



# CATTARAUGUS COUNTY

John R. Searles, County Administrator

303 Court Street  
Little Valley, New York 14755

Phone: (716) 938-2577  
Fax (716) 938-2760

The Legislature of Cattaraugus County will meet in adjourned session in the Legislative Chambers at 303 Court Street, Little Valley, New York, on **Wednesday, February 9, 2022**, for the transaction of such business as may properly come before the meeting.

*Join by phone*

- +1-408-418-9388 or
- +1-646-992-2010 United States Toll (New York City)
- +1-312-535-8110 United States Toll (Chicago)
- Access code: 173 568 3119 (followed by #)**

Contingent Fund Balance: \$178,420

- 5:00 p.m.** CALL TO ORDER
- ROLL CALL
- INVOCATION
- PLEDGE OF ALLEGIANCE
- COMMUNICATIONS
- PRIVILEGE OF THE FLOOR
  - *Public Hearing – Local Law Number 2-2022*
  - *Public Hearing – Local Law Number 3-2022*
  - *Farm Bureau Presentation*
- RESOLUTIONS/MOTIONS/NOTICES READY FOR ACTION
- RESOLUTIONS – IMMEDIATE CONSIDERATION
- UNFINISHED BUSINESS
- ADJOURNMENT

**ACT NO.**

**RESOLUTIONS READY FOR ACTION**

- 65-22 Mr. VanRensselaer  
LOCAL LAW NUMBER 2-2022 - A LOCAL LAW CREATING THE CATTARAUGUS COUNTY PUBLIC WORKS DEPARTMENT AND THE OFFICE OF CATTARAUGUS COUNTY COMMISSIONER OF PUBLIC WORKS
- 67-22 Mr. VanRensselaer  
LOCAL LAW NUMBER 3-2022 – A LOCAL LAW CREATING THE CATTARAUGUS COUNTY BUILDINGS AND GROUNDS DEPARTMENT AND THE POSITION OF DIRECTOR OF THE DEPARTMENT OF BUILDINGS AND GROUNDS

\*\*\*\*\*

- 77-22 Mr. Benson and Mr. Helmich  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS COUNTY  
SOIL & WATER CONSERVATION DISTRICT FOR 2022 STREAMBANK STABILIZATION  
PROJECTS  
Approved by 6 Finance and 6 Public Works
- 78-22 Mr. Boberg and Mr. Klancer  
AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT WITH 3D REAL ESTATE  
COMPANY, LLC FOR MOTOR VEHICLE OFFICE SPACE  
Approved by 6 Finance and 6 County Operations/Public Safety
- 79-22 Mr. Boberg and Mr. Klancer  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH WILMAC FOR SOFTWARE  
MAINTENANCE AND SUPPORT FOR NICE INFORM INCIDENT INFORMATION  
MANAGEMENT SYSTEM  
Approved by 6 Finance and 6 County Operations/Public Safety
- 80-22 Mrs. Andreano and Mr. Helmich  
AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH NEW YORK  
STATE DEPARTMENT OF HEALTH DIVISION OF ENVIRONMENTAL HEALTH  
PROTECTION FOR HEALTHY NEIGHBORHOODS PREVENTIVE HEALTH  
CORNERSTONES AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE  
ACCOUNTS (Health Department – Contract No. C35561GG)  
Approved by 6 Finance and 6 Human Services
- 81-22 Mrs. Andreano and Mr. Helmich  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CHC WELLBEING, INC.  
FOR HEALTH DEPARTMENT LAB PHLEBOTOMY AND SPECIMEN STORAGE SERVICES  
Approved by 6 Finance and 5 Labor Relations
- 82-22 Mrs. Andreano and Mr. Helmich  
APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY  
SERVICES BOARD AND DIRECTIONS IN INDEPENDENT LIVING, INC. FOR VETERAN  
PEER-TO-PEER SUPPORT PILOT PROGRAM  
Approved by 6 Finance and 6 Human Services
- 83-22 Mrs. Andreano and Mr. Helmich  
AUTHORIZING THE CHAIR TO EXECUTE AMENDED GRANT DOCUMENTS WITH  
NEW YORK STATE DEPARTMENT OF HEALTH AND HEALTH RESEARCH, INC. FOR  
EPIDEMIOLOGY & LABORATORY CAPACITY DETECTION, SURVEILLANCE AND  
PREVENTION OF COVID-19 FUNDING (Department of Health – COVID-19 Response  
Funding COVID-19 Enhanced Detection – HRI Contract Number 6421-01)  
Approved by 6 Finance and 6 Human Services

**LOCAL LAW NUMBER 2 - 2022  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW CREATING THE CATTARAUGUS COUNTY PUBLIC WORKS DEPARTMENT AND  
THE OFFICE OF CATTARAUGUS COUNTY COMMISSIONER OF PUBLIC WORKS**

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

SECTION 1. Intent. It is the intent of this local law to streamline operations of the current Highway Department and Refuse Department.

SECTION 2. Establishment of Department of Public Works. Effective February 14, 2022, there is hereby established a Department of Cattaraugus County government to be known as the Public Works Department.

SECTION 3. Commissioner of Public Works.

1. The Public Works Department shall be under the direction of a Public Works Commissioner;
2. The Commissioner shall be appointed by the County Legislature for a term of four years;
3. The salary of the Commissioner shall be fixed by the County Legislature in the manner authorized by law;
4. The Commissioner shall be in the unclassified service of the Civil Service.

SECTION 4. Powers and Duties. Except as otherwise provided in this local law, the Public Works Commissioner shall:

1. Have all the powers and perform all the duties or hereafter conferred, or imposed by law, upon a County Commissioner of Public Works, County Engineer, County Superintendent of Highways, and County Refuse Administrator;
2. Have charge and supervision of the design, construction, improvement, maintenance, repair, cleaning, and lighting of all highways, roads, streets, bridges, and grade separation structures, drains and drainage structures under the jurisdiction of the County;
3. Have charge and supervision of the design, construction, alteration, maintenance, repair, cleaning, and operation of County parking areas, drives, waterworks and water distribution systems, sewage disposal plants and sewage systems, landfill and trash disposal projects and such other structures and facilities in the nature of public works under the jurisdiction of the County;
4. Have charge and supervision of the maintenance and repair of all County vehicles, tractors, road construction and maintenance equipment, and other related tools and equipment of the County;
5. Have responsibility in the development and operation of a County-wide refuse disposal system and for the direction and management of such system including, but not limited to, landfills, transfer stations, recycling and resource recovery, and any refuse-to-energy projects which the County now has, or may in the future acquire;
6. Have responsibility for the operation and maintenance of County-owned or operated parks;
7. Have authority to acquire, lease, control, maintain, repair and dispose of personal property for, and in the performance of the Commissioner's powers and duties;

8. Have authority to appoint and remove at his/her pleasure one or more deputies with power to act generally for him/her and in his/her place. Such deputy or deputies shall be in the exempt class of the Civil Service;

9. Have authority to employ and remove such persons as required to perform his/her powers and duties;

10. Have authority to contract with such persons or entities as required to perform his/her powers and duties;

11. Have authority to adopt rules and regulations not inconsistent with law for the conduct of the affairs and business of the Public Works Department;

12. Have such other related powers and additional duties as may be authorized by local law, resolution or other direction of the County Legislature;

13. Make such periodic reports to the County Legislature as it may require from time to time.

14. Have authority to appoint and remove at his/her discretion one secretary to the Commissioner of Public Works, which shall be in the exempt class of Civil Service.

SECTION 5. Delegation of Powers and Duties. The Commissioner may delegate any of these specific powers and duties which he/she has, or may have, under any general law, special law, local law or resolution, to one or more persons within the Public Works Department, by designating in writing any of these specific powers and duties which he/she has delegated, and the person and his/her title to whom such power or duty has been delegated. Such written designation shall be filed in the Office of the Clerk of the County Legislature. The Commissioner may thereafter revoke, in whole or in part, any such designation by a written revocation which shall also be filed in the Office of the Clerk of the Legislature.

SECTION 6. Power of County Legislature Not Divested. Notwithstanding any provisions of this local law to the contrary, the County Legislature is not divested of any power delegated under this local law that can only be divested by local law subject to mandatory referendum, and by reason thereof, the exercise of any such non-divested power delegated under this local law is subject to:

1. the supervision and control of the County Legislature;
2. any resolution enacted prior to the effective date of this local law that has established conditions in, or pre-requisite to, the exercise of any such powers; and,
3. any resolution enacted after the effective date of this local law that assigns, modifies or revokes such power.

SECTION 7. Repeal of Local Law 1-1985. Local Law Number 1-1985 (Intro Number 1-1985) entitled "A Local Law Providing for the Creation of a Cattaraugus County Public Works Department and the Office of Cattaraugus County Commissioner of Public Works" is hereby repealed. Any legislation deriving its authority from Local Law Number 1-1985 shall remain in full force and effect, unless superseded either herein or by subsequent legislative action.

SECTION 8. Statutory Repeal. All resolutions, local laws and motions inconsistent with the provisions hereof are hereby superseded.

SECTION 9. Severability. If any article, section, subsection, paragraph phrase, or sentence of this Local Law is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion hereof.

SECTION 10. Effective Date. This Local Law shall take effect immediately upon filing with the Secretary of State as provided in Section 27 of the Municipal Home Rule Law.

**LOCAL LAW NUMBER 3 - 2022  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rules Law.

**A LOCAL LAW CREATING THE CATTARAUGUS COUNTY DEPARTMENT OF BUILDINGS AND GROUNDS  
AND THE POSITION OF DIRECTOR OF THE DEPARTMENT OF BUILDINGS AND GROUNDS**

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 develop the management infrastructure devoted to the buildings and grounds owned and operated by the County of Cattaraugus.

SECTION 2. Creation of Department of Buildings and Grounds. Effective February 14, 2022, there is hereby created a department in Cattaraugus County to be known as the Department of Buildings and Grounds. The Department of Buildings and Grounds is responsible for providing the County with clean, safe, and attractive buildings and grounds and for other services including maintenance, repair and janitorial tasks of County-owned buildings.

SECTION 3. Director of the Department of Buildings and Grounds.

3.1 The Department of Buildings and Grounds shall be under the direction of the Director of Buildings and Grounds.

3.2 The Director of Buildings and Grounds shall be appointed and removed by the County Legislature.

3.3 The salary of the Director of Buildings and Grounds shall be fixed by the County Legislature.

3.4 The Director of Buildings and Grounds shall be appointed for a term of four (4) years.

3.5 The Director of Buildings and Grounds shall be in the non-competitive class of the Civil Service, subject to the approval of the New York State Department of Civil Service.

3.6 The Director of Buildings and Grounds shall possess at the time of appointment, and maintain throughout the term, all qualifications as determined by the Personnel Officer.

SECTION 4. Powers and Duties of Director of Buildings and Grounds. The Director of Buildings and Grounds shall have the following powers and duties:

4.1 Authority to perform all the duties herein or hereafter conferred, or imposed by law, upon a Director of Buildings and Grounds;

4.2 Responsible for the daily facility custodial and cleaning operations, building maintenance and grounds upkeep, including walkways and sidewalks at each County facility. Included in this area are also trade mechanics, carpentry, plumbing, energy management, and HVAC and boiler maintenance. Daily operations include all custodial and cleaning operations, building maintenance and grounds maintenance;

4.3 Have charge and supervision of the design, construction, alteration, maintenance, repair, and custodial care of all County buildings and real property, except as otherwise provided by law;

4.4 Authority to employ such persons as required to perform his or her powers and duties, subject to the approval of such employment by the County Legislature, and authority to remove persons from such employment under the provisions of Civil Service Law Section 75, or the Collective Bargaining Agreement, whichever removal process applies;

4.5 Authority to negotiate contracts with such persons or entities, as required to perform his or her powers and duties, subject to approval of such contracts by the County Legislature;

4.6 Authority to adopt rules and regulations not inconsistent with law for conduct of the affairs and business of the Department of Buildings and Grounds;

4.7 Have the authority to designate one or more deputies with power to act generally for the Director of Buildings and Grounds, and in the Director's place;

4.8 Such other powers and additional duties as may be authorized by local law, resolution or other direction of the County Legislature.

SECTION 5. Department Responsibilities. The employees of the Department of Buildings and Grounds shall implement the policies of the County Legislature, under the direction of the Director of Buildings and Grounds.

SECTION 6. 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 affect, 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 7. Effective Date. This Local Law shall take effect immediately upon filing with the Secretary of State as provided in Section 27 of the Municipal Home Rule Law.