010
LYNDON	27,667,944	27,667,944	75.00	36,890,592	451,805.56	16.3296
MACHIAS	129,840,738	129,847,238	100.00	129,847,238	1,590,261.94	12.2478
MANSFIELD	106,551,619	106,564,086	100.00	106,564,086	1,305,109.08	12.2486
NAPOLI	32,794,345	32,794,345	59.00	55,583,636	680,742.55	20.7579
NEW ALBION	56,725,989	56,731,989	78.00	72,733,319	890,777.74	15.7032
OLEAN/CITY	486,850,733	486,862,733	100.00	486,862,733	5,962,693.42	12.2475
OLEAN/TOWN	83,084,984	83,102,724	78.00	106,541,954	1,304,838.03	15.7049
OTTO	30,850,797	30,858,597	59.50	51,863,188	635,177.57	20.5887
PERRYSBURG	57,085,005	57,085,005	74.00	77,141,899	944,770.39	16.5502
PERSIA	58,392,355	58,404,605	76.00	76,848,164	941,172.96	16.1181
PORTVILLE	137,529,853	137,827,753	98.00	140,640,564	1,722,449.69	12.5242
RANDOLPH	81,555,097	81,558,747	92.00	88,650,812	1,085,722.07	13.3127
RED HOUSE	97,527,011	97,527,011	100.00	97,527,011	1,194,430.44	12.2472
SALAMANCA/CITY	17,975,208	18,100,758	19.32	93,689,224	1,147,428.39	63.8339
SALAMANCA/TOWN	27,917,298	27,918,448	100.00	27,918,448	341,922.14	12.2477
SOUTH VALLEY	29,440,144	29,441,644	78.00	37,745,697	462,278.18	15.7023
YORKSHIRE	29,975,424	29,989,524	19.00	157,839,600	1,933,089.31	64.4891
	3,086,145,620	3,086,906,321		3,876,240,633	47,473,000.00	
TAX RATE % FULL VALUE		0.0122471757				
TAX RATE % TAXABLE VALUE		0.0153826183				

ACT NO. 604-2010 by Mr. Vecchiarella
who asks immediate consideration

APPROPRIATIONS FOR THE FISCAL YEAR 2011

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 2011, 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, 2011.

Adopted November 23, 2010 by voice vote.

ACT NO. 605-2010 by Mr. Vecchiarella
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, 2010.

Adopted November 23, 2010 by voice vote.

ACT NO. 606-2010 by Mr. Vecchiarella
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 23, 2010, 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	\$5,066.14	
Ashford	\$2,327.78	
Carrollton		\$ 0.49
Cold Spring	\$ 2.25	
Conewango	\$ 0.02	
Dayton		\$ 279.58
East Otto	\$ 474.98	

Ellicottville	\$ 261.31	
Farmersville	\$ 383.38	
Franklinville	\$ 375.53	
Freedom	\$ 558.16	
Great Valley	\$4,394.75	
Hinsdale	\$ 0.23	
Humphrey	\$ 139.15	
Ischua		\$ 0.23
Leon	\$ 0.22	
Little Valley	\$4,608.20	
Lyndon	\$ 6.66	
Machias	\$1,276.04	
Mansfield	\$ 925.67	
Napoli	\$ 3.51	
New Albion	\$ 461.97	
Olean, Town	\$ 641.43	
Otto	\$ 744.98	
Perrysburg	\$ 852.96	
Persia	\$ 49.89	
Portville	\$ 302.26	
Randolph	\$ 502.92	
Red House	\$ 0.06	
Salamanca, Town	\$2,531.68	
South Valley	\$ 104.78	
Yorkshire	\$3,399.91	
<u>CITY</u>		
Olean, City	\$6,735.59	
Salamanca, City	\$ 0.15	

Adopted November 23, 2010 by voice vote.

ACT NO. 607-2010 by Mr. Vecchiarella
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 16, 2010, 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 23, 2010 by voice vote.

ACT NO. 608-2010 by Mr. Vecchiarella
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 16, 2010, the Clerk of the Legislature be, and hereby is, authorized and directed to releve all returned village taxes of the County of Cattaraugus.

Adopted November 23, 2010 by voice vote.

ACT NO. 609-2010 by Mr. Vecchiarella
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 \$370,000 of the 2011 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 23, 2010 by voice vote.

ACT NO. 610-2010 by Mr. Vecchiarella
who asks immediate consideration

**AUTHORIZATION TO APPLY PORTION OF TOWN OF GREAT VALLEY'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 Great Valley has elected to take its share of the sales tax revenue in cash, and

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

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

RESOLVED, that \$475,000 of the 2011 sales tax revenue due the Town of Great Valley be applied to the reduction of the County Tax levied against the real property in the Town of Great Valley.

Adopted November 23, 2010 by voice vote.

ACT NO. 611-2010 by Mr. Vecchiarella
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 \$180,000 of the 2011 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 23, 2010 by voice vote.

ACT NO. 612-2010 by Mr. Vecchiarella
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 \$350,000 of the 2011 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 23, 2010 by voice vote.

ACT NO. 613-2010 by Mr. Vecchiarella
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 2011 as follows:

<u>TOWNS</u>	<u>EQUALIZATION</u> <u>RATES</u>
Allegany	100.00
Ashford	62.00
Carrollton	100.00
Cold Spring	67.00
Conewango	67.00
Dayton	80.00
East Otto	69.50
Ellicottville	100.00
Farmersville	100.00
Franklinville	75.00
Freedom	4.50
Great Valley	2.18
Hinsdale	100.00
Humphrey	100.00
Ischua	100.00
Leon	61.00
Little Valley	70.00
Lyndon	75.00
Machias	100.00
Mansfield	100.00
Napoli	59.00
New Albion	78.00
Olean, City	100.00
Olean, Town	78.00
Otto	59.50
Perrysburg	74.00
Persia	76.00
Portville	98.00
Randolph	92.00
Red House	100.00
Salamanca, Town	100.00
Salamanca, City	19.32
South Valley	78.00
Yorkshire	19.00

Adopted November 23, 2010 by voice vote.

ACT NO. 614-2010 by Mr. Vecchiarella
who asks immediate consideration

WORKERS' COMPENSATION INSURANCE PREMIUMS CHARGED TO TOWNS

Pursuant to Local Law Number 3-1989.

RESOLVED, that the following items covering workers' compensation self-insurance premiums under the Cattaraugus County Self-Insurance Program for the period January 1, 2009 to January 1, 2010 be charged back to the town set opposite each item and the same be included in taxes levied in the year 2011:

<u>TOWNS</u>	<u>TOTAL TO BE LEVIED</u>
Ashford	\$55,833.49
Cold Spring	\$26,523.92
Conewango	\$20,772.92

Dayton	\$11,129.22
East Otto	\$20,995.19
Farmersville	\$13,582.44
Franklinville	\$39,314.41
Great Valley	\$47,468.17
Hinsdale	\$23,589.52
Ischua	\$22,422.18
Leon	\$11,740.23
Little Valley	\$35,442.42
Lyndon	\$ 8,976.97
Machias	\$46,881.38
Mansfield	\$37,613.81
Napoli	\$13,154.47
New Albion	\$11,410.08
Olean	\$38,408.78
Otto	\$20,932.26
Perrysburg	\$28,751.27
Persia	\$ 6,656.77
Portville	\$36,671.97
Randolph	\$10,569.10
Yorkshire	\$33,342.04

VILLAGES

Cattaraugus	\$31,793.58
Delevan	\$ 8,412.78
Franklinville	\$32,500.60
Gowanda	\$51,969.71
Little Valley	\$32,003.08
Perrysburg	\$ 2,676.54
Randolph	\$10,640.04
South Dayton	\$ 3,918.58

CITY

Salamanca	\$90,865.90
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Adopted November 23, 2010 by voice vote.

ACT NO. 615-2010 by Mr. O'Brien, Mr. Vecchiarella, Mr. Marsh,
Mr. Ellis, Mr. Aiello, Mr. Ward,
Mr. Sprague and Mr. McClune
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CORNELL
COOPERATIVE EXTENSION ASSOCIATION OF CATTARAUGUS COUNTY**

Pursuant to Sections 224 (8) and 450 of the County Law.

WHEREAS, Act 28-2010 authorized a contract with Cornell Cooperative Extension Association of Cattaraugus County for the provision of a variety of services to the youth, farmers, and general public of Cattaraugus County, the term of which expires December 31, 2010, and

WHEREAS, the 2011 County budget provides for the payment of \$254,840, of which \$86,018 must be used for the 4-H program, to the Cornell Cooperative Extension Association of Cattaraugus County from Account Nos. A.2980.423 and A.2980.445 for these services, 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 2011 with the Cornell Cooperative Extension Association of Cattaraugus County for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms, and be it further

RESOLVED, that payment of the aforementioned amount be made to the Cornell Cooperative Extension Association of Cattaraugus County in quarterly installments, upon submission of vouchers for payment certified by the Chair of the Legislature, audited by the County Administrator and paid by the County Treasurer.

Adopted November 23, 2010 by voice vote.

**MOTION TO ADJOURN IN MEMORY OF
REV. KENNETH N. SNYDER**

WHEREAS, Rev. Kenneth N. Snyder, of Gowanda, passed away on November 21, 2010, and

WHEREAS, Rev. Snyder served as the Legislative Chaplain only for a few months, being appointed September 22, 2010, and

WHEREAS, he graduated from SUNY at Alfred with a Bachelor of Science degree, then graduated from Alfred School of Theology, and received his education as a student pastor in Jasper, New York, and

WHEREAS, Rev. Snyder became an Ordained Elder with the United Methodist Church, and

WHEREAS, his first full time appointment was with the Arcade United Methodist Church, and

WHEREAS, Rev. Snyder has served many churches as a Supervising Elder throughout Western New York, and currently the Gowanda United Methodist Church since 1983 and the Four Corners Church in Versailles since 1985, and

WHEREAS, Rev. Snyder also served in the United States Air Force, during the Korean War, and

WHEREAS, he was also the Chaplain for the Gowanda Police Department and the Gowanda Volunteer Fire Department, and

WHEREAS, Rev. Snyder will be remembered for his gentleness and his ability to make people feel comfortable along with his soft sense of humor, and

WHEREAS, Rev. Snyder was a life member of the American Legion Post #409, James Cruden VFW Post #5007 and the Gowanda Kiwanis Club, and

WHEREAS, Rev. Snyder especially enjoyed woodcarving as a hobby, and

WHEREAS, Rev. Snyder is survived by his wife, Joanne of 54 years; one son, Rev. Jeffrey Snyder of Arcade; four daughters, Janice Herrick of Cobleskill, New York; Kay Louise Swyers of Castile, New York; Nancy Snyder of Houghton; and Jennifer Hoffman of Yorkshire; 16 grandchildren and 14 great-grandchildren; one sister, Jean Haines of Salamanca; a half-brother, Earl Crouse of Carrollton, and many nieces and nephews, and

WHEREAS, the loss of his presence will be sadly felt by his many friends and colleagues in Cattaraugus County, now, therefore, Chairman O'Brien hereby

MOVES, that the Cattaraugus County Legislature hereby adjourns, and stands adjourned, in memory of Rev. Kenneth N. Snyder, 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 Rev. Kenneth N. Snyder, 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. VECCHIARELLA moved, seconded by Mr. Padlo to adjourn until December 8, 2010 at 3:00 p.m. Carried.

Meeting adjourned at 4:26 p.m.

Ann M. Giglio
Journal Clerk