



January 26, 2022

The meeting was called to order by Chairman VanRensselaer.

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed one Legislator absent - Hunt.

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**COMMUNICATIONS:**

Putnam County Legislature: Resolution #295, Opposing Government Mandated COVID-19 Vaccination.

\* \* \* \* \*

**APPOINTMENTS:**

**CONEWANGO WATERSHED COMMISSION**

*Indefinite term*

Brent Harkness, *replacing Lee Harkness who resigned recognizing Lee Harkness as an honorary non-voting member*

**2022 Standing Committees Appointed By Chairman**

\* Chair  
\*\* Vice Chair

**Finance:** \*Burr, \*\*Marsh, Andreano, Brisky, Higgins, Parker, Koch

**County Operations/Public Safety:** \*Klancer, \*\*Boberg, Higgins, Hunt, Morrow, Smith, Koch

**Development & Agriculture:** \*Marsh, \*\*Higgins, Benson, Burr, Hunt, Morrow, Smith

**Human Services:** \*Andreano, \*\*Helmich, Burr, Morrow, Schröder, Smith, Snyder

**Labor Relations:** \*Schröder, \*\*Marsh, Brisky, Helmich, Koch

**Public Works:** \*Helmich, \*\*Benson, Boberg, Brisky, Morrow, Parker, Snyder

**Strategic Planning:** \*Benson, \*\*Parker, Andreano, Boberg, Brisky, Klancer, Koch

**Legislative Representatives**

**Aging Advisory Council:** Smith (*one-year term to expire December 31, 2022*)

**Federated Sportsmen's Association:** Helmich, VanRensselaer (*one-year terms to expire December 31, 2022*)

**Region 9 Fish & Wildlife Management Board:** Snyder, VanRensselaer (*two-year terms to expire December 31, 2023*)

**Town Supervisors Association:** Koch, Parker *(one-year terms to expire December 31, 2022)*

**Village Officials Association:** Higgins, Marsh *(one-year terms to expire December 31, 2022)*

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**PUBLIC HEARING:**

CHAIRMAN VANRENSELAER announced this is the time and place called for a public hearing on Local Law Number 1-2022, A Local Law Continuing the Cattaraugus County Hotel and Motel Tax, and that anyone wishing to speak for or against this may now do so.

There being no one wishing to speak, CHAIRMAN VANRENSELAER declared the public hearing closed.

\* \* \* \* \*

CHAIRMAN VANRENSELAER called up **Act No. 40-2022, Local Law Number 1-2022**, A Local Law Continuing the Cattaraugus County Hotel and Motel Tax, and asked that it be read.

CHAIRMAN VANRENSELAER requested a Roll Call vote on Act No. 40-2022, which disclosed as follows:

Ayes: Andreano, Benson, Boberg, Brisky, Burr, Helmich, Higgins, Klancer, Koch, Marsh, Morrow, Parker, Schröder, Smith, Snyder, VanRensselaer -16.

Nays: none.

Act No. 40-2022, Local Law Number 1-2022, having received a unanimous vote of the Legislature, was declared Adopted.

\* \* \* \* \*

**ACT NO. 58-2022** by Mr. VanRensselaer

**APPOINTMENTS TO CORNELL COOPERATIVE EXTENSION  
ASSOCIATION OF CATTARAUGUS COUNTY**

Pursuant to Article V, Section 3B, of the Constitution of the Cornell Cooperative Extension Association of Cattaraugus County, State of New York.

RESOLVED, that the following individuals are hereby appointed to the Cornell Cooperative Extension Board for a one-year term to expire December 31, 2022:

Richard Helmich  
Norman L. Marsh,

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Cornell Cooperative Extension Association of Cattaraugus County.

Adopted January 26, 2022 by voice vote.

**ACT NO. 59-2022** by Mr. VanRensselaer

**APPOINTMENT OF INTER-COUNTY ASSOCIATION OF  
WESTERN NEW YORK MEMBERS**

Pursuant to Section 153 of the County Law.

RESOLVED, that the following individuals shall be the Cattaraugus County voting members to the Inter-County Association of Western New York for the year 2022:

Michael M. Brisky  
Richard Helmich  
David M. Koch  
Frank H. Higgins (*alternate*)  
Laurie A. Hunt (*alternate*)  
Kip A. Morrow (*alternate*),

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Inter-County Association of Western New York.

Adopted January 26, 2022 by voice vote.

**ACT NO. 60-2022** by Mr. VanRensselaer

**APPOINTMENT OF SENECA TRAIL RC & D PROJECT MEMBER**

Pursuant to Section 153 of the County Law.

RESOLVED, that Laurie A. Hunt is hereby appointed to the Seneca Trail RC & D Project for a one-year term to expire December 31, 2022, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Seneca Trail RC & D Project.

Adopted January 26, 2022 by voice vote.

**ACT NO. 61-2022** by Mr. VanRensselaer

**APPOINTMENT OF SOIL & WATER CONSERVATION  
DISTRICT BOARD MEMBERS**

Pursuant to Section 153 of the County Law.

RESOLVED, that the following individuals are hereby appointed to the Cattaraugus County Soil & Water Conservation District Board of Directors for a one-year term to expire December 31, 2022:

R. Donald Benson  
Kip Morrow,

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 Soil & Water Conservation District.

Adopted January 26, 2022 by voice vote.

**ACT NO. 62-2022** by Mr. VanRensselaer  
and Mrs. Andreano, Mr. Higgins 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  
(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 and Mr. Smith”.

Adopted January 26, 2022 by voice vote.

**ACT NO. 63-2022** by Mr. VanRensselaer

**ACCEPTANCE OF BID AND AUTHORIZING THE CHAIR TO  
EXECUTE CONTRACT FOR SALE OF TIMBER  
(Ashford Softwood Timber Tract)**

Pursuant to Sections 219 and 450 of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the sale of timber from the Cattaraugus County Ashford Softwood Timber Tract, according to specifications provided by Generations Forestry, and

WHEREAS, the highest bid received meeting specifications for the sale of marked timber from the Ashford Softwood Timber Tract was the bid of Wadsworth Logging, Inc., P.O. Box 177, Northville, New York 12134, in the amount of \$785,000.00, and

WHEREAS, Generations Forestry, the County's Forest Manager, has indicated that the price offered is fair and reasonable and should therefore be accepted, and

WHEREAS, Wadsworth Logging, Inc., will complete the harvest and cleanup/restoration of the property no later than February 28, 2024, now, therefore, be it

RESOLVED, that the bid of Wadsworth Logging, Inc., be, and the same hereby is, accepted, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Wadsworth Logging, Inc., for the above-described sale of timber.

Forty-nine sets of specifications were sent out.  
Nine bids were received meeting specifications.

Adopted January 26, 2022 by voice vote.

**ACT NO. 64-2022** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE GENERAL DESIGN SERVICE TERM AGREEMENTS  
WITH VARIOUS ENGINEERING FIRMS FOR  
GENERAL DESIGN SERVICES FOR HIGHWAY RELATED PROJECTS**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, the Department of Public Works is in need of engineering design services for various highway projects, and

WHEREAS, the following three (3) engineering firms have agreed to enter into a General Design Service Term Agreement for the provision of general design services for highway related projects:

Greenman-Pedersen, Inc. 4950 Genesee Street, Suite 100 Buffalo, New York 14225	Not to Exceed \$250,000.00
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Bergmann Associates, Inc. 40 LaRiviere Drive, Suite 200 Buffalo, New York 14202	Not to Exceed \$250,000.00
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Fisher Associates, PE, LS, LA, DPC 180 Charlotte Street Rochester, New York 14607,	Not to Exceed \$250,000.00
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and

WHEREAS, the County shall make periodic payments based on a cost plus basis as determined by the Department of Public Works, and

WHEREAS, sufficient funds are included in the budget to cover the costs of the aforementioned engineering services for various highway related projects, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute General Design Service Term Agreements, on behalf of Cattaraugus County, with the above-listed engineering firms, for the provision of the above-described engineering services, for a term commencing January 26, 2022 and terminating December 31, 2024, according to the above-described terms.

Adopted January 26, 2022 by voice vote.

ACT NO. 65-2022 by Mr. VanRensselaer

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

Pursuant to Section 10 of the Municipal Home Rule Law.

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

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

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

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

SECTION 3. Commissioner of Public Works.

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

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

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

7. Have authority to acquire, lease, control, maintain, repair and dispose of personal property for, and in the performance of the Commissioner's powers and duties;

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

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

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

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

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

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

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

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

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

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

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

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

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



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

No further action taken at this time.

**ACT NO. 66-2022** by Mr. VanRensselaer

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 2 - 2022**

Pursuant to Section 10 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on January 26, 2022, a proposed Local Law entitled "A Local Law Creating the Cattaraugus County Public Works Department and the Office of Cattaraugus County Commissioner of Public Works", 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 9th day of February, 2022, at 5:01 p.m. at the Legislature's Chambers, Cattaraugus County Center, 303 Court Street, Little Valley, New York, and that at least five days' notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Adopted January 26, 2022 by voice vote.

**ACT NO. 67-2022** by Mr. VanRensselaer

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

Pursuant to Section 10 of the Municipal Home Rules Law.

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

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

SECTION 1. Legislative Intent. It is the intent of this Local Law to develop the management infrastructure devoted to the buildings and grounds owned and operated by the County of Cattaraugus.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 6. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the particular provision directly involved in the controversy in which such judgment shall have been rendered.

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

No further action taken at this time.

**ACT NO. 68-2022** by Mr. VanRensselaer

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 3 - 2022**

Pursuant to Section 10 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on January 26, 2022, a proposed Local Law entitled "A Local Law Creating the Cattaraugus County Department of Buildings and Grounds and the position of Director of the Department of Buildings and Grounds", 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 9th day of February, 2022, at 5:02 p.m. at the Legislature's Chambers, Cattaraugus County Center, 303 Court Street, Little Valley, New York, and that at least five days' notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Adopted January 26, 2022 by voice vote.

**ACT NO. 69-2022** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
OUTREACHSYSTEMS FOR SOFTSHARE BID MATCH SERVICES FOR  
PROCUREMENT TECHNICAL ASSISTANCE PROGRAM**

Pursuant to 10 USCS 4211 and Section 450 of the County Law.

WHEREAS, Act 74-2021 authorized a contract with OutreachSystems for the provision of governmental bid opportunities to clients of the County's Procurement Technical Assistance Program, for an amount of \$7,250.00, the term of which expires January 31, 2022, and

WHEREAS, the County Department of Economic Development, Planning and Tourism is desirous of continuing the aforementioned services, and

WHEREAS, OutreachSystems, 5385 Hollister Avenue, Santa Barbara, California 93111, has agreed to continue providing governmental bid opportunities to clients of the County's Procurement Technical Assistance Program for an amount of \$7,250.00, to be paid as invoiced, and

WHEREAS, sufficient funds are included in the 2022 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 a contract, on behalf of Cattaraugus County, with OutreachSystems, for the provision of the above-described services, for a term commencing February 1, 2022 and terminating January 31, 2023, according to the above-described terms.

Adopted January 26, 2022 by voice vote.

**ACT NO. 70-2022** by Mr. VanRensselaer

**SALE OF TAX TITLE PROPERTY TO VILLAGE OF PORTVILLE AND  
WAIVING RULE 40 OF THE RULES OF ORDER**

Pursuant to Section 215 of the County Law, Rule 40.9 of the Rules of Order of the Cattaraugus County Legislature, and Section 72-h of the General Municipal Law.

WHEREAS, Cattaraugus County has tax title to certain property located in the Village of Portville, described as Parcel 400, Tax Map No. 104.074-1-4.10, 1 Wellington Drive, Portville, and

WHEREAS, the Village of Portville has offered to purchase the above-described property for an amount of \$14,696.48, and will be responsible for the payment of the 2022 Town/County taxes, and

WHEREAS, Rule 40.9 states that no property will 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, and

WHEREAS, that upon receipt of the aforementioned amount, the property should be conveyed to the Village of Portville, now, therefore, be it

RESOLVED, that the County Treasurer, upon receipt of the amount of \$14,696.48, is hereby authorized and directed to convey the aforementioned parcel to the Village of Portville, by the issuance of a County Treasurer's Deed, and be it further

RESOLVED, that the Village of Portville shall be responsible for the payment of the 2022 Town/County taxes, and be it further

RESOLVED, that Rule 40 of the Rules of Order of the Cattaraugus County Legislature is hereby waived for this sale.

Adopted January 26, 2022 by voice vote.

**ACT NO. 71-2022** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
GRAND CANYON UNIVERSITY FOR  
EDUCATIONAL CLINICAL EXPERIENCE PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Grand Canyon University, 3300 West Camelback Road, Phoenix, Arizona 85017, is desirous of implementing a clinical rotation component in its educational clinical experience program for the College of Nursing and Health Care Programs, and

WHEREAS, the Department of Health is desirous of working collaboratively with Grand Canyon University for training and educational clinical experience programs to nursing students who would benefit from field placement experience in the Cattaraugus County Department of Health, and

WHEREAS, the Department of Health has agreed to allow the program to be conducted at the Department's facilities at no cost to the County, and

WHEREAS, in the event other County departments are desirous of participating in a clinical experience program with Grand Canyon University, then additional contracts may be entered into pursuant to this act, 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 Grand Canyon University, for the provision of the above-described educational clinical experience program, for a term commencing January 1, 2022 to continue in full force and effect until terminated by either party hereto, according to the above-described terms.

Adopted January 26, 2022 by voice vote.

**ACT NO. 72-2022** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
JOHNS HOPKINS UNIVERSITY FOR  
EDUCATIONAL CLINICAL EXPERIENCE PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Johns Hopkins University, School of Public Health, 615 North Wolfe, Baltimore, Maryland 21218, is desirous of implementing a clinical rotation component in its educational clinical experience program for the College of Nursing and Health Care Programs, and

WHEREAS, the Department of Health is desirous of working collaboratively with Johns Hopkins University for training and educational clinical experience programs to nursing students who would benefit from field placement experience in the Cattaraugus County Department of Health, and

WHEREAS, the Department of Health has agreed to allow the program to be conducted at the Department's facilities at no cost to the County, and

WHEREAS, in the event other County departments are desirous of participating in a clinical experience program with Johns Hopkins University, then additional contracts may be entered into pursuant to this act, 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 Johns Hopkins University, for the provision of the above-described educational clinical experience program, for a term commencing January 1, 2022 to continue in full force and effect until terminated by either party hereto, according to the above-described terms.

Adopted January 26, 2022 by voice vote.

**ACT NO. 73-2022** by Mr. VanRensselaer

**APPROVING CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
NEW YORK STATE INDUSTRIES FOR THE DISABLED, INC. FOR  
JANITORIAL SERVICES FOR DEPARTMENT OF COMMUNITY SERVICES  
PROS AND CARE MANAGEMENT FACILITIES**

Pursuant to Section 162 of the Finance Law and  
Sections 215 and 450 of the County Law.

WHEREAS, Act 522-2020, as amended by Act 290-2021, authorized a contract with New York State Industries for the Disabled, Inc., for the provision of janitorial services at the PROS Facility and the Care Management Facility, located at 203 Laurens Street and 212 Laurens Street in the City of Olean, the term of which expired December 31, 2021, and

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

WHEREAS, the New York State Industries for the Disabled, Inc., through the Cattaraugus Rehabilitation Center, Inc., has agreed to provide janitorial services for the aforementioned facilities, as follows:

PROS Facility	\$19,996.58/year
203 Laurens Street	(subject to increase based upon NYSDOL
Olean, New York 14760	Prevailing Wage Rates)
Care Management Facility	\$12,007.25/year
212 Laurens Street	(subject to increase based upon NYSDOL
Olean, New York 14760	Prevailing Wage Rates),

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 New York State Industries for the Disabled, Inc., to signify the County's approval, for the provision of the above-described janitorial services, for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms.

Adopted January 26, 2022 by voice vote.

**ACT NO. 74-2022** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION  
WITH UNITED STATES DEPARTMENT OF VETERANS AFFAIRS FOR  
NURSING HOME CARE SERVICES AT THE  
PINES HEALTHCARE AND REHABILITATION CENTER-MACHIAS CAMPUS**

Pursuant to 41 USCS 252(c)(4) and Section 450 of the County Law.

WHEREAS, Act 556-2015, as amended by Acts 38-2018, 614-2018, 82-2020, 230-2020 and 545-2020, authorized a contract with the United States Department of Veterans Affairs, 3495 Bailey Avenue, Buffalo, New York 14215, for the provision of nursing home services to veterans for The Pines Healthcare and Rehabilitation Center – Machias Campus, the term of which expires January 31, 2022, and

WHEREAS, the United States Department of Veterans Affairs has requested a two (2) month extension of the aforementioned contract to March 31, 2022, under the same rates, terms and conditions, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract extension, on behalf of Cattaraugus County, with the United States Department of Veterans Affairs, for the provision of the above-described services, for a term commencing February 1, 2022 and terminating March 31, 2022, according to the above-described terms.

Adopted January 26, 2022 by voice vote.

**ACT NO. 75-2022** by Mr. VanRensselaer

**AUTHORIZING REDUCTION IN PURCHASE PRICE FOR  
TAX TITLE PROPERTY AND REFUND**

Pursuant to Section 215 of the County Law.

WHEREAS, Cattaraugus County had tax title to certain property situate in Cattaraugus County, described as Parcel No. 171a, Tax Map No. 69.002-1-50, located at 4382 Lower Bush Road in the Town of Conewango, and

WHEREAS, the above-described property was exposed to bid at public auction as required by Rule 40 of the Rules of Order of the Cattaraugus County Legislature, and

WHEREAS, the highest bidder, who occupies the property, kept bidding other bidders higher, and subsequently failed to pay the required deposit, and

WHEREAS, the property was offered to the second highest bidder, John B. Ammerman, and he purchased the property for an amount of \$55,600.00, and

WHEREAS, the high bidders have failed to leave the property and have continually, since the sale was completed and a deed tendered and delivered to Mr. Ammerman, destroyed and devalued the property by dismantling and removing buildings and other items, thereby reducing the value of the property significantly, and

WHEREAS, given the above, John Ammerman is requesting that the County reduce the purchase price for the property to the amount of \$21,801.12, representing the County's involvement, and refund to him the amount of \$33,798.88, now, therefore, be it

RESOLVED, that the Cattaraugus County Treasurer be, and hereby is, authorized and directed to refund the amount of \$33,798.88 to John B. Ammerman.

Adopted January 26, 2022 by voice vote.

**ACT NO. 76-2022** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
TYLER TECHNOLOGIES, INC. FOR SHERIFF'S OFFICE  
LICENSED SOFTWARE PRODUCTS, MAINTENANCE AND SUPPORT SERVICES**

Pursuant to Sections 450 and 650 of the County Law.

WHEREAS, Act 527-2017 authorized a contract with Tyler Technologies, Inc. (formerly New World Systems), One Tyler Drive, Yarmouth, Maine 04096, for the provision of maintenance support services for the Sheriff's Office New World Systems standard software packages, the term of which expired December 31, 2021, and

WHEREAS, the Sheriff's Office is desirous of continuing the aforementioned maintenance and support services, and

WHEREAS, Tyler Technologies, Inc. can provide maintenance and support services, for its licensed software utilized by the Sheriff's Office, for an amount not to exceed \$96,630.65 for the term January 1, 2022 through December 31, 2022, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned maintenance and support 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 Cattaugus County, with Tyler Technologies, Inc., for the provision of the above-described maintenance and support services for its licensed software products, for a term commencing January 1, 2022 and terminating December 31, 2022, with an automatic renewal for additional one (1) year terms unless terminated in writing by either party, according to the above-described terms.

Adopted January 26, 2022 by voice vote.

**MOTION TO ADJOURN IN MEMORY OF  
JOHN B. SAMPSON**

WHEREAS, John B. Sampson, 72, of Salamanca, passed away on January 25, 2022 after battling both dementia and sundowners syndrome, and

WHEREAS, Mr. Sampson was appointed on January 1, 1990 as Director of the County Veterans Service Agency and made his mark as an accredited director for 22 years until his resignation on January 2, 2012, and

WHEREAS, in 2016, Mr. Sampson was elected to serve as the 2016-2017 Commander of the New York State American Legion, becoming the first State Commander from Cattaugus County in the Legion's nearly 100-year history, and

WHEREAS, Mr. Sampson was a 45-year member of Hughes-Skiba Legion Post 535 in Salamanca and had been inducted into the New York State Senate's Veterans Hall of Fame, and

WHEREAS, Mr. Sampson served in the Navy from August 1967 to February 1972 with assignments on the USS Freemont (APA-44) attack transport and at Randolph Air Force Base in San Antonio, Texas, as part of a joint military command, and was honorably discharged with the rank 2<sup>nd</sup> Class Personnel Man (E5), and

WHEREAS, in the American Legion, Mr. Sampson held positions at post, county, department and national levels, including Cattaugus County Commander in 1988 and 1989, and



WHEREAS, Mr. Sampson has served within the American Legion as National Chairman for Veterans Education, Other Benefits and Homeless; Vice Chairman on the National Americanism Commission; Department Chairman on the Rehabilitation Committee; Department Chairman on the Resolutions Committee; and Dean of the American Legion College of New York, and

WHEREAS, among his State Legion honors, he was named Service Officer of the Year, and

WHEREAS, a past President of the New York State Veterans Service Officer Association, Mr. Sampson was the founder of the Cattaraugus-Allegany Joint Veterans Council Volunteer Van Service and remained active in the program, and

WHEREAS, he also served on the Board of Directors for the World War II Museum in Eldred, Pennsylvania; the City of Salamanca Youth Board; and the Selective Service System's Local Draft Board #90, and

WHEREAS, in addition to being a member of the American Legion and the Sons of the American Legion, Mr. Sampson was also a lifetime member of the Veterans of Foreign Wars, and

WHEREAS, Mr. Sampson is survived by his wife, Vicki; his children, Candice O'Neil of Salamanca, and Todd of Bradford, Pennsylvania; three grandchildren; a brother and two sisters-in-law; several nieces and nephews, and

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

MOVE, that the Cattaraugus County Legislature hereby adjourns, and stands adjourned, in memory of John B. Sampson, 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 John B. Sampson, and be it further

RESOLVED, that the Clerk of the Legislature be, and hereby is, directed to forward a certified copy of this Motion to his wife.

\* \* \* \* \*

CHAIRMAN VANRENSELAER granted Privilege of the Floor to Legislator Koch who commented on committee assignments.

Point of Order called by Mrs. Andreano.

Sustained by Chairman VanRensselaer.

\* \* \* \* \*

MR. BURR moved, seconded by Mr. Brisky, to adjourn until February 9, 2022 at 5:00 p.m. Carried.

Meeting adjourned at 5:20 p.m.

Ann M. Giglio  
Journal Clerk