

August 10, 2016

The meeting was called to order by Chairman Paula J. Stockman.

The invocation was given by Gerald Zimmerman.

The Attendance Roll Call disclosed all Legislators present.

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CHAIRMAN STOCKMAN noted that the minutes of the July 27, 2016 session stand approved as presented.

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CHAIRMAN STOCKMAN asked the Journal Clerk to read the following recommendation from the Cattaraugus County Conservative Party:

*The District 8 committee members recommend the appointment of William E. Bothwell to fill the vacancy in District #8 on the Cattaraugus County Legislature.*

CHAIRMAN STOCKMAN asked the Journal Clerk to read the following recommendation from the Cattaraugus County Republican Committee:

*The District 8 committee members recommend the approval of Frank H. Higgins to fill the vacancy in District #8 on the Cattaraugus County Legislature.*

MRS. LABUHN moved, seconded by Mr. Padlo to nominate William E. Bothwell to fill the vacancy in Legislative District #8.

MR. SNYDER, SR. moved, seconded by Mr. Klancer to nominate Frank H. Higgins to fill the vacancy in Legislative District #8.

MR. HALE moved, seconded by Mr. Boberg to close the nominations. Carried.

CHAIRMAN STOCKMAN requested a Roll Call vote on the nominations, which disclosed as follows:

Bothwell: Giardini, Hastings, Koch, Labuhn, Padlo - 5.

Higgins: Boberg, Breton, Hale, Helmich, Klancer, Neal, Snyder, Jr., Snyder, Sr., Stockman, VanRensselaer, Vickman - 11.

By majority vote, Mr. Higgins was appointed by the Cattaraugus County Legislature to fill the vacancy in Legislative District #8.

COUNTY COURT JUDGE RONALD PLOETZ administered the oath of office to Frank H. Higgins.

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**COMMUNICATIONS:**

New York State Department of State: Receipt of Local Law Number 5-2016 and Local Law Number 6-2016 and the filing of the same on July 25, 2016.

Cattaraugus County Republican Committee: Letter recommending the appointment of Frank H. Higgins to fill the vacancy in District #8.

Cattaraugus County Conservative Party: Letter recommending the appointment of William E. Bothwell to fill the vacancy in District #8.

Family of Rick Lamberson: Note of appreciation for plant basket with flowers and condolences.

Sister Margaret Carney, President of St. Bonaventure University: Receipt of Act No. 351-2016 and appreciation for the same.

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**PRIVILEGE OF THE FLOOR:**

Chairman Stockman granted Privilege of the Floor to Gerald Zimmerman, Probation Director, who announced the recipients of the New York State Innovations in Probation Award. The 2016 State Director's Award for Innovation in Probation is presented in recognition of a unit or individual probation professional who has demonstrated exceptional outcomes through the innovative use of evidence-based practices, collaboration, or technology within the work of community corrections. Recipients from the Adult Supervision Unit are: Ann Faulkner, Richard Biemel, Scott Crowell, Ashlee Forrest, Christopher Giermek, Karen Rogers, Christopher Woodring, Collin Quigley, Melissa Dieteman and Kelly Jordan. Each recipient received a plaque and a scholarship to attend the NYSPOA training conference.

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**ACT NO. 373-2016** by Mr. Klancer and Mr. Koch

**BID ACCEPTANCE FOR PRECAST CONCRETE DECK PANELS  
FOR CONEWANGO BRIDGE NO. 12  
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and  
Section 215 of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for precast concrete deck panels for Conewango Bridge No. 12, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications for the aforementioned precast concrete deck panels was the bid of Lakelands Concrete Products, Inc., 7520 East Main Street, Lima, New York 14485, for an amount of \$45,916.00, to be paid as invoiced and as determined by the Department of Public Works, and

WHEREAS, sufficient funds are included in the 2016 budget to cover the costs of the aforementioned deck panels, now, therefore, be it

RESOLVED, that the bid of Lakelands Concrete Products, Inc., be, and the same hereby is, accepted, for a term commencing upon Notice of Award with delivery to be made within thirty (30) days after approval of the drawings, and be it further

RESOLVED, that vouchers submitted in accordance with the provisions of General Municipal Law §106-b and certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

No State Bid.

Seven sets of specifications were sent out.

Three bids were received.

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

Adopted August 10, 2016 by voice vote.

**ACT NO. 374-2016** by Ms. Vickman and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
TOTAL SENIOR CARE, INC. FOR  
PACE AND DAYBREAK PROGRAM HOME DELIVERED AND CONGREGATE MEALS**

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

WHEREAS, Act 401-2016 authorized a contract with Total Senior Care, Inc., 519 North Union Street, Olean, New York 14760, to purchase home delivered meals and congregate meals from the County Department of Aging for PACE and DayBreak Program participants as part of a comprehensive program of services to participants, the term of which expires August 31, 2016, and

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

WHEREAS, the Department of Aging has agreed to provide the aforementioned meals through its Senior Nutrition Program to PACE and DayBreak Program participants in accordance with the following rates:

Noon Meal and Cold Supper combined:	\$8.00 per delivery
Noon HDM Meal only:	\$6.00 per meal
Congregate Meal:	\$6.00 per meal,

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 Total Senior Care, Inc., for the provision of the above-described meal services, for a term commencing September 1, 2016 and terminating August 31, 2017, according to the above-described terms.

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

Adopted August 10, 2016 by voice vote. Padlo abstained from vote.

**ACT NO. 375-2016** by County Operations/Public Safety Committee:  
Mr. Neal, Mr. Padlo, Mr. Boberg, Mr. Klancer,  
Mr. Snyder, Jr., Mr. VanRensselaer and Mr. Koch  
and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH  
NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES FOR  
INDIGENT LEGAL SERVICES FUNDING AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(January 1, 2015 – December 31, 2017 Grant - Round 5)**

Pursuant to Article 30 of the Executive Law, Article 18-B  
and Sections 363, 366 and 450 of the County Law.

WHEREAS, the New York State Office of Indigent Legal Services has announced that it is accepting proposals for a three-year distribution of funds from the Indigent Legal Services Fund (ILSF) for the period January 1, 2015 through December 31, 2017, and

WHEREAS, a three-year plan must be submitted to the Office of Indigent Legal Services which demonstrates that the funding provided will be utilized to improve the quality of legal representation under Article 18-B of the County Law, and

WHEREAS, Cattaraugus County has been notified that it shall receive an amount of \$161,466.00 per year for three (3) years, for a total three-year grant in the amount of \$484,398.00 for the period January 1, 2015 through December 31, 2017, and

WHEREAS, the application for the aforementioned funding shall reflect the following proposed uses as have been agreed upon by the Public Defender, the Administrator of Assigned Counsel and Legal Assistance of Western New York, with the approval of the Executive Officer of Cattaraugus County:

<u>Description</u>	<u>3 Year Total</u>
3/4 time Family Court Paralegal Position at LawNY (Southern Tier Legal Services), Office Space and Office Equipment for Position	\$ 82,329.00
Full-time Social Worker/Mitigation Specialist Position at Public Defender's Office, Office Equipment, Office Expenses, Training and Continuing Education	\$266,294.00
Pay Parity for Public Defender (based on 20% in 1 <sup>st</sup> year, 5% in 2 <sup>nd</sup> year and 5% in 3 <sup>rd</sup> year)	\$ 94,310.00
Training/Evaluation Contract with Erie County Bar Association Aid to Indigent Prisoners Society, Inc. for Assigned Counsel Program	\$ 22,500.00
Equipment Purchases and Updates for Public Defender Offices	\$ 7,965.00
Equipment Purchases for LawNY (photocopier/printer) and	\$ 11,000.00

WHEREAS, it is in the best interests of Cattaraugus County to submit the aforementioned three-year proposal and apply for the ILSF funding at no cost to the County, and

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

RESOLVED, that the Public Defender's Office, with the agreement of the Administrator of Assigned Counsel and Legal Assistance of Western New York, and subject to the advice and consent of the Executive Officer of Cattaraugus County, be, and hereby is, authorized and directed to submit to the NYS Office of Indigent Legal Services a three-year proposal for its proposed use of the aforementioned funds within the parameters set forth herein, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents and a contract, on behalf of Cattaraugus County, with the New York State Office of Indigent Legal Services, in order to apply, accept and receive the aforementioned Round 5 grant funds, and commit Cattaraugus County to their use as prescribed by such office, for a term commencing January 1, 2015 through December 31, 2017, according to the above-described terms, and be it further

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

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

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

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

Increase Estimated Revenue Account:

A.117.1170.1181.3025	State Aid, ILS Fund	\$161,466.00
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Increase Appropriation Accounts:

A.117.1170.1181.11000	Full-Time Wages	\$ 74,246.00
A.117.1170.1181.20006	Computer Equipment/Software	\$ 2,900.00
A.117.1170.1181.40401.1	Assigned Counsel Legal Aid of WNY, Inc.	\$ 38,477.00
A.117.1170.1181.40401.3	Erie Co. Bar Association Assigned Counsel Plan	\$ 7,500.00
A.117.1170.1181.41404	Internet Contracts	\$ 600.00
A.117.1170.1181.46106	Training	\$ 2,500.00
A.117.1170.1181.46108	Cellular Phone Charges	\$ 600.00
A.117.1170.1181.47002	Office Supplies	\$ 3,291.00
A.117.1170.1181.81000	FICA	\$ 5,680.00
A.117.1170.1181.82000	Retirement	\$ 8,211.00
A.117.1170.1181.83000	Health Insurance	\$ 17,320.00
A.117.1170.1181.84000	Dental Insurance	\$ 141.00.

Held in the Finance Committee.

**ACT NO. 376-2016** by County Operations/Public Safety Committee:  
Mr. Neal, Mr. Padlo, Mr. Boberg, Mr. Klancer,  
Mr. Snyder, Jr., Mr. VanRensselaer and Mr. Koch  
and Mrs. Stockman

**LOCAL LAW NUMBER 7 - 2016  
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**

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 Public Defender.

SECTION 2. Salary. Effective January 1, 2016, the Public Defender shall receive a bi-weekly salary as follows:

2016	\$4,495.67
2017	\$4,720.45
2018	\$4,956.47.

SECTION 4. Supercession. All local laws and resolutions of the Cattaraugus County Legislature, including without limitation Local Law Number 3-2014 and Act No. 205-2014, 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.

Held in the Finance Committee.

**ACT NO. 377-2016** by County Operations/Public Safety Committee:  
Mr. Neal, Mr. Padlo, Mr. Boberg, Mr. Klancer,  
Mr. Snyder, Jr., Mr. VanRensselaer and Mr. Koch  
and Mrs. Stockman

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 7 - 2016**

Pursuant to Section 10 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on August 10, 2016, a proposed Local Law entitled, "A Local Law Establishing Salary for Public Defender", 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 (5) 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 24<sup>th</sup> day of August, 2016, at 4:01 p.m. at the Legislature's Chambers, County Center, 303 Court Street, Little Valley, New York, and that at least five (5) 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.

Held in the Finance Committee.

**ACT NO. 378-2016** by Ms. Vickman and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS THROUGH  
NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES FOR  
MEMBER ITEM FUNDING TO OFFSET COSTS OF VARIOUS YOUTH PROGRAMS**

Pursuant to Section 450 of the County Law.

WHEREAS, up to \$200,000.00 is available through the New York State Office of Children and Family Services, 52 Washington Street, South Building, Room 202, Rensselaer, New York 12144, to offset costs related to youth services including, but not limited to, operational, capital project(s) and/or program administration costs to help provide services, opportunities and supports that are designed to improve youth and the community, and

WHEREAS, a contract is necessary in order to receive the aforementioned grant-in-aid 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, to apply for the aforementioned member item grant funding, according to the above-described terms.

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

Adopted August 10, 2016 by voice vote.

**ACT NO. 379-2016** by Mrs. Stockman, Mr. Snyder, Sr., Ms. Vickman, Mr. VanRensselaer, Mrs. Labuhn, Mr. Koch and Mr. Padlo

**TRANSFER OF FUNDS  
(Contingent Fund – District Attorney)**

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

WHEREAS, on April 1, 2016, the State approved the New York State Commission on Legislative, Judicial and Executive Compensation's recommendation to increase all state judge salaries in 2016 and 2018, and

WHEREAS, pursuant to State Judicial Law §183-a, the salary of the Cattaraugus County District Attorney shall be equivalent to the County Judge's salary, and

WHEREAS, an increase in the District Attorney's salary is mandated and a transfer of funds from the contingent fund is necessary in order to cover such increase, now, therefore, be it

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

Decrease Appropriation Account:

A.901.1990.0000.40601	Contingent Fund	\$28,431.00
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Increase Appropriation Accounts:

A.116.1165.0000.11000	Full-Time Wages	\$22,993.00
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A.116.1165.0000.81000	FICA	\$ 1,759.00
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A.116.1165.0000.82000	Retirement	\$ 3,679.00.
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Approved by 7 members of the Finance Committee and 7 members of the County Operations/  
Public Safety Committee.

Adopted August 10, 2016 by voice vote.

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MR. KLANCER moved, seconded by Mr. Snyder, Jr., to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 380-2016 through Act No. 384-2016, inclusive. Carried.

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**ACT NO. 380-2016** by Mr. VanRensselaer  
who asks immediate consideration

**APPOINTMENT OF CORONER'S PHYSICIAN**

Pursuant to Section 400 (4-b) of the County Law and Act 138-81.

RESOLVED, that the following individual is appointed Coroner's Physician for Cattaraugus County for two (2) years with his term to expire on December 31, 2017, at the salary which has heretofore, or may hereafter be established:

Donald E. Higgs, M.D.  
4683 Winding Woods  
Hamburg, New York 14075.

Adopted August 10, 2016 by voice vote.

**ACT NO. 381-2016** by Mr. Neal and Mr. VanRensselaer  
who ask immediate consideration

**SALE OF TAX TITLE PROPERTY  
(Town of Randolph)**

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

WHEREAS, Cattaraugus County has tax title to certain properties situated in Cattaraugus County, as described below, and

WHEREAS, the properties have been exposed to bid at public auctions as required by Rule 40 of the Rules of Order of the Cattaraugus County Legislature, and

WHEREAS, neither of the highest bidders nor the second highest bidders completed the purchase within thirty (30) days, and

WHEREAS, pursuant to Rule 40.15 of the Rules of Order, the County Treasurer has accepted sealed bids for the purchase of the properties described below and determined the highest bid received for the property as listed below, now, therefore, be it

RESOLVED, that if the tender by the high bidder of the total purchase price is not made within 30 days after the adoption hereof, then the acceptance of that individual's bid shall thereafter be void and of no further effect, as of course, and the bid deposit shall be forfeited pursuant to Rule 40.8 of the Rules of Order, and be it further

RESOLVED, that the County Treasurer be, and hereby is, authorized and directed to execute County Treasurer's Deeds conveying the properties to the following individuals at the bid price listed:

**TOWN OF RANDOLPH**

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
394 (2015)	70.063-4-11	First Baptist Church of Randolph	6 Center Street Randolph, NY 14772	\$12,631.01	\$7,500.00
386 (2011)	70.079-1-8	David D. Jenson	6 Messenger Street Randolph, NY 14772	\$263.47	\$20.00

Adopted August 10, 2016 by voice vote.

**ACT NO. 382-2016** by Ms. Vickman and Mrs. Labuhn  
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
AON RISK SOLUTIONS FOR SAPPHIRE BLUE INSURANCE COVERAGES  
FOR THE PINES HEALTHCARE AND REHABILITATION CENTERS AND  
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS  
(Department of Nursing Homes)**

Pursuant to Sections 52 and 78 of the General Municipal Law and  
Sections 215, 363, 366 and 450 of the County Law.

WHEREAS, Act 375-2015 authorized a contract with Aon Risk Solutions for insurance coverage through Sapphire Blue for The Pines Healthcare and Rehabilitation Centers for an amount of \$330,337.00, the term of which expired July 23, 2016, and

WHEREAS, it is necessary to renew the aforementioned professional liability insurance coverage and excess liability coverage for The Pines Healthcare and Rehabilitation Centers, and

WHEREAS, Aon Risk Solutions, One Liberty Place, Suite 100, 1650 Market Street, Philadelphia, Pennsylvania 19103, is a broker which can provide insurance coverage through Sapphire

Blue for The Pines Healthcare and Rehabilitation Centers, for an amount of \$393,402.00, to be paid as invoiced, as follows:

<u>Policy</u>	<u>2015-2016 Premium</u>	<u>2016-2017 Premium</u>
General & Professional Liability Insurance	\$207,560.00	\$267,389.00
Excess Liability Insurance	\$115,715.00	\$127,013.00
Mandatory Risk Management Visit/Review provided by Pendulum, LLC and	\$ 7,000.00	

WHEREAS, Sapphire Blue is comprised of a series of RSG Underwriting Managers, LLC, on behalf of Underwriters at Lloyds London, and

WHEREAS, various appropriation and revenue accounts must be adjusted to cover the increase in the cost of the aforementioned insurance coverages, 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 Aon Risk Solutions, for the provision of general and professional liability insurance coverage and excess liability coverage for The Pines Healthcare and Rehabilitation Centers, for a term commencing July 23, 2016 and terminating July 23, 2017, according to the above-described terms, and be it further

RESOLVED, that the County Administrator is hereby directed to appropriate \$61,402.00 from Fund Balance Account, A.909.0000, and make the following budgetary changes:

Increase Appropriation Accounts:

A.990.9901.0000.90200	Transfer to The Pines - Olean	\$30,701.00
A.990.9901.0000.90300	Transfer to The Pines - Machias	\$30,701.00
EF.453.4530.8430.40609	Insurance Premiums	\$30,701.00
EI.453.4530.8430.40609	Insurance Premiums	\$30,701.00.

Increase Estimated Revenue Accounts:

EF.990.9901.0000.5031	Transfer from General Fund	\$30,701.00
EI.990.9901.0000.5031	Transfer from General Fund	\$30,701.00.

Adopted August 10, 2016 by voice vote.

**ACT NO. 383-2016** by Mrs. Labuhn  
and Mr. Boberg, Mr. Breton, Mr. Hale, Mr. Helmich, Mr. Higgins,  
Mr. Klancer, Mr. Neal, Mr. Snyder, Jr., Mr. Snyder, Sr.,  
Mrs. Stockman, Mr. VanRensselaer, Ms. Vickman,  
Mr. Giardini, Ms. Hastings, Mr. Koch and Mr. Padlo<sup>1</sup>  
who ask immediate consideration

**CONGRATULATING JOHN B. SAMPSON ON APPOINTMENT AS  
COMMANDER OF NEW YORK STATE AMERICAN LEGION**

Pursuant to Section 153 of the County Law.

WHEREAS, John B. Sampson, a Vietnam-era veteran who served in the U.S. Navy, has been elected to serve as the 2016-2017 Commander of the New York State American Legion, which consists of more than 113,000 members and approximately 900 posts throughout 62 counties, and

WHEREAS, Sampson is the first State Commander from Cattaraugus County in the Legion's nearly 100-year history, and

WHEREAS, Commander Sampson is a 40-year member of Hughes-Skiba Legion Post 535 in Salamanca and was recently inducted into the New York State Senate's Veterans Hall of Fame, and

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

WHEREAS, after completing his military service, Sampson became an accredited Veteran Service Officer for Cattaraugus County, a position he held for over two decades, and

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

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

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

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

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

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

WHEREAS, the Cattaraugus County Legislature hereby wishes to congratulate Commander John B. Sampson on his election to the position of Commander of the New York State American Legion, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby honors and congratulates John B. Sampson on his accomplishments and his appointment to the position of Commander of the New York State American Legion, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to Commander John B. Sampson.

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: Mr. Boberg, Mr. Breton, Mr. Hale, Mr. Helmich, Mr. Higgins, Mr. Klancer, Mr. Neal, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. VanRensselaer, Ms. Vickman, Mr. Giardini, Ms. Hastings, Mr. Koch and Mr. Padlo".

Adopted August 10, 2016 by voice vote.

**ACT NO. 384-2016** by Mrs. Stockman  
*and Mr. Boberg, Mr. Breton, Mr. Hale, Mr. Helmich, Mr. Higgins,*  
*Mr. Klancer, Mr. Neal, Mr. Snyder, Jr., Mr. Snyder, Sr.,*  
*Mr. VanRensselaer, Ms. Vickman, Mr. Giardini,*  
*Ms. Hastings, Mr. Koch, Mrs. Labuhn and Mr. Padlo*<sup>1</sup>  
 who ask immediate consideration

**DESIGNATING THE COUNTY OF CATTARAUGUS AS A PURPLE HEART COUNTY**

Pursuant to Section 153 of the County Law.

WHEREAS, the Purple Heart was established by General George Washington at Newburgh, New York, on August 7, 1782, during the Revolutionary War as an incentive to the Continental Army, and

WHEREAS, the Purple Heart is the oldest decoration in present use and was the first American service award or decoration made available to the common soldier and it is specifically awarded to any member of the United States Armed Services who is wounded or killed in combat with a declared enemy of the United States, and

WHEREAS, the mission of the Military Order of the Purple Heart, chartered by an act of Congress, is to foster an environment of goodwill among the combat wounded veteran members, promote patriotism, support necessary legislative initiatives, provide services to all veterans and their families, and most importantly, make sure we never forget the sacrifices by those so decorated, and

WHEREAS, there have been many residents of Cattaraugus County who made the ultimate sacrifice in the cause for freedom in conflicts since 1898, and

WHEREAS, there are numerous combat wounded veterans who currently reside in Cattaraugus County, and as Purple Heart awardees, contribute to their community in countless ways, and

WHEREAS, the Cattaraugus County Legislature wishes to pledge its strong support for the Military Order of the Purple Heart and for those who put their lives at risk in service of their country and their fellow citizens, now, therefore, be it

RESOLVED, that Cattaraugus County is hereby officially designated as a Purple Heart County to honor the service and sacrifice of our County's men and women in uniform, and be it further

RESOLVED, that the Clerk of the Legislature be, and hereby is, directed to forward a certified copy of this resolution to Milburn A. Cunningham, The Military Order of the Purple Heart.

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: Mr. Boberg, Mr. Breton, Mr. Hale, Mr. Helmich, Mr. Higgins, Mr. Klancer, Mr. Neal, Mr. Snyder, Jr., Mr. Snyder, Sr., Mr. VanRensselaer, Ms. Vickman, Mr. Giardini, Ms. Hastings, Mr. Koch, Mrs. Labuhn and Mr. Padlo”.

Adopted August 10, 2016 by voice vote.

MR. KLANCER moved, seconded by Mr. Hale to adjourn until August 24, 2016 at 4:00 p.m.  
 Carried.

Meeting adjourned at 4:42 p.m.

Ann M. Giglio  
 Journal Clerk