

January 5, 2022

The meeting was called to order by the Clerk of the Legislature, John R. Searles.

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed all Legislators present.

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Mr. Searles stated the Legislature should now elect a Chairman for the year 2022, and asked for nominations.

MR. BURR nominated Howard V. VanRensselaer; seconded by Mr. Brisky. Carried.

MR. BENSON moved, seconded by Mr. Brisky to close the nominations. Carried.

By roll call vote, MR. VANRENSELAER was unanimously elected Chairman for the year 2022.

CHAIRMAN VANRENSELAER addressed the Legislature:

I would like to thank the legislators for my reappointment as Chairman of the Legislature. I will serve with honor and respect of the responsibilities of this position. I would like to thank the legislators for their continued dedication to the issues that we've faced in 2020 and 2021. The success of the County goes to our administration, department leaders, and all of our employees who have been here for us during these difficult times. We have a good sound budget that will serve the residents of Cattaraugus County well; some of which include rebuilding and improving our highway system and improving Onoville Marina.

Thank you for your support, and I will continue to do my best to be a faithful steward and look forward to working with all of you as we serve the citizens of Cattaraugus County.

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CHAIRMAN VANRENSELAER asked for nominations for Vice-Chairman for the year 2022.

MR. BRISKY nominated Andrew Burr; seconded by Mr. Parker. Carried.

MR. BRISKY moved, seconded by Ms. Schröder to close the nominations. Carried.

By roll call vote, MR. BURR was unanimously elected Vice-Chairman for the year 2022.

VICE-CHAIRMAN BURR addressed the Legislature:

Thank you to my fellow legislators for your support and for the opportunity to serve as your Vice-Chairman for 2022. I am proud of the great accomplishments we achieved this past year: Great Lakes Cheese Project and the 2022 Budget. The results show we work together for the good of the taxpayers. I look forward to working together with County management as we serve the people of Cattaraugus County. Thank you for your support.

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CHAIRMAN VANRENSELAER announced Michael Brisky has been chosen Majority Leader for the year 2022.

MAJORITY LEADER BRISKY addressed the Legislature:

I greatly appreciate your support. Working together as a team in 2021, we made good decisions for Cattaraugus County. We have a great team of staff, department heads and employees, and I look forward to working together in 2022; hats off to all!

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MAJORITY LEADER BRISKY announced that Norman Marsh has been chosen Assistant Majority Leader and Kelly Andreano has been chosen Majority Whip for the year 2022.

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CHAIRMAN VANRENSELAER announced David Koch will serve as Minority Leader for the year 2022.

MINORITY LEADER KOCH addressed the Legislature:

Coming in to today's meeting, I considered what I might say to reflect on this last year, and I realized that I have served my district as a legislator for 10 years now...and I have to say...in the last 10 years, I have never seen any legislator, or any group, use this legislative body to promote their own personal political agenda the way the legislature was used this last year. And, I find that quite disturbing. Now, I am a registered Democrat and I ran for office as a Democrat, and because I was elected by a majority of voters, I know they were not all Democrats that voted for me. So, when I come here to represent my district, I try to do my best to meet the needs for all the people in my district, knowing that we don't all have the same political views.

Now, there are some 77,000 residents of Cattaraugus County and I am sure that they don't all share the same political view point or vision. So especially when our County is still in the midst of a very real and serious Public Health Crisis, I would hope that maybe, we could work together, to address the health, and safety, and welfare of all the people.

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COUNTY COURT JUDGE RONALD D. PLOETZ administered the oath of office to the members of leadership.

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CHAIRMAN VANRENSELAER announced that Ann Giglio will serve as Journal Clerk for the year 2022.

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There being no amendments or objections thereto, Chairman VanRensselaer noted that the minutes of the December 8, 2021 session stand approved as presented.

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**COMMUNICATIONS:**

Chemung County Legislature: Resolution No. 21-682, Resolution Opposing Governor Kathy Hochul's Abrupt, Secretive and Unsafe Prison Closures on Public Safety and Economic and Environmental Grounds.

Letter of Disclosure From:

Mrs. Kelly J. Andreano  
Mr. Michael M. Brisky  
Mr. M. Andrew Burr  
Mr. David M. Koch  
Ms. Ginger D. Schröder  
Mr. Howard V. VanRensselaer

Dear Legislators:

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

It is to further advise you that I am employed by the Olean City School District as Chair of the Committee on Preschool Education and Speech. Cattaraugus County contracts with the Olean City School District for Preschool Special Education services.

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

Sincerely,  
Kelly J. Andreano, County Legislator

Dear Legislators:

This letter is to advise you that I am the duly elected, qualified and acting County Legislator of District #3 of the Cattaraugus County Legislature.

It is to further advise you that my mother, Kelle Brisky, is employed by Cattaraugus County as the Republican Deputy Commissioner at the Board of Elections.

It is to further advise you that my company, Panther Development LLC, owns and operates a number of rental units in Cattaraugus County, and in connection therewith, I do at times rent to people who receive assistance from the Cattaraugus County Department of Social Services. Therefore, I am occasionally reimbursed indirectly for the rent of said individuals who receive benefits from the Department of Social Services.

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

Sincerely,  
Michael M. Brisky, County Legislator

Dear Legislators:

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

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

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

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

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

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

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

Sincerely,  
M. Andrew Burr, County Legislator

Dear Legislators:

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

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

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

Sincerely,  
David M. Koch, County Legislator

Dear Legislators:

This letter is to advise you that I am the duly elected, qualified and acting County Legislator of District #3 of the Cattaraugus County Legislature.

It is also to advise you that for the past six years I have served as a volunteer in an investigative/resource role with the Society for the Prevention of Cruelty to Animals in Cattaraugus County. In that role I assist with animal cruelty calls involving equines and farm livestock, provide resources to the organization for such calls and handle issues relating to advice with respect to the applicability and scope of Article 26 of the New York State Agriculture and Markets Law. In that role I am also often called upon by the deputies with the Office of the Sheriff to assist them in cruelty calls with advice and resources and/or by attorneys with the District Attorney's Office on evidence gathering/resources.

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

Sincerely,  
Ginger D. Schröder, County Legislator

Dear Legislators:

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

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

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

Sincerely,  
Howard V. VanRensselaer, County Legislator

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#### **APPOINTMENTS:**

##### **CATTARAUGUS COUNTY AGING ADVISORY COUNCIL**

*One-year terms to expire December 31, 2022*

Frank Aloï	Barbara Hastings
Tammy Benjamin	Ann Ploetz
Judith Blair	Sylvia Say
Diane Boser	Terry Shaw
James Boser	Dr. Kevin Watkins
Rita Fischer	

##### **CATTARAUGUS COUNTY MEMORIAL MUSEUM BOARD**

*Five-year term to expire December 31, 2026*

Patrick Cullen

**SOUTHERN TIER WEST REGIONAL PLANNING & DEVELOPMENT BOARD***Three-year terms to expire December 31, 2024*

R. Donald Benson  
Charles W. Couture  
Norman L. Marsh

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**ACT NO. 1-2022** by Mr. VanRensselaer

**ADOPTION OF 2022 RULES OF ORDER**

Pursuant to Section 153 of the County Law.

RESOLVED, that the Rules of Order of the Cattaraugus County Legislature for the year 2021 shall be as follows:

**RULES OF ORDER  
OF THE  
CATTARAUGUS COUNTY LEGISLATURE**

**RULE 1. ORGANIZATION MEETING**

**1.1** The organization meeting of the Legislature shall be held on or before January 8 in each year for election or appointment of all officers and employees. The Clerk shall call the meeting to order and the first order of business shall be the election of a Chair for the ensuing year. The Legislature, under the Chair, shall proceed with the election of a Vice-Chair whose term of office shall be for the current year.

**1.2** At the organization meeting commencing a new legislature, the Legislature shall appoint a County Attorney to act during the term of office for which the then members of such Legislature were elected.

**1.3** The Chair shall appoint the Journal Clerk whose term of office shall be for the current year.

**1.4.1** The Chair shall announce one majority leader selected by the members affiliated with one political party having a majority of the legislative membership.

**1.4.2** The majority leader shall be a member of the Finance Committee.

**1.5.1** The Chair shall announce one minority leader selected by the members affiliated with a political party or combination of political parties, other than the political party of the majority leader.

**1.5.2** The minority leader shall be a member of the Finance Committee.

**RULE 2. REGULAR MEETINGS**

**2.1** Regular meetings shall commence at 5:00 p.m. on the second and fourth Wednesdays of each month, except, that in the months of July and August, the only regular meeting will be the fourth Wednesday, and in the month of December, the only regular meeting will be the second Wednesday.

**RULE 3. SPECIAL MEETINGS**

**3.1** Special meetings shall be at the call of the Clerk upon the direction of the Chair, or at the call of the Clerk of the Legislature upon direction of the Vice-Chair provided that upon convening, a majority of the members of the Legislature pass a resolution ratifying such call, or upon written request signed by Legislators representing a majority of the Legislature.

**3.2** A notice in writing stating the time, place and purpose of the special meeting shall be served personally or by email upon each member of the Legislature by the Clerk at least 48 hours before the date fixed for holding the meeting, or a member may waive the service of a notice for such meeting by a writing signed by the member.

**3.3** Only business specified in the notice may be transacted at a special meeting.

**RULE 4. PLACE AND TIME OF MEETINGS**

**4.1** All meetings shall be held at the Legislature Chambers in Little Valley, New York, and shall begin at the hour specified in these rules, unless a different time or place is provided by a motion for adjournment or by the call for the meeting.

**4.2** The Clerk shall notify members, County Officers and Department Heads of all meetings, except adjourned regular meetings.

**RULE 5. PRESENCE OF COUNTY ATTORNEY and COUNTY ADMINISTRATOR**

**5.1** The County Attorney shall be present during all legislative meetings for the purpose of advising the Legislature on legal questions, unless excused by the Chair.

**5.2** The County Administrator shall be present during all legislative meetings for the purpose of counsel and advice, unless excused by the Chair.

**RULE 6. QUORUM**

**6.1** A majority of the full Legislature shall constitute a quorum for the transaction of business, but a lesser number may adjourn.

**6.2** When a quorum is not present, the Clerk of the Legislature, upon request of the members present, shall notify members in the manner specified for calling special meetings that an adjourned meeting will be held at a specified time.

**RULE 7. TEMPORARY CHAIR**

**7.1** Upon the appearance of a quorum, the Chair shall call the Legislature to order.

**7.2** In the case of the non-appearance of the Chair, the Vice-Chair shall conduct the meeting.

**7.3** In the case of the non-appearance of the Chair or the Vice-Chair, the Majority Leader shall conduct the meeting.

**7.4** In case of the nonappearance of the Chair, Vice-Chair or Majority Leader within fifteen minutes of the appointed hour, the Clerk shall call the Legislature to order and a Chair pro tem shall be elected to preside for such day only, or during the absence of the Chair. The Chair pro tem shall have and exercise all of the powers and duties of the Chair at the meeting over which the Chair pro tem is called to preside.

**RULE 8. ORDER OF BUSINESS**

**8.1** The order of business at each session shall be as follows, with the exception of times set apart for the consideration of special orders of the day:

1. Call to order by Chair.
2. Roll Call by Journal Clerk.
3. Invocation at each regular meeting.
4. Pledge of Allegiance.
5. Presentation of notices, petitions, claims, communications and departmental reports.
6. Privilege of the floor, subject to Rule 11.1.
7. Correcting and approving the minutes of any previous meetings.
8. Resolutions, motions and notices ready for action.
9. Resolutions presented for immediate consideration.
10. Unfinished business.
11. Adjournment.

**RULE 9. ROLL CALL**

**9.1** On roll call, the Journal Clerk shall record by name all members present or absent. It shall be the duty of any Legislator arriving late or departing before adjournment to advise the Journal Clerk of his/her arrival and his/her departure and it shall be the duty of the Journal Clerk to note the name of the Legislator and the time by hour and minutes of his/her late arrival or early departure.

**RULE 10. MINUTES OF PREVIOUS MEETING**

**10.1** Minutes of the previous meeting shall not be read, unless requested by any Legislator, by motion duly made, seconded and adopted by majority vote.

**RULE 11. PRIVILEGE OF THE FLOOR**

**11.1** A person, other than a member of the County Legislature, may be granted the privilege of the floor by the Chair only on agenda items upon the request of a Legislator, unless a motion is made by a Legislator for a vote on extending the privilege. If such motion is made, a majority vote shall be made to extend the privilege. Such privilege may be granted upon non-agenda items by advance notice to the Chair prior to the meeting. The Chair, in its discretion, may set reasonable limitations upon the duration of time for which the privilege will be extended. In addition to persons granted the privilege of the floor, the Chair may extend such privilege under other appropriate times and circumstances. For purposes of this rule only, the Clerk of the Legislature and the County Attorney shall have the same speaking privilege as a Legislator.

**11.2** If a person, other than a member of the County Legislature, in speaking transgresses the rules of the Legislature, the Chair or any member may call him/her to order and the Chair may suspend the privilege.

**RULE 12. PRESENTATION AND WITHDRAWAL OF MOTIONS AND RESOLUTIONS**

**12.1** All resolutions shall be reduced to writing and filed with the Clerk.

**12.2** Every resolution shall contain the name or names of the sponsors, a short title setting forth the purpose of the proposed action, and a reference to the law or laws, if any, from which the authority to pass the resolution shall be derived.

12.3 All resolutions and local laws shall be filed with the County Attorney not later than noon of the 13<sup>th</sup> day before the Legislature meeting.

12.4 All resolutions shall provide the name of the prime sponsor, or sponsors, on the first line.

12.5 Upon the request of the prime sponsor, or sponsors, prior to action taken by the legislature, the name or names of additional sponsors shall be added to the resolution in alphabetical order on the second line with the majority members listed first and the minority members listed second. Such permission may be given by the sponsor or sponsors either in writing to the Chair of the Legislature prior to the legislative meeting at which the resolution is to be debated or orally when the resolution is on the floor for discussion.

12.6 If a Committee is sponsoring a resolution, then the names of the committee members shall appear on the first line as prime sponsors with additional sponsors listed on the second line.

12.7 Each resolution shall indicate the year of its introduction.

12.8 The Clerk of the Legislature shall assign all resolutions and correspondence to the proper committee or committees for proper action.

12.9 A copy of all resolutions shall be emailed to each Legislator. The Deputy Clerk of the Legislature shall place a copy of all resolutions in each Legislator's mail box located in the Office of the Assistant to the Legislature.

12.10 All committees with business to transact shall meet on the seventh day preceding the meeting of the Legislature. Five days preceding the meeting of the Legislature, the Clerk shall cause to be reproduced and emailed to all Legislators copies of all resolutions and the disposition, if any, of them.

12.11 The term "resolution" as herein used shall mean a formal proposed action, in writing, to be read by the Journal Clerk. Any proposed action given orally from the floor shall be deemed a motion.

12.12 No motion shall be debated until seconded. After a motion or resolution is stated by the Chair or read by the Journal Clerk, it shall be deemed to be in the possession of the Legislature and open for debate, but may be withdrawn at any time before decision is made or an amendment is adopted. A resolution may be withdrawn by the author. A motion or amendment may be withdrawn by the two members who offered and seconded it. The names of the members who offered and seconded the motion shall be entered in the proceedings by the Clerk.

12.13 All resolutions memorializing action on pending legislation by the State Legislature shall be identified by setting forth the Assembly or Senate Introductory Number of the legislation.

12.14 All resolutions in committee or reported on by committee and not acted on by committee and not acted on by the Legislature before the end of the year shall die each December 31.

12.15 No resolution shall be filed with the Clerk of the Legislature until it has been approved as to legality and form by the County Attorney. The County Attorney shall indicate his/ her approval of legality and form of the resolution by initialing the original copy of the resolution.



12.16 Each paragraph of each resolution or local law shall be numbered consecutively.

12.17 Paragraphs 12.3, 12.8 and 12.9 of this rule shall not apply to the organizational meeting in January, nor to tax and budget resolutions introduced in November and December.

12.18 Where applicable, a resolution request form shall be filed with the County Attorney prior to resolution preparation.

12.19.1 All proposed local laws and the public hearing resolutions accompanying them, after being passed out of the committees to which they are assigned, will appear on the legislative agenda for the next meeting of the Legislature, but the local law shall be listed under an agenda category entitled "Local Laws Not Ready for Final Action". No legislative action on a local law so listed except amendment may occur at that meeting. At the meeting at which the public hearing on a local law is scheduled to be held, the local law shall be listed on the legislative agenda under the category entitled "Resolutions, Motions and Notices Ready for Action", although the local law may not be acted upon until after the public hearing is held and closed.

12.19.2 Local laws and their accompanying hearing resolutions filed for immediate consideration will both be provided to the Legislature. In the event that the Legislature votes, pursuant to Rule 16.3, to consider the hearing resolution, it may be acted upon at the meeting at which it is introduced. In the event that the Legislature votes, pursuant to such rule, to consider the local law at that meeting, no legislative action on such local law may then occur except amendment. After such meeting of the Legislature, the procedure set forth in the last sentence of Rule 12.19.1 shall apply.

12.20 Beneath the caption of each proposed local law, there shall appear a brief description of the local law in plain language including its purpose and intent.

12.21 Academic and athletic achievement resolutions should be sponsored by all legislators.

#### RULE 13. RESOLUTIONS AND LOCAL LAWS CREATING COUNTY POSITIONS

13.1 Any local law or resolution seeking to create a new County position or fill a vacancy shall comply with the County policy adopted by Act 68-2003 as amended.

#### RULE 14. SPONSORSHIP OF COUNTY PROPERTY SALES

14.1 Every resolution which authorizes the sale of any County property, other than tax title property, must be sponsored by a majority of the Legislators representing the district in which the property is located.

#### RULE 15. TRANSFER OF FUNDS

15.1 Any resolution authorizing or directing the transfer of funds from any account to another account shall not be adopted unless such resolution or transfer of funds be accompanied by an explanation to be submitted by the applicable department head, fully explaining the reason and necessity of such transfer.

15.2 All other transfers of funds shall be made in accordance with Local Law Number 5-1985 (Intro Number 10-1985), as amended.

**RULE 16. AGENDA**

**16.1** The Clerk shall prepare a statement of the order of business for each meeting of the Legislature which shall also contain the title and sponsor of each resolution to be presented together with the number to be assigned thereto.

**16.2** The order of business shall be emailed prior to the regular meeting or be placed on the desk of each Legislator.

**16.3** Any resolution not set forth in the order of business shall be tabled by the Chair until the next meeting of the Legislature, unless, upon motion regularly made and adopted by a two-thirds vote of the Legislators, the consideration of such resolution is authorized. The motion shall be as follows: "Move that Resolution No. \_\_\_\_ be considered at this time."

**16.4** Any resolution appearing on the agenda will not be read at the meeting of the Legislature, but shall be called up by referring only to the Act number and the title, as hereinabove set forth, the same shall be deemed to be before the Legislature with the full force and effect as though the same had been fully read; if, however, any Legislator requests the reading of the resolution in full, such resolution must be read to the Legislature.

**16.5** Information, correspondence, and non-County resolutions not germane to the regular legislative meeting shall be filed with the Journal Clerk.

**RULE 17. UNFINISHED BUSINESS**

**17.1** All reports, resolutions, and other matters laid on the table, may be called therefrom under "Unfinished Business" in the regular order of business.

**17.2** All questions laid over by rule, or by request of any member, for one day shall be considered in order on the succeeding day or at the next session, under the head of "Unfinished Business."

**RULE 18. ORDER AND DECORUM**

**18.1** The Chair shall preserve order and decorum and shall decide all questions of order subject to an appeal to the Legislature. If an appeal be taken from the decision of the Chair, the Chair shall have the right in his/her place to make known the reason for his/her decision. The Legislature shall decide the case without debate and the question shall be stated, "Shall the ruling of the Chair be sustained?"

**18.2** In order to debate, to give a notice, to make a motion, or to present a petition or other papers, a Legislator must rise and be recognized by the Chair before he/she shall proceed. When two or more Legislators rise to speak at the same time, the Chair shall determine who is entitled to the floor.

**18.3** While a member is speaking, no member shall entertain any private discourse or pass between the speaker and the Chair.

**18.4** While the Chair is putting a question, or while the roll is being called, no member shall speak or leave his/her place.

**18.5** If any member, in speaking, transgresses the rules of the Legislature, then the Chair or any member may call him/her to order, in which case the member so called to order, shall immediately sit down, unless permitted to explain. He/She shall remain seated until the Chair determines the point raised

and if the point shall be sustained, then such member shall not further proceed, except on order and by permission of the Chair.

18.6 When a motion to adjourn is carried, the members shall keep their seats and places until the Chair declares the Legislature adjourned.

18.7 While the Legislature is in session no person other than members of the Legislature shall be allowed on the floor without the consent of the Chair, except the County Attorney, Journal Clerk, County Administrator or his/her designee. "On the floor" shall be designated as that area surrounding the Legislators' desks; all other County officers, department heads and interested persons and spectators shall remain in seats provided outside the railing, unless otherwise instructed by the Chair. The space designated for individuals wishing to videotape public meetings shall be at the end of the public area behind the railing next to the Chamber windows. The space designated for the print and audio media shall continue to be to the left of the podium.

18.8 In order to have an orderly presentation of speakers at public hearings, the Legislative Assistant shall maintain a sign-up sheet for persons interested in speaking at such hearings.

18.9 During public hearings, the Chair may set a reasonable limitation upon the duration of time for which members of the public will be granted the privilege of the floor.

18.10 Errors in actual fact made during public hearings may be corrected or addressed by the Chair, or his/her designee.

18.11 A member wishing to make comments germane to a resolution under consideration by the Legislature may submit such comments, not to exceed 75 words, in writing to the Journal Clerk on the date that the resolution is under consideration by the Legislature.

18.12 Matters raised by any person which are not germane to a resolution under consideration may be referred by the Chair to the appropriate committee.

#### RULE 19. RULES OF DEBATE

19.1 No debate shall be in order until the pending question shall be stated by the Chair.

19.2 If the question being debated contains several distinct propositions, the same shall be divided by the Chair at the request of any member, to the end that a vote may be taken on each proposition.

19.3 All questions relating to the priority of business, that is, the priority of one question or subject matter over another, under the same order of business, shall be decided by the Chair without debate.

19.4 When the reading of any paper is called for and objected to by any member, the question shall be determined without debate by a vote of the Legislature.

19.5 The Vice-Chair shall assume the chair to preside when the Chair desires to speak from the floor on any pending matter. In the absence of the Vice-Chair, the Chair, with the permission of the majority of the Legislature, may designate an acting Chair to preside when the Chair desires to speak from the floor on any pending matter. Such designation shall be effective until the question on the floor is disposed of, or the Chair elects to return to the Chair.

19.6 The Chair may limit the speaking of a member on any motion or resolution, or any amendment to a motion or resolution, to three times.

#### RULE 20. MOTIONS AND THEIR PRECEDENCE

20.1 When a question shall be under consideration, no motions shall be made except as herein specified, which motions shall have precedence in the order stated:

##### UNDEBATABLE

1. For adjournment of the Legislature
2. Take recess
3. Raise a question of privilege
4. To lay on the table
5. For the previous question
6. Limit or extend limits of debate

##### DEBATABLE

1. Postpone to a certain time
2. Commit or refer
3. Amend
4. Postpone indefinitely
5. Main motion

20.2 The motion to adjourn or to take a recess shall always be in order, but cannot be made while the Chair is putting a question or while a member has the floor or after the previous question has been ordered or while the Journal Clerk is calling the roll, or while in Committee of the Whole.

#### RULE 21. DEBATE CLOSURE

21.1 When a debate has run its course, a member may rise to request debate closure. The member must be recognized by the Chair prior to requesting debate closure. The Chair may recognize those members who were standing prior to the request for debate closure. When the Chair determines that the debate is concluded, the Chair shall put the resolution or motion on the floor to a vote.

21.2 Alternatively, a member may move the previous question. The motion requires a second, is non-debatable and requires a two-thirds vote.

#### RULE 22. QUESTIONS LAID OVER BY REQUEST

22.1 Any motion, resolution, or any other proposition giving rise to debate, except matters before the Legislature as unfinished business, or any regular parliamentary motion and any motion referring to a motion, shall lie over to the next day if so requested by a majority vote of the Legislature, but shall not be again postponed unless made a special order.

#### RULE 23. RULES OF VOTING

23.1 The ayes and nays shall be taken on all questions requiring a vote of the Legislature when required by statute. A roll call vote may be taken under all other circumstances, provided that two legislators request that such a roll call vote be taken. Except where otherwise specifically provided by these rules, Roberts Rules of Order, or by statute, a majority vote of the members shall govern. Every member who shall be present on the floor (as defined in Rule 18.7) when a question is stated by the Chair shall vote thereon, except that a legislator who has a prohibited conflict of interest under the General Municipal

Law or the County's Code of Ethics shall not vote after stating his/her connection with the matter under consideration and obtaining a ruling from the County Attorney that such constitutes prohibition from voting. If a legislator who is present on the floor and not prohibited from voting refuses or otherwise fails to vote, then the Chair shall direct the Clerk to record such member's vote in the affirmative on the question being voted on.

23.2 In the event that a legislator wishes to leave the floor before a question is stated by the Chair, he/she must do so before the question is called, and announce his/her absence to the Journal Clerk, who shall record it, and thereafter announce his/her return to the Journal Clerk.

23.3 The order of voting at meetings of the Legislature shall be rotated alphabetically, beginning with the letter 'A'. For example, legislator 'A' would be required to vote first on resolutions requiring a roll call vote considered at the first meeting held during the year, Legislator 'B' would vote first on resolutions considered at the second meeting, etc., continuing through the members of the Legislature alphabetically for the meetings held during the remainder of the year.

#### RULE 24. STANDING COMMITTEES

24.1 The Chair shall appoint the members of all standing committees and special committees. All standing committees shall be appointed for the current year, but shall hold over until new committees have been appointed by the Chair, except at the end of a legislative term, at which time all committee assignments terminate. No person shall continue to serve after he/she has ceased to be a member of the Legislature. In order to conduct official business, a quorum, consisting of the majority of the committee, shall be required.

Standing committees and number of members are as follows:

Number	Name of Committee	Number of Members
1.	County Operations/Public Safety	7
2.	Development & Agriculture	7
3.	Finance	7
4.	Human Services	7
5.	Labor Relations	5
6.	Public Works	7
7.	Strategic Planning	7

Duties and scope of each committee are listed in the Appendix.

#### RULE 25. SPECIAL COMMITTEES

25.1 Special committees may be authorized at any legal meeting of the Legislature. They shall be appointed by the Chair. Any resolution creating any special committee shall specify the powers and duties of the committee and the number of its members.

#### RULE 26. ADVISORY COMMITTEES AND LEGISLATIVE REPRESENTATIVES

26.1 Advisory committees and legislative representatives shall be appointed in the same manner as special committees.

**RULE 27. COMMITTEE OF THE WHOLE**

**27.1** In order to consider matters informally the Legislature may, at any time when in session, resolve itself into a Committee of the Whole on any subject before it. The Chair, or, in the Chair's absence, the Vice-Chair, shall preside.

**27.2** The rules of the Legislature shall be observed by this committee insofar as they are applicable, except that the previous question shall not apply; nor shall the number of times a member may speak be limited, and except that the ayes and nays shall be taken. The only motions in order are, "to amend," "to adopt," and "to rise and report." A motion to rise and report progress shall always be in order at any stage, and shall be decided without debate.

**27.3** The committee cannot refer the subject to another committee.

**27.4** Local Laws and other matters shall be considered in Committee of the Whole, in the following manner: They shall first be read through, if the committee so directs; otherwise, they shall be read and considered by sections, leaving the title to be last considered. All amendments in their proper connection shall be reported to the Legislature.

**RULE 28. REFERRAL TO COMMITTEES**

**28.1** All petitions, communications, budget adjustments, reports, resolutions, motions, etc., requiring action of a committee, shall be referred by the Chair, without motion, to the appropriate committee, unless otherwise ordered by the Legislature.

**RULE 29. COMMITTEES IN GENERAL**

**29.1** The first member designated on each committee shall be the Chair thereof, and the second member the Vice-Chair. In the absence of the Chair and Vice-Chair of the committee, the senior-ranking committee member of the Majority party shall become the temporary Chair of the committee. Under all circumstances, a committee quorum will be required for any official action.

**29.2** The Chair of each committee shall give, or cause to be given by the Clerk of the Legislature, notice in person, by telephone, or by email at least two days in advance of the meeting, the hour and place of each meeting, except no advance notice need be required when the committee meeting is held on a day when the Legislature shall be in session.

**29.3** All committee meetings shall be upon the lawful call of either the Chair of the County Legislature, the Committee Chair, or by the filing of a petition by a majority of the committee members with the Clerk of the Legislature.

**29.4** No committee meeting shall be adjourned until announced by the Chair of the committee or upon a vote of the majority of the members present.

**29.5** Action on any matter lawfully before any committee shall be taken only while a quorum of the committee is present and in session.

**29.6** Only those committee members and the sponsor or sponsors of a resolution shall address the resolution during the committee session. Other persons may speak with the permission of the Committee Chair. The Committee Chair may limit the time to address the Committee.

29.7 Any committee is authorized to accept advice and counsel of citizens not members of the Legislature.

29.8 Each committee chair shall be responsible for keeping the minutes of the meetings of his/her committee. The minutes shall be kept on a form prescribed and furnished by the Clerk. The minutes shall contain a brief summary of the business conducted by the committee, together with a record of the decisions made by the committee, as well as the time, place, and persons present, and any other pertinent information. A list of members of the committee present and pertinent facts such as meals, time and place of meeting shall be filed with the Clerk of the Legislature within one week after each meeting.

29.9 Any vacancy on a committee, standing or special, shall be filled by the Chair of the Legislature without delay.

29.10 Each committee shall have the power to investigate, in such manner as seems best, the particular branch or department of County Government under its supervision. Such investigation shall be authorized by a majority vote of the members of the committee. The Chair, County Administrator, County Attorney and Department Head shall be notified in writing.

29.11 Committees shall use their best efforts to deal only with agenda items at the Committee sessions on the first and third Wednesday of each month.

29.12 Committees, on making reports, shall return all papers relating thereto to the Clerk of the Legislature.

29.13 Committees shall have general charge of all matters pertaining to the work of this Legislature as indicated by the titles thereof, and as more specifically described as special duties, and each committee shall have supervision and charge of expenditures subject to the direction of the Legislature from appropriations indicated. Each committee shall contain members of the majority and minority parties, insofar as possible, in proportion to respective party representation on the Legislature.

29.14 The Committee Chair must report to the Chair of the County Legislature all situations where a Legislator's attendance falls below 50%.

29.15 Committees shall meet with Department Heads, from time to time, for mutual discussion of departmental objectives and/or problems.

29.16 All committee meetings shall be subject to the provisions of Article 7 of the Public Officers Law, together with any common-law privileges applicable under the circumstances.

#### RULE 30. REPORTS BY COMMITTEES

30.1 All committees, standing or special, shall, as promptly as possible, consider and submit to the Legislature, written reports upon such resolutions, communications, or other matters as may be referred to them. Once a majority of the members of a committee approve a resolution and sign a committee report so indicating, the resolution shall be deemed passed out of the committee. Resolutions not passed out of a committee shall be deemed "held" by the committee for further consideration. A resolution must be passed out of all committees to which it is assigned before it can be considered by the Legislature. The Finance Committee may only act on resolutions that have been passed out of all other committees to which they have been assigned.

RULE 31. PARLIAMENTARY QUESTIONS

31.1 On all points of order not governed by these rules, the general rules of parliamentary practice as outlined in Roberts Rules of Order, Revised, shall be referred to for the guidance of the Legislature and committees - special, standing, or advisory. The County Attorney shall be the parliamentarian for the Legislature and committees.

RULE 32. AMENDMENT OF RULES

32.1 These rules may be amended, and other rules added and adopted, by a two-thirds vote of the Legislature by a motion made after a previous notice of one day. All rules and resolutions in conflict with these rules are hereby repealed and rescinded to the extent that they conflict with the rules herein.

RULE 33. WAIVER OF RULES

33.1 These rules may be waived by a motion adopted by a two-thirds vote of the members of the Legislature but only so far as the rules affect or relate to a single resolution or rules may be waived for multiple resolutions provided each resolution is identified in the motion, and if any member objects to any resolution being included, it must be removed from the list and given consideration individually.

RULE 34. DUTIES OF THE CHAIR

34.1 In addition to those prescribed heretofore, the Chair of the Legislature shall have the following powers and duties:

- .1 To become familiar with the property, functions, and fiscal affairs of the County and make recommendations to the County Legislature on legislation, rules and regulations, and such other matters as he/she may deem material and advisable.
- .2 To see that the statutory and local laws and resolutions of the Legislature and directions of County Officers empowered to make the same, are faithfully executed, and to report to the Legislature any neglect of duty.
- .3 To advise department heads and officers and recommend matters deemed helpful to them in the performance of their duties.
- .4 To transfer employees temporarily from one department or office to another with the approval of the appointing officer or Legislature.
- .5 To determine what officer shall perform a particular power or duty not clearly defined by law.
- .6 To determine what officers and employees may attend conferences and schools conducted for the betterment of County government.
- .7 To execute and deliver in the name of the County all documents and contracts authorized by the County Legislature.
- .8 To call a meeting of any standing or special committee of the Legislature at any time.
- .9 To represent the County at all public hearings and conferences that he/she deems it necessary to attend.
- .10 The Chair of the Legislature shall be an ex-officio member of all standing and special committees and shall be notified of such meetings. The Chair, as such ex-officio member of all committees, shall not be counted in determining if a quorum is present and his/her vote shall not be counted on a motion to bring a resolution out of committee.
- .11 To execute all documents necessary for rights-of-way acquisitions, within budgetary appropriations.
- .12 To execute all change orders, within budgetary appropriations.



RULE 35. DUTIES OF THE VICE-CHAIR

35.1 The Vice-Chair shall have the following duties:

- .1 Shall preside over each duly constituted meeting of the Legislature, in the absence of the Chair.
- .2 Shall have and exercise all the powers and duties of the Chair at any meeting over which he/she is called to preside.
- .3 Shall have the right to name any member to perform the duties of Vice-Chair, but the power of such substitute shall not extend beyond the current session without the consent of the Legislature.
- .4 Shall, in the absence of the Chair, execute and deliver in the name of the County all documents and contracts authorized by the County Legislature.
- .5 Shall act as liaison between the Committee Chairmen and the Chair of the Legislature.
- .6 Shall exercise such other duties as may be determined by subsequent action of the County Legislature.
- .7 Shall be an ex-officio member of all standing and special committees, except for those committees to which the Vice-Chair is appointed as a member, and shall be notified of such meetings. The Vice-Chair, as such ex-officio member of all committees, shall not be counted in determining if a quorum is present and his/her vote shall not be counted on a motion to bring a resolution out of committee.
- .8 Shall be the Chair of the Finance Committee.

RULE 36. DUTIES OF THE CLERK OF THE LEGISLATURE

36.1 The Clerk shall keep a record of all acts and proceedings of the Legislature and be the custodian of the record vouchers and other papers required or authorized by law to be deposited in his/her office.

36.2 The Clerk shall prepare the tax rolls, except when otherwise directed by the County Legislature, and perform such additional and related duties as may be prescribed by law.

RULE 37. DUTIES OF THE JOURNAL CLERK

37.1 The Journal Clerk shall, at the pleasure of the Chair, read all resolutions, reports, and communications received by the Legislature and keep minutes of proceedings. The Journal Clerk shall, at the close of each session of the Legislature, make and furnish a transcript of the proceedings to each member of the County Legislature.

RULE 38. SERGEANT-AT-ARMS

38.1 At any public hearing held by the County Legislature, and at any other meeting of the Legislature, when requested by the Chair of the Legislature, the Sheriff of Cattaraugus County shall delegate one of his/her uniformed deputies to the Legislature Rooms to act as a sergeant-at-arms.

RULE 39. DUTIES OF THE COUNTY ADMINISTRATOR

39.1 The County Administrator shall have those powers and duties set forth in Local Law Number 5-1985 (Intro Number 10-1985), as amended, together with such other powers and duties as may be granted by Local Law or resolution of the County Legislature.

RULE 40. SALE OF COUNTY-OWNED TAX TITLE PROPERTY

40.1 The Real Property Tax Director shall annually, after the last day for property owners to redeem their property, secure a written property evaluation description sheet from the town assessor for each

parcel. Copies of these shall be submitted to the County Treasurer's Office no later than February 15 of each year.

40.2 The County Treasurer and the Real Property Tax Director shall review all properties, and recommend to the County Operations Committee, by April 15 of each year, where the auction will be held. After approval of the County Operations Committee, the auctions of those parcels shall be advertised in the official newspapers of the County, and such other newspapers as the Committee deems advantageous, for at least two successive weeks. The County Treasurer shall advertise such properties in a timely manner, so that the date of the auction shall be not less than three (3) days after the date of the second publication in the official newspapers.

40.3 The public auctions shall be conducted by such individual or individuals as the County Operations Committee deems appropriate.

40.4 The County requires a deposit of twenty percent (20%) of the bid price, in the form of cash, money order, certified check or credit card, to be applied to the purchase price. If the highest bidder fails to tender the 20% deposit before the deadline on the auction date, then the second highest bidder shall be notified that the second highest bidder is given the opportunity to tender the high bid price to the County. If the second highest bidder fails to tender the high bid price to the County by the deadline established on the auction date, then the parcel shall be reaucted on the same date. Once the auctioneer declares the final and highest bid, no deposit will be refunded.

40.5 If at public auction, the highest bidder tenders payment in excess of twenty percent (20%) of the high bid, and then fails to complete the purchase, the County shall retain twenty percent (20%) of the bid price. The excess shall be returned to the highest bidder within a reasonable time after the public auction.

40.6 All property shall be sold to the highest bidder, upon the recommendation of the County Operations Committee and upon the adoption of a resolution by the County Legislature. However, the County Operations Committee and the County Legislature reserve the right to reject any and all bids. Additionally, only "eligible bidders" shall be permitted to bid at any such auction. For the purposes of Rule 40, the term "eligible bidder" is defined as a person who, or corporation or other entity which, on the auction date is not an owner of any parcels of real property in Cattaraugus County that are the subject of a pending in rem tax foreclosure proceeding.

40.7 No property shall be sold to the former owner without competitive bidding if tender of payment of taxes, interest, penalties and other charges due on the property, including those County charges, County liens or County mortgages which may have been extinguished by the judgment of foreclosure, is made less than fifteen (15) business days prior to the date of public auction. The former owner shall not be given another opportunity to repurchase the County-owned tax title property if the property is not sold at the initial public auction but is subsequently reaucted.

40.8 The former owner shall not have an opportunity to tender payment of the back taxes, penalties, interest and other charges due on the property if the County conveys the property to another municipality, or the County declares the property necessary for County purposes.

40.9 No property shall be conveyed to another municipality unless the municipality reimburses the County for the amount of returned taxes for which the County has made whole to the municipality involved or any other town, city, village or school district.

40.10 Failure to tender the balance due to the County within 30 days from the date of bid acceptance by the Legislature will result in the forfeiture of the bid deposit by the highest bidder.

40.11 If the highest bidder fails to tender the balance due to the County within 30 days from the date of bid acceptance by the County Legislature, then the second highest bidder shall be notified that the Legislature will consider sale of the property to the second highest bidder at the high bid price. The second highest bidder shall notify the County within 30 days after notification by the County as to whether the second highest bidder will tender the high bid price to the County. Failure of the second highest bidder to tender the entire bid price within 30 days after notification by the County shall result in the property being placed on the next auction list.

40.12 The County Treasurer's office shall assist the highest bidder, or former owner, in recording the County Treasurer's deed.

40.13 A successful bidder shall be responsible for payment of the applicable current city and village taxes related to the spring auction, and school taxes related to the fall auction, at the time that the bidder tenders the bid balance to the County.

40.14 No sale of tax title property shall be made to any County Legislator, or County Legislator's spouse or dependent children, as defined by the County Ethics Code.

40.15 In the event that properties remain unsold after they have been offered for sale at two annual spring property tax auctions, and at the sole discretion of the County Treasurer and the Director of Real Property Tax Services, the County Treasurer's Office is hereby authorized to accept sealed bids for the purchase of such property until the close of business on the last day of July in each year, and a resolution authorizing the sale of any such property to the highest bidder shall thereafter be submitted to the Legislature for its consideration.

40.16 Properties sold for \$250.00 or less must be paid for in full on the auction date. This amount is non-refundable should the bidder fail to complete the purchase.

40.17 Any successful bidder who fails to tender the deposit upon being declared the successful high bidder, will be forbidden to participate in this or any future auction conducted on behalf of Cattaraugus County. If a purchaser fails to close on the parcels that he/she bids on at the auction, he/she may be prohibited from participating at future auctions held for Cattaraugus County.

40.18 The successful bidder/purchaser shall certify that he/she does not represent the former owner(s) of the property against whom the County foreclosed and has no intent to defraud the County of the unpaid taxes, assessment, penalties and charges which have been levied against the property. The successful bidder/purchaser agrees that neither he/she nor his/her assigns shall convey the property to the former owner(s) against whom the County foreclosed within 24 months subsequent to the auction date and, if such conveyance occurs, the purchaser understands that he/she may be found to have committed fraud and/or intent to defraud and will be liable for any deficiency between the purchase price at the auction and such sums as may be owed to the County as related to the foreclosure on the property and consents to immediate judgment by Cattaraugus County for said amounts.

**RULE 41. SALE OF SURPLUS EQUIPMENT**

**41.1** The Public Works Committee shall be responsible for the disposition of surplus equipment and other personal property of the County. Such Committee shall fix the times and places at which public auctions, the minimum number thereof being one per annum, shall be held and shall promulgate such additional rules and establish such procedures as may be necessary to effect the orderly and proper conduct thereof.

**41.2** All sales shall become final upon payment by the purchaser of the full amount of the purchase price.

**41.3** The Public Works Committee is authorized to employ such professional auctioneers from time to time for this purpose as may be necessary and to delegate its responsibility for the conduct of such auctions to one or more of its members or to any office of County government.

**41.4** All officers, departments, and other agencies of County government shall dispose of equipment no longer necessary for public use in the manner set forth herein. The disposition of a specific item of equipment by another method may be permitted, however, by the Committee.

**41.5** No sale of surplus equipment shall be made to any County Legislator, or County Legislator's spouse or dependent children, as defined by the County Ethics Code.

**RULE 42. PROCEDURE FOR BIDDING AND ACCEPTING BIDS**

**42.1** Specifications and bids will be set and determined by the Department Head and the standing committee of the Legislature that governs the respective department for which the item or services are being procured and, wherever possible, the specifications shall be written to conform with State bid specifications.

**42.2** No department, board, or other agency of County government shall advertise for sealed bids for any purpose which has not been included in the current year budget, without prior approval of the legislative committee which exercises jurisdiction over such agency.

**42.3** No committee shall authorize advertisement for sealed bids, unless the bid item is partially or entirely included in the current year's budget.

**APPENDIX  
STANDING COMMITTEES**

**1. COUNTY OPERATIONS/PUBLIC SAFETY (7 members)**

**1.1** This committee shall have charge of all matters relating to the following departments:

- .1 Board of Elections
- .2 County Attorney
- .3 County Clerk
- .4 County Museum
- .5 Information Services
- .6 Real Property Tax Service
- .7 Assigned Counsel
- .8 District Attorney
- .9 Emergency Services

- .10 Judiciary
- .11 Probation
- .12 Public Defender
- .13 Sheriff.

1.2 In addition, the committee shall have the following responsibilities:

- .1 General jurisdiction over general governmental functions.
- .2 Liaison with Chautauqua-Cattaraugus Library System.
- .3 Emergency Communications Systems.
- .4 Liaison with Fire Advisory Board.
- .5 Liaison with Society for Prevention of Cruelty to Animals (SPCA).
- .6 Liaison with Nuclear Waste industry.

2. DEVELOPMENT & AGRICULTURE (7 members)

2.1 This committee shall have charge of all matters relating to the Department of Economic Development, Planning and Tourism.

2.2 In addition, the committee shall have the following responsibilities:

- .1 General jurisdiction over matters relating to tourism and economic development in the County.
- .2 Liaison with the County Planning Board.
- .3 General jurisdiction over agricultural matters.
- .4 Liaison with the following:
  - .1 Agricultural Society
  - .2 Business Development Corporations
  - .3 Chambers of Commerce
  - .4 Cornell Cooperative Extension
  - .5 Empire Zone Corporation
  - .6 Federated Sportsmen
  - .7 Industrial Development Agency
  - .8 Local Development Corporations
  - .9 Salamanca Rail Museum
  - .10 Southern Tier West Regional Planning & Development Board.

3. FINANCE (7 members)

3.1 This committee shall have charge of all matters relating to the following departments:

- .1 County Administrator
- .2 County Treasurer.

3.2 In addition, the committee shall have the following responsibilities:

- .1 General jurisdiction over the financial affairs of the County.
- .2 Review tentative budget.
- .3 General jurisdiction over the following administrative divisions of the County Administrator:
  - .1 Auditing
  - .2 General Administration
  - .3 Purchasing.

- .4 General jurisdiction over community college issues.
- .5 Liaison with Off-Track Betting Corporation.

4. HUMAN SERVICES (7 members)

4.1 This committee shall have charge of all matters relating to the following departments:

- .1 Aging
- .2 Community Services
- .3 Coroners
- .4 Health
- .5 Nursing Homes
- .6 Social Services
- .7 Veterans Service Agency
- .8 Youth Bureau.

4.2 In addition, the committee shall have the following responsibilities:

- .1 General jurisdiction over all matters relating to the general welfare of persons in the County.
- .2 Liaison with the following contract agencies:
  - .1 Cattaraugus County Chapter NYSARC, Inc.
  - .2 Council on Addiction Recovery Services, Inc. (CaRES)
- .3 Liaison with Cattaraugus-Allegany Workforce Development Board.

5. LABOR RELATIONS (5 members)

5.1 This committee shall have charge of all matters relating to the following department:

- .1 Human Resources.

5.2 In addition, the committee shall have the following responsibilities:

- .1 All employee classifications, salary changes, and employment practices.
- .2 Vacancies shall be filled in accordance with Act 68-2003, as amended.
- .3 Shall review personnel issues after those issues have been reviewed by the respective program committees.
- .4 Shall have charge of matters that influence the general labor relations and employment policies of the County.
- .5 Shall have the authority to hear all matters pursuant to Civil Service Law Section 75 involving misconduct or incompetence by County employees, except to the extent that collective bargaining agreements provide otherwise, and may, upon motion, appoint or designate a hearing officer, to act in its stead, to hear such matters and make recommendations to the County Legislature accordingly.

5.3 Upon delegation by the Chair, this committee shall consider fiscal and other matters dealing with collective bargaining and employee relations.

5.4 This committee's members, plus the Chair of the County Legislature, are the Employer representatives to the Labor-Management Committees referred to in the collective bargaining agreements.

6. PUBLIC WORKS (7 members)

6.1 This committee shall have charge of all matters relating to the Public Works Department.

- 6.2 In addition, the committee shall have the following responsibilities:
- .1 General jurisdiction over all County buildings and grounds.
  - .2 Watershed Program.
  - .3 Liaison with Cattaraugus County Soil & Water Conservation District.
  - .4 Approve or disapprove requests from non-County government groups for County facility usage.
  - .5 General jurisdiction over all matters relating to solid waste.
  - .6 General jurisdiction over forestry matters.
7. STRATEGIC PLANNING (7 members)
- 7.1 This committee will have the following responsibilities:
- .1 General jurisdiction relating to the process of governmental review of planning mechanisms.
  - .2 Liaison with the following entities:
    - .1 Southern Tier West regarding governmental planning.
    - .2 All local governments within Cattaraugus County regarding sharing/coordination of services.
- 7.2 In addition, this committee shall have charge of all matters relating to cooperation and coordination/sharing of County services within Cattaraugus County.

Adopted January 5, 2022 by voice vote.

**ACT NO. 2-2022** by Mr. VanRensselaer

**AUTHORIZATION TO EMPLOY OUTSIDE COUNSEL**

Pursuant to Section 501 of the County Law.

WHEREAS, it is anticipated that the County of Cattaraugus will be involved in civil actions during the year 2022, and

WHEREAS, the civil actions may require the services of outside counsel, now, therefore, be it

RESOLVED, that the County Attorney be, and hereby is, authorized and directed, on behalf of Cattaraugus County, to employ outside counsel from time-to-time in the year 2022 to perform services in relation to civil actions that may be pending or may hereafter occur, with preference given to attorneys in Cattaraugus County.

Adopted January 5, 2022 by voice vote.

**ACT NO. 3-2022** by Mr. VanRensselaer

**AUTHORIZATION TO EMPLOY FISCAL ADVISORS**

Pursuant to Section 153 of the County Law.

WHEREAS, it is necessary to prepare in-depth financial statements and other financial paraphernalia to market the financial instruments issued by the County, and

WHEREAS, Fiscal Advisors and Marketing, Inc., 120 Walton Street, Suite 600, Syracuse, New York 13202, is a reputable municipal bond marketing service, and

WHEREAS, the cost of these professional services will come from the proceeds of the financial issues, and

WHEREAS, it is desirable to retain the services of Fiscal Advisors and Marketing, Inc., to prepare the necessary financial information, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby retains the firm of Fiscal Advisors and Marketing, Inc., to undertake the above-described financial services for Cattaraugus County.

Adopted January 5, 2022 by voice vote.

**ACT NO. 4-2022** by Mr. VanRensselaer

**AUTHORIZATION TO EMPLOY BONDING ATTORNEY**

Pursuant to Section 501 of the County Law.

WHEREAS, it is anticipated that the County of Cattaraugus will undertake certain programs during the year 2022 which will be financed through the sale of bonds, and

WHEREAS, these projects will require the services of a recognized bonding attorney, now, therefore, be it

RESOLVED, that the County Attorney be, and hereby is, authorized and directed, on behalf of Cattaraugus County, to employ a recognized bonding attorney from time-to-time in the year 2022 to perform services in relation to financing such programs as may hereafter be authorized by the Cattaraugus County Legislature.

Adopted January 5, 2022 by voice vote.

**ACT NO. 5-2022** by Mr. VanRensselaer

**DELEGATING AUTHORITY FOR CERTAIN REAL PROPERTY TAX  
REFUNDS AND CORRECTION OF TAX BILLS AND TAX ROLLS**

Pursuant to Sections 554(a) and 556(8)(a) of the  
Real Property Tax Law.

WHEREAS, Act 5-2021 delegated the authority to make real property tax refunds and to correct tax bills and tax rolls to the County Administrator, and



WHEREAS, that delegation should be continued for the year 2022, now, therefore, be it  
RESOLVED, that for the year 2022, the County Administrator is hereby authorized to perform the duties of the County Legislature in providing real property tax refunds, where the recommended refund is \$2,500.00 or less, in accordance with Section 556 of the Real Property Tax Law, and be it further

RESOLVED, that for the year 2022, the County Administrator is hereby authorized to correct tax bills and tax rolls, where the recommended tax refund is \$2,500.00 or less, in accordance with Section 554 of the Real Property Tax Law.

Adopted January 5, 2022 by voice vote.

**ACT NO. 6-2022** by Mr. VanRensselaer

**DESIGNATION OF OFFICIAL DEPOSITORIES AND TRADING PARTNERS**

Pursuant to Section 212 of the County Law.

RESOLVED, that the following banking institutions in Cattaraugus County be designated as official depositories for County funds, commencing January 1, 2022, and that the County Treasurer is hereby authorized to deposit in each or any of such banking institutions in an amount not to exceed Fifty Million Dollars (\$50,000,000):

Bank of America, Buffalo, New York  
Bank of Cattaraugus, Cattaraugus, New York  
Cattaraugus County Bank, Little Valley, New York  
Cattaraugus County Bank, South Dayton, New York  
Citizens Bank, Springville, New York  
Community Bank, Gowanda, New York  
Community Bank, Olean, New York  
Evans Bank, Forestville, New York  
Fidelity Brokerage Services, LLC, Rochester, New York  
Five Star Bank, Allegany, New York  
Five Star Bank, Ellicottville, New York  
Five Star Bank, Olean, New York  
Five Star Bank, Salamanca, New York  
JP Morgan Chase, Buffalo, New York  
Key Banc Capital Markets, Brooklyn, Ohio  
Key Bank, Olean, New York  
M & T Bank, Ellicottville, New York  
M & T Bank, Olean, New York  
The Bancorp Bank, Wilmington, Delaware  
JP Morgan Securities, LLC, Brooklyn, New York.

Adopted January 5, 2022 by voice vote.

**ACT NO. 7-2022** by Mr. VanRensselaer

**DESIGNATING OFFICIAL REPUBLICAN NEWSPAPER FOR THE YEAR 2022**

Pursuant to Section 214 of the County Law.

RESOLVED, that the Olean Times Herald, a newspaper published in Olean, New York, and advocating the principles of the Republican Party be, and the same hereby is, designated as one of the newspapers for the publication of all local laws, notices, and other matters required by law to be published by Cattaraugus County for the year 2022.

Adopted January 5, 2022 by voice vote.

**ACT NO. 8-2022** by Mr. Koch

**DESIGNATING OFFICIAL DEMOCRATIC NEWSPAPER FOR THE YEAR 2022**

Pursuant to Section 214 of the County Law.

RESOLVED, that the Olean Times Herald, a newspaper published in Olean, New York, and advocating the principles of the Democratic Party be, and the same hereby is, designated as one of the newspapers for the publication of all local laws, notices, and other matters required by law to be published by Cattaraugus County for the year 2022.

Adopted January 5, 2022 by voice vote.

**ACT NO. 9-2022** by Mr. VanRensselaer

**DESIGNATING OFFICIAL NEWSPAPERS FOR THE YEAR 2022**

Pursuant to Section 214 of the County Law.

RESOLVED, that the Olean Times Herald, a newspaper published in Olean, New York, and the Salamanca Press, a newspaper published in Salamanca, New York, are hereby designated as the official newspapers for the publication of all local laws, notices, and other matters required by law to be published by Cattaraugus County for the year 2022.

Adopted January 5, 2022 by voice vote.

**ACT NO. 10-2022** by Mr. VanRensselaer

**APPOINTMENTS TO CATTARAUGUS COUNTY BOARD OF HEALTH**

Pursuant to Section 343 of the Public Health Law.

RESOLVED, that Theresa Raftis is hereby appointed to the Cattaraugus County Board of Health for a six-year term to expire December 31, 2027, and be it further

RESOLVED, that David L. Smith is hereby appointed to the Cattaraugus County Board of Health for a six-year term to expire December 31, 2027, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Cattaraugus County Board of Health.

Adopted January 5, 2022 by voice vote.

**ACT NO. 11-2022** by Mr. VanRensselaer  
and Mrs. Andreano, Mr. Higgins, Mr. Morrow and Mr. Smith<sup>1</sup>

**APPOINTMENT OF MEMBER TO THE CHAUTAUQUA, CATTARAUGUS,  
ALLEGANY AND STEUBEN SOUTHERN TIER EXTENSION RAILROAD AUTHORITY**

Pursuant to Section 2642-C(4) of the Public Authorities Law.

RESOLVED, that the following individual shall be a Cattaraugus County voting member on the Chautauqua, Cattaraugus, Allegany and Steuben Southern Tier Extension Railroad Authority:

Keri L. Kerper  
Community Development Program Coordinator  
City of Olean  
101 East State Street  
Olean, New York 14760  
(term to expire 9/12/2024),

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Chautauqua, Cattaraugus, Allegany and Steuben Southern Tier Extension Railroad Authority.

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: "Mrs. Andreano, Mr. Higgins, Mr. Morrow and Mr. Smith".

Adopted January 5, 2022 by voice vote.

**ACT NO. 12-2022** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS FOR  
TAX FORECLOSURE SEARCHES**

Pursuant to Article 11 of the Real Property Tax Law and  
Section 450 of the County Law.

WHEREAS, Act 17-2021 authorized contracts with Cattaraugus Abstract Corporation, 406 Erie Street, Little Valley, New York 14755, and Empire Search Company, 208 Court Street, Little Valley,

New York 14755, for the provision of tax foreclosure searches at a rate of \$90.00 per parcel, the terms of which expired December 31, 2021, and

WHEREAS, searches of the various records in the County Clerk's Office are necessary in order to comply with statutory notification provisions as Cattaraugus County prepares to commence in rem foreclosure proceedings for unpaid taxes, and

WHEREAS, the County is desirous of renewing the aforementioned contracts, and

WHEREAS, Cattaraugus Abstract Corporation and Empire Search Company have agreed to perform the aforementioned searches for the amount of \$90.00 per parcel, for an annual amount per contract not to exceed \$45,000.00, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with Cattaraugus Abstract Corporation and Empire Search Company for the provision of the above-described tax foreclosure searches, for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms.

Adopted January 5, 2022 by voice vote.

**ACT NO. 13-2022** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CHAUTAUQUA-CATTARAUGUS LIBRARY SYSTEM, INC.**

Pursuant to Sections 224, 233-a and 450 of the County Law  
and Section 256 of the Education Law.

WHEREAS, the 2022 County budget provides for the payment of \$81,248.00 to the Chautauqua-Cattaraugus Library System, Inc., from Account No. A.298.7415.0000.42009 for the provision of educational materials for the citizens of Cattaraugus County, 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 2022 with the Chautauqua-Cattaraugus Library System, Inc., for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms, and be it further

RESOLVED, that payment of the aforementioned amount be made to the Chautauqua-Cattaraugus Library System, Inc., in quarterly installments, upon submission of vouchers for payments certified by the Chair of the Legislature, audited by the County Administrator, and paid by the County Treasurer.

Adopted January 5, 2022 by voice vote.

**ACT NO. 14-2022** by Mr. VanRensselaer  
and Mrs. Hunt<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
SALAMANCA RAIL MUSEUM**

Pursuant to Sections 224 (12) and 450 of the County Law.

WHEREAS, the Salamanca Rail Museum attracts thousands of visitors to Cattaraugus County annually, and

WHEREAS, it is important that the County assist the Salamanca Rail Museum with the preservation of the history of railroads in the Southern Tier, and

WHEREAS, the 2022 County budget provides for the payment of \$10,000.00 to the Salamanca Rail Museum from Account No. A.298.7450.0000.42010 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 2022 with the Salamanca Rail Museum, to assist with the preservation of the history of railroads in the Southern Tier, for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms.

<sup>1</sup>The following Legislator requested her name be listed as an additional sponsor: "Mrs. Hunt".

Adopted January 5, 2022 by voice vote.

**ACT NO. 15-2022** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH CATTARAUGUS COUNTY SPCA**

Pursuant to Sections 224 (4) and 450 of the County Law and  
Section 120 of the Agriculture and Markets Law.

WHEREAS, it is important that the County assist the Cattaraugus County SPCA with the provision of dog control services and humanitarian assistance to animals in Cattaraugus County, and

WHEREAS, the 2022 County budget provides for the payment of \$135,000.00 to the Cattaraugus County SPCA from Account No. A.298.3510.0000.42007 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 2022 with the Cattaraugus County SPCA, for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms.

Adopted January 5, 2022 by voice vote.

**ACT NO. 16-2022** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH EMPIRE ANIMAL RESCUE SOCIETY**

Pursuant to Sections 224 (4) and 450 of the County Law and  
Section 120 of the Agriculture and Markets Law.

WHEREAS, it is important that the County assist the Empire Animal Rescue Society with the provision of dog control services and humanitarian assistance to animals in Cattaraugus County, and

WHEREAS, the 2022 County budget provides for the payment of \$50,000.00 to the Empire Animal Rescue Society from Account No. A.298.3510.0000.42068 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 2022 with the Empire Animal Rescue Society, for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms.

Adopted January 5, 2022 by voice vote.

**ACT NO. 17-2022** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
TRI-COUNTY ARTS COUNCIL**

Pursuant to Sections 224 (13) and 450 of the County Law.

WHEREAS, it is important that the County support the provision of sponsored art programs throughout Cattaraugus County, and

WHEREAS, the Tri-County Arts Council, 110 West State Street, Olean, New York 14760, will be involved in sponsoring arts programs throughout Cattaraugus County, working in partnership with existing organizations throughout the County, and

WHEREAS, the 2022 County budget provides for the payment of \$9,250.00 to the Arts Council from Account No. A.298.7010.0000.42008 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, on behalf of Cattaraugus County, with the Tri-County Arts Council, for the provision of the above-described services, for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms.

Adopted January 5, 2022 by voice vote.

**ACT NO. 18-2022** by Mr. VanRensselaer

**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, the County Legislature is desirous of assisting the Cornell Cooperative Extension Association of Cattaraugus County by providing the amount of \$223,599.00 for the provision of services, which includes the 4-H program and the Dairy, Livestock and Field Team, and

WHEREAS, the 2022 County budget provides for the payment of \$188,599.00 to the Cornell Cooperative Extension Association of Cattaraugus County from Account No. A.298.2980.0000.42003 and the payment of \$35,000.00 from Account No. A.298.2980.0000.42003.04 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 2022, on behalf of Cattaraugus County, with the Cornell Cooperative Extension Association of Cattaraugus County, for the provision of a variety of services, for a term

commencing January 1, 2022 and terminating December 31, 2022, 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 upon submission of an invoice for payment certified by the Chair of the Legislature, audited by the County Administrator and paid by the County Treasurer.

Adopted January 5, 2022 by voice vote.

**ACT NO. 19-2022** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATTARAUGUS COUNTY LAND BANK CORPORATION**

Pursuant to Section 450 of the County Law.

WHEREAS, the 2022 County budget provides for the payment of \$200,000.00 to the Cattaraugus County Land Bank Corporation from Account No. A.298.6420.0000.42058 for the demolition and rehabilitation of tax foreclosure properties, 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 2022 with the Cattaraugus County Land Bank Corporation for the provision of the above-described services for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms.

Adopted January 5, 2022 by voice vote.

**ACT NO. 20-2022** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
SOUTHERN TIER WEST REGIONAL PLANNING AND DEVELOPMENT BOARD**

Pursuant to Section 239-c of the General Municipal Law and  
Section 450 of the County Law.

WHEREAS, it is important that the County assist Southern Tier West Regional Planning and Development Board with the provision of planning assistance to municipalities and businesses in Cattaraugus, Chautauqua, and Allegany Counties, and

WHEREAS, the 2022 County budget provides for the payment of \$24,970.00 to the Southern Tier West Regional Planning and Development Board (STW) from Account No. A.643.8025.0000.42032 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 2022 with the Southern Tier West Regional Planning and Development Board for the provision of the above-described services for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms.

Adopted January 5, 2022 by voice vote.

**ACT NO. 21-2022** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
BOCES FOR STUDENT GOVERNMENT PROGRAM**

Pursuant to Section 95 of the General Municipal Law and  
Section 450 of the County Law.

WHEREAS, it is important that the County support the provision of a student government program conducted by BOCES to teach students about local government, with an emphasis on County government, and

WHEREAS, the 2022 County budget provides for the payment of \$8,000.00 to BOCES from Account No. A.101.2980.0000.42001 for this program, of which 50% is reimbursable by the New York State Office of Children and Family 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 2022 with BOCES for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms.

Adopted January 5, 2022 by voice vote.

**ACT NO. 22-2022** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATTARAUGUS COUNTY SOIL & WATER CONSERVATION DISTRICT**

Pursuant to Sections 224 (3) and 450 of the County Law.

WHEREAS, it is important that the County assist the Cattaraugus County Soil & Water Conservation District with the provision of conservation of the soil and water resources of the County through prevention of soil erosion and prevention of flood water and sediment damages, and

WHEREAS, the 2022 County budget provides for the payment of \$142,198.00 to the Cattaraugus County Soil & Water Conservation District from Account No. A.871.8710.0000.42033 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 2022 with the Cattaraugus County Soil & Water Conservation District for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms.

Adopted January 5, 2022 by voice vote.



**ACT NO. 23-2022** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATTARAUGUS COUNTY SOIL & WATER CONSERVATION DISTRICT FOR  
ISCHUA CREEK WATERSHED MAINTENANCE PROGRAM**

Pursuant to Sections 299-m and 450 of the County Law.

WHEREAS, Act 27-2021 authorized a contract with the Cattaraugus County Soil & Water Conservation District, Cooperative Extension Center, USDA Service Center Building, 8 Martha Street, Ellicottville, New York 14731, for the provision of a maintenance program for the County's watershed sites, the term of which expired December 31, 2021, and

WHEREAS, the County Department of Public Works is desirous of continuing the maintenance program for the Ischua Creek Watershed, and

WHEREAS, the Cattaraugus County Soil & Water Conservation District has agreed to provide the aforementioned maintenance program for the year 2022 at an amount not to exceed \$18,000.00, and

WHEREAS, sufficient funds are included in Account No. A.871.8740.0000.40809 of the 2022 budget of the Department of Public Works for the cost of the aforementioned watershed maintenance program, 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 the Cattaraugus County Soil & Water Conservation District, for the provision of the above-described watershed maintenance program, for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms.

Adopted January 5, 2022 by voice vote.

**ACT NO. 24-2022** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
MERCY FLIGHT, INC.**

Pursuant to Sections 224 (14) and 450 of the County Law and  
Section 122-b of the General Municipal Law.

WHEREAS, it is important that the County assist Mercy Flight, Inc., with the provision of vital emergency transportation services to Western New York, and

WHEREAS, the 2022 County budget provides for the payment of \$7,650.00 to Mercy Flight, Inc., from Account No. A.454.4540.0000.42015 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 2022, on behalf of Cattaraugus County, with Mercy Flight, Inc., for the provision of vital emergency transportation services to Western New York, for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms.

Adopted January 5, 2022 by voice vote.

**ACT NO. 25-2022** by Mr. VanRensselaer**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH SOUTHERN  
TIER HEALTH CARE SYSTEM, INC., FOR FLYCAR FUNDING**

Pursuant to Section 122-b of the General Municipal Law and  
Section 450 of the County Law.

WHEREAS, it is important that the County support the Cattaraugus County Advanced Life Support (flycar) Program, and

WHEREAS, Southern Tier Health Care System, Inc., One Blue Bird Square, Olean, New York 14760, is a principal sponsor of the aforementioned program, and

WHEREAS, this program provides pre-hospital emergency medical treatment for ill or injured individuals, and

WHEREAS, the 2022 County budget provides for the payment of \$15,300.00 to Southern Tier Health Care System, Inc., for the provision of these services from Account A.454.4540.0000.42017, 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 Southern Tier Health Care System, Inc., for the provision of the above-described services, for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms.

Adopted January 5, 2022 by voice vote.

**ACT NO. 26-2022** by Mr. VanRensselaer**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(2022 Public Works Projects)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, various appropriation and revenue accounts must be adjusted to cover the cost of the various projects included in the County's 2022 Public Work Projects, now, therefore, be it

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

Decrease Appropriation Account:

A.901.1910.0000.40611	Provision for Capital Projects	\$4,000,000.00
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Increase Estimated Revenue Accounts:

D.990.9901.0000.5031	Interfund Transfers	\$ 875,000.00
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H.990.9950.0000.5031	Interfund Transfers	\$3,125,000.00
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Increase Appropriation Accounts:

A.990.9901.0000.90502	Transfer to County Road Fund	\$ 875,000.00
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A.990.9950.0000.90504	Transfer to Capital Projects Fund	\$3,125,000.00
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D.502.5110.5120.27009.41603	County Road #40	\$ 140,000.00
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D.502.5110.5120.27024.41603	County Road #20	\$ 150,000.00
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D.502.5110.5120.27051.41603	County Road #18	\$ 185,000.00
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D.502.5110.5120.27065.41603	County Road #55	\$ 75,000.00
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D.502.5110.5120.27066.41603	County Road #24	\$ 170,000.00
D.502.5110.5120.27077.41603	County Road #53	\$ 95,000.00
D.502.5110.5120.27089.41603	County Road #48	\$ 60,000.00
H.504.5197.5194.27011.41603	County Road #11	\$ 250,000.00
H.504.5197.5194.27014.41603	County Road #27	\$ 175,000.00
H.504.5197.5194.27018.41603	County Road #57	\$ 250,000.00
H.504.5197.5194.27038.41603	County Road #92	\$ 250,000.00
H.504.5197.5194.27039.41603	County Road #12	\$ 230,000.00
H.504.5197.5194.27039.41603	County Road #12	\$ 270,000.00
H.504.5197.5194.27044.41603	County Road #44	\$ 290,000.00
H.504.5197.5194.27047.41603	County Road #6	\$ 280,000.00
H.504.5197.5194.27052.41603	County Road #7	\$ 300,000.00
H.504.5197.5194.27061.41603	County Road #62	\$ 110,000.00
H.504.5197.5194.27064.41603	County Road #10	\$ 250,000.00
H.504.5197.5194.27067.41603	County Road #35	\$ 230,000.00
H.504.5197.5194.27071.41603	County Road #25	\$ 240,000.00.

Adopted January 5, 2022 by voice vote.

**ACT NO. 27-2022** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENTS WITH  
CATTARAUGUS-LITTLE VALLEY CENTRAL SCHOOL DISTRICT FOR  
USE OF SPACE FOR COUNTY OFFICES  
(Board of Elections, Health Department, Youth Bureau and Real Property Offices)**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 650-2016, as amended by Act 339-2018, authorized lease agreements for the use of space in the Cattaraugus-Little Valley Central School District - Little Valley Campus building (CLVCS), located at 207 Rock City Street in Little Valley, New York, for the following departments:

Board of Elections, and

Health Department, Youth Bureau and Real Property Offices,

and

WHEREAS, the term of the aforementioned lease agreements expired December 31, 2021, and

WHEREAS, the County is desirous of renewing the aforementioned lease agreements under the same terms and conditions, and

WHEREAS, the CLVCS District has agreed to lease to the County not more than 5,739 square feet of space for the Board of Elections, and not more than 6,373 square feet of space for the Health Department, Youth Bureau and Real Property Offices, which includes:

Board Of Elections:

- Room Nos. 115, 116, 119, 121, 122, 123, 124, 125 & 126, one-half of the gymnasium for the June Primary election, the November general election and any required special elections (access to the gymnasium is needed approximately 14 days prior to each election for packing/shipping, testing and setting up for early voting);

Health Department:

- Room Nos. 216, 217 & 220;

Youth Bureau:

- Room Nos. 218, 218A & 219;

Real Property Tax Services:

- Room Nos. 112, 114, 114A, 1<sup>st</sup> floor Conference Room, 2<sup>nd</sup> floor Storage Room, Room No. 210;

Associated Common Spaces:

- associated common spaces (including hallways, bathrooms [one male and one female], entranceways, etc.);
- use, in common with the District, the overhead door located in the Maintenance Shop (Room 120) and to access the rental space from such overhead door,

and

WHEREAS, the CLVCS District has agreed to lease the above-described space in the Little Valley Campus building, as follows:

**Board of Elections Space (not more than 5,739 sq. ft.)**

Year 1 - 2022	\$3,374.75/month	\$40,497.00 annual
Years 2 & 3 - 2023 & 2024	Rent amount in effect shall be multiplied by 2% and the product will be added to the rent then in effect	

**Health Department, Youth Bureau & Real Property Offices Space (not more than 6,373 sq. ft.)**

Year 1 - 2022	\$3,405.95/month	\$40,871.40 annual
Years 2 & 3 - 2023 & 2024	Rent amount in effect shall be multiplied by 2% and the product will be added to the rent then in effect	

and

WHEREAS, CLVCS shall include parking spots in the parking lot adjacent to the premises and the parking lot owned by CLVCS across from the premises, with the County responsible for sanding and plowing of the parking lots and sidewalk areas, and

WHEREAS, the County will provide fiber optic cable for the rental space and telephone service, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute lease agreements, on behalf of Cattaraugus County, with the Cattaraugus-Little Valley Central School District, for the leasing of the above-described space in the Little Valley Campus building, for a term commencing January 1, 2022 and terminating December 31, 2022, with the option to renew for two (2) additional one-year terms, at the same rates, terms and conditions, according to the above-described terms.

Adopted January 5, 2022 by voice vote.

**ACT NO. 28-2022** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
PETRUZZI INSURANCE AGENCY, LLC FOR BROKER OF RECORD SERVICES  
FOR COUNTY INSURANCE PROGRAM**

Pursuant to Sections 52 and 78 of the General Municipal Law and  
Sections 215 and 450 of the County Law.

WHEREAS, Act 482-2020 authorized a contract with Petruzzi Insurance Agency, LLC, 825 East State Street, Olean, New York 14760, for the provision of brokerage services for the County's Commercial Property, Boiler & Machinery, Commercial Crime, Excess Workers' Compensation & Employer's Liability, Excess Public Entity Liability 1st Layer, Excess Public Entity Liability 2nd Layer, Cyber Security Liability Policy, Nursing Home Policy Renewal, and Marina Coverages, as well as Risk Management Consulting services, the term of which expired December 31, 2021, and

WHEREAS, the County Attorney's Office, Risk Management Division, is desirous of renewing the aforementioned contract for the provision of brokerage services, and

WHEREAS, Petruzzi Insurance Agency, LLC, can provide brokerage services for the County's Commercial Property, Boiler & Machinery, Commercial Crime, Excess Workers' Compensation & Employer's Liability, Excess Public Entity Liability 1st Layer, Excess Public Entity Liability 2nd Layer, Cyber Security Liability Policy, Nursing Home Policy Renewal, and Marina Coverages, as well as Risk Management Consulting services, for an annual amount of \$70,000.00, minus a 5% discount, for a total contract amount of \$66,500.00 per year, to be paid as invoiced, and

WHEREAS, sufficient funds are included in the budget to cover the cost of these services, 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 Petruzzi Insurance Agency, LLC, for the provision of the above-described brokerage services, for a term commencing January 1, 2022 and terminating December 31, 2023, according to the above-described terms.

Adopted January 5, 2022 by voice vote.

**ACT NO. 29-2022** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CHC WELLBEING FOR HEALTH WELLNESS PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 349-2020 authorized a contract with Asset Health, Inc., for the provision of a health wellness program for County employees, the term of which is being terminated effective December 31, 2021, and

WHEREAS, the County is desirous of providing a Healthy Activities program for County employees, and

WHEREAS, CHC Wellbeing, 5440 North Cumberland Avenue, Suite 225, Chicago, Illinois 60656, can provide a health wellness program for County employees for an amount as follows:

Onsite or Test at a Lab	\$85.00 per screened participant
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TSH tested (only for women over the age of 40)	\$15.00 per screened participant
Cost Per Eligible Participant	\$3.50 per employee per month,

and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned services, 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 CHC Wellbeing, for the provision of the above-described services, for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms.

Adopted January 5, 2022 by voice vote.

**ACT NO. 30-2022** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH VENESKY & COMPANY FOR  
COUNTY-WIDE COST ALLOCATION PLAN SERVICES**

Pursuant to Section 153-j of the Social Services Law and  
Sections 215 and 450 of the County Law.

WHEREAS, Act 480-2017 authorized a contract for the update of an indirect cost allocation plan based on the fiscal years ending December 31, 2017, December 31, 2018, December 31, 2019 and December 31, 2020, the term of which expired December 31, 2021, and

WHEREAS, a County-wide cost application plan is necessary, as well as an update of the indirect cost allocation plans, and

WHEREAS, Venesky & Company, 6114 Route 31, Cicero, New York 13039, has proposed to prepare a Consolidated County-Wide Allocation Plan, and indirect cost proposals which can be applied to various County departments, including the final DSS Central Services adjustment claim amount based on fiscal years ending December 31, 2021, December 31, 2022, December 31, 2023 and December 31, 2024, and an annual Space Occupancy Cost Analysis report to determine the capital and operating cost per net usable square foot of occupancy by department, for an amount of \$14,000.00 per year, for a total cost of \$56,000.00, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned services, 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 Venesky & Company, for the provision of the above-described services, for a term commencing January 1, 2022 and terminating December 31, 2025, according to the above-described terms.

Adopted January 5, 2022 by voice vote.

**ACT NO. 31-2022** by Mr. VanRensselaer

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH  
VARIOUS EMERGENCY MEDICAL SERVICES INSTRUCTORS**

Pursuant to Article 30-A of the Public Health Law and Section 450 of the County Law.

WHEREAS, Act 472-2019 authorized the County Administrator to execute contracts with various emergency medical services instructors, the terms of which expired December 31, 2021, and

WHEREAS, the Office of Emergency Services is desirous of renewing the aforementioned contracts for a term commencing January 1, 2022 and terminating December 31, 2023, and

WHEREAS, it is proposed that the County contract with various individuals to provide instruction services according to the following rate schedule:

<u>Title</u>	<u>2022-2023 Hourly Rate</u>
NYS Certified Instructor Coordinator (CIC)	\$35.00
NYS Certified Lab Instructor (CLI)	\$25.00
AHA Certified Instructor	\$20.00
EMS/First Aid/CPR Course Assistant	\$15.00
Medical & Health Professionals	\$35.00
(Physicians, Registered Nurses, competent in the management of patients requiring advanced life support care)	
NYS Certified Instructor Coordinator (CIC) - Review of content for Learning Management System,	\$350.00/year

and

WHEREAS, sufficient funds are included in the budget 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 contracts, on behalf of Cattaraugus County, with various individuals, for the provision of emergency medical services training, for a term commencing January 1, 2022 and terminating December 31, 2023, according to the above-described terms.

Adopted January 5, 2022 by voice vote.

**ACT NO. 32-2022** by Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky, Mr. Burr,  
Mr. Helmich, Mr. Higgins, Mrs. Hunt, Mr. Klancer, Mr. Marsh, Mr. Morrow,  
Mr. Parker, Ms. Schröder, Mr. Smith, Mr. Snyder, Jr., Mr. VanRensselaer and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH  
VARIOUS ENTITIES FOR  
MUNICIPAL WATER AND WASTEWATER SYSTEMS UPGRADES  
AND RESCINDING ACT 350-2021**

Pursuant to Section 450 of the County Law.

WHEREAS, Great Lakes Cheese Company, Inc. is interested in building a new cheese production facility in the Towns of Farmersville and Franklinville, with an associated investment of

approximately \$500,000,000.00 including the purchase of new equipment, facility construction, and site development, and

WHEREAS, it is anticipated that the construction of the facility will support an average of 240 construction jobs over a two-year period, and

WHEREAS, the facility is expected to employ approximately 500 people with an average annual salary of \$52,000.00 plus benefits per employee, and to have the capability of processing up to 4,000,000 pounds of milk per day which would support an additional 600 regional agricultural jobs, and

WHEREAS, the construction phase of the project is expected to generate \$393,000,000.00 worth of goods and services in the Western New York region, and once fully operational, the facility is expected to generate \$910,000,000.00 worth of goods and services in the Western New York region, and

WHEREAS, the County desires to expand and improve the municipal water and wastewater systems to accommodate this economic development project, and

WHEREAS, the County is desirous of appropriating \$5,800,000.00 to assist with the cost of improving the municipal water and wastewater systems, and

WHEREAS, the County shall use American Rescue Plan Act (ARPA) funds to assist with the cost of the expansion and improvement of the aforementioned municipal water and wastewater systems in the Towns of Farmersville and Franklinville, and

WHEREAS, Act 535-2021 authorized the adjustment of various appropriation and revenue accounts, including the appropriation of ARPA funds, to assist with the cost of the aforementioned project, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts with various entities including but not limited to any district(s) within the County of Cattaraugus, the Town of Farmersville, the Village of Franklinville, the Town of Franklinville, and the Cattaraugus County Industrial Development Agency, on behalf of Cattaraugus County, to expand and improve of the water systems and wastewater systems for this economic development project, for a term commencing September 15, 2021, and terminating December 31, 2024, according to the above-described terms, and be it further

RESOLVED, that the County Administrator is hereby directed to appropriate American Rescue Plan Act (ARPA) funding, as further directed by the Legislature, to expand and improve the water systems and wastewater systems, and be it further

RESOLVED, that such contracts shall provide that should the project of constructing the facility in the Towns of Farmersville and Franklinville not proceed, the County, in its sole discretion, may terminate the contracts, and be it further

RESOLVED, that Act 350-2021 be, and hereby is, rescinded.

Adopted January 5, 2022 by voice vote.



**ACT NO. 33-2022** by Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky, Mr. Burr, Mr. Helmich, Mr. Higgins, Mrs. Hunt, Mr. Klancer, Mr. Marsh, Mr. Morrow, Mr. Parker, Ms. Schröder, Mr. Smith, Mr. Snyder, Jr., Mr. VanRensselaer and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
VILLAGE OF FRANKLINVILLE FOR  
MUNICIPAL WATER AND WASTEWATER SYSTEMS UPGRADES  
AND RESCINDING ACT 414-2021  
(Great Lakes Cheese Project)**

Pursuant to Section 450 of the County Law.

WHEREAS, Great Lakes Cheese Company, Inc. has proposed to build a new cheese production facility in the Towns of Farmersville and Franklinville, with an associated investment of approximately \$500,000,000.00, including the purchase of new equipment, facility construction, and site development, and

WHEREAS, Act 32-2022 authorized contracts with various entities for the provision of municipal water and wastewater systems upgrades for the new Great Lakes Cheese production facility (Project), and

WHEREAS, it is anticipated that the construction of the aforementioned cheese production facility will support an average of 240 construction jobs over a two-year period, is expected to employ approximately 500 people, and have the capability of processing up to 4,000,000 pounds of milk per day which would support an additional 600 regional agricultural jobs, and

WHEREAS, such anticipated growth in the local agricultural job market from the aforementioned project will provide a significant economic impact for the greater good of the community that investments in infrastructure are necessary and appropriate, and

WHEREAS, the County and the Village of Franklinville desire to expand and improve the municipal water and wastewater systems to accommodate this economic development project, and

WHEREAS, the County is desirous of appropriating \$5,800,000.00 to assist with the cost of improving the municipal water and wastewater systems, and

WHEREAS, the Village of Franklinville will contract with qualified engineers and contractors to assist in the development of the new Great Lakes Cheese production facility, and

WHEREAS, the County reserves the right to review and approve all contracts regarding this economic development project, and

WHEREAS, it is proposed that the County pay to the Village of Franklinville a total amount not to exceed \$5,500,000.00 over the length of the project to cover costs associated with the municipal water and wastewater systems required to accommodate the Great Lakes Cheese economic development project, to be billed on a percent of completion basis by the Village of Franklinville to the County, and

WHEREAS, the County is desirous of using American Rescue Plan Act (ARPA) funds to assist with the cost of the expansion and improvement of the aforementioned municipal water and wastewater systems in the Towns of Farmersville and Franklinville, and

WHEREAS, the aforementioned \$5,500,000.00 is included, and a part of the \$5,800,000.00, and will be paid using American Rescue Plan Act (ARPA) funds, and

WHEREAS, Act 535-2021 authorized the adjustment of various appropriation and revenue accounts, including the appropriation of ARPA funds, to assist with the cost of the aforementioned project, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract with the Village of Franklinville, on behalf of Cattaraugus County, for the expansion

and improvement of the water systems and wastewater systems for the Great Lakes Cheese economic development project, for a term commencing September 15, 2021, and terminating December 31, 2024, according to the above-described terms, and be it further

RESOLVED, that the County Administrator is hereby directed to appropriate American Rescue Plan Act (ARPA) funding, as further directed by the Legislature, to expand and improve the water systems and wastewater systems for the Great Lakes Cheese economic development project, and be it further

RESOLVED, that such contract shall provide that should the project of constructing the facility in the Towns of Farmersville and Franklinville not proceed, the County, in its sole discretion, may terminate the contract and all ARPA funds spent be reimbursed to make the County whole, and be it further

RESOLVED, that Act 414-2021 be, and hereby is, rescinded.

Adopted January 5, 2022 by voice vote.

**ACT NO. 34-2022** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
H. SICHERMAN/THE HARRISON STUDIO FOR  
GRANT WRITING TECHNICAL ASSISTANCE**

Pursuant to Title I of the Housing and Community Development Act of 1974, as amended, and Section 450 of the County Law.

WHEREAS, Act 447-2020 authorized a contract with H. Sicherman/The Harrison Studio, 160 Washburn Street, Suite 200, P.O. Box 473, Lockport, New York 14095, for the provision of technical assistance for grant writing for various programs, the term of which expired December 31, 2021, and

WHEREAS, the Department of Economic Development, Planning and Tourism is desirous of continuing the aforementioned grant writing technical assistance services, and

WHEREAS, H. Sicherman/The Harrison Studio can continue providing technical assistance for grant writing services for an amount not to exceed \$10,000.00, which will be billed at the following rates and paid as invoiced:

Harry Sicherman	\$185/hour
R. Charles Bell	\$165/hour
Michael Zimmerman	\$145/hour
Diane Church	\$145/hour
Michael Thomas	\$145/hour
Greg Merriam, II	\$130/hour
Karen Burke	\$110/hour
Rate in Travel Status	\$ 80/hour (all personnel),

and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned services, 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 H. Sicherman/The Harrison Studio for the provision of the above-described services, for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms.

Adopted January 5, 2022 by voice vote.

**ACT NO. 35-2022** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
H. SICHERMAN/THE HARRISON STUDIO FOR HUD SMALL CITIES COMMUNITY  
DEVELOPMENT BLOCK GRANT ADMINISTRATION SERVICES**

Pursuant to 42 USCS 5303 and Section 450 of the County Law.

WHEREAS, Act 446-2020 authorized a contract with H. Sicherman & Company, Inc., for assistance in the administration of the Microenterprise Development Revolving Loan Fund, the term of which expired December 31, 2021, and

WHEREAS, the County is the recipient of United States Department of Housing and Urban Development (HUD) Small Cities Community Development Block Grant funds and has an existing Microenterprise Development Revolving Loan Fund portfolio to maintain, and

WHEREAS, the Small Cities Community Development Block Grant was obtained for the purpose of establishing and continuing a Microenterprise Development Revolving Loan Fund, Microenterprise Outreach Program and Microenterprise Business Education Program, and

WHEREAS, the County shall administer the Microenterprise Development Revolving Loan Fund portfolio, and

WHEREAS, H. Sicherman/The Harrison Studio, 160 Washburn Street, Suite 200, P.O. Box 473, Lockport, New York 14095, shall provide technical assistance on program administration, loan reviews and credit analyses for the loan committee for the Microenterprise Development Revolving Loan Fund portfolio for an amount not to exceed \$7,000.00 per year, which will be billed at the following rates and paid as invoiced:

Harry Sicherman	\$185/hour
R. Charles Bell	\$165/hour
Michael Zimmerman	\$145/hour
Diane Church	\$145/hour
Michael Thomas	\$145/hour
Greg Merriam, II	\$130/hour
Karen Burke	\$110/hour
Rate in Travel Status	\$ 80/hour (all personnel),

and

WHEREAS, unused balances of previous Community Development Block Grant funds, as well as program income from loan repayments, will be used for the Microenterprise Development Revolving Loan Fund for the microenterprises in the County, less administrative expenses identified above, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned services, 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 H. Sicherman/The Harrison Studio for the administration and management of the above-referenced grant application, for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms, and be it further

RESOLVED, that upon termination of either state or federal funding for this program, then this program shall be automatically abolished, and be it further

RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days' written notice, and be it further

RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting.

Adopted January 5, 2022 by voice vote.

**ACT NO. 36-2022** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
NEW YORK STATE I LOVE NEW YORK MATCHING FUNDS PROGRAM  
AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Economic Development, Planning & Tourism)**

Pursuant to Section 164 of the Economic Development Law and  
Sections 363 and 366 of the County Law.

WHEREAS, Act 345-2021 authorized the County Department of Economic Development, Planning & Tourism to apply for, and accept, grants from the New York State I Love New York Matching Funds Program, for the 2021-2022 program year, and

WHEREAS, the County Department of Economic Development, Planning & Tourism has been awarded funding in the amount of \$48,207.00 for the aforementioned Program, and

WHEREAS, various appropriation and revenue accounts must be adjusted, now, therefore, be it

RESOLVED, that the Cattaraugus County Department of Economic Development, Planning and Tourism shall submit the grant agreement to the Legislature for approval and appropriation prior to the commencement of any work, and be it further

RESOLVED, that the Chairman of the Legislature be, and hereby is, authorized and directed to execute documents, on behalf of Cattaraugus County, with the State of New York for the I Love New York Matching Funds Program, in order to accept and received the aforementioned funding, and be it further

RESOLVED, that upon termination of either state or federal funding for this program, then this program shall be automatically abolished, and be it further

RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days' written notice, and be it further

RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting, and be it further

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

Decrease Estimated Revenue Accounts:

A.642.6420.6410.1362	Cattaraugus County I Love NY Matching Funds	\$21,793.00
A.642.6420.6410.3715	State Aid, Tourism Promotion	\$21,793.00

Decrease Appropriation Accounts:

A.642.6420.6410.48001	Advertising	\$36,908.00
A.642.6420.6410.48227	Transferred to Region	\$ 6,678.00.

Adopted January 5, 2022 by voice vote.

**ACT NO. 37-2022** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH  
NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION AND  
CONTRACTS WITH CATTARAUGUS COUNTY FEDERATION OF SNOWMOBILE CLUBS, INC.  
AND VARIOUS SNOWMOBILE CLUBS IN CATTARAUGUS COUNTY FOR  
SNOWMOBILE TRAIL GRANT PROGRAM AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Economic Development, Planning & Tourism)**

Pursuant to Article 27 of the Parks, Recreation and Historic  
Preservation Law and Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 97-2021 authorized the Chair to execute contracts with the New York State Office of Parks, Recreation and Historic Preservation, the Cattaraugus County Federation of Snowmobile Clubs, Inc., and various snowmobile clubs for the snowmobile trail grant program, the terms of which expired March 31, 2021, and

WHEREAS, the County has been awarded funding through the New York State Office of Parks, Recreation and Historic Preservation for the maintenance of snowmobile trails for the 2021-2022 program year, and

WHEREAS, the Cattaraugus County Federation of Snowmobile Clubs, Inc., oversees the activities of various snowmobile clubs within the County, and

WHEREAS, the County desires that the development and maintenance of snowmobile trails be the responsibility of the Cattaraugus County Federation of Snowmobile Clubs, Inc., and

WHEREAS, the County shall act as a pass-through agency for purposes of disbursing the aforementioned grant funds, and

WHEREAS, the Cattaraugus County Federation of Snowmobile Clubs, Inc., shall distribute the aforementioned grant funds to the snowmobile clubs listed below:

	<u>2020-2021</u>	<u>2021-2022</u>
	<u>Grant</u>	<u>Grant</u>
Ashford Snowmobile Club, Inc. P.O. Box 96 West Valley, NY 14171	\$10,812.00	\$10,812.00

Elibomwons, Inc. 4164 Elm Creek Road Randolph, NY 14772	\$28,284.00	\$26,364.00
Enchanted Mountains Border Riders Snowmobile Club, Inc. P.O. Box 325 Westons Mills, NY 14788	\$5,040.00	\$4,032.00
Franklinville Snow Sled Club, Inc. P.O. Box 22 Franklinville, NY 14737	\$21,828.00	\$24,696.00
Portville Snowmobile Club, Inc. P.O. Box 466 Portville, NY 14770	\$12,096.00	\$11,760.00
Snow Bounders, Inc. 9189 Cattaraugus-Otto Road Cattaraugus, NY 14719	\$42,348.00	\$43,500.00
Southern Tier Snow Drifters, Inc. 5075 Woodside Road Springville, NY 14141	\$9,456.00	\$8,820.00
Tri-County Drift Hoppers, Inc. Snowmobile Club P.O. Box 161 Sandusky, NY 14133-0161	\$13,440.00	\$13,440.00
Western New York Snowmobile Club of Boston, Inc. P.O. Box 137 Boston, NY 14025	\$4,452.00	\$4,452.00

and

WHEREAS, the grant funding has been received and is in the budget to cover the aforementioned allocations, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents and contracts, on behalf of Cattaraugus County, with the New York State Office of Parks, Recreation and Historic Preservation, the Cattaraugus County Federation of Snowmobile Clubs, Inc., and the above-listed snowmobile clubs, in order to accept and receive the aforementioned funding, for a term commencing April 1, 2021 and terminating March 31, 2022, according to the above-described terms, and be it further

RESOLVED, that upon termination of either state or federal funding for this program, then this program shall be automatically abolished, and be it further

RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days' written notice, and be it further

RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting, and be it further

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

Increase Estimated Revenue Account:

A.644.7180.0000.3889.01	NYS Snowmobile Trail Grant	\$147,876.00
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Increase Appropriation Account:

A.644.7180.0000.42037	Federation of Snowmobile Clubs	\$147,876.00.
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Adopted January 5, 2022 by voice vote.

**ACT NO. 38-2022** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH  
VARIOUS ENTITIES FOR TOURISM PROMOTION**

Pursuant to Sections 224(14) and 450 of the County Law and  
Local Law Number 20-2003 (Intro Number 21-2003).

WHEREAS, Act 528-2017 established the allocation of a portion of the Cattaraugus County hotel and motel tax to the various municipalities, and

WHEREAS, Act 512-2020 authorized contracts with various municipalities for the promotion of tourism in Cattaraugus County, the terms of which expired December 31, 2021, and

WHEREAS, the County Department of Economic Development, Planning and Tourism is desirous of continuing the promotion of tourism in Cattaraugus County, and

WHEREAS, the three (3) entities listed below shall collectively receive funding in the amount of \$159,966.00 for the promotion of tourism in Cattaraugus County, as follows:

Ellicottville Chamber of Commerce	\$91,181.00
Greater Olean, Inc., d/b/a	\$46,390.00
Greater Olean Area Chamber of Commerce	
Seneca Salamanca Area Chamber of Commerce	\$22,395.00,

and

WHEREAS, in order to assist the County with tourism promotion, each of the three (3) chambers listed above will assist, in cooperation with the Cattaraugus County Department of Economic Development, Planning and Tourism, with promotion of events and festivals in their respective areas as outlined below:

- Ellicottville Chamber of Commerce – Greater Ellicottville area, including Village and Town of Ellicottville, West Valley and the Otto area;
- Greater Olean Area Chamber of Commerce – Greater Olean area, including the City and Town of Olean, the Town and Village of Allegany, Pfeiffer Nature, Bonagany, Olean Airport, Hinsdale Heritage Day and Portville Heritage Day;

- Seneca Salamanca Area Chamber of Commerce – Greater Salamanca area, including the City and Town of Salamanca, Little Valley and Great Valley,

and

WHEREAS, the above-listed entities have agreed to utilize funding for the promotion of tourism in Cattaraugus County in the following categories:

- Radio advertising, local and regional
- Television advertising, local and regional
- Production costs associated with approved advertising media
- Advertising in newspaper, magazine, travel guide, newsletter, and special edition inserts
- Website development and upgrades including purchase of search engine key words
- Outdoor advertising
- Direct response & direct mail advertising
- Brochure development and printing
- Paid distribution of brochures and travel guides
- Development and promotion of special "travel & trip packages"
- Use of professional public relation firms,

and

WHEREAS, the above-listed entities will return any unexpended funds to the County by January 10, 2023, and

WHEREAS, the Cattaraugus County Legislature hereby determines that the Department of Economic Development, Planning and Tourism should expend an additional amount not to exceed \$106,644.00 during the year 2022 to defray advertising costs or other expenses incurred for various county-wide festivals, events and other tourism marketing initiatives, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with the above-listed various entities, for the provision of the above-described tourism promotion services, for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms, and be it further

RESOLVED, that the Department of Economic Development, Planning and Tourism is hereby authorized to expend such amounts as may be deemed necessary during the year 2022, not to exceed a total of \$266,611.00, to cover the cost of tourism promotion services and defray advertising costs or other expenses incurred or to be incurred by the organizations and events listed above.

Adopted January 5, 2022 by voice vote.

**ACT NO. 39-2022** by Mr. VanRensselaer

**APPROVING REVISED BY-LAWS FOR  
SOUTHERN TIER WEST REGIONAL PLANNING AND DEVELOPMENT BOARD**

Pursuant to Section 239-h of the General Municipal Law.

WHEREAS, the County Legislatures of Allegany, Cattaraugus and Chautauqua Counties adopted a resolution in 1969 which created the Southern Tier West Regional Planning and Development Board under the authority of Article 12-B of the New York State General Municipal Law, and



WHEREAS, the Southern Tier West Regional Planning and Development Board desires to update the by-laws at this time, and

WHEREAS, General Municipal Law Section 239-h(3)(g) states that the regional planning council shall adopt by-laws governing its operation, and that such operation shall be approved by collaborating legislative bodies, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby approves the updated version of the Southern Tier West Regional Planning and Development Board By-Laws dated July 15, 2020.

Adopted January 5, 2022 by voice vote.

**ACT NO. 40-2022** by Mr. VanRensselaer

**LOCAL LAW NUMBER 1 - 2022  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law, Section 1202-u of the Tax Law and Chapter 62, Part A, Section 104 of the Laws of 2011.

**A LOCAL LAW CONTINUING THE CATTARAUGUS COUNTY HOTEL AND MOTEL TAX**

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

SECTION 1. Legislative Intent. Local Law 20-2003 (Intro Number 20-2003), as continued by new local laws every three (3) years, with the most recent being Local Law Number 3-2020 (Intro Number 3-2020), imposed a tax on facilities providing lodging on an overnight basis and provided for the collection thereof in order to make funds available for tourism and economic development. Local Law Number 3-2020 should be further continued for an additional period of three (3) years.

SECTION 2. Continuation of Hotel and Motel Tax. The Cattaraugus County Hotel and Motel Tax established by Local Law 20-2003 (Intro Number 20-2003), which has been continued every three (3) years by new local laws, with the most recent being Local Law Number 3-2020 (Intro Number 3-2020), shall remain in full force and effect for an additional period of three (3) years to terminate December 31, 2025.

SECTION 3. Effective Date. This Local Law shall take effect upon the date of expiration of the previous Local Law adopted by the Legislature authorizing such tax.

No further action taken at this time.

**ACT NO. 41-2022** by Mr. VanRensselaer

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 1-2022**

Pursuant to Section 10 of the Municipal Home Rule Law, Section 1202-u of the Tax Law and Chapter 62, Part A, Section 104 of the Laws of 2011.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on January 5, 2022, a proposed Local Law entitled "A Local Law Continuing the Cattaraugus County Hotel and Motel Tax", 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 26th day of January, 2022, at 5:01 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.

Adopted January 5, 2022 by voice vote.

**ACT NO. 42-2022** by Mr. VanRensselaer

**SALE OF TAX TITLE PROPERTY TO FORMER OWNER  
(City of Olean)**

Pursuant to Section 215 of the County Law and Rule 40 of the Rules of Order of the Cattaraugus County Legislature.

WHEREAS, Cattaraugus County has tax title to certain property situate in the City of Olean, and

WHEREAS, the former owner of the property has tendered an amount to the County Treasurer's Office which will cover the County's financial involvement in this premises pursuant to a Court order granting Stay from Foreclosure Sale dated July 24, 2020, now, therefore, be it

RESOLVED, that the County Treasurer be, and hereby is, authorized and directed, on behalf of Cattaraugus County, to execute a County Treasurer's Deed conveying this property to the following individual:

<b><u>CITY OF OLEAN</u></b>				
<b>PARCEL</b>	<b>TAX MAP NO.</b>	<b>FORMER OWNER(S)</b>	<b>ADDRESS</b>	<b>COUNTY INVOLVEMENT</b>
23 (2020)	94.072-5-2	Lynn Ann Hirliman	1123 Irving Street Olean, NY 14760	\$24,492.55

Adopted January 5, 2022 by voice vote.

**ACT NO. 43-2022** by Mr. VanRensselaer

**SALE OF TAX TITLE PROPERTY TO FORMER OWNERS  
(City of Olean)**

Pursuant to Section 215 of the County Law and Rule 40 of the Rules of Order of the Cattaraugus County Legislature.

WHEREAS, Cattaraugus County has tax title to certain properties situate in the City of Olean, and

WHEREAS, the former owners of the property have offered to purchase the same at a cost which will cover the County's financial involvement in these premises, and

WHEREAS, the costs involved for these premises have been tendered to the County Treasurer's Office, now, therefore, be it

RESOLVED, that the County Treasurer be, and hereby is, authorized and directed, on behalf of Cattaraugus County, to execute County Treasurer's Deeds conveying these properties to the following individuals:

<b><u>CITY OF OLEAN</u></b>				
<b>PARCEL</b>	<b>TAX MAP NO.</b>	<b>FORMER OWNER(S)</b>	<b>ADDRESS</b>	<b>COUNTY INVOLVEMENT</b>
6 (2019)	103.024-1-6	Casey M. Wilcox	910 Union Street S. Olean, NY 14760	\$1,547.10
107 (2020)	94.064-11-1	Estate of Mary R. Thal	1127 State Street W. Olean, NY 14760	\$12,476.50

Adopted January 5, 2022 by voice vote.

**ACT NO. 44-2022** by Mr. VanRensselaer

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Health Department-Public Health Educator)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, Act 558-2021 created one (1) full-time position of Public Health Educator in the Health Department for its family planning clinics, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to cover the costs associated with this position, now, therefore, be it

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

Decrease Appropriation Account:

A.401.4017.4035.41605.01	Reproductive Health Educator	\$65,687.00
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Increase Appropriation Accounts:

A.401.4017.4035.11000	Full Time Wages	\$51,033.00
A.401.4017.4035. 81000	FICA	\$ 3,905.00
A.401.4017.4035.82000	Retirement	\$ 4,515.00
A.401.4017.4035.83000	Health Insurance	\$ 5,905.00
A.401.4017.4035.84000	Dental Insurance	\$ 329.00.

Adopted January 5, 2022 by voice vote.

**ACT NO. 45-2022** by Mr. VanRensselaer

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Nursing Homes Medical Director)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, Act 527-2021 authorized a contract with Arun P. Patel, M.D., 449 Broad Street, Salamanca, New York 14779, for the provision of Medical Director services at The Pines Healthcare and Rehabilitation Center-Olean Campus, the term of which expires December 31, 2025, and

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

RESOLVED, that the County Administrator is hereby directed to appropriate from Fund Balance Account EF.909.0000 and make the following budgetary changes:

Increase Appropriation Account:

EF.453.4530.7420.41215	Medical Director	\$11,535.00.
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Adopted January 5, 2022 by voice vote.

**ACT NO. 46-2022** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH  
HIGHLAND STAFFING, LLC FOR  
HEALTH CARE STAFFING COVERAGE FOR  
DEPARTMENT OF NURSING HOMES**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Nursing Homes is in need of coverage for licensed practical nurse (LPN) and registered nurse (RN) services, as well as certified nurse aides (CNA), for the residents of The Pines Healthcare and Rehabilitation Centers - Olean and Machias Campuses, and

WHEREAS, Highland Staffing, LLC, 1376 Highland Avenue, Rochester, New York 14620, can provide the aforementioned health care services staffing coverage for an amount as follows:

<u>Position</u>	<u>Rate</u>
RNS	\$110.00/hour
RN	\$100.00/hour
LPN	\$80.00/hour
CNA	\$60.00/hour

- 10% Administration Fee will be added to all invoices,
- and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with Highland Staffing, LLC, for the provision of the above-described health care staffing coverage services at The Pines Healthcare and Rehabilitation Centers -Olean and Machias Campuses, for a term commencing January 5, 2022 to continue in full force and effect

at the same rates until amended or terminated by either party hereto, according to the above-described terms.

Adopted January 5, 2022 by voice vote.

**ACT NO. 47-2022** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
NEW YORK STATE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE  
FOR RENTAL SUPPLEMENT PROGRAM AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Social Services)**

Pursuant to Sections 363, 366 and 450 of the County Law.

WHEREAS, the Department of Social Services has been awarded funding in the amount of \$282,026.00 from the New York State Office of Temporary and Disability Assistance for the Rental Supplement Program, and

WHEREAS, the purpose of the Rental Supplement Program is to provide rental supplements to individuals and families, both with and without children, who are experiencing homelessness or are facing an imminent loss of housing, regardless of immigration status, and

WHEREAS, a contract is needed in order to participate in the Rental Supplement Program and accept, and receive, the aforementioned funding, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to accommodate the aforementioned funds, 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 the New York State Office of Temporary and Disability Assistance, in order to accept, and receive, the aforementioned funding, for a term commencing February 1, 2022 and terminating February 1, 2023, 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.601.6163.0000.3689.05	State Aid, NYS Rental Supplement Program	\$282,026.00
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Increase Appropriation Account:

A.601.6163.0000.41603	Contracted Services	\$282,026.00.
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Adopted January 5, 2022 by voice vote.

**ACT NO. 48-2022** by Mr. VanRensselaer

**APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY  
SERVICES BOARD AND SPECTRUM HUMAN SERVICES FOR  
ASSERTIVE COMMUNITY TREATMENT (ACT) TEAM**

Pursuant to Section 41.13(a)(6) of the Mental Hygiene Law and Section 450 of the County Law.

WHEREAS, Act 114-2021 authorized approval of a contract with Mental Health Services Erie County Southeast Corporation V d/b/a Spectrum Human Services, 227 Thorn Avenue, Orchard Park, New York 14127, for the Cattaraugus County Community Services Board's acceptance of funding for the Assertive Community Treatment (ACT) Team, the term of which expired December 31, 2021, and

WHEREAS, the primary focus of the ACT Team is to deliver comprehensive and effective services to individuals who are diagnosed with a severe mental illness and whose needs have not been well met by more traditional service delivery approaches, and

WHEREAS, the Department of Community Services is desirous of continuing the aforementioned services, and

WHEREAS, Mental Health Services Erie County Southeast Corporation V d/b/a Spectrum Human Services can operate a 48-slot ACT Team for the residents of Cattaraugus County for an amount of \$66,320.00, to be paid as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract between the Cattaraugus County Community Services Board and Mental Health Services Erie County Southeast Corporation V d/b/a Spectrum Human Services, to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms, and be it further

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

RESOLVED, that upon termination of either state or federal funding for this program, then this program shall be automatically abolished, and be it further

RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days' written notice, and be it further

RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting.

Adopted January 5, 2022 by voice vote.

**ACT NO. 49-2022** by Mr. VanRensselaer

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

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

WHEREAS, Act 48-2021 authorized approval of a contract with Southern Tier Environments for Living, Inc., (S.T.E.L.), 715 Central Avenue, Dunkirk, New York 14048, for the provision of Health Home Care Coordination and supported housing services for mentally ill individuals, the term of which expired December 31, 2021, and

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

WHEREAS, S.T.E.L., Inc., has agreed to provide Health Home Care Coordination Services and Supported Housing and Rental Assistance for a total amount not to exceed \$206,956.00, to be paid as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract between the Cattaraugus County Community Services Board and S.T.E.L., Inc., to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms, and be it further

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

RESOLVED, that upon termination of either state or federal funding for this program, then this program shall be automatically abolished, and be it further

RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days' written notice, and be it further

RESOLVED, that upon reduction of either state or federal funding for this program, the County, in its sole discretion, and upon notice, may reduce the rate for services provided by the percentage of reduction in state or federal funding, and be it further

RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting.

Adopted January 5, 2022 by voice vote.

**ACT NO. 50-2022** by Mr. VanRensselaer

**APPROVING CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
SENECA NATION OF INDIANS FOR  
CASE MANAGEMENT SERVICES FOR HOMELESS INDIVIDUALS WITH  
CO-OCCURRING MENTAL HEALTH AND ADDICTION ISSUES**

Pursuant to 14 NYCRR 587.8(g) and Section 450 of the County Law.

WHEREAS, Act 47-2021 authorized approval for a contract with the Seneca Nation of Indians for case management services for homeless individuals with co-occurring mental health and addiction issues residing in Cattaraugus County, the term of which expired December 31, 2021, and

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

WHEREAS, the Seneca Nation of Indians, P.O. Box 231, 90 Ohi:Yo Way, Salamanca, New York 14779, can provide the aforementioned case management services for such homeless Seneca Nation of Indians individuals residing in Cattaraugus County, for an amount not to exceed \$48,412.00, to be paid as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, between the Cattaraugus County Community Services Board and the Seneca Nation of Indians, to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms, and be it further

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

RESOLVED, that upon termination of either state or federal funding for this program, then this program shall be automatically abolished, and be it further

RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days' written notice, and be it further

RESOLVED, that upon reduction of either state or federal funding for this program, the County, in its sole discretion, and upon notice, may reduce the rate for services provided by the percentage of reduction in state or federal funding, and be it further

RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting.

Adopted January 5, 2022 by voice vote.

**ACT NO. 51-2022** by Mr. VanRensselaer

**APPROVING CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
OLEAN GENERAL HOSPITAL FOR OPERATION OF  
A 24-HOUR TELEPHONE CRISIS HOTLINE**

Pursuant to Chapter 119 of the Laws of 1997 and  
Section 41.13(6) of the Mental Hygiene Law.

WHEREAS, Act 528-2020 authorized approval for a contract between the Cattaraugus County Community Services Board and the Olean General Hospital for the operation of a 24-hour telephone crisis hotline to service the residents of Cattaraugus County, the term of which expired December 31, 2021, and

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

WHEREAS, the Olean General Hospital, 515 Main Street, Olean, New York 14760, can operate a 24-hour telephone crisis hotline to service the residents of Cattaraugus County, and

WHEREAS, the County shall pay to Olean General Hospital an amount not to exceed \$133,060.00 for such purpose, to be paid on a quarterly basis as invoiced, and

WHEREAS, this program is 100% state funded, and

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



RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, between the Cattaraugus County Community Services Board and Olean General Hospital, to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms, and be it further

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

RESOLVED, that upon termination of either state or federal funding for this program, then this program shall be automatically abolished, and be it further

RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days' written notice, and be it further

RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting.

Adopted January 5, 2022 by voice vote.

**ACT NO. 52-2022** by Mr. VanRensselaer

**APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY  
COMMUNITY SERVICES BOARD AND RECOVERY OPTIONS MADE EASY, INC.  
D/B/A HOUSING OPTIONS MADE EASY, INC.  
FOR INTERNET SERVICE AT PROS FACILITY**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 45-2021 authorized a contract with Recovery Options Made Easy, Inc. d/b/a Housing Options Made Easy, Inc. (HOME), 75 Jamestown Street, Gowanda, New York 14070, for the provision of the independent data line and monthly internet service at the PROS Facility, the term of which expired December 31, 2021, and

WHEREAS, the Department of Community Services is desirous of renewing the aforementioned contract in an effort to reduce the volume of activity affecting the County's bandwidth at the PROS Facility site, and

WHEREAS, Recovery Options Made Easy, Inc. d/b/a Housing Options Made Easy, Inc. (HOME), has agreed to pay the monthly subscription fee of \$89.99 per month for the independent data line and monthly internet service at the PROS Facility for a term of 36 months, and

WHEREAS, the County Department of Community Services shall reimburse HOME the total amount of \$1,080.00 per year for the independent data line and the monthly subscription fee, and

WHEREAS, the aforementioned contract is subject to the approval of the Cattaraugus County Legislature, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract between the Cattaraugus County Community Services Board and Recovery Options Made Easy, Inc. d/b/a Housing Options Made Easy, Inc., to signify the County's approval, for the provision

of the above-described reimbursement, for a term commencing January 1, 2022 and terminating December 31, 2024, according to the above-described terms.

Adopted January 5, 2022 by voice vote.

**ACT NO. 53-2022** by Mr. VanRensselaer

**APPROVING CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
RECOVERY OPTIONS MADE EASY, INC. D/B/A  
HOUSING OPTIONS MADE EASY, INC. FOR VARIOUS SERVICES,  
SERVING AS THE LEAD AGENCY FOR RECOVERY CENTER SERVICES**

Pursuant to Sections 41.47 and 41.55 of the Mental Hygiene Law  
and Section 450 of the County Law.

WHEREAS, Act 46-2021 authorized approval of a contract with Recovery Options Made Easy, Inc. d/b/a Housing Options Made Easy, Inc. (HOME), 75 Jamestown Street, Gowanda, New York 14070, for supported housing for mentally ill people, the provision of a consumer operated client systems advocacy service, and the operation of a telephone “warm” line, innovative vocational services, non-Medicaid Care coordination, as well as serving as the lead agency for Recovery Center Services, the term of which expired December 31, 2021, and

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

WHEREAS, HOME can provide the aforementioned various services for mentally ill people in Cattaraugus County for an amount not to exceed \$1,050,087.00, to be paid in quarterly installments as invoiced, and

WHEREAS, the 2022 County budget provides for the payment of \$1,050,087.00 to HOME for the aforementioned programs, and

WHEREAS, the above programs are funded through 100% state funds with a net County cost of zero, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, between the Cattaraugus County Community Services Board and Recovery Options Made Easy, Inc. d/b/a Housing Options Made Easy, Inc., to signify the County’s approval, for the provision of the above-mentioned programs, for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms, and be it further

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

RESOLVED, that upon termination of either state or federal funding for this program, then this program shall be automatically abolished, and be it further

RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days’ written notice, and be it further

RESOLVED, that upon reduction of either state or federal funding for this program, the County, in its sole discretion, and upon notice, may reduce the rate for services provided by the percentage of reduction in state or federal funding, and be it further

RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting.

Adopted January 5, 2022 by voice vote.

**ACT NO. 54-2022** by Mr. VanRensselaer

**APPROVING CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
DIRECTIONS IN INDEPENDENT LIVING, INC. FOR HEALTH HOME,  
NON-MEDICAID CARE COORDINATION, MENTAL HEALTH CONSUMER ADVOCACY,  
SUPPORT AND TRAINING PROGRAM**

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

WHEREAS, Act 43-2021 authorized approval of a contract with Directions in Independent Living, Inc., 514 West State Street, Olean, New York 14760, for the provision of advocacy, support and training programs for consumers of mental health services, Health Home Care, and Non-Medicaid Care Coordination services, the term of which expired December 31, 2021, and

WHEREAS, the Department of Community Services is desirous of continuing the aforementioned services, and

WHEREAS, Directions in Independent Living, Inc., can provide advocacy, support and training programs for consumers of mental health services, Health Home, and Non-Medicaid Care Coordination services for an amount not to exceed \$159,564.00, to be paid in quarterly installments, as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, between the Cattaraugus County Community Services Board and Directions in Independent Living, Inc., to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms, and be it further

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

RESOLVED, that upon termination of either state or federal funding for this program, then this program shall be automatically abolished, and be it further

RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days' written notice, and be it further

RESOLVED, that upon reduction of either state or federal funding for this program, the County, in its sole discretion, and upon notice, may reduce the rate for services provided by the percentage of reduction in state or federal funding, and be it further

RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting.

Adopted January 5, 2022 by voice vote.

**ACT NO. 55-2022** by Mr. VanRensselaer

**APPROVING CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
CATHOLIC CHARITIES OF BUFFALO NEW YORK FOR HEALTH HOME CARE  
MANAGEMENT SERVICES FOR CHILDREN**

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

WHEREAS, Act 41-2021 authorized approval of a contract with Catholic Charities of Buffalo New York, 525 Washington Street, Buffalo, New York 14203, for the provision of health home care management services for Cattaraugus County children, the term of which expired December 31, 2021, and

WHEREAS, the County Department of Community Services is desirous of providing health home care management services to children, and

WHEREAS, Catholic Charities of Buffalo New York can provide health home care management services to children for an amount not to exceed \$20,824.00, to be paid in quarterly installments as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract between the Cattaraugus County Community Services Board and Catholic Charities of Buffalo New York, to signify the County's approval, for the provision of health home care management services for children, for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms, and be it further

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

RESOLVED, that upon termination of either state or federal funding for this program, then this program shall be automatically abolished, and be it further

RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days' written notice, and be it further

RESOLVED, that upon reduction of either state or federal funding for this program, the County, in its sole discretion, and upon notice, may reduce the rate for services provided by the percentage of reduction in state or federal funding, and be it further

RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting.

Adopted January 5, 2022 by voice vote.

**ACT NO. 56-2022** by Mr. VanRensselaer

**APPROVING CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
COUNCIL ON ADDICTION RECOVERY SERVICES, INC. FOR  
SUBSTANCE ABUSE PROGRAM FUNDS AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Community Services)**

Pursuant to Articles 1, 19, 23 and 25 of the Mental Hygiene Law  
and Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 520-2020 authorized approval of a contract with Council on Addiction Recovery Services, Inc., for the provision of a substance abuse program in the County, the term of which expired December 31, 2021, and

WHEREAS, New York State has approved a substance abuse program in Cattaraugus County in an amount not to exceed \$1,748,586.00 for the period January 1, 2022 through December 31, 2022, or in such amount as approved by the State, and

WHEREAS, this program is 98.4% state and 1.6% county funded, and

WHEREAS, the net County cost for the provision of this program shall not exceed \$26,900.00 in County funds, 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 Chair of the Legislature be, and hereby is, authorized and directed to execute a contract between the Cattaraugus County Community Services Board and the Council on Addiction Recovery Services, Inc., to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms, and be it further

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

RESOLVED, that upon termination of either state or federal funding for this program, then this program shall be automatically abolished, and be it further

RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days' written notice, and be it further

RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting, and be it further

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

## Increase Estimated Revenue Accounts:

A.433.4322.3520.3492.013S	State Aid, OASAS Continual 100% State Aid	\$26,800.00
A.433.4322.3570.3492.013S	State Aid, OASAS Continual 100% State Aid	\$25,964.00

## Increase Appropriation Accounts:

A.433.4322.3520.42019.013S	CARES, Inc. OASAS State Local Assistance	\$26,800.00
A.433.4322.3570.42019.013S	CARES, Inc. OASAS State Local Assistance	\$25,964.00.

Adopted January 5, 2022 by voice vote.

**ACT NO. 57-2022** by Mr. VanRensselaer

**APPROVING AMENDED CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY  
SERVICES BOARD AND KIMBERLY CONROY, RN, MS, CS, NPP  
FOR DEPARTMENT OF COMMUNITY SERVICES  
PSYCHIATRIC NURSE PRACTITIONER SERVICES FOR  
CLIENTS IN THE PROS PROGRAM**

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

WHEREAS, Act 524-2020 authorized a contract with Kimberly Conroy, RN, MS, CS, NPP, 2656 West State Street, Suite 502, Olean, New York 14760, for the provision of psychiatric nurse practitioner services for clients in the PROS Program, the term of which expired December 31, 2021, and

WHEREAS, additional services were required for the PROS Program during the term of the aforementioned contract, making a contract amendment necessary in order to cover the cost of such additional services, and

WHEREAS, the additional amount of \$720.00 should be paid to Kimberly Conroy, RN, MS, CS, NPP, for the services provided for the PROS Program, bringing the total 2021 contract amount to \$35,040.00, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, between the Cattaraugus County Community Services Board and Kimberly Conroy, RN, MS, CS, NPP, to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2021 and terminating December 31, 2021, according to the above-described terms.

Adopted January 5, 2022 by voice vote.

**MOTION TO ADJOURN IN MEMORY OF  
MARILYN J. GIBBIN**

WHEREAS, Marilyn J. Gibbin, 89, formerly of Ellicottville, passed away on November 16, 2021 at her home in Orchard Park, and

WHEREAS, Ms. Gibbin began employment with the County on December 10, 1971 as the Director of the Division of Nursing Homes in the Health Department in connection with directing the operation of the County Public Nursing Home and the County Home and Infirmary, and

WHEREAS, Ms. Gibbin assisted in the planning of The Pines – Olean Campus, providing oversight of the project until its completion and opening in 1972, and

WHEREAS, she resigned from County employment on November 19, 1979, and

WHEREAS, Ms. Gibbin continued to work in the nursing home field and was recruited to convert Deaconess Hospital from an acute care center to a long-term nursing facility; oversaw the opening of a pediatric unit at Deaconess Center in 1991; the management of Waterfront Health Care Center as part of Columbus Hospital's merger with Buffalo General in 1995; and upon retiring from Buffalo General in the late 1990s, returned to Olean to serve as administrator of St. Joseph's Manor, and

WHEREAS, Ms. Gibbin served on the New York State Hospital Review and Planning Council, the Public Health Council, and the Western New York Association of Homes and Services for the Aging, and

WHEREAS, the loss of her presence will be sadly felt by her many friends and colleagues in Cattaraugus County, now, therefore, Legislator VanRensselaer hereby

MOVES, that the Cattaraugus County Legislature hereby adjourns, and stands adjourned, in memory of Marilyn J. Gibbin, 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 Marilyn J. Gibbin, 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 her longtime friend, Gerard O'Connor.

\* \* \* \* \*

MR. BRISKY moved, seconded by Mr. Burr, to adjourn until January 26, 2022 at 5:00 p.m. Carried.

Meeting adjourned at 5:35 p.m.

Ann M. Giglio  
Journal Clerk