

September 22, 2010

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

The invocation was given by Rev. Lefebber.

The Attendance Roll Call disclosed one Legislator absent - Ms. Vickman.

MR. NEAL moved, seconded by Mr. Aiello that the minutes of the September 8, 2010 session be approved. Carried.

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**COMMUNICATIONS:**

Assembly Member Giglio: Letter acknowledging receipt of Act Nos. 462-2010 and 463-2010.

\* \* \* \* \*

**APPOINTMENTS:**

**Chaplain  
Indefinite Term**

Gerard Lefebber  
707 Main Street  
Olean, New York 14760

Kenneth N. Snyder  
32 North Chapel Street  
Gowanda, New York 14070-1113

\* \* \* \* \*

CHAIRMAN O'BRIEN called up **Act No. 407-2010**, Authorizing the Chair to Execute Amended Contract with Jamestown Psychiatric, P.C., for Department of Community Services Mental Health Psychiatric Services for PROS Clients, and asked that it be read.

Approved by 7 members of the Finance Committee and 4 members of the Human Services Committee.

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

<sup>1</sup> MR. SNYDER moved, seconded by Mr. Neal to amend Act No. 407-2010 as follows: In the third Whereas, delete: "\$165 per hour for travel time", and replace with: "\$100 per hour for travel time"; delete: "\$56,100" and replace with: "\$43,200"; after "travel time", add: "with two hours maximum travel time per week". Carried

Adopted, as amended, September 22, 2010 by voice vote.

\* \* \* \* \*

**ACT NO. 466-2010** by Mr. Giardini  
and Mr. Ellis  
and Mr. Burrell<sup>1</sup>

**BID ACCEPTANCE FOR EMERGENCY STREAMBANK RESTORATION  
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for emergency streambank restoration, according to specifications provided by the Public Works Committee, for the following areas:

- Area #1 County Road No. 14, East Otto Bridge No. 9 and East Otto Bridge Nos. 14 & 15,
- Area #2 Ashford Bridge No. 30, Freedom Bridge No. 5, and Yorkshire Bridge No. 22, and
- Area #3 County Road No. 32 Culvert Repair and County Road No. 32 Slide,

and

WHEREAS, the lowest bid received meeting specifications for Area No. 1 was the bid of D & H Excavating, Inc., 11939 Route 98 South, Arcade, New York 14009, in the amount of \$39,826, as follows:

▪ County Road No. 14	\$20,575.00
▪ East Otto Bridge No. 9	\$10,000.00
▪ East Otto Bridge Nos. 14 & 15	\$ 9,251.00,

and

WHEREAS, the lowest bid received meeting specifications for Area No. 2 was the bid of Buffalo Creek, Inc., 11800 Route 20A, Wales Center, New York 14169, in the amount of \$79,084, as follows:

▪ Ashford Bridge No. 30	\$11,144.00
▪ Freedom Bridge No. 5	\$56,400.00
▪ Yorkshire Bridge No. 22	\$11,540.00,

and

WHEREAS, the lowest bid received meeting specifications for Area No. 3 was the bid of Buffalo Creek, Inc., 11800 Route 20A, Wales Center, New York 14169, in the amount of \$119,700, as follows:

▪ County Road No. 32 Culvert Repair	\$30,300.00
▪ County Road No. 32 Slide	\$89,400.00,

and

WHEREAS, sufficient funds are included in the 2010 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the bid of D & H Excavating, Inc., be, and the same hereby is, accepted, and be it further

RESOLVED, that the bids of Buffalo Creek, Inc., be, and the same hereby are, accepted, and be it further

RESOLVED, that the vouchers accordingly certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

No State bid.

Nineteen sets of specifications were sent out.

Four bids were received.

Approved by 7 members of the Finance Committee and 8 members of the Public Works Committee.

<sup>1</sup> The following Legislator requested his name be listed as an additional sponsor: "Mr. Burrell".

Adopted September 22, 2010 by voice vote.

ACT NO. 467-2010 by Mr. Giardini  
and Mr. Ellis

**BID ACCEPTANCE FOR HOT DIP STEEL GALVANIZATION  
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the hot dip steel galvanization, according to specifications and general information provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications for the hot dip steel galvanization is the bid of Elderlee, Inc., 729 Cross Road, Oaks Corners, New York 14518, in an amount as follows:

<u>Job Size</u>	<u>2009 Amount</u>	<u>2010 Amount</u>
Less than 1,000 lbs	\$ 0.55/lb	\$ 0.475/lb
1,000 - 2,000 lbs	\$ 0.50/lb	\$ 0.355/lb
2,000 - 5,000 lbs	\$ 0.45/lb	\$ 0.275/lb
5,000 - 10,000 lbs	\$ 0.40/lb	\$ 0.245/lb
10,000 lbs & greater	\$ 0.30/lb	\$ 0.195/lb

<u>Additional Charges:</u>	<u>50% surcharge</u>	<u>50% surcharge</u>
	<u>of pound rate</u>	<u>of pound rate</u>
	<u>listed</u>	<u>listed</u>
1. If material to be galvanized is longer than tank length and material must be dipped - first one end and then the other, "double dip", additional charge		
2. Handrails	\$ 0.75/lb	\$ 0.555/lb
3. Tanks	\$ 1.00/lb	\$ 0.455/lb
4. Additional Venting for Tanks (above)		\$ 0.105/lb
5. Excess Paint Removal		\$ 0.055/lb

In determining the award, the specs state that mileage will be taken into consideration. The specs state \$1.50 per mile will be used. Each job (materials to be galvanized) requires two (2) round trips., and

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

RESOLVED, that the aforementioned bid of Elderlee, Inc., be, and the same hereby is, accepted, for a term commencing October 1, 2010 and terminating September 30, 2011, and be it further

RESOLVED, that the vouchers accordingly certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

No State Bid.  
Four sets of specifications were sent out.  
Two bids were received.

Approved by 7 members of the Finance Committee and 8 members of the Public Works Committee.

Adopted September 22, 2010 by voice vote.

**ACT NO. 468-2010** by Mr. Giardini  
and Mr. Ellis

**BID ACCEPTANCE FOR SALT AND SAND PREMIX  
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for salt and sand premix for the 2009-2010 season requirements, according to specifications provided by the Public Works Committee, and

WHEREAS, the County shall accept all bids received in order that the purchaser can buy from the vendor where most advantageous, and

WHEREAS, the only bid received meeting specifications for salt and sand premix was the bid of Gernatt Asphalt Products, Inc., P.O. Box 400, Taylor Hollow Road, Collins, New York 14034, (Benz Drive, Springville, New York, Plant) are as follows:

Ratio of Sand to Salt <u>Per Ton</u>	2009 Price Per Ton Premixed Material <u>F.O.B. Plant</u>	2010 Price Per Ton Premixed Material <u>F.O.B. Plant</u>
4-1	\$19.60	\$18.30
5-1	\$18.10	\$16.80
6-1	\$17.10	\$16.10
7-1	\$16.30	\$15.50
8-1	\$15.70	\$15.00
9-1	\$15.30	\$14.50
10-1	\$14.90	\$14.20

now, therefore, be it

RESOLVED, that the bid of Gernatt Asphalt Products, Inc., be, and the same hereby is, accepted, for a term commencing September 1, 2010 and terminating April 30, 2011, and be it further

RESOLVED, that the vouchers accordingly certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

No State Bid.

Four sets of specifications were sent out.

Only one bid was received.

Approved by 7 members of the Finance Committee and 8 members of the Public Works Committee.

Adopted September 22, 2010 by voice vote.

**ACT NO. 469-2010** by Mr. Giardini  
and Mr. Ellis

**BID ACCEPTANCE FOR CUTTING EDGES AND SHOES  
FOR GRADERS, PLOWS AND WINGS  
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for cutting edges and shoes for graders, plows and wings for the Department of Public Works, according to specifications provided by the Public Works Committee, and

WHEREAS, the bids meeting specifications for the aforementioned items are as follows:

**CHEMUNG SUPPLY CORP.**  
**P.O. Box 527**  
**Elmira, New York 14902**

Carbon Grader Blades- Sheared, mitered, and punched

<u>Index #</u>	<u>Size</u>	<u>Quantity</u>	<u>2009 Rate</u>	<u>2010 Rate</u>
B-6L	5/8" x 6"	Less Than 10 Sets	\$ 7.39/foot	\$ 7.09/foot
B-6G	5/8" x 6"	10 Sets or Greater	\$ 7.09/foot	\$ 7.00/foot
B-8L	5/8" x 8"	Less Than 10 Sets	\$10.83/foot	\$10.83/foot

Carbon Plow & Wing Blades- Hole type, drilled for 5/8" cap screw, 12" centers

<u>Index #</u>	<u>Size</u>	<u>Quantity</u>	<u>2009 Rate</u>	<u>2010 Rate</u>
C-B6L	5/8" x 6"	Less than 50 Blades	\$10.04/foot	\$ 8.28/foot
C-B6G	5/8" x 6"	50 Blades or Greater	\$ 9.64/foot	\$ 7.65/foot
C-C6L	3/4" x 6"	Less than 50 Blades	\$ 9.95/foot	\$ 9.94/foot
C-C6G	3/4" x 6"	50 Blades or Greater	\$ 9.18/foot	\$ 9.18/foot
C-D6L	1" x 6"	Less than 50 Blades	NB	\$13.26/foot
C-D6G	1" x 6"	50 Blades or Greater	NB	\$12.25/foot
C-B8L	5/8" x 8"	Less than 50 Blades	\$12.99/foot	\$11.05/foot
C-B8G	5/8" x 8"	50 Blades or Greater	\$12.00/foot	\$10.20/foot
C-C8L	3/4" x 8"	Less than 50 Blades	\$13.26/foot	\$12.44/foot
C-C8G	3/4" x 8"	50 Blades or Greater	\$12.24/foot	\$11.83/foot

Tungsten Carbide Blades for Plow & Graders

<u>Index #</u>	<u>Description</u>	<u>2009 Rate</u>	<u>2010 Rate</u>
E-2	Item II - 3 piece set, No. DB48-36-48 Carbide Plow Blade - Price Per Set	\$396.00	\$330.00

**Alternates:**

DOT #19 Wing Shoes - Fabricated \$34.19 each

**VALK MANUFACTURING COMPANY**  
**P.O. Box 428**  
**New Kingstown, Pennsylvania 17072**

Carbon Grader Blades- Sheared, mitered, and punched

<u>Index #</u>	<u>Size</u>	<u>Quantity</u>	<u>2009 Rate</u>	<u>2010 Rate</u>
B-6G	5/8" x 6"	10 Sets or Greater	\$ 7.09/foot	\$ 7.00/foot
B-8G	5/8" x 8"	10 Sets or Greater		\$10.30/foot

**RUSERT EQUIPMENT CO.**  
**P.O. Box 1131**  
**Orchard Park, New York 14127**

Plow & Wing Shoes Frink one-way models 609, 625, 630, 640, 650

**Plow shoe 1 3/4" x 8" x 14" - min. weight 33 lbs.**  
**Hole size 13/16" recessed for square head bolt**

<u>Index #</u>	<u>Description</u>	<u>Quantity</u>	<u>2009 Rate</u>	<u>2010 Rate</u>
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F-CL	Plattaloy (or equal)	Less Than 50 Shoes	\$62.00/shoe	\$66.00/shoe
F-CG	Plattaloy (or equal)	50 Shoes or Greater	\$60.00/shoe	\$66.00/shoe

Plow & Wing Shoes Frink one-way models 609, 625, 630, 640, 650

Tennco Plow Shoe PN-666-122-335

<u>Index #</u>	<u>Description</u>	<u>Quantity</u>	<u>2009 Rate</u>	<u>2010 Rate</u>
H-AL	Cast Alloy Abrasive	Less Than 50 Shoes	\$90.00/shoe	\$101.00/shoe
H-AG	Cast Alloy Abrasive	50 Shoes or Greater	\$86.00/shoe	\$101.00/shoe

**Wing Shoe Type 12" - min. weight 37 lbs.- size 3/4"**

<u>Index #</u>	<u>Description</u>	<u>Quantity</u>	<u>2009 Rate</u>	<u>2010 Rate</u>
K-AL	Cast Alloy Abrasive	Less Than 50 Shoes	\$65.00/shoe	\$78.00/shoe
K-AG	Cast Alloy Abrasive	50 Shoes or Greater	\$63.00/shoe	\$78.00/shoe

**Mold Board Shoes, 12" hold size 3/4" (6-1/2" for top line punch)**

<u>Index #</u>	<u>Description</u>	<u>Quantity</u>	<u>2009 Rate</u>	<u>2010 Rate</u>
L-AL	Cast Alloy Abrasive	Less Than 50 Shoes	\$90.00/shoe	\$91.00/shoe
L-AG	Cast Alloy Abrasive	50 Shoes or Greater	\$88.00/shoe	\$91.00/shoe

**Cast Mushroom Shoe - weight 50 lbs.**

<u>Index #</u>	<u>Description</u>	<u>Quantity</u>	<u>2009 Rate</u>	<u>2010 Rate</u>
NI-HARD	Cast Mushroom Shoe		\$98.00/shoe	\$106.50/shoe

**MORRISON SUPPLY CO., INC.**

**121 Mill Street**

**Springville, New York 14141**

Plow & Wing Shoes Frink one-way models 609, 625, 630, 640, 650

**Plow shoe 2 1/4" x 8" x 14" - min. weight 36 lbs.**

**Hole size 13/16" recessed for square head bolt**

<u>Index #</u>	<u>Description</u>	<u>Quantity</u>	<u>2009 Rate</u>	<u>2010 Rate</u>
G-AL	Cast Alloy Abrasive	Less Than 50 Shoes	\$62.00/shoe	\$74.00/shoe
G-AG	Cast Alloy Abrasive	50 Shoes or Greater	\$60.00/shoe	\$59.00/shoe

**12" Wing Shoes, 3/4" bolt holes on 12" centers - min. weight 46 lbs.**

**No breakaway ears**

<u>Index #</u>	<u>Description</u>	<u>Quantity</u>	<u>2009 Rate</u>	<u>2010 Rate</u>
M-AL	Cast Alloy Abrasive	Less Than 50 Shoes	\$72.00/shoe	\$89.00/shoe
M-AG	Cast Alloy Abrasive	50 Shoes or Greater	\$70.00/shoe	\$68.00/shoe

**12" Wing Shoes, 3/4" bolt holes on 12" centers - min. weight 62 lbs.**

**No breakaway ears**

<u>Index #</u>	<u>Description</u>	<u>Quantity</u>	<u>2009 Rate</u>	<u>2010 Rate</u>
N-AL	Cast Alloy Abrasive	Less Than 50 Shoes	\$75.00/shoe	\$92.00/shoe
N-AG	Cast Alloy Abrasive	50 Shoes or Greater	\$72.00/shoe	\$69.00/shoe

Steel Wing Shoes (Model MSCO MSO60) Flame Cut & Flame Hardened Shoe

Minimum 50,000 lb. yield strength

<u>Index #</u>	<u>Description</u>	<u>2009 Rate</u>	<u>2010 Rate</u>
O-AL	Less Than 50 Shoes	\$37.79/shoe	\$39.00/shoe
O-AG	50 Shoes or Greater	\$32.39/shoe	\$35.00/shoe

**Alternates:**

	<u>Description</u>	<u>2009 Rate</u>	<u>2010 Rate</u>
DOT #19	Wing Cast Shoes - 30 pound minimum		\$69.00/each
DOT #19-A	Steel Wing Shoe - 30 pound minimum		\$29.79/each
DOT #21	Frame Shoes - 52 pound minimum		\$59.00/each

**KAMINSKI & SONS TRUCK EQUIPMENT  
245 Lewis Street  
Buffalo, New York 14206**

Plow & Wing Shoes Frink one-way models 609, 625, 630, 640, 650

Tennco Plow Shoe PN-666-122-335

<u>Index #</u>	<u>Description</u>	<u>Quantity</u>	<u>2009 Rate</u>	<u>2010 Rate</u>
H-BL	Cast Iron	Less than 50 Shoes	\$90.00/shoe	\$46.00/shoe
H-BG	Cast Iron	50 Shoes or Greater		\$46.00/shoe

Wing Shoe Type - 8-9: min. weight 34 lbs. hole size 3/4"

<u>Index #</u>	<u>Description</u>	<u>Quantity</u>	<u>2009 Rate</u>	<u>2010 Rate</u>
I-BL	Cast Iron	Less Than 50 Shoes	\$62.00/shoe	\$48.00/shoe
I-BG	Cast Iron	50 Shoes or Greater	\$60.00/shoe	\$47.00/shoe

now, therefore, be it

RESOLVED, that the aforementioned bids be, and hereby are, accepted, for a term commencing October 1, 2010 and terminating September 30, 2011, and be it further

RESOLVED, that the vouchers accordingly certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

No State Bid.

Fourteen sets of specifications were sent out.

Seven bids were received.

Approved by 7 members of the Finance Committee and 8 members of the Public Works Committee.

Adopted September 22, 2010 by voice vote.

**ACT NO. 470-2010** by Mr. Neal and Mr. Snyder  
and Mr. Aiello and Ms. Vickman<sup>1</sup>

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE AMENDED CONTRACT WITH  
EVERYWOMAN OPPORTUNITY CENTER, INC. FOR DEPARTMENT OF  
SOCIAL SERVICES TANF SERVICES GRANT FUNDING AND  
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS  
(Department of Social Services)**

Pursuant to Sections 363 and 366 of the County Law,  
Public Law 104-1993 and Act 636-2009 of the  
Cattaraugus County Legislature.

WHEREAS, Act 392-2010 authorized a contract with Everywoman Opportunity Center, Inc., 132 North Union Street, Suite 107, Olean, New York 14760, for the provision of comprehensive pre-employment related and supportive services to TANF-eligible recipients and 200% TANF-eligible recipients, the term of which expires June 30, 2011, and

WHEREAS, the County Department of Social Services is desirous of amending the aforementioned contract to increase the number of clients served, and

WHEREAS, Everywoman Opportunity Center, Inc., has agreed to provide the above-described services to more TANF recipients for an additional amount of \$6,750, for a total program amount of \$18,750, and

WHEREAS, this program is 100% federally funded through the Flexible Fund for Family Services, and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Everywoman Opportunity Center, Inc., for the provision of the above-described services, for a term commencing August 1, 2010 and terminating September 30, 2011, according to the above-described terms, and be it further

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

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

Decrease Appropriation Account:

A.6018.501	Greater Olean Administration	\$1,500.00
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Increase Appropriation Account:

A.6018.504	Everywoman Opportunity Center	\$1,500.00.
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Approved by 7 members of the Finance Committee and 7 members of the Human Services Committee.

<sup>1</sup> The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello and Ms. Vickman".

Adopted September 22, 2010 by voice vote.

**ACT NO. 471-2010** by Mr. McLarney and Mr. Ward

**AMENDING ACT 399-2010 REGARDING CONTRACT WITH  
PUBLIC SECTOR CONSULTANTS LLC FOR  
WORKPLACE VIOLENCE PREVENTION PROGRAM**

Pursuant to Section 27-b of the Labor Law and  
Section 450 of the County Law.

WHEREAS, Act 399-2010 authorized a contract with Public Sector Consultants, LLC, 14 Knollwood Drive, Glenville, New York 12302, for the provision of services related to the Workplace Violence Prevention Program, and



WHEREAS, Act 399-2010 should be amended to include travel expenses not to exceed \$1,500, now, therefore, be it

RESOLVED, that Act 399-2010 be, and hereby is, amended as follows: In the Fourth Whereas, after: "plus travel expenses", add: "not to exceed \$1,500".

Approved by 7 members of the Finance Committee and 5 members of the Labor Relations Committee.

Adopted September 22, 2010 by voice vote.

**ACT NO. 472-2010** by Mr. O'Brien

**AMENDING ACT 636-2009 REGARDING  
CATTARAUGUS COUNTY PURCHASING POLICY**

Pursuant to Chapter 56 of the Laws of 2010 of the State of New York.

WHEREAS, Act 636-2009 revised the Cattaraugus County purchasing policy, and

WHEREAS, due to recent changes in the state law, the bid limit in the policy must be increased, and a modification of the split purchases policy needs to be enacted, now, therefore, be it

RESOLVED, that Act 636-2010, is hereby amended as follows:

Delete Section 3.5 "Split Purchases", and replace with the following: "3.5 Split Purchases.

.1 In determining whether a purchase is an expenditure within the discretionary threshold amounts established by General Municipal Law Section 103, the officer, board or department shall consider the reasonably expected aggregate amount of all purchases of the same commodities, services or technology to be made within a twelve-month period commencing on the date of purchase.

.2 Purchases of commodities, services or technology shall not be artificially divided for purpose of satisfying the discretionary buying thresholds established by General Municipal Law Section 103.

.3 A change to, or renewal of, a discretionary purchase shall not be permitted if the change or renewal would bring the reasonably expected aggregate amount of all purchases of the same commodities, services or technology from the same provider within the twelve month period commencing on the date of the first purchase to an amount greater than the discretionary buying threshold amount.", and delete the purchasing grid contained in Section 3.1 and replace with the following:

CATTARAUGUS COUNTY PURCHASING GUIDELINES									
Required Action					Level of Approval Required				
3 Documented Verbal Quotes	3 Written Quotes	Bid	Contract Execution	Commodities or Equipment	Approval by County Attorney	Approval by Department Head	Approval by County Administrator	Approval by Chairman	Approval by Legislature
				Commodities or Equipment					
				\$1 - \$500		X			
X				\$501 - \$2,500		X			
	X		CoAdmin	\$2,501 - \$5,000	X	X			
	X		CoAdmin	\$5,001 - \$20,000	X	X	X		
		X	Chairman	Greater than \$20,000	X	X			X
				Contracts for Public Work					
				\$1 - \$500		X			
X			CoAdmin	\$501 - \$2,500	X	X			
	X		CoAdmin	\$2,501 - \$10,000	X	X			
	X		CoAdmin	\$10,001 - \$35,000	X	X	X		
		X	Chairman	Greater than \$35,000	X	X			X
				Emergencies:					
				Commodities or Equipment					
				\$1 - \$5,000	X	X			
			CoAdmin	\$5,001 - \$20,000	X	X	X		
			Chairman	Greater than \$20,000	X	X		X	
				Emergencies:					
				Contracts for Public Work					
				\$1 - \$10,000	X	X			
			CoAdmin	\$10,001 - \$35,000	X	X	X		
			Chairman	Greater than \$35,000	X	X		X	
				Services (other than Professional)					
				\$1 - \$20,000	X	X	X		
			CoAdmin	Greater than \$20,000	X	X			X
			CoAdmin						
				Professional Services					
				ALL	X	X			X
	RFP Optional		CoAdmin						

Approved by 7 members of the Finance Committee.

Adopted September 22, 2010 by voice vote.

**ACT NO. 473-2010** by Mr. Murphy  
and Mr. Aiello and Mr. Neal<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH  
NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR  
DOMESTIC VIOLENCE PROGRAM HOME VISIT FUNDING**

Pursuant to Section 450 of the County Law.

WHEREAS, the Sheriff's Office has been awarded a grant in the amount of \$25,000 through the New York State Division of Criminal Justice Services for the Domestic Violence Program Home Visit Program, and

WHEREAS, the purpose of the Home Visit Program is to provide follow-up visits to the home or location of the domestic violence incident and some level of surveillance to the offender to ensure compliance with the law, and

WHEREAS, grant documents are necessary to apply for and accept the aforementioned grant funding, 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 grant documents, on behalf of Cattaraugus County, with the New York State Division of Criminal Justice Services, for the provision of the above-described services, for a term commencing October 1, 2010 and terminating September 30, 2011, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

Approved by 7 members of the Finance Committee and 6 members of the Public Safety Committee.

<sup>1</sup> The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello and Mr. Neal".

Adopted September 22, 2010 by voice vote.

**ACT NO. 474-2010** by Mr. Murphy  
and Mr. Aiello, Mr. Burrell and Mr. Neal<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH GOVERNMENT PAYMENT SERVICE, INC. D/B/A GOVPAYNET  
FOR CREDIT CARD COLLECTION OF BAIL MONEY**

Pursuant to Section 520.10 of the Criminal Procedure Law and  
Section 450 of the County Law.

WHEREAS, Act 718-2001 authorized a contract with Government Payment Service, Inc., for the purpose of collecting funds, including cash bail, fines and other fees, for the Cattaraugus County Sheriff's Office, and

WHEREAS, the Cattaraugus County Sheriff's Office is desirous of renewing the aforementioned contract at no cost to the County, and

WHEREAS, Government Payment Service, Inc., d/b/a GovPayNet, 7102 Lakeview Parkway West Drive, Indianapolis, Indiana 46268, shall provide the aforementioned services at no cost to the County, 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 Government Payment Service, Inc., d/b/a GovPayNet, for the provision of the above-described services, for a term commencing October 1, 2010 and terminating September 30, 2015, with automatic additional one year renewals thereafter unless terminated, according to the above-described terms.

Approved by 7 members of the Finance Committee and 6 members of the Public Safety Committee.

<sup>1</sup> The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Mr. Burrell and Mr. Neal".

Adopted September 22, 2010 by voice vote.

**ACT NO. 475-2010** by Mr. Neal and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
MEDELA, INC. FOR  
HEALTH DEPARTMENT BREAST PUMP RENTALS**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Health Department is desirous of renting breast pumps for participants of the WIC Program, and

WHEREAS, Medela, Inc., 1101 Corporate Drive, McHenry, Illinois 60050, can provide the following equipment:

<u>Description</u>	<u>Quantity</u>	<u>Price Per Unit</u>	<u>Total</u>
Lactina Select Rental BI	13	\$14.40/month	\$2,246.40
LDW Breastfeeding Pumps	13	\$ 1.25/month	\$ 195.00

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 a contract, on behalf of Cattaraugus County, with Medela, Inc., for the rental of the above-described breast pumps, for a term commencing June 1, 2010 and terminating May 31, 2011, according to the above-described terms.

Approved by 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted September 22, 2010 by voice vote.

ACT NO. 476-2010 by Mr. Vecchiarella

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH VENESKY & COMPANY  
FOR 2009 EMPLOYEE BENEFITS ANALYSIS AND  
TRANSFER OF FUNDS  
(Contingent Fund - Cost Allocation Plan)**

Pursuant to Sections 363, 365 and 450 of the County Law.

WHEREAS, an analysis of 2009 employee benefits is necessary in order to determine if reimbursement is justified for the Department of Social Services, and

WHEREAS, it is estimated that the 2009 adjustment claim may exceed \$700,000, resulting in significant potential County federal and state revenues, and

WHEREAS, Venesky & Company, 6114 Route 31, Cicero, New York 13039, can review all of the 2009 employee benefit claims made to date and compute the required final adjustment amount for 2009 for a fixed fee of \$9,500, payable upon receipt of additional New York State reimbursement, which includes the professional services provided and reimbursement for job-related costs, such as travel and subsistence, and report processing, and

WHEREAS, a transfer of funds is necessary 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 Venesky & Company, for the provision of the above-described services, for a term commencing October 1, 2010 and terminating September 15, 2011, according to the above-described terms, and be it further

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

Decrease Appropriation Account:		
A.1990.445	Contingent Fund	\$9,500.00
Increase Estimated Revenue Accounts:		
EF.5031	Transfer from General Fund	\$1,188.00
EI.5031	Transfer from General Fund	\$1,188.00
Increase Appropriation Accounts:		
A.1325.455	Professional Services	\$ 950.00
A.4010.455	Professional Services	\$2,374.00
A.6010.455	Professional Services	\$3,800.00
EF.8350.291	Cost Allocation Plan	\$1,188.00
EI.8350.293	Cost Allocation Plan	\$1,188.00
A.9522.902	Transfer to The Pines-Olean	\$1,188.00
A.9522.903	Transfer to The Pines-Machias	\$1,188.00.

Approved by 7 members of the Finance Committee.

Adopted September 22, 2010 by voice vote.

**ACT NO. 477-2010** by Mr. Neal and Mr. Snyder  
and Mr. Aiello<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
NEW YORK STATE DEPARTMENT OF HEALTH FOR  
DRINKING WATER SUPPLY PROTECTION PROGRAM**

Pursuant to 10 NYCRR Part 53, 21 NYCRR Part 2604 and  
Section 450 of the County Law.

WHEREAS, Act 245-2009, as amended by Act 50-2010, authorized a contract with the New York State Department of Health for the provision of a drinking water supply protection program, the term of which expired March 31, 2010, and

WHEREAS, there is funding available in the amount of \$139,541 through the New York State Department of Health Center for Environmental Health, Division of Environmental Protection, Bureau of Public Water Supply Protection, Flanigan Square, 547 River Street, Troy, New York 12180-2216, for a drinking water supply protection program, and

WHEREAS, the County Health Department is desirous of providing drinking water supply protection services, and

WHEREAS, a contract is necessary in order to obtain the aforementioned funding, and

WHEREAS, the 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, on behalf of Cattaraugus County, with the New York State Department of Health for the aforementioned grant, for a term commencing April 1, 2010 and terminating March 31, 2011, according to the above-described terms, and be it further

RESOLVED, that upon termination or reduction of state funding for this program, then this program shall be automatically abolished.

Approved by 7 members of the Finance Committee and 7 members of the Human Services Committee.

<sup>1</sup> The following Legislator requested his name be listed as an additional sponsor: "Mr. Aiello".

Adopted September 22, 2010 by voice vote.

**ACT NO. 478-2010** by Ms. Vickman and Mr. McClune

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
SALAMANCA AREA SENIOR CENTER, INC. FOR  
COORDINATION OF HOME DELIVERED MEALS PROGRAM**

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

WHEREAS, the County Department of Aging is desirous of providing home delivered meals in the Salamanca area, and

WHEREAS, the Salamanca Area Senior Center, Inc., 20 Main Street, Salamanca, New York 14779, can provide for the coordination of the home delivered meal program, volunteer coordination and transportation

reservations in the Salamanca area for an amount of \$25.00 per day of operation<sup>1</sup>, not to exceed \$6,000, 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, on behalf of Cattaraugus County, with the Salamanca Area Senior Center, Inc., for the provision of the above-described services, for a term commencing October<sup>1</sup> 1, 2010 and terminating December 31, 2011, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

Approved by 7 members of the Finance Committee and 6 members of the Senior Services Committee.

<sup>1</sup> MR. VECCHIARELLA moved, seconded by Mr. Padlo to amend Act No. 478-2010 as follows: In the second Whereas, delete: "\$10.00 per hour, for two (2) hours per day of operation", and replace with: "\$25.00 per day of operation"; and in the first Resolved, delete: "September" and replace with "October". Carried.

Adopted, as amended, September 22, 2010 by voice vote.

**ACT NO. 479-2010** by Mr. McLarney and Mr. Boser  
and Mr. Burrell and Mr. Ellis <sup>1</sup>

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH ANNE CONROY-BAITER D/B/A GREEN PEAR PRESS FOR GRAPHIC DESIGN AND LAYOUT SERVICES FOR 2011 CATTARAUGUS COUNTY ACTIVITIES GUIDE**

Pursuant to Section 225 of the County Law, Section 164 of the Economic Development Law and Act 636-2009 of the Cattaraugus County Legislature.

WHEREAS, Act 503-2010 authorized a contract with Register Graphics, Inc., for the provision of graphic design services for the Cattaraugus County 2010 Travel Guide, the term of which expired April 30, 2010, and

WHEREAS, the County Department of Economic Development, Planning and Tourism is desirous of obtaining the services of a graphic designer for the Cattaraugus County 2011 Activities Guide (formerly called Travel Guide), and

WHEREAS, Anne Conroy-Baiter, d/b/a Green Pear Press, 3744 West Branch Road, Allegany, New York 14706, can provide the aforementioned services for an amount of \$5,000 for 48 pages, as follows:

- Design for 2011 Cattaraugus County Activities Guide;
- Provide complete design and layout services with up to three (3) proofs/revisions for approval;
- Provide PDF of final refined high-resolution file;
- Lo-res Iris & Hi-res digital final proofs;
- Provide approved final files on CD or as specified with Hi-res proofs,

and

WHEREAS, funding for this Activities Guide is provided through the I Love NY Matching Funds program, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Anne Conroy-Baiter, d/b/a Green Pear Press, for the provision of the above-described services, for a term commencing October 1, 2010 and terminating April 30, 2011, according to the above-described terms.

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

<sup>1</sup> The following Legislators requested their names be listed as additional sponsors: "Mr. Burrell and Mr. Ellis".

Adopted September 22, 2010 by voice vote.

**ACT NO. 480-2010** by Mr. Boser  
*and Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. McLarney,  
 Mr. Murphy, Mr. Neal, Mr. O'Brien, Mr. Snyder, Mrs. Stockman,  
 Mr. Teachman, Mr. Vecchiarella, Mr. Giardini, Mr. Hebdon, Mr. McClune,  
 Mr. Nenzo, Mr. Padlo, Mr. Sprague and Mr. Ward*<sup>1</sup>

**INITIATION OF SEQR PROCESS AND INTENT TO DECLARE CATTARAUGUS COUNTY  
 LEGISLATURE LEAD AGENCY FOR SEQR REVIEW OF MAINTENANCE OF SNOWMOBILE TRAILS  
 FOR THE CATTARAUGUS COUNTY SNOWMOBILE FEDERATION UNDER CATTARAUGUS COUNTY  
 LEGISLATURE SPONSORED NEW YORK STATE GRANT**

Pursuant to 6 NYCRR Section 617.6

WHEREAS, the Cattaraugus County Snowmobile Federation needs state funding to maintain snowmobile trails in Cattaraugus County, New York, and

WHEREAS, New York State requires the County to be the local sponsor to apply for this funding for snowmobile clubs throughout the County, and

WHEREAS, Act No. 445-2010 of the Cattaraugus County Legislature, authorized the County to act as local sponsor for the grant application, and

WHEREAS, the proposed action is subject to review under the New York State Environmental Quality Review (SEQR) Act, 6 NYCRR Part 617, and

WHEREAS, under SEQR, a lead agency must be designated to conduct an environmental review of the action, and

WHEREAS, the Department of Economic Development, Planning and Tourism is preparing an Environmental Assessment Form (EAF), and

WHEREAS, the proposed action is an Unlisted Action as described in 6 NYCRR 617.2, and

WHEREAS, Cattaraugus County is requesting as the local sponsor, lead agency status, and anticipates filing a Negative Declaration for the proposed action which would make the preparation of an Environmental Impact Statement (EIS) not necessary, based on currently available information, and

WHEREAS, the proposed action is not expected to have a significant adverse impact on the environment because the Cattaraugus County Snowmobile Trail Federation has consulted with all snowmobile clubs in Cattaraugus County, has compiled 2010-2011 Snowmobile Trail Prior Approval Requests for Trail Changes, and has coordinated their work with all appropriate state agencies, and



WHEREAS, the NYS Department of Parks, Recreation and Historic Preservation, acting as the Snowmobile Trails Grant-in-Aid Program administrator, has been consulted regarding the SEQR status and potential impact of the proposed action as described in the 2010-2011 Snowmobile Trail Prior Approval Requests for Trail Changes, and agrees that the action can be classified as an Unlisted Action under SEQR with no adverse impacts anticipated, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature initiate the environmental review process under SEQR for the 2010-2011 snowmobile trail maintenance grant, and requests Lead Agency Status for this proposed action, and shall notify Involved Agencies and other concerned parties, and be it further

RESOLVED, that the Cattaraugus County Legislature anticipates filing a Negative Declaration for the proposed action which would make the preparation of an Environmental Impact Statement (EIS) not necessary, based on currently available information.

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

<sup>1</sup> The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. McLarney, Mr. Murphy, Mr. Neal, Mr. O'Brien, Mr. Snyder, Mrs. Stockman, Mr. Teachman, Mr. Vecchiarella, Mr. Giardini, Mr. Hebdon, Mr. McClune, Mr. Nenno, Mr. Padlo, Mr. Sprague and Mr. Ward".

Adopted September 22, 2010 by voice vote.

**ACT NO. 481-2010** by Mr. Neal and Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT  
WITH DENISE SCHALLER FOR CUSTOMER SERVICE TRAINING FOR  
DEPARTMENT OF COMMUNITY SERVICES AND ADJUSTING VARIOUS  
APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Community Services)**

Pursuant to Sections 363 and 366 of the County Law and Act 636-2009 of the Cattaraugus County Legislature.

WHEREAS, the Department of Community Services is desirous of obtaining customer service training for its support staff in order to better serve clients and to effectively represent the County to the general public, and

WHEREAS, Denise Schaller, 279 Colvin Avenue, Buffalo, New York 14216, can provide one (1) half-day training session on or about October 25, 2010 for an amount not to exceed \$750, and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Denise Schaller for the provision of the above-described training, for a term commencing October 1, 2010 and terminating December 31, 2010, according to the above-described terms, and be it further

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

Increase Estimated Revenue Account:  
 A.4490                      OMH Federal Salary Sharing                      \$750.00

Increase Appropriation Account:  
 A.4342.455                      OMH Federal Salary Sharing                      \$750.00.

Approved by 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted September 22, 2010 by voice vote.

**ACT NO. 482-2010** by Mr. Neal and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH DOCUTRAC, INC. FOR DEPARTMENT OF COMMUNITY SERVICES QUICDOC SOFTWARE LICENSE MAINTENANCE AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS (Department of Community Services)**

Pursuant to Section 41.07 of the Mental Hygiene Law and Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 439-2007, as amended by Act 403-2010, authorized a contract with DocuTrac, Inc., 20140 Scholar Drive, Suite 218, Hagerstown, Maryland 21742, for the purchase of QuicDoc software licenses for use in the Adult & Child Clinic, and

WHEREAS, maintenance services are required for the aforementioned software licenses, and

WHEREAS, DocuTrac, Inc., can provide maintenance services on 51 QuicDoc software licenses for an amount of \$5,637.60, as follows:

<u>Number of Licenses</u>	<u>Rate Per License</u>	<u>Term</u>	<u>Total</u>
36	\$129.60	9/1/2010 - 8/31/2011	\$4,665.60
15	\$129.60	3/1/2011 - 8/31/2011	\$ 972.00

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with DocuTrac, Inc., for the provision of the above-described software and services, for a term commencing September 1, 2010 and terminating August 31, 2011, according to the above-described terms, and be it further

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

Decrease Appropriation Account:  
 A .4332.490                      Small Tools                      \$972.00

Increase Appropriation Account:

A .4332.422	Maintenance	\$972.00.
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Approved by 7 members of the Finance Committee, 6 members of the County Operations Committee and 7 members of the Human Services Committee.

Adopted September 22, 2010 by voice vote.

**ACT NO. 483-2010** by Mr. Aiello and Mr. Neal

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS  
THROUGH NEW YORK STATE OFFICE OF CHILDREN AND  
FAMILY SERVICES FOR A PARTNERSHIP FOR YOUTH GRANT**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 526-2009 authorized the Chairman to execute grant documents with the New York State Office of Children and Family Services for A Partnership for Youth program, the term of which expires September 30, 2010, and

WHEREAS, the County Youth Bureau has been notified that it has been awarded funding in an amount up to \$79,575 through the New York State Office of Children and Family Services for A Partnership for Youth (APY): Aligning the Youth Development & Workforce Development Systems Grant, and

WHEREAS, the Workforce Investment Act of 1998 (WIA) embodies the employment and training formulation of what youth-serving professionals of all disciplines have long advocated: interventions seeking to help young people transition to employment are more likely to succeed when rooted in the basic principles of youth development, and

WHEREAS, WIA has required the local Workforce Investment Boards to elicit the support of local youth experts, and

WHEREAS, the County Youth Bureau plays a vital role in this area, as it is most experienced at forging partnerships, so that youth development and delinquency prevention principles are part of county practices and procedures, and

WHEREAS, the New York State Office of Children and Family Services has emphasized the need for partnerships, as demonstrated through its Integrated County Planning Process, where County Youth Bureaus and local Departments of Social Services are the local leaders, thus coordinating service delivery and fostering alliances among all service providers, and

WHEREAS, it is necessary to execute grant documents in order to receive the aforementioned funding, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Office of Children and Family Services, in order to receive the aforementioned grant funding, for a term commencing October 1, 2010 and terminating September 30, 2011, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

Approved by 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted September 22, 2010 by voice vote.

ACT NO. 484-2010 by Mr. Aiello and Mr. Neal

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT  
WITH ALLEGANY COUNTY EMPLOYMENT AND TRAINING ONE-STOP CENTER  
FOR YOUTH BUREAU PARTNERSHIP FOR YOUTH GRANT**

Pursuant to Section 95 of the General Municipal Law and Act 636-2009 of the Cattaraugus County Legislature.

WHEREAS, Act 528-2009 authorized a contract with the Allegany County Employment and Training One-Stop Center for the provision of A Partnership for Youth Program services, the term of which expires September 30, 2010, and

WHEREAS, the County Youth Bureau has been awarded a grant through the New York State Office of Children and Family Services for A Partnership for Youth (APY) for the purpose of increasing the number of youth served by existing local Workforce Investment Board (WIB) programs, and

WHEREAS, the Allegany County Employment and Training One-Stop Center, 7 Wells Lane, Belmont, New York 14813, has agreed to provide the following services for an amount up to \$17,017:

- Training services to six (6) older youth ages 19-21 and will partner with Literacy Volunteers of Allegany County, Inc. and Southern Tier Traveling Teacher, Inc.,
- Occupational skill training,
- Supportive services to assist youth in achieving their goals,
- Follow-up services,
- Provide reports, as required,
- Ensure that all necessary data is recorded into OSOS for Allegany County Youth, and
- Participate in partner case management meetings,

now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Allegany County Employment and Training One-Stop Center for the provision of the above-described services, for a term commencing October 1, 2010 and terminating September 30, 2011, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

Approved by 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted September 22, 2010 by voice vote.

ACT NO. 485-2010 by Mr. Aiello and Mr. Neal

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH  
LITERACY VOLUNTEERS OF ALLEGANY CO, INC. FOR  
YOUTH BUREAU PARTNERSHIP FOR YOUTH GRANT**

Pursuant to Section 95 of the General Municipal Law and Act 636-2009 of the Cattaraugus County Legislature.

WHEREAS, Act 527-2009 authorized a contract with Literacy Volunteers of Allegany County, Inc., 6½ South Street, Belmont, New York 14813, for the provision of A Partnership for Youth Program services, the term of which expires September 30, 2010, and

WHEREAS, the County Youth Bureau has been awarded a grant through the New York State Office of Children and Family Services for A Partnership for Youth (APY) for the purpose of increasing the number of youth served by existing local Workforce Investment Board (WIB) programs, and

WHEREAS, Literacy Volunteers of Allegany County, Inc., 6½ South Street, Belmont, New York 14813, has agreed to provide the following services for an amount up to \$6,459:

- tutoring services to four (4) younger youth, ages 14-18 in school,
- in-school tutoring services,
- mentoring services toward youth,
- outreach and recruitment efforts,
- meet for case management, evaluation and referral purposes, and
- act with responsibility as a contributing partner,

now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Literacy Volunteers of Allegany County, Inc., for the provision of the above-described services, for a term commencing October 1, 2010 and terminating September 30, 2011, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

Approved by 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted September 22, 2010 by voice vote.

ACT NO. 486-2010 by Mr. Aiello and Mr. Neal

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH  
SOUTHERN TIER TRAVELING TEACHER, INC. FOR  
YOUTH BUREAU PARTNERSHIP FOR YOUTH GRANT**

Pursuant to Section 95 of the General Municipal Law and Act 636-2009 of the Cattaraugus County Legislature.

WHEREAS, Act 529-2009 authorized a contract with Southern Tier Traveling Teacher, Inc., 79½ North Main Street, Wellsville, New York 14895, for the provision of A Partnership for Youth Program services, the term of which expires September 30, 2010, and

WHEREAS, the County Youth Bureau has been awarded a grant through the New York State Office of Children and Family Services for A Partnership for Youth (APY) for the purpose of increasing the number of youth served by existing local Workforce Investment Board (WIB) programs, and

WHEREAS, Southern Tier Traveling Teacher, Inc., has agreed to provide the following services for an amount up to \$3,521:

- Work with a total of 3 out-of-school older youth, ages 19-21 to assist them in raising educational levels and/or obtaining a high school equivalency diploma by passing the GED exam,
- Assist with outreach and recruitment efforts,
- Meet as needed for case management, evaluation and referral purposes, and
- Act with responsibility as a contributing partner,

now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Southern Tier Traveling Teacher, Inc., for the provision of the above-described services, for a term commencing October 1, 2010 and terminating September 30, 2011, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

Approved by 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted September 22, 2010 by voice vote.

**ACT NO. 487-2010** by Mr. Aiello and Mr. Neal

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
BCS INSURANCE COMPANY FOR AMERICORPS START PROGRAM  
HEALTH INSURANCE**

Pursuant to 42 USCS Section 12501 and  
Section 450 of the County Law.

WHEREAS, Act 577-2009 authorized a contract with the BCS Insurance Company, 505 South Lenola Road, Suite 231, Moorestown, New York 08057, for the provision of health insurance for twelve (12) AmeriCorps START Program members, the term of which expires December 31, 2010, and

WHEREAS, the Youth Bureau is required to provide health insurance for twelve (12) full-time AmeriCorps members, and

WHEREAS, BCS Insurance Company, 505 South Lenola Road, Suite 231, Moorestown, New York 08057, can provide the required health insurance for an amount of \$150 per month per member for a total of \$21,600 for twelve (12) members, and

WHEREAS, the cost of the health insurance is 76% paid through the Corporation for National and Community Service and 24% paid by the County, and

WHEREAS, sufficient funds are included in the budget to cover the County's share of the aforementioned health insurance, 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 BCS Insurance Company, for the AmeriCorps START Program, for a term commencing October 1, 2010 and terminating December 31, 2011, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

Approved by 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted September 22, 2010 by voice vote.

**ACT NO. 488-2010** by Mr. Aiello and Mr. Neal

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
NEW YORK STATE COMMISSION ON NATIONAL AND  
COMMUNITY SERVICE FOR AMERICORPS START PROGRAM**

Pursuant to 42 USCS Section 12501 and  
Section 450 of the County Law.

WHEREAS, Act 482-2008 authorized the Chair to apply for funding through the New York State Commission on National and Community Service for the Southern Tier Americorps Resource Team (START) Program, and

WHEREAS, the County Youth Bureau has been notified that it has been awarded \$203,700 for the Americorps START Program, and

WHEREAS, it is necessary to execute a contract with the New York State Commission on National and Community Service in order to receive the aforementioned funding, 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 Commission on National and Community Service, for a term commencing October 1, 2010 and terminating December 31, 2011, in order to receive the funding for the Americorps START Program, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

Approved by 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted September 22, 2010 by voice vote.

**ACT NO. 489-2010** by Mr. Aiello and Mr. Neal  
and Mr. Teachman and Mr. Padlo<sup>1</sup>

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH  
OLEAN COMMUNITY SCHOOLS FOR  
YOUTH BUREAU PARTNERSHIP FOR YOUTH GRANT**

Pursuant to Section 95 of the General Municipal Law and  
Act 636-2009 of the Cattaraugus County Legislature.

WHEREAS, Act 530-2009 authorized a contract with Olean Community Schools, 410 West Sullivan Street, Olean, New York 14760, for the provision of A Partnership for Youth Program services, the term of which expires September 30, 2010, and

WHEREAS, the County Youth Bureau has been awarded a grant through the New York State Office of Children and Family Services for A Partnership for Youth (APY) for the purpose of increasing the number of youth served by existing local Workforce Investment Board (WIB) programs, and

WHEREAS, Olean Community Schools has agreed to provide the following services for an amount up to \$4,666:

- Work with a total of 4 out-of-school older youth, ages 19-21 to assist them in raising educational levels and/or obtaining a high school equivalency diploma by passing the GED exam,
- Assist with outreach and recruitment efforts,
- Meet as needed for case management, evaluation and referral purposes, and
- Act with responsibility as a contributing partner,

now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Olean Community Schools, for the provision of the above-described services, for a term commencing October 1, 2010 and terminating September 30, 2011, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

Approved by 7 members of the Finance Committee and 7 members of the Human Services Committee.

<sup>1</sup> The following Legislators requested their names be listed as additional sponsors: "Mr. Teachman and Mr. Padlo".

Adopted September 22, 2010 by voice vote.

**ACT NO. 490-2010** by Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CITY OF SALAMANCA INDUSTRIAL DEVELOPMENT AGENCY FOR  
VOTING MACHINE STORAGE SPACE**

Pursuant to Sections 215 and 450 of the County Law.



WHEREAS, the Board of Elections is in need of space to store lever voting machines, and

WHEREAS, the City of Salamanca Industrial Development Agency, 225 Wildwood Avenue, Suite 9, Salamanca, New York 14779, can provide space for the storage of the aforementioned voting machines at no cost to the County, 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 City of Salamanca Industrial Development Agency, for the provision of the above-described services, for a term commencing August 1, 2010 and terminating March 31, 2011, according to the above-described terms.

Referred to the Finance Committee and the County Operations Committee.

**ACT NO. 491-2010** by Mr. McLarney and Mr. Ward

**LOCAL LAW NUMBER 3-2010  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law and Sections 201 and 205 of the County Law.

**A LOCAL LAW ESTABLISHING SALARY FOR COUNTY ADMINISTRATOR  
FOR THE YEAR 2010**

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 establish a salary for the current County Administrator for the year 2010.

SECTION 2. Salary. The County Officer listed below shall receive an annual salary, effective January 1, 2010 as follows:

<u>Position</u>	<u>1/1/2010 Salary</u>
County Administrator	\$95,185

SECTION 3. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not 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 4. Supercession. All local laws and resolutions of the Cattaraugus County Legislature, to the extent that the same are inconsistent with this local law, are hereby superceded.

SECTION 5. Effective Date. This Local Law is subject to permissive referendum in accordance with Section 24 of the Municipal Home Rule Law.

Referred to the Finance Committee.

**ACT NO. 492-2010** by Mr. McLarney and Mr. Ward

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 3-2010**

Pursuant to Section 20 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on September 22, 2010, a proposed Local Law entitled "A Local Law Establishing Salary for County Administrator for the Year 2010", 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 13<sup>th</sup> day of October, 2010, at 3:01 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.

Referred to the Finance Committee.

**ACT NO. 493-2010** by Mr. McLarney and Mr. Ward

**LOCAL LAW NUMBER 4-2010  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law and Sections 201 and 205 of the County Law.

**A LOCAL LAW ESTABLISHING SALARY FOR COUNTY ATTORNEY FOR THE YEAR 2010**

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 establish a salary for County Attorney for the year 2010.

SECTION 2. Salary. The County Officer listed below shall each receive an annual salary, effective January 1, 2010 as follows:

<u>Position</u>	<u>1/1/2010 Salary</u>
County Attorney	\$110,473

SECTION 3. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not 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 4. Supercession. All local laws and resolutions of the Cattaraugus County Legislature, to the extent that the same are inconsistent with this local law, are hereby superceded.

SECTION 5. Effective Date. This Local Law is subject to permissive referendum in accordance with Section 24 of the Municipal Home Rule Law.

Referred to the Finance Committee and County Operations Committee.

**ACT NO. 494-2010** by Mr. McLarney and Mr. Ward

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 4-2010**

Pursuant to Section 20 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on September 22, 2010, a proposed Local Law entitled "A Local Law Establishing Salary for County Attorney for the Year 2010", 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 13<sup>th</sup> day of October, 2010, at 3:02 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.

Referred to the Finance Committee and the County Operations Committee.

**ACT NO. 495-2010** by Mr. McLarney and Mr. Ward

**LOCAL LAW NUMBER 5-2010  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law and Sections 201 and 205 of the County Law.

**A LOCAL LAW ESTABLISHING SALARY FOR HUMAN RESOURCES DIRECTOR  
FOR THE YEAR 2010**

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 establish a salary for Human Resources Director for the year 2010.

SECTION 2. Salary. The County Officer listed below shall each receive an annual salary, effective January 1, 2010 as follows:

<u>Position</u>	<u>1/1/2010 Salary</u>
Human Resources Director	\$77,911

SECTION 3. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not 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 4. Supercession. All local laws and resolutions of the Cattaraugus County Legislature, to the extent that the same are inconsistent with this local law, are hereby superceded.

SECTION 5. Effective Date. This Local Law is subject to permissive referendum in accordance with Section 24 of the Municipal Home Rule Law.

Referred to the Finance Committee and the Labor Relations Committee.

**ACT NO. 496-2010** by Mr. McLarney and Mr. Ward

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 5-2010**

Pursuant to Section 20 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on September 22, 2010, a proposed Local Law entitled "A Local Law Establishing Salary for Human Resources Director for the Year 2010", 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 13<sup>th</sup> day of October, 2010, at 3:03 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.

Referred to the Finance Committee and the Labor Relations Committee.

**ACT NO. 497-2010** by Mr. McLarney and Mr. Ward

**LOCAL LAW NUMBER 6-2010  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law and Sections 201 and 205 of the County Law.

**A LOCAL LAW ESTABLISHING SALARY FOR COUNTY TREASURER  
FOR THE YEAR 2010**

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 establish a salary, including all longevity entitlements, for County Treasurer for the year 2010.

SECTION 2. Salary. The County Officer listed below shall receive an annual salary, effective January 1, 2010 as follows:

<u>Position</u>	<u>1/1/2010 Salary</u>
County Treasurer	\$67,686

SECTION 3. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not 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 4. Supercession. All local laws and resolutions of the Cattaraugus County Legislature, to the extent that the same are inconsistent with this local law, are hereby superceded.

SECTION 5. Effective Date. This Local Law is subject to permissive referendum in accordance with Section 24 of the Municipal Home Rule Law.

Referred to the Finance Committee.

**ACT NO. 498-2010** by Mr. McLarney and Mr. Ward

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 6-2010**

Pursuant to Section 20 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on September 22, 2010, a proposed Local Law entitled "A Local Law Establishing Salary for County Treasurer for the Year 2010", 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 13<sup>th</sup> day of October, 2010, at 3:04 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.

Referred to the Finance Committee.

**ACT NO. 499-2010** by Mr. McLarney and Mr. Ward

**LOCAL LAW NUMBER 7-2010  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law and Sections 201 and 205 of the County Law.

**A LOCAL LAW ESTABLISHING SALARY FOR COMMISSIONER OF  
SOCIAL SERVICES FOR THE YEAR 2010**

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 establish a salary for Commissioner of Social Services for the year 2010.

SECTION 2. Salary. The County Officer listed below shall each receive an annual salary, effective January 1, 2010 as follows:

<u>Position</u>	<u>1/1/2010 Salary</u>
Commissioner of Social Services	\$90,098

SECTION 3. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not 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 4. Supercession. All local laws and resolutions of the Cattaraugus County Legislature, to the extent that the same are inconsistent with this local law, are hereby superceded.

SECTION 5. Effective Date. This Local Law is subject to permissive referendum in accordance with Section 24 of the Municipal Home Rule Law.

Referred to the Finance Committee and the Human Services Committee.

**ACT NO. 500-2010** by Mr. McLarney and Mr. Ward

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 7-2010**

Pursuant to Section 20 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on September 22, 2010, a proposed Local Law entitled "A Local Law Establishing Salary for Commissioner of Social Services for the Year 2010", 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 13<sup>th</sup> day of October, 2010, at 3:05

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.

Referred to the Finance Committee and the Human Services Committee.

**ACT NO. 501-2010** by Mr. McLarney and Mr. Ward

**LOCAL LAW NUMBER 8-2010  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law and Sections 201 and 205 of the County Law.

**A LOCAL LAW ESTABLISHING SALARY FOR DIRECTOR OF  
INFORMATION SERVICES FOR THE YEAR 2010**

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 establish a salary for Director of Information Services for the year 2010.

SECTION 2. Salary. The County Officer listed below shall receive an annual salary, effective January 1, 2010 as follows:

<u>Position</u>	<u>1/1/2010 Salary</u>
Director of Information Services	\$77,367

SECTION 3. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not 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 4. Supercession. All local laws and resolutions of the Cattaraugus County Legislature, to the extent that the same are inconsistent with this local law, are hereby superceded.

SECTION 5. Effective Date. This Local Law is subject to permissive referendum in accordance with Section 24 of the Municipal Home Rule Law.

Referred to the Finance Committee and the County Operations Committee.

**ACT NO. 502-2010** by Mr. McLarney and Mr. Ward

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 8 - 2010**

Pursuant to Section 20 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on September 22, 2010, a proposed Local Law entitled "A Local Law Establishing Salary for Director of Information Services for the Year 2010", 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 13<sup>th</sup> day of October, 2010, at 3:06 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.

Referred to the Finance Committee and the County Operations Committee.

**ACT NO. 503-2010** by Mr. McLarney and Mr. Ward

**LOCAL LAW NUMBER 9-2010  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law and Sections 201 and 205 of the County Law.

**A LOCAL LAW ESTABLISHING SALARY FOR COUNTY CLERK  
FOR THE YEAR 2010**

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 establish a salary, including all longevity entitlements, for County Clerk for the year 2010.

SECTION 2. Salary. The County Officer listed below shall receive an annual salary, effective January 1, 2010 as follows:

<u>Position</u>	<u>Salary</u>
	1/1/2010
County Clerk	\$67,790

SECTION 3. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not 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 4. Supercession. All local laws and resolutions of the Cattaraugus County Legislature, to the extent that the same are inconsistent with this local law, are hereby superceded.

SECTION 5. Effective Date. This Local Law is subject to permissive referendum in accordance with Section 24 of the Municipal Home Rule Law.

Referred to the Finance Committee and the County Operations Committee.



**ACT NO. 504-2010** by Mr. McLarney and Mr. Ward

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 9 - 2010**

Pursuant to Section 20 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on September 22, 2010, a proposed Local Law entitled "A Local Law Establishing Salary for County Clerk for the Year 2010", 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 13<sup>th</sup> day of October, 2010, at 3:07 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.

Referred to the Finance Committee and the County Operations Committee.

**ACT NO. 505-2010** by Mr. McLarney and Mr. Ward

**LOCAL LAW NUMBER 10-2010  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law and Sections 201 and 205 of the County Law.

**A LOCAL LAW ESTABLISHING SALARY FOR ELECTION  
COMMISSIONERS (2) FOR THE YEAR 2010**

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 establish a salary for Election Commissioners (2) for the year 2010.

SECTION 2. Salary. The County Officers listed below shall each receive an annual salary, effective January 1, 2010 as follows:

<u>Position</u>	<u>1/1/2010 Salary</u>
Election Commissioners (2)	\$51,422

SECTION 3. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not 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 4. Supercession. All local laws and resolutions of the Cattaraugus County Legislature, to the extent that the same are inconsistent with this local law, are hereby superceded.

SECTION 5. Effective Date. This Local Law is subject to permissive referendum in accordance with Section 24 of the Municipal Home Rule Law.

Referred to the Finance Committee and the County Operations Committee.

**ACT NO. 506-2010** by Mr. McLarney and Mr. Ward

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 10-2010**

Pursuant to Section 20 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on September 22, 2010, a proposed Local Law entitled "A Local Law Establishing Salary for Election Commissioners (2) for the Year 2010", 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 13<sup>th</sup> day of October, 2010, at 3:08 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.

Referred to the Finance Committee and the County Operations Committee.

**ACT NO. 507-2010** by Mr. McLarney and Mr. Ward

**LOCAL LAW NUMBER 11-2010  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law and Sections 201 and 205 of the County Law.

**A LOCAL LAW ESTABLISHING SALARY FOR PUBLIC DEFENDER  
FOR THE YEAR 2010**

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 establish a salary for Public Defender for the year 2010.

SECTION 2. Salary. The County Officer listed below shall receive an annual salary, effective January 1, 2010 as follows:

<u>Position</u>	<u>1/1/2010 Salary</u>
Public Defender	\$90,274

SECTION 3. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not 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 4. Supercession. All local laws and resolutions of the Cattaraugus County Legislature, to the extent that the same are inconsistent with this local law, are hereby superceded.

SECTION 5. Effective Date. This Local Law is subject to permissive referendum in accordance with Section 24 of the Municipal Home Rule Law.

Referred to the Finance Committee and the Public Safety Committee.

**ACT NO. 508-2010** by Mr. McLarney and Mr. Ward

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 11-2010**

Pursuant to Section 20 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on September 22, 2010, a proposed Local Law entitled "A Local Law Establishing Salary for Public Defender for the Year 2010", 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 13<sup>th</sup> day of October, 2010, at 3:09 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.

Referred to the Finance Committee and the Public Safety Committee.

**ACT NO. 509-2010** by Mr. McLarney and Mr. Ward

**LOCAL LAW NUMBER 12-2010  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law and Sections 201 and 205 of the County Law.

**A LOCAL LAW ESTABLISHING SALARY FOR DIRECTOR,  
DEPARTMENT OF AGING FOR THE YEAR 2010**

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 establish a salary for Director, Department of Aging for the year 2010.

SECTION 2. Salary. The County Officer listed below shall receive an annual salary, effective January 1, 2010 as follows:

<u>Position</u>	<u>1/1/2010 Salary</u>
Director, Department of Aging	\$63,015

SECTION 3. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not 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 4. Supercession. All local laws and resolutions of the Cattaraugus County Legislature, to the extent that the same are inconsistent with this local law, are hereby superceded.

SECTION 5. Effective Date. This Local Law is subject to permissive referendum in accordance with Section 24 of the Municipal Home Rule Law.

Referred to the Finance Committee and the Senior Services Committee.

**ACT NO. 510-2010** by Mr. McLarney and Mr. Ward

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 12-2010**

Pursuant to Section 20 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on September 22, 2010, a proposed Local Law entitled "A Local Law Establishing Salary for Director, Department of Aging for the Year 2010", 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 13<sup>th</sup> day of October, 2010, at 3:10 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.

Referred to the Finance Committee and the Senior Services Committee.

ACT NO. 511-2010 by Mr. McLarney and Mr. Ward

**LOCAL LAW NUMBER 13-2010  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law and Sections 201 and 205 of the County Law.

**A LOCAL LAW ESTABLISHING SALARY FOR DIRECTOR, DEPARTMENT OF NURSING HOMES FOR THE YEAR 2010**

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 establish a salary for Director, Department of Nursing Homes for the year 2010.

SECTION 2. Salary. The County Officer listed below shall receive an annual salary, effective January 1, 2010 as follows:

<u>Position</u>	<u>1/1/2010 Salary</u>
Director, Department of Nursing Homes	\$91,325

SECTION 3. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not 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 4. Supercession. All local laws and resolutions of the Cattaraugus County Legislature, to the extent that the same are inconsistent with this local law, are hereby superceded.

SECTION 5. Effective Date. This Local Law is subject to permissive referendum in accordance with Section 24 of the Municipal Home Rule Law.

Referred to the Finance Committee and the Senior Services Committee.

ACT NO. 512-2010 by Mr. McLarney and Mr. Ward

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 13-2010**

Pursuant to Section 20 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on September 22, 2010, a proposed Local Law entitled "A Local Law Establishing Salary for Director, Department of Nursing Homes for the Year 2010", 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 13<sup>th</sup> day of October, 2010, at 3:11 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.

Referred to the Finance Committee and the Senior Services Committee.

**ACT NO. 513-2010** by Mr. McLarney and Mr. Ward

**LOCAL LAW NUMBER 14-2010  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law and Sections 201 and 205 of the County Law.

**A LOCAL LAW ESTABLISHING SALARY FOR PUBLIC HEALTH DIRECTOR  
FOR THE YEAR 2010**

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 establish a salary for Public Health Director for the year 2010.

SECTION 2. Salary. The County Officer listed below shall receive an annual salary, effective January 1, 2010 as follows:

<u>Position</u>	<u>1/1/2010 Salary</u>
Public Health Director	\$91,635

SECTION 3. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not 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 4. Supercession. All local laws and resolutions of the Cattaraugus County Legislature, to the extent that the same are inconsistent with this local law, are hereby superceded.

SECTION 5. Effective Date. This Local Law is subject to permissive referendum in accordance with Section 24 of the Municipal Home Rule Law.

Referred to the Finance Committee and the Human Services Committee.

**ACT NO. 514-2010** by Mr. McLarney and Mr. Ward

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 14-2010**

Pursuant to Section 20 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on September 22, 2010, a proposed Local Law entitled "A Local Law Establishing Salary for Public Health Director for the Year 2010", 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 13<sup>th</sup> day of October, 2010, at 3:12 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.

Referred to the Finance Committee and the Human Services Committee.

**ACT NO. 515-2010** by Mr. McLarney and Mr. Ward

**ESTABLISHING 2010 SALARY FOR CERTAIN COUNTY OFFICIALS**

Pursuant to Sections 201 and 205 of the County Law.

RESOLVED, that the 2010 salary for the following Cattaraugus County officials be, and the same hereby are, established as follows:

Director of Community Services	\$69,582
Director of Veterans Service Agency	\$50,764
Director of Probation and Correctional Alternatives	\$69,708
Youth Bureau Director	\$56,753.

Referred to the Finance Committee the Public Safety Committee and the Human Services Committee.

**ACT NO. 516-2010** by Mr. Marsh and Mr. Padlo  
who ask immediate consideration

**EXTENDING THREE POSITIONS OF INDEX CLERK IN  
OFFICE OF COUNTY CLERK  
WHICH WERE FILLED ON A TEMPORARY BASIS**

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

WHEREAS, the Office of the County Clerk has received American Recovery and Reinvestment Act funding for purposes of scanning and indexing older deed records, and

WHEREAS, scanning will be accomplished by an outside vendor, and

WHEREAS, these scanned documents will still require indexing, which will require the addition of three temporary Index Clerk positions, and

WHEREAS, Civil Service Law provides for the creation of temporary positions for a period not to exceed six months, except in certain situations wherein the period of time may be extended for a period not to exceed eighteen months, and

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

RESOLVED, that effective September 30, 2010, there are hereby extended three temporary positions of Index Clerk in the Office of the County Clerk to be compensated at Grade 14-1 (\$11.77 per hour), temporary salary schedule, and be it further

RESOLVED, that effective December 31, 2010, these positions shall automatically be abolished, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

Adopted September 22, 2010 by voice vote.

**ACT NO. 517-2010** by Mr. McClune

*and Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh,  
Mr. McLarney, Mr. Murphy, Mr. Neal, Mr. O'Brien, Mr. Snyder,  
Mrs. Stockman, Mr. Teachman, Mr. Vecchiarella, Mr. Boser,  
Mr. Giardini, Mr. Hebdon, Mr. Nenno, Mr. Padlo,  
Mr. Sprague and Mr. Ward<sup>1</sup>*

who ask immediate consideration

**URGING NEW YORK STATE AND SENECA NATION OF INDIANS TO  
RESOLVE THE CONTROVERSY REGARDING<sup>2</sup> CASINO REVENUE PAYMENTS**

Pursuant to Section 153 of the County Law.

WHEREAS, the Seneca Nation has alleged that New York State has violated the exclusivity sections of the Casino Compact, and

WHEREAS, as a result of such allegation, the Seneca Nation Council has adopted a resolution that New York State's share of the casino funds be withheld, and

WHEREAS, 25 percent of the casino funds received by New York State are distributed to Cattaraugus County, the City of Salamanca and the Salamanca City Central School District, and

WHEREAS, the withholding of these funds that are due in 2010 amount to a loss of approximately one and one-half million dollars to Cattaraugus County, over three million dollars to the City of Salamanca and over three-quarters of a million dollars to the Salamanca City Central School District, and

WHEREAS, this shortage of funding not only has a serious effect on the budgets of Cattaraugus County and the Salamanca City Central School District, but is devastating to the City of Salamanca which, as a result, has recently made plans to lay off 49 City employees, which will result in not only personal hardships, but a serious risk to public safety and a reduction in other City services, and



WHEREAS, the County of Cattaraugus, the City of Salamanca and the Salamanca City Central School District, having had no role in the alleged violations to the Casino Compact, are the entities that are drastically affected, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby urges New York State and the Seneca Nation to negotiate and resolve these issues as quickly as possible, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward copies of this resolution to Governor Paterson, the President of the Seneca Nation of Indians, the members of the Seneca Nation Tribal Council, Senate Majority Leader Smith, Assembly Speaker Silver, Senator Young, Assembly Member Giglio, the New York State Association of Counties and the Western New York Inter-County Association.

MR. McCLUNE moved, seconded by Mr. Giardini to waive Rule 12. Carried.

<sup>1</sup> The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. McLarney, Mr. Murphy, Mr. Neal, Mr. O'Brien, Mr. Snyder, Mrs. Stockman, Mr. Teachman, Mr. Vecchiarella, Mr. Boser, Mr. Giardini, Mr. Hebdon, Mr. Nenno, Mr. Padlo, Mr. Sprague and Mr. Ward".

<sup>2</sup> MR. McCLUNE moved, seconded by Mr. Giardini to amend Act No. 517-2010 as follows: In the title, delete: "Disagreements Including" and replace with: "The Controversy Regarding". Carried.

Adopted, as amended, September 22, 2010 by voice vote.

Mr. McClune added the following statement:

"This resolution does not 'take sides' concerning the controversy between the State and the Seneca Nation that has resulted in halting the distribution of Casino funds to the Host Community. The loss of Casino funds has had a disastrous effect on the City, County and School District. These three entities are not involved in any way in the alleged violations to the Casino compact and urge the parties to resolve these issues quickly."

MR. VECCHIARELLA moved, seconded by Mr. Padlo to adjourn until October 13, 2010 at 3:00 p.m. Carried.

Meeting adjourned at 4:00 p.m.

Ann M. Giglio  
Journal Clerk