



CATTARAUGUS COUNTY

John R. Searles, County Administrator

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The Legislature of Cattaraugus County will meet in adjourned session at the County Center, Little Valley, New York, on **Wednesday, December 11, 2019**, for the transaction of such business as may properly come before the meeting.

Contingent Fund Balance: \$48,981

- 4:00 p.m. CALL TO ORDER
- ROLL CALL
- INVOCATION
- PLEDGE OF ALLEGIANCE
- COMMUNICATIONS
- PRIVILEGE OF THE FLOOR
 - *Public Hearing – CDBG - For the 2020 Program Year: housing, economic development, public facilities, public infrastructure and planning activities, with the principal purpose of benefitting low/moderate-income persons*
 - *Public Hearing – Local Law Number 10-2019*
 - *Public Hearing - Local Law Number 11-2019*
- MINUTES OF PREVIOUS MEETING
- RESOLUTIONS/MOTIONS/NOTICES READY FOR ACTION
- RESOLUTIONS – IMMEDIATE CONSIDERATION
- UNFINISHED BUSINESS
- ADJOURNMENT

ACT NO.

RESOLUTIONS READY FOR ACTION

494-19 Ms. Vickman and Ms. Hastings
 LOCAL LAW NUMBER 10-2019 - A LOCAL LAW ESTABLISHING FEES FOR CATTARAUGUS COUNTY HEALTH DEPARTMENT SERVICES AND REPEALING LOCAL LAW NUMBER 3-2017 (INTRO NUMBER 1-2017)

539-19 Mr. Giardini and Mr. Helmich
 LOCAL LAW NUMBER 11 – 2019 -A LOCAL LAW AMENDING LOCAL LAW NO. 2-1990, AS PREVIOUSLY AMENDED, ENTITLED “A LOCAL LAW REGARDING THE STORAGE, COLLECTION, RECYCLING AND DISPOSAL OF SOLID WASTE IN CATTARAUGUS COUNTY”

521-19 Mr. Klancer and Mr. Padlo
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS COUNTY AGRICULTURAL SOCIETY, INC., FOR SHERIFF'S DEPARTMENT SECURITY SERVICES AND COUNTY SPACE RENTAL
AMENDED: in the 3rd Whereas, at the end add "in accordance with the following: Hourly rates to be reimbursed will range from \$19.75/hr. to \$52.79/hr., plus shift differential (if any), plus the fringe benefits associated with the deputy providing the services, for three (3) to five (5) deputies per afternoon/night as requested by the Agricultural Society,"
Approved by 7 Finance and 7 County Operations/Public Safety

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582-19 Mr. Giardini and Mr. Helmich
BID ACCEPTANCE FOR INTERIOR ALTERATIONS AT OLEAN COUNTY CENTER (Department of Public Works)
Approved by 6 Finance and 6 Public Works

583-19 Mr. Giardini and Mr. Helmich
BID ACCEPTANCE FOR REPLACEMENT OF HINSDALE BRIDGE NO. 62 (Department of Public Works)
Approved by 6 Finance and 6 Public Works

584-19 Mr. Giardini and Mr. Helmich
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH GREENMAN-PEDERSEN, INC. FOR CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES FOR HINSDALE BRIDGE NO. 62 REPLACEMENT PROJECT
Approved by 6 Finance and 6 Public Works

585-19 Mr. Giardini and Mr. Helmich
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH LABELLA ASSOCIATES, PC FOR CONSTRUCTION SUPPORT SERVICES FOR HINSDALE BRIDGE NO. 62 REPLACEMENT PROJECT
Approved by 6 Finance and 6 Public Works

586-19 Mr. Giardini and Mr. Helmich
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH WENDEL WD, ARCHITECTURE, ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C. FOR COUNTY BUILDING ENERGY EFFICIENCY ASSESSMENT
Approved by 6 Finance and 6 Public Works

587-19 Mr. Giardini and Mr. Helmich
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH WENDEL WD, ARCHITECTURE, ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C. FOR ENGINEERING DESIGN SERVICES FOR ADA ACCESSIBILITY IMPROVEMENTS (Little Valley County Center Improvements)
Approved by 6 Finance and 6 Public Works

- 588-19 Mr. Giardini and Mr. Helmich
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH WENDEL WD,
ARCHITECTURE, ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.
FOR ENGINEERING DESIGN SERVICES FOR ELECTRICAL IMPROVEMENTS AT FIVE
POINTS TRANSFER STATION
Approved by 6 Finance and 6 Public Works
- 589-19 Mr. Giardini and Mr. Helmich
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH WENDEL WD,
ARCHITECTURE, ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.
FOR ENGINEERING DESIGN SERVICES FOR FOOD SERVICE IMPROVEMENTS AT THE
PINES HEALTHCARE AND REHABILITATION CENTER-OLEAN CAMPUS
Approved by 6 Finance and 6 Human Services and 5 Public Works
- 590-19 Mr. Giardini, Mr. Helmich and Mr. Koch
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH HUNT ENGINEERS,
ARCHITECTS & LAND SURVEYORS, P.C. FOR ONOVILLE MARINA STORM PIPE
REPLACEMENT PROJECT
Approved by 6 Finance and 6 Public Works
- 591-19 Mr. Klancer
AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH NEW YORK STATE
INDUSTRIES FOR THE DISABLED FOR DELEVAN DEPARTMENT OF MOTOR VEHICLES
OFFICES JANITORIAL SERVICES
Additional sponsor: Mr. Boberg
Approved by 6 Finance and 7 County Operations
- 592-19 Mr. Burr and Mr. Klancer
DECLARING COUNTY-OWNED PROPERTY IN THE TOWN OF OTTO NO LONGER
NECESSARY FOR PUBLIC USE AND AUTHORIZING CONVEYANCE TO TOWN OF
OTTO
Approved by 6 Finance and 7 County Operations
- 593-19 Mr. Hale
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH SYSTEMS EAST, INC. FOR
APPLICATION SOFTWARE AND SUPPORT SERVICES FOR REAL PROPERTY TAX
MANAGEMENT
Approved by 6 Finance
- 594-19 Ms. Vickman and Ms. Hastings
AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH NEW YORK
STATE OFFICE FOR THE AGING FOR MEDICARE IMPROVEMENTS FOR PATIENTS &
PROVIDERS ACT (MIPPA) FUNDING
Approved by 6 Finance and 6 Human Services

- 595-19 Ms. Vickman and Ms. Hastings
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH HEALTHY COMMUNITY ALLIANCE, INC. FOR MANAGEMENT OF DEPARTMENT OF AGING SENIOR WELLNESS AND NUTRITION PROGRAM SITE
Approved by 6 Finance and 6 Human Services
- 596-19 Ms. Vickman and Ms. Hastings
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH MEDATRITION, LLC FOR PROFESSIONAL DIETICIAN SERVICES FOR DEPARTMENT OF AGING
Approved by 6 Finance and 6 Human Services
- 597-19 Ms. Vickman and Ms. Hastings
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS COMMUNITY ACTION, INC. FOR COORDINATION OF HOME-DELIVERED MEALS PROGRAM
Approved by 6 Finance and 6 Human Services
- 598-19 Ms. Vickman and Ms. Hastings
AUTHORING THE CHAIR TO EXECUTE LEASE AGREEMENTS WITH VARIOUS ENTITIES FOR DEPARTMENT OF AGING SENIOR WELLNESS AND NUTRITION PROGRAM SITES
Approved by 6 Finance and 6 Human Services
- 599-19 Ms. Vickman and Ms. Hastings
AUTHORIZING THE CHAIR TO EXECUTE AGREEMENT WITH WESTERN NEW YORK INTEGRATED CARE COLLABORATIVE, INC. FOR POST-ACUTE DISCHARGE MEAL DELIVERY PROGRAM
Approved by 6 Finance and 6 Human Services
- 600-19 Ms. Vickman
AUTHORIZING CERTAIN CHARGE-OFFS OF CERTAIN ACCOUNTS RECEIVABLE IN THE DEPARTMENT OF NURSING HOMES
Approved by 6 Finance and 6 Human Services
- 601-19 Mr. Breton and Ms. Vickman
AUTHORIZING THE CHAIR TO EXECUTE DOCUMENTS REGARDING YOUTH PROGRAMS FOR 2020
Additional sponsor: Mr. Padlo
Approved by 6 Finance and 6 Human Services
- 602-19 Ms. Vickman and Ms. Hastings
APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND COUNCIL ON ADDICTION RECOVERY SERVICES, INC. FOR SUBSTANCE ABUSE PROGRAM FUNDS
Approved by 6 Finance and 6 Human Services

- 603-19 Ms. Vickman and Ms. Hastings
APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND MVP HEALTH SOLUTIONS IPA, INC. FOR DEPARTMENT OF COMMUNITY SERVICES MENTAL HEALTH SERVICES (Department of Community Services)
Approved by 6 Finance and 6 Human Services
- 604-19 Mr. VanRensselaer and Mr. Koch
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH H. SICHERMAN/THE HARRISON STUDIO FOR GRANT WRITING TECHNICAL ASSISTANCE
Approved by 6 Finance and 6 Development & Agriculture
- 605-19 Mr. VanRensselaer and Mr. Koch
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH H. SICHERMAN/THE HARRISON STUDIO FOR HUD SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT ADMINISTRATION SERVICES
Approved by 6 Finance and 6 Development & Agriculture
- 606-19 Mr. VanRensselaer and Mr. Koch
AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH VARIOUS ENTITIES FOR TOURISM PROMOTION
Additional sponsor: Mr. Padlo
Approved by 6 Finance and 6 Development & Agriculture
- 607-19 Mr. Klancer and Mr. Padlo
TRANSFER OF FUNDS (Contingent Fund – IT Capital Project Umbrella Package)
Approved by 6 Finance and 7 County Operations/Public Safety
- 608-19 Mr. Snyder, Sr. and Mr. Boberg
SUPPORTING CATTARAUGUS COUNTY SHARED SERVICES PLAN
Additional sponsor: Mr. Padlo
Approved by 6 Finance and 7 County Operations/Public Safety

**LOCAL LAW NUMBER 10 - 2019
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW ESTABLISHING FEES FOR CATTARAUGUS COUNTY
HEALTH DEPARTMENT SERVICES AND REPEALING LOCAL LAW
NUMBER 3-2017 (INTRO NUMBER 1-2017)**

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 Health Department.

SECTION 2. Fee Schedule. Effective January 1, 2020, the following fees shall be charged by the Cattaraugus County Health Department.

<i>Program Area</i>	<i>Service</i>	<i>Fee</i>
A. Food Protection	Food Service Establishments (P)	
	High Risk Food	
	▪ (0-50 seats)	\$175.00
	▪ (51-100 seats)	\$200.00
	▪ (101 + seats)/Catering	\$250.00
	Moderate Risk Food	\$150.00
	Low Risk Food	\$100.00
	Temporary Food (P)	
	▪ Low Risk	\$ 50.00
	▪ Medium Risk	\$ 60.00
	▪ High Risk	\$ 80.00
	▪ Surcharge if Applied for within 5 Days of Event	\$ 30.00
	Frozen Desserts (P)	\$ 25.00
B. Camps/Recreation	Bathing Facilities (P)	
	▪ Swimming Pool/Spa	\$150.00
	▪ Each Additional Pool/Spa	\$ 50.00
	▪ Beach (Mandatory Sampling Required)	\$150.00
	Temporary Residence (P)	
	Hotel/Motel	
	▪ Base Fee & Fire Safety	
	▪ (0-20 rooms)	\$100.00
	▪ (21-50 rooms)	\$125.00
	▪ (51-100 rooms)	\$150.00
	▪ (101 + rooms)	\$200.00
	Campgrounds (P)	
	▪ Base Fee	
▪ (0-50 sites)	\$100.00	
▪ (51-100 sites)	\$125.00	
▪ (101 – 200 sites)	\$150.00	
▪ (201 + sites)	\$200.00	
Children's Camps (P)		
Basic Facility & Safety Plans	\$200.00	
<i>(fee for profit only; non-profits are exempt per 10 NYCRR)</i>		
Mass Gathering (P)		
Attendance/Ticket Sales		

	<ul style="list-style-type: none"> ▪ (5,000-10,000) \$5,000.00 ▪ (10,000+) \$10,000.00 	
	Agricultural Fairground	\$150.00
C. Community Sanitation	Mobile Home Parks (P)	
	<ul style="list-style-type: none"> ▪ Base Fee \$100.00 ▪ Unit Fee (per site) \$ 5.00 	
	Day Care Center (I)	\$100.00
	<i>(as regulated per NYSDOH Tech.Ref. Item# CSFP 159)</i>	
	Labor Camp (P)	
	<ul style="list-style-type: none"> ▪ Base Fee \$200.00 ▪ With Food Service (add) \$100.00 	
	Real Property Transfer/Mortgage Refinancing (I)	
	<ul style="list-style-type: none"> ▪ Water Supply \$100.00 ▪ Sewage System \$200.00 ▪ Water and Sewage Systems \$300.00 ▪ Privy Only \$100.00 ▪ Residential Well Water Quality Test \$170.00 	
	<i>(U.S. HUD Mortgage Requirements)</i>	
	Small Sewage Disposal System (P)	
	<ul style="list-style-type: none"> ▪ New System \$200.00 ▪ Full or Partial Replacement \$150.00 ▪ Septic Tank Only Replacement \$100.00 ▪ Privy \$100.00 ▪ Sewage Disposal System Construction Renewal Fee \$ 25.00 	
	<i>(After 1 year)</i>	
D. Onsite Public Water/Sewage	For all Regulated Facilities which have onsite water and/or sewage disposal systems, add the following:	
	<ul style="list-style-type: none"> ▪ Community Public Water Supply (I) \$125.00 ▪ Non-Community Public Water Supply (I) \$ 75.00 ▪ Onsite Sewage Disposal (I) \$ 50.00 	
E. Communicable Disease Prevention	Body Art Establishment (P)	\$125.00
	<ul style="list-style-type: none"> ▪ Individual Artist Certificate \$75.00 	
F. Environmental Reviews/Investigations	SEQRA-Positive Declaration –EIS Required	\$ 1,000.00
	SEQRA-Negative Declaration-Full EAF	\$ 250.00
	SEQRA-Negative Declaration-Short EAF	\$ 120.00
G. Plan Review/Approval	Onsite Sewage Treatment System	
	<ul style="list-style-type: none"> ▪ (Less than 1,000 gpd) \$ 75.00 ▪ (Greater than 1,000 gpd) \$ 150.00 	
	Mobile Home Park (site Plan)	\$ 150.00
	Campground (Site Plan)	\$ 150.00
	Realty Subdivision (Per Lot)	\$ 25.00
	Public Bathing Facility	
	<ul style="list-style-type: none"> ▪ Pool/Spa (Per Filter System) \$ 200.00 ▪ Beach \$ 100.00 	
	Public Water Supply	
	<ul style="list-style-type: none"> ▪ Treatment \$ 200.00 ▪ Distribution \$ 200.00 ▪ Storage \$ 150.00 ▪ Source \$ 150.00 	
	Cross Connection Control (Per Device)	\$ 75.00
	Sanitary Sewer Extension	\$ 200.00

	Food Service Establishment	
	▪ New Construction	\$ 125.00
	▪ Renovation	\$ 75.00
	Mass Gathering (Site Plan)	\$2,000.00
H. Clean Indoor Air Act	Waiver Application (BOH voted to no longer issue waivers)	\$ 200.00
I. Permit Reissuance	Extension of Conditioned Temporary Permit	\$ 25.00
J. Processing Fees	Late Annual Permit Renewals (within 10 days of expiration)	\$ 25.00
	Received After Current Permit Expired (unless ceased to operate)	\$ 50.00

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. Repeal Local Law Number 3-2017, as amended. Local Law Number 3-2017 (Intro Number 1-2017), is hereby repealed.

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

LOCAL LAW NUMBER 11 - 2019
COUNTY OF CATTARAUGUS, NEW YORK

Pursuant to Section 226-b of the County Law and
 Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW AMENDING LOCAL LAW NO. 2-1990, AS PREVIOUSLY AMENDED,
 ENTITLED "A LOCAL LAW REGARDING THE STORAGE, COLLECTION, RECYCLING AND
 DISPOSAL OF SOLID WASTE IN CATTARAUGUS COUNTY"**

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

SECTION 1. Legislative Intent. The intent of this Local Law is to include additional definitions in *Section 2. Definitions*, contained in Local Law No. 2-1990 (Intro No. 1-1990), as amended, entitled "A Local Law Regarding the Storage, Collection, Recycling and Disposal of Solid Waste in Cattaraugus County".

SECTION 2. Amendment of Local Law No. 2-1990 (Intro No. 1-1990), as Amended. Section 2 of Local Law No. 2-1990 (Intro No. 1-1990), as amended, entitled "A Local Law Regarding the Storage, Collection, Recycling and Disposal of Solid Waste in Cattaraugus County", adopted by the Cattaraugus County Legislature on June 27, 1990, is hereby amended as follows:

- In Section 2. Definitions., renumber subsections V, W, X and Y, to W, X, Y, Z and ZZ.
- In Section 2. Definitions, add the following new subsection V, as follows: "V. Stump: *The part of a plant or tree remaining attached to the root after the trunk is cut off.*"
- In Section 2. Definitions, add the following new subsection Y, as follows: "Y. Wood Waste: *Trees, limbs, and branches equal to or greater than four (4) inches in diameter or four (4) feet in length, excluding stumps.*"
- In Section 2. Definitions., delete current subsection 'ZZ. Yard Waste', and replace with the following new subsection: "ZZ. Yard Waste: *Grass clippings, leaves, cuttings from shrubs, hedges and trees that are less than four (4) inches in diameter or less than four (4) feet in length, excluding stumps; yard waste does not include household waste or recyclable material, as defined herein.*"
- In Section 4, subsection h, delete: 'X and Y', and replace with: "V, Y and ZZ".
- In Section 9. Open Burning., after 'noxious materials', add: "wood waste,"
- Delete 'Section 11. Residential Yard Waste Disposal.', and replace with the following:

"SECTION 11. Yard Waste Disposal.

11.1 *Yard Waste, not otherwise disposed of at the site of origination, shall be disposed of at the compost site located at the closed Five Points Landfill in the Town of Mansfield, the closed Farwell Landfill in the Town of Ischua, or at other sites as allowed by 6 NYCRR Part 360. Such yard waste shall be disposed of upon such terms and conditions as are established by the Commissioner of Public Works. Stumps of any kind are strictly prohibited from being disposed of at Transfer Station or Landfills.*

11.2 *Notwithstanding the provisions of Section 11.1 hereof, yard waste not exceeding one (1) cubic yard per day may be disposed of at the Allegany, Dayton, Portville or Salamanca Transfer Stations.*

11.3 *Where allowed by law or regulation, this Section shall not prohibit private or municipal composting of yard waste.*"

SECTION 3. Severability. If any provision of this Local Law, or the application thereof to any person or circumstance, shall be held invalid, the remainder of such Local Law, or the application of such provision to any other person or circumstance, shall not be affected thereby.

SECTION 4. Effective Date. This Local Law shall become effective immediately.

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COUNTY AGRICULTURAL SOCIETY, INC. FOR
SHERIFF’S DEPARTMENT SECURITY SERVICES AND COUNTY SPACE RENTAL**

Pursuant to Sections 215, 450 and 650 of the County Law.

I. WHEREAS, Act 622-2018 authorized the Chair to execute a contract with the Cattaraugus County Agricultural Society, Inc., P.O. Box 182, Little Valley, New York 14755, for the provision of security services at various events at the County Fairgrounds, including the annual Cattaraugus County Fair, and the rental of space, the term of which expires December 31, 2019, and

II. WHEREAS, it is proposed that the Cattaraugus County Sheriff provide security services at the Cattaraugus County Fairgrounds during the 2020 year, and

III. WHEREAS, the Agricultural Society will reimburse the County on an hourly basis for the provision of these services, except for the first \$500.00 in services to be provided by the Sheriff’s Office in 2020, ***in accordance with the following: Hourly rates to be reimbursed will range from \$19.75/hr. to \$52.79/hr., plus shift differential (if any), plus the fringe benefits associated with the deputy providing the services, for three (3) to five (5) deputies per afternoon/night as requested by the Agricultural Society,*** and

IV. WHEREAS, the Agricultural Society will charge the County the following rental costs for the use of space at the County Fairgrounds:

Tourism Booths	\$400.00
Stop DWI Space	\$600.00
Storage	\$200.00/boat
Civil Service	\$100.00/testing day
Museum	\$450.00
Health	\$400.00,

now, therefore, be it

I. RESOLVED, the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Cattaraugus County Agricultural Society, Inc., for the above-described security services and space rental, contingent upon and subject to inclusion in the 2020 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2020 and terminating December 31, 2020, according to the above-described terms.