



CATTARAUGUS COUNTY

John R. Searles, County Administrator

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Little Valley, New York 14755

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The Legislature of Cattaraugus County will meet in adjourned session at the County Center, Little Valley, New York, on **Wednesday, October 24, 2018**, for the transaction of such business as may properly come before the meeting.

Contingent Fund Balance: \$72,748

4:00 p.m. CALL TO ORDER
ROLL CALL
INVOCATION
PLEDGE OF ALLEGIANCE
COMMUNICATIONS
PRIVILEGE OF THE FLOOR

- Public Hearing - Community Development Block Grant (Ellicottville Brewery - Little Valley Project)
- Public Hearing - Local Law No. 8-2018

MINUTES OF PREVIOUS MEETING
RESOLUTIONS/MOTIONS/NOTICES READY FOR ACTION
RESOLUTIONS – IMMEDIATE CONSIDERATION
UNFINISHED BUSINESS
ADJOURNMENT

ACT NO.

RESOLUTION NOT READY FOR ACTION

482-18

Mr. Breton
CANCELING UNENFORCEABLE LIENS (Village of Franklinville)
Held in Finance and County Operations/Public Safety

RESOLUTIONS READY FOR ACTION

426-18

~~Mr. VanRensselaer and Mr. Koch and Mr. Padlo~~
~~AUTHORIZING PUBLIC HEARING ON COMMUNITY DEVELOPMENT BLOCK GRANT~~
~~APPLICATION (Ellicottville Brewery – Little Valley Project)~~
~~Approved by 7 Finance and 7 Development & Agriculture~~ **(Already Acted On)**
(Information purpose only for public hearing)

437-18

Mr. Boberg, Mr. Breton, Mr. Hale, Mr. Helmich, Mr. Higgins, Mr. Klancer, Mr. Snyder, Jr., Mr. Snyder, Sr., Mr. VanRensselaer, Ms. Vickman, Mr. Giardini, Mr. Koch, Ms. Hastings, Ms. Labuhn and Mr. Padlo
LOCAL LAW NUMBER 8-2018 - A LOCAL LAW AUTHORIZING LEASE AGREEMENT FOR CONEWANGO REFUSE TRANSFER STATION SITE
Approved by 6 Finance

- 460-18 Mr. Giardini and Mr. Helmich
BID ACCEPTANCE FOR TREE REMOVAL & STUMP GRINDING (Department of Public Works)
Approved by 7 Finance and 7 Public Works
- 461-18 Mr. Giardini and Mr. Helmich
BID ACCEPTANCE FOR PAPER PRODUCTS (Department of Public Works)
Approved by 7 Finance and 7 Public Works
- 462-18 Ms. Vickman and Mr. Snyder, Jr.
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH DOYLE SECURITY SYSTEMS, INC. FOR PERSONAL EMERGENCY RESPONSE UNITS MONITORING SERVICES FOR DEPARTMENTS OF HEALTH, AGING AND SOCIAL SERVICES
Approved by 7 Finance and 7 Human Services
- 463-18 Ms. Vickman and Mr. Snyder, Jr.
AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH NEW YORK STATE DIVISION OF HOUSING AND COMMUNITY RENEWAL FOR COUNTY-WIDE WELL AND SEPTIC SYSTEM REPLACEMENT COMMUNITY DEVELOPMENT BLOCK GRANT
Approved by 7 Finance and 7 Human Services
- 464-18 Ms. Vickman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH VMC GROUP, INC. FOR TRANSPORTATION MANAGEMENT SERVICES
Approved by 7 Finance and 7 Human Services
- 465-18 Ms. Vickman and Mr. Snyder, Jr.
AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH NEW YORK STATE DEPARTMENT OF HEALTH DIVISION OF ENVIRONMENTAL HEALTH PROTECTION FOR HEALTHY NEIGHBORHOODS PREVENTIVE HEALTH CORNERSTONES
Approved by 7 Finance and 7 Human Services
- 466-18 Ms. Vickman and Mr. Snyder, Jr.
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH ELLICOTTVILLE PHARMACY, INC. FOR HEALTH DEPARTMENT PHARMACY CONSULTANT SERVICES
Approved by 7 Finance and 7 Human Services
- 467-18 Ms. Vickman and Mr. Snyder, Jr.
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH BERKSHIRE FARM CENTER AND SERVICES FOR YOUTH, INC. FOR DEPARTMENT OF SOCIAL SERVICES PROJECT TURNABOUT (Home-Based Truancy Prevention Program)
Approved by 7 Finance and 7 Human Services

- 468-18 Ms. Vickman and Mr. Snyder, Jr.
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH JAMESTOWN
COMMUNITY COLLEGE FOR STAFF DEVELOPMENT AND TRAINING
COORDINATOR SERVICES
Approved by 7 Finance and 7 Human Services
- 469-18 Ms. Vickman and Mr. Snyder, Jr.
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATHOLIC CHARITIES OF
WESTERN NY FOR DEPARTMENT OF SOCIAL SERVICES TANF FUNDING FOR
MULTI-SYSTEMIC THERAPY SERVICES FOR PINS DIVERSION
Approved by 7 Finance and 7 Human Services
- 470-18 Ms. Vickman and Mr. Snyder, Jr.
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH PARENT EDUCATION
PROGRAM, INC., FOR PROTECTIVE/PREVENTIVE SERVICES FOR CHILDREN AT RISK
OF PLACEMENT
Approved by 7 Finance and 7 Human Services
- 471-18 Ms. Vickman and Mr. Snyder, Jr.
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS
COMMUNITY ACTION, INC., FOR NON-RESIDENTIAL SERVICES FOR VICTIMS OF
DOMESTIC VIOLENCE
Approved by 7 Finance and 7 Human Services
- 472-18 Ms. Vickman and Mr. Snyder, Jr.
AUTHORING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS
COMMUNITY ACTION, INC., FOR RESIDENTIAL SERVICES FOR VICTIMS OF
DOMESTIC VIOLENCE
Approved by 7 Finance and 7 Human Services
- 473-18 Ms. Vickman and Mr. Snyder, Jr.
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS
COMMUNITY ACTION, INC. FOR ALTERNATE HOURS VISITATION FOR AT-RISK
CHILDREN
Approved by 7 Finance and 7 Human Services
- 474-18 Ms. Vickman and Mr. Snyder, Jr.
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH GREATER OLEAN, INC.,
FOR DEPARTMENT OF SOCIAL SERVICES TANF ON-THE-JOB TRAINING SERVICES
Approved by 7 Finance and 7 Human Services

- 475-18 Ms. Vickman and Mr. Snyder, Jr.
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH GENESIS HOUSE OF
OLEAN, INC. FOR HOMELESS SHELTER SERVICES FOR DEPARTMENT OF SOCIAL
SERVICES ELIGIBLE RECIPIENTS
Approved by 7 Finance and 7 Human Services
- 476-18 Ms. Vickman and Mr. Snyder, Jr.
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS COUNTY
COMMUNITY ACTION, INC. FOR DEPARTMENT OF SOCIAL SERVICES SHELTER
AND TRANSITIONAL SERVICES FOR HOMELESS INDIVIDUALS
Approved by 7 Finance and 7 Human Services
- 477-18 Ms. Vickman and Mr. Snyder, Jr.
AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH VARIOUS ENTITIES FOR
DEPARTMENT OF SOCIAL SERVICES DAY CARE SERVICES
Approved by 7 Finance and 7 Human Services
- 478-18 Ms. Vickman and Mr. Snyder, Jr.
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH J.D. GALLEGOS, LLC, FOR
TANF ELIGIBLE DRUG/ALCOHOL SCREENING AND CASE MANAGEMENT
Approved by 7 Finance and 7 Human Services
- 479-18 Ms. Vickman and Mr. Snyder, Jr.
AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH VARIOUS ENTITIES FOR
MEDICAL AND TESTING SERVICES
Approved by 7 Finance and 7 Human Services
- 480-18 Mr. Helmich, Mr. Higgins, Mr. Koch and Mrs. Labuhn
CANCELING CERTAIN TAX LIENS
Approved by 7 Finance and 7 County Operations/Public Safety
- 481-18 Mr. Giardini and Ms. Hastings
CANCELING UNENFORCEABLE LIENS (Town of Allegany)
Approved by 7 Finance and 7 County Operations/Public Safety
- 483-18 Mr. Helmich, Mr. Higgins, Mr. Koch and Mrs. Labuhn
DIRECTING COUNTY TREASURER TO ISSUE CERTIFICATE OF PROSPECTIVE
CANCELLATION
Approved by 7 Finance and 7 County Operations/Public Safety

- 484-18 Mr. VanRensselaer and Mr. Padlo
AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH THE NEW YORK STATE HOMES AND COMMUNITY RENEWAL COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND AUTHORIZING PUBLIC HEARING ON APPLICATION
AMENDED: in the 2nd Resolved, delete "\$1,000,000", replace with "\$600,000"
Approved by 7 Finance and 7 Development & Agriculture
- 485-18 Mr. Helmich, Mr. Higgins, Mr. Koch and Mrs. Labuhn
AUTHORIZING TRANSFER OF TAX FORECLOSURE PROPERTIES TO CATTARAUGUS COUNTY LAND BANK CORPORATION
Approved by 7 Finance and 6 County Operations/Public Safety
- 486-18 Mr. Klancer
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR PUBLIC SAFETY ANSWERING POINTS OPERATIONS GRANT 0518-1035-D00
Approved by 7 Finance and 7 County Operations/Public Safety
- 487-18 Ms. Vickman and Mr. Snyder, Jr.
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH CATTARAUGUS COMMUNITY ACTION, INC. FOR DEPARTMENT OF SOCIAL SERVICES TRUANCY PREVENTION PROGRAM
Approved by 7 Finance and 7 Human Services
- 488-18 Ms. Vickman and Mr. Snyder, Jr.
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH CATHOLIC CHARITIES OF WESTERN NEW YORK, INC., FOR DEPARTMENT OF SOCIAL SERVICES KINSHIP PROGRAM
Approved by 7 Finance and 7 Human Services
- 489-18 Ms. Vickman and Mr. Snyder, Jr.
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH STERIS FOR HEALTH DEPARTMENT LABORATORY AUTOCLAVE PREVENTIVE MAINTENANCE SERVICES
Approved by 7 Finance and 7 Human Services

**AUTHORIZING PUBLIC HEARING ON
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION
(Ellicottville Brewery-Little Valley Project)**

Pursuant to Section 10 of the Municipal Home Rule Law.

I. WHEREAS, Act 445-2016 authorized a public hearing to consider citizen comments regarding the Community Development Block Grant ("CDBG") application to the New York State Office of Community Renewal for funding to support the development of a brewery that will include bottling operations, a restaurant and a museum to be located at 202 Second Street in the Village of Little Valley, New York (the "Project"), and

II. WHEREAS, the County is required to hold a second public hearing on the Ellicottville Brewery-Little Valley project to obtain citizen views regarding any aspect of the Project's implementation, including, but not limited to any construction, financing, and employment opportunities resulting from the Project, now, therefore, be it

I. RESOLVED, that a public hearing shall be held by this County Legislature to consider citizen comments regarding the implementation of a brewery that will include bottling operations, a restaurant and a museum to be located at 202 Second Street in the Village of Little Valley, New York, on the 24th day of October, 2018, at 4:01 p.m. at the Legislature's Chambers, County Center, 303 Court Street, Little Valley, New York, and that at least ten (10) 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.

ACT NO. 437-2018

by Mr. Boberg, Mr. Breton, Mr. Hale, Mr. Helmich, Mr. Higgins, Mr. Klancer,
Mr. Snyder, Jr., Mr. Snyder, Sr., Mr. VanRensselaer, Ms. Vickman,
Mr. Giardini, Mr. Koch, Ms. Hastings, Mrs. Labuhn and Mr. Padlo

**LOCAL LAW NUMBER 8 - 2018
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 215 of the County Law and
Section 24 of the Municipal Home Rule Law.

**A LOCAL LAW AUTHORIZING LEASE AGREEMENT FOR
CONEWANGO REFUSE TRANSFER STATION SITE**

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 enter into a long term lease agreement for the property currently occupied by the County Department of Public Works for the Conewango Refuse Transfer Station site.

Section 2. Property Description. Cattaraugus County hereby leases from Wayne H. McGuire, 4664 NYS Route 241, Randolph, New York 14772, the property identified as being part of Tax Map No. 61.003-1-28.1, described as follows:

ALL THAT PARCEL OF LAND, situate in the Town of Conewango, County of Cattaraugus, State of New York, being part of Lot 27, Town 3, Range 9 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point lying at the intersection of the centerline of NYS Route 241 and the southerly bounds of the lands of Wayne H. McGuire (reputed owner) as described in deed recorded in the Cattaraugus County Clerk's Office in Liber 1032 at Page 602, said southern bounds also being the northerly bounds of the lands of Cheryl Vaninetti (reputed owner) as described in deed recorded in the Cattaraugus County Clerk's Office in Liber 988 at Page 620;

THENCE easterly along the southerly bounds of Town (northerly bounds of Vaninetti) a distance of 355.00 feet to a point;

THENCE northerly through the lands of Town, turning an interior angle of 90 00'00", a distance of 240.03 feet to a point;

THENCE westerly through the lands of Town, turning an interior angle of 90 18'36", a distance of 183.51 feet to a point;

THENCE southwesterly through the lands of Town, turning an interior angle of 167 55'31", a distance of 100.00 feet to a point lying on the centerline of NYS Route 241;

THENCE southwesterly through the lands of Town, turning an interior angle of 169 31'41", a distance of 186.12 feet to a point lying on the centerline of NYS Route 241;

THENCE southeasterly along the centerline of NYS Route 214 following a curve to the left having a radius of 1,356.25 feet and an arc length of 179.85 feet to the point of beginning, containing 91,623.91 square feet (2.103 acres) of land, more or less.

This lease is subject to rights of the public and others to that portion lying within the bounds of NYS Route 241.

Section 3. Term of Lease. The term of this lease shall commence February 1, 2019 and terminate January 31, 2029, with an option by the County to renew for additional five-year terms.

Section 4. Lease Payments. Payments shall be made by Cattaraugus County to Wayne H. McGuire in accordance with the following terms:

Years	Payment
1-5	\$2,500.00 annually
6-10	\$2,600.00 annually
11-15 and thereafter	\$2,700.00 annually

Section 5. Severability. If any clause, sentence, paragraph, section, subdivision or other part of this Local Law or its applications shall be adjudged by a Court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or otherwise invalidate the remainder of this Local Law which shall remain in full force and effect except as limited by such order or judgment.

Section 6. Effective Date. This Local Law shall take effect February 1, 2019.

Section 7. Supersession. This Local Law supersedes Local Law 1-2004 (Intro No. 24-2003).

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH
THE NEW YORK STATE HOMES AND COMMUNITY RENEWAL
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND
AUTHORIZING PUBLIC HEARING ON APPLICATION**

Pursuant to 24 CFR Section 570.482(e) and
Section 450 of the County Law.

I. WHEREAS, funding is available through the Housing Trust Fund Corporation Office of Community Renewal for the NYS Community Development Block Grant Program, and

II. WHEREAS, the County Department of Economic Development, Planning and Tourism is desirous of submitting a Community Development Block Grant ("CDBG") application to the New York State Office of Homes and Community Renewal (the "OCR") to fund housing rehabilitation, well and septic replacements, and lateral connecting assistance that primarily benefit low and moderate income persons (the "Project"), and

III. WHEREAS, there is no requirement that any County dollars be committed as a condition of receiving the grant, and

IV. WHEREAS, the County is required to hold a public hearing to provide information to the public and to consider citizen comments regarding the CDBG program and the Project prior to submitting an application for CDBG funding, and

V. WHEREAS, a public hearing will be conducted as part of the grant process, now, therefore, be it

I. RESOLVED, that a public hearing shall be held by this County Legislature on the submission of an application to the New York State Office of Homes and Community Renewal for Community Development Block Grant to fund housing rehabilitation, well and septic replacements, and lateral connecting assistance that primarily benefit low and moderate income persons on the 14th day of November, 2018, at 4:01 p.m. at the Legislature's Chambers, County Center, 303 Court Street, Little Valley, New York, and that at least seven (7) 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, and be it further

II. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, to apply for a ~~\$1,000,000~~ **\$600,000** grant through the New York State Homes and Community Renewal Community Development Block Grant Program, according to the above-described terms.