



# CATTARAUGUS COUNTY

John R. Searles, County Administrator

303 Court Street  
Little Valley, New York 14755

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The Legislature of Cattaraugus County will meet in adjourned session in the Legislative Chambers at 303 Court Street, Little Valley, New York, on **Wednesday, September 13, 2023**, for the transaction of such business as may properly come before the meeting.

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

Contingent Fund Balance: \$147,160

- 5:00 p.m.** CALL TO ORDER
- ROLL CALL
- INVOCATION
- PLEDGE OF ALLEGIANCE
- COMMUNICATIONS
- PRIVILEGE OF THE FLOOR
  - Public Hearing – Local Law Number 2-2023
- RESOLUTIONS/MOTIONS/NOTICES READY FOR ACTION
- RESOLUTIONS – IMMEDIATE CONSIDERATION
- UNFINISHED BUSINESS
- ADJOURNMENT

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## RESOLUTIONS READY FOR ACTION

359-23 Mr. VanRensselaer  
 LOCAL LAW NUMBER 2 – 2023 - A LOCAL LAW BANNING SMOKING AND VAPING OF PRODUCTS ON COUNTY PROPERTY  
**Additional sponsors: Mr. Higgins and Mr. Morrow**  
 Approved by 7 Finance and 7 County Operations/Public Safety

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376-23 Mr. Benson and Mr. Helmich  
 BID ACCEPTANCE FOR CUTTING EDGES AND SHOES FOR GRADERS, PLOWS AND WINGS (Department of Public Works)  
 Approved by 5 Finance and 7 Public Works

377-23 Mr. Benson and Mr. Helmich  
 BID ACCEPTANCE FOR SAND/SALT PREMIX (Department of Public Works)  
**Mr. Burr abstained**  
 Approved by 4 Finance and 7 Public Works

- 378-23 Mr. Benson and Mr. Helmich  
BID ACCEPTANCE FOR GENERATOR MAINTENANCE FOR COUNTY BUILDINGS (Department of Buildings & Grounds)  
Approved by 5 Finance and 7 Public Works
- 379-23 Mr. Benson and Mr. Helmich  
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH ERDMAN, ANTHONY AND ASSOCIATES, INC. FOR NEW ALBION CULVERT NOS. 46 AND 47 ENGINEERING DESIGN SERVICES  
Approved by 5 Finance and 7 Public Works
- 380-23 Mr. Benson and Mr. Helmich  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH E & M ENGINEERS AND SURVEYORS, P.C. FOR ENGINEERING SERVICES FOR REHABILITATION OF HINMAN HOLLOW ROAD BRIDGE AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS (Department of Public Works)  
Approved by 5 Finance and 7 Public Works
- 381-23 Mr. Benson and Mr. Helmich  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CHAUTAUQUA COUNTY REGARDING CONEWANGO CREEK WATERSHED PROTECTION PROJECTS  
Approved by 5 Finance and 7 Public Works
- 382-23 Mr. Boberg and Mr. Klancer  
AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH VARIOUS EMERGENCY MEDICAL SERVICES INSTRUCTORS  
Approved by 5 Finance and 4 County Operations/Public Safety
- 383-23 Mr. Boberg and Mr. Klancer  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH VARIOUS AGENCIES FOR EMERGENCY MEDICAL DIRECTOR SERVICES  
Approved by 5 Finance and 4 County Operations/Public Safety
- 384-23 Mr. Boberg and Mr. Klancer  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH GOVERNMENTJOBS.COM, INC. D/B/A NEOGOV AND POWERDMS FOR SOFTWARE SUBSCRIPTION, TRAINING AND SUPPORT SERVICES AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS (Sheriff's Office)  
Approved by 5 Finance and 4 County Operations/Public Safety
- 385-23 Mr. Boberg and Mr. Klancer  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH AXON ENTERPRISE, INC. FOR SHERIFF'S OFFICE TASER  
Approved by 5 Finance and 4 County Operations/Public Safety
- 386-23 Mr. Boberg and Mr. Klancer  
AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR DISTRICT ATTORNEY AID TO PROSECUTION PROGRAM  
Approved by 5 Finance and 4 County Operations/Public Safety

- 387-23 Mrs. Andreano and Mr. Burr  
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH CITY OF OLEAN FOR FORNESS PARK LIGHTING PROJECT  
Approved by 5 Finance
- 388-23 Ms. Schröder  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH DAVIS VISION, INC. FOR EMPLOYEE VISION PROGRAM  
Approved by 5 Finance and 4 Labor Relations
- 389-23 Ms. Schröder  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH GUARDIAN LIFE INSURANCE COMPANY OF AMERICA FOR ADMINISTRATION OF EMPLOYEE DENTAL COVERAGE  
Approved by 5 Finance and 4 Labor Relations
- 390-23 Mrs. Andreano and Mr. Helmich  
AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT WITH 8889 BURTON HOLDINGS, LLC FOR AGING/MEALS ON WHEELS CENTRAL KITCHEN  
Approved by 5 Finance, 6 Human Services and 6 Public Works
- 391-23 Mrs. Andreano and Mr. Helmich  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH WORKFIT MEDICAL STAFFING, PLLC FOR HEALTH CARE STAFFING COVERAGE FOR DEPARTMENT OF NURSING HOMES  
Approved b 5 Finance and 6 Human Services
- 392-23 Mrs. Andreano and Mr. Helmich  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATHOLIC CHARITIES OF WESTERN NEW YORK, INC., FOR DEPARTMENT OF SOCIAL SERVICES KINSHIP PROGRAM  
Approved b 5 Finance and 6 Human Services
- 393-23 Mrs. Andreano and Mr. Helmich  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH MELISSA BALL D/B/A MW MENTAL HEALTH COUNSELING SERVICES FOR FAMILIES WITH CHILDREN AT RISK OF PLACEMENT PSYCHOLOGICAL ASSESSMENTS  
Approved b 5 Finance and 6 Human Services
- 394-23 Mrs. Andreano and Mr. Helmich  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS COMMUNITY ACTION, INC. D/B/A CONNECTING COMMUNITIES IN ACTION FOR DEPARTMENT OF SOCIAL SERVICES TRUANCY PREVENTION PROGRAM  
**Mrs. Andreano asked that her name be removed as sponsor**  
**Mrs. Andreano abstained**  
Approved b 4 Finance and 5 Human Services
- 395-23 Mrs. Andreano and Mr. Helmich  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH VARIOUS ENTITIES FOR DEPARTMENT OF SOCIAL SERVICES FAMILY GROUP CONFERENCING PROGRAM  
Approved by 5 Finance and 6 Human Services
- 396-23 Mrs. Andreano and Mr. Helmich  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH OLEAN YMCA, INC. FOR YMCA MEMBERSHIPS FOR FAMILIES WITH CHILDREN AT RISK OF PLACEMENT

Approved by 5 Finance and 6 Human Services

397-23

Mr. Burr

LOCAL LAW NUMBER 3 – 2023 A LOCAL LAW IMPOSING AN ADDITIONAL MORTGAGE  
TAX WITHIN THE COUNTY OF CATTARAUGUS

Approved by 5 Finance

398-23

Mr. Burr

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 3 – 2023

Approved by 5 Finance

**LOCAL LAW NUMBER 2 - 2023**  
**COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law and  
Article 13-E of the Public Health Law.

**A LOCAL LAW BANNING SMOKING AND VAPING OF PRODUCTS ON COUNTY PROPERTY**

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 preserve and improve the public health by limiting the exposure of the public to environmental tobacco smoke or vapor caused by the use of tobacco, cannabis, nicotine, vaping and other like substances by banning smoking and vaping of all products on County-owned, leased or occupied properties.

Section 2. Definitions. For purposes of this local law, the following terms shall have the following meanings described herein:

2.1 "County property" shall include any County-owned or County-leased vehicles; any County-owned or County-leased buildings, structures and facilities. Smoking is prohibited outdoors of County-owned or County-leased property, including the surrounding outdoor grounds within 100 feet of any County property, with the exception of designated smoking areas.

2.2 "Smoking" shall include lighting, smoking or carrying a lighted cigarette, cigar, or pipe, which may contain tobacco or cannabis products or any other chemical substance. Smoking also includes 'vaping' and the use of electronic smoking devices, which include e-cigarettes or other electronic devices that deliver vapor which is inhaled by a user.

Section 3. Ban on Smoking and Vaping of any Product in or on County Property. Effective October 1, 2023, smoking or vaping of all products shall not be permitted in or on County-owned, leased or occupied property, except as provided in the Cattaraugus County Smoke Free Workplace Policy.

Section 4. Collective Bargaining. The provisions of this local law are subject to the applicable law governing collective bargaining, in accordance with Public Health Law Section 1399-o(6).

Section 5. Supercession of Existing Local Laws and Resolutions. Any local law or resolution inconsistent herewith, including, but not limited to, Local Law Number 24-2000 (Intro Number 14-2000) authorized by Act 595-2000 of the Cattaraugus County Legislature is hereby superceded, except for Acts 521-2000 and 523-2000 of the Cattaraugus County Legislature.

Section 6. Effective Date. This Local Law shall take effect October 1, 2023.