



# CATTARAUGUS COUNTY

John R. Searles, County Administrator

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The Legislature of Cattaraugus County will meet in adjourned session via teleconference and at the County Center, Little Valley, New York, on **Wednesday, April 14, 2021**, for the transaction of such business as may properly come before the meeting.

**Pursuant to New York State Executive Order 202.1, public in-person access is not permitted; however, the public may listen to the Legislative Board Meeting by calling: 1-408-418—9388 /Access Code: 129 238 2252 (Followed by #).**

Contingent Fund Balance: \$191,420

- 5:00 p.m.** CALL TO ORDER
- ROLL CALL
- INVOCATION
- PLEDGE OF ALLEGIANCE
- COMMUNICATIONS
- PRIVILEGE OF THE FLOOR
  - *Public Hearing – Local Law Number 4-2021*
  - *Public Hearing – Local Law Number 5-2021*
  - *Public Hearing – Application for Coronavirus Aid, Relief and Economic Security (CARES) ACT Funding*
  - ***\*Joseph Pilittere – West Valley Demo Project Update***
- RESOLUTIONS/MOTIONS/NOTICES READY FOR ACTION
- RESOLUTIONS – IMMEDIATE CONSIDERATION
- UNFINISHED BUSINESS
- ADJOURNMENT

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**ACT NO. RESOLUTIONS NOT READY FOR ACTION**

154-21 Mr. Helmich and Mr. Koch  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (2021 Public Works Projects)  
Held in Finance and Public Works

**RESOLUTIONS READY FOR ACTION**

146-21 Mrs. Andreano, Mr. Brisky, Mr. Burr, Mr. Marsh, Mr. VanRensselaer and Mr. Koch  
LOCAL LAW NUMBER 4-2021 – A LOCAL LAW CREATING THE CATTARAUGUS COUNTY HUMAN RESOURCES DEPARTMENT AND REPEALING LOCAL LAW NUMBER 23-2002 (INTRO NUMBER 28-2002), AS AMENDED

148-21 Mrs. Andreano, Mr. Brisky, Mr. Burr, Mr. Marsh, Mr. VanRensselaer and Mr. Koch  
LOCAL LAW NUMBER 5-2021 – A LOCAL LAW ESTABLISHING RISK MANAGEMENT FUNCTIONS IN THE OFFICE OF THE COUNTY ATTORNEY

*jrsearles@cattco.org*

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- 153-21 Mr. Helmich and Mr. Koch  
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH CLEAN HARBORS ENVIRONMENTAL SERVICES, INC. FOR HOUSEHOLD HAZARDOUS WASTE PROGRAM (Fuel Surcharge)  
Approved by 4 Finance and 5 Public Works
- 155-21 Mr. Helmich and Mr. Koch  
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH DATAVAL, INC. FOR WATER MONITORING DATA VALIDATION SERVICES AT FARWELL AND FIVE POINTS LANDFILLS  
Approved by 4 Finance and 5 Public Works
- 156-21 Mr. Helmich and Mr. Koch  
AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH NEW YORK STATE OCCUPATIONAL SAFETY & HEALTH HAZARD ABATEMENT BOARD FOR OCCUPATIONAL SAFETY AND HEALTH TRAINING AND EDUCATION GRANT PROGRAM  
Approved by 4 Finance and 5 Public Works
- 157-21 Mr. Helmich and Mr. Koch  
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH CITY OF OLEAN FOR LEACHATE DISPOSAL SERVICES  
Approved by 4 Finance and 5 Public Works
- 158-21 Mr. VanRensselaer  
ESTABLISHING STANDARD WORK DAY FOR CERTAIN ELECTED AND APPOINTED OFFICIALS FOR REPORTING PURPOSES TO NEW YORK STATE RETIREMENT SYSTEM AND RESCINDING ACT 99-2021  
Approved by 4 Finance and 3 Labor Relations
- 159-21 Mr. Klancer and Mr. Boberg  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS REHABILITATION CENTER, INC. D/B/A INTANDEM FOR SHREDDING SERVICES  
Approved by 4 Finance and 5 County Operations/Public Safety
- 160-21 Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky, Mr. Burr, Mr. Helmich, Mr. Higgins, Mrs. Hunt, Mr. Klancer, Mr. Marsh, Mr. Morrow, Mr. Parker, Ms. Schroder, Mr. Smith, Mr. Snyder, Jr., Mr. VanRensselaer and Mr. Koch  
TRANSFER OF FUNDS FOR EMERGENCY CARE OF ABUSED ANIMALS (Contingent Fund to Contracted Services)  
Approved by 4 Finance
- 161-21 Mrs. Andreano  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Contracted Nursing Services – Department of Nursing Homes)  
Approved by 4 Finance and 6 Human Services

- 162-21 Mrs. Andreano and Mr. Helmich  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Department of Aging)  
Approved by 4 Finance and 6 Human Services
- 163-21 Mrs. Andreano and Mr. Helmich  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH KENNETH W. DAHLGREN, JR. FOR  
HEALTH DEPARTMENT CLEAN INDOOR AIR ACT COMPLIANCE CHECKS  
Approved by 4 Finance and 6 Human Services
- 164-21 Mrs. Andreano and Mr. Helmich  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH VARIOUS TOWNS AND CITIES FOR  
MOSQUITO CONTROL PROGRAM FUNDING  
Approved by 4 Finance and 6 Human Services
- 165-21 Mrs. Andreano and Mr. Helmich  
APPROVING AMENDED CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY  
SERVICES BOARD AND CATTARAUGUS REHABILITATION CENTER, INC. D/B/A INTANDEM FOR  
PROS PROGRAM VOCATIONAL SERVICES AND MENTAL HEALTH THERAPIST SERVICES  
Approved by 4 Finance and 6 Human Services

**LOCAL LAW NUMBER 4 - 2021  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW CREATING THE CATTARAUGUS COUNTY HUMAN RESOURCES DEPARTMENT AND REPEALING  
LOCAL LAW NUMBER 23-2002 (INTRO NUMBER 28-2002), AS AMENDED**

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 strengthen the structure and direction of the Cattaraugus County Human Resources Department and to develop the management infrastructure devoted to acquiring, nurturing, developing and effectively using the human resources of Cattaraugus County.

SECTION 2. Creation of Human Resources Department. Effective May 1, 2021, there is hereby created a department in Cattaraugus County to be known as the Human Resources Department.

SECTION 3. Personnel Officer.

3.1 The Human Resources Department shall be under the direction of the Personnel Officer.

3.2 The Personnel Officer shall be appointed and removed by the County Legislature.

3.3 The salary of the Personnel Officer shall be fixed by the County Legislature.

3.4 The Personnel Officer shall be in the non-competitive class of the Civil Service, subject to the approval of the State Civil Service Commission.

3.5 Pursuant to Civil Service Law §15(1)(b), the Personnel Officer shall serve for a term of six (6) years.

SECTION 4. Powers and Duties of Personnel Officer. The Personnel Officer shall have the following powers and duties:

4.1 All the powers and duties of a municipal civil service commission;

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

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

4.4 Authority to adopt rules and regulations not inconsistent with law for conduct of the affairs and business of the Human Resources Department;

4.5 Maintain and administer salary plans for County employees, periodically resurvey prevailing salaries and recommend amendments to the County Legislature;

4.6 Establish, in cooperation with other heads of units of County government, a program of employee recruitment designed to acquaint interested persons with the opportunities for employment in County government and to provide County government with appropriate candidates to fill vacancies in established positions;

4.7 Maintain, in cooperation with other heads of units of County government, a central file of job opportunities in County government, and make provisions for the dissemination of such information to the public;

4.8 Establish and maintain a roster of all County officers and employees;

4.9 Institute programs to ensure that each incoming County employee is properly advised of the responsibilities and benefits of County employment and receive necessary orientation and pre-work assignment training;

4.10 Determine those aspects of employment, working conditions, benefit programs and employee activities which are necessary to maintain the County in a competitive position as an employer and recommend actions to the County Legislature to accomplish this;

4.11 Administer on behalf of the County, agreements with recognized employee organizations concerning terms and conditions and employment and other matters that may come before the Personnel Officer, and recommend necessary action to the County Legislature;

4.12 Implement such time and attendance policies as may be established by the County Legislature;

4.13 Negotiate all insurance programs for the County to obtain the most favorable coverages;

4.14 Manage the allocation of cost of insured and self-insured programs to County Departments;

4.15 Administer the County's health benefit programs;

4.16 Manage the County's workers' compensation program and prepare and supervise workers' compensation claims;

4.17 Administer underwriting functions of self-insurance programs and coordinate commercial insurance with self-insurance programs;

4.18 Have the authority to designate one or more deputies with power to act generally for the Personnel Officer, and in the Personnel Officer's place;

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

SECTION 5. Department Responsibilities. The employees of the Human Resources Department shall implement the policies of the County Legislature and the Personnel Officer.

SECTION 6. Statutory Repeal. All resolutions, local laws and motions inconsistent with the provisions hereof, including but not limited to Local Law Number 23-2002 (Intro No. 28-2002) (*Act No. 473-2002*), entitled "A Local Law Creating The Human Resources Department And Repealing Local Law No. 17-2001 (Intro No. 4-2001)", effective September 30, 2002, as amended by Local Law Number 5-2004 (Intro No. 4-2004) (*Act No. 269-2004*), Local Law Number 7-2008 (Intro No. 8-2008) (*Act No. 475-2008*) and Local Law Number 1-2015 (Intro No. 2-2015) (*Act No. 153-2015*), to the extent they are inconsistent with this local law, are hereby superseded.

SECTION 7. Certification of Payrolls. No payroll, estimate or account providing for the payment of wages or salaries shall be approved for payment unless it bears the certificate of the Personnel Officer stating that the persons named therein have been during the periods specified, employed in their respective positions in accordance with the provisions of law and the rules made pursuant thereto.

SECTION 8. Cooperation with Administrative Unit Heads. It shall be the duty of the head of each unit of county government in Cattaraugus County to furnish the Personnel Officer with such information and assistance as may be necessary for the performance of his/her duties.

SECTION 9. 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 10. Effective Date. This Local Law shall become effective May 1, 2021.

**LOCAL LAW NUMBER 5 - 2021  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW ESTABLISHING RISK MANAGEMENT FUNCTIONS IN  
THE OFFICE OF THE COUNTY ATTORNEY**

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 risk management functions in the Office of the County Attorney.

SECTION 2. Establishing Risk Management Functions in the Office of the County Attorney. Effective May 1, 2021, the following functions shall become a function of the County Attorney:

2.1 Be responsible for the formulation, implementation and monitoring of procedural policies as they relate to insurance, self-insurance, safety, claims and the settling of losses;

2.2 Continually determine all casual risks of loss to which the County's assets are exposed and analyze such risks to determine whether they can be eliminated or minimized;

2.3 Recommend policies and programs with a view toward reducing the cost of risk to the County;

2.4 Formulate safety policies and practices to be followed by the County;

2.5 Consult with all departments on design and use of equipment and facilities, and fire prevention and safety programs;

2.6 Inspect County facilities to detect existing or potential accident and health hazards and recommend corrective or preventive measures, where indicated;

2.7 Participate in the investigation of accidents and injuries and cooperate in the preparation of material and evidence for County use in hearings, lawsuits and insurance investigations;

2.8 Devise, supervise and coordinate training programs which will increase proficiency in safe practices and promote safety consciousness;

2.9 Represent the County in the community or industry safety groups and programs;

2.10 Prepare and supervise the procedure for reporting of accidents;

2.11 Assist in investigations and presentations at hearings;

2.12 Negotiate with companies for adjustment of losses;

2.13 Prepare clauses for contracts regarding insurance;

2.14 Advise, examine and report on insurance policies taken out by other parties in which the County has an interest.

SECTION 3. Severability. If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof, directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4. Effective Date. This Local Law shall become effective on May 1, 2021.