

## Agenda

Administrative Services Committee

**September 17, 2018, 5:00 p.m., Room 331**

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (08/13/18)
- C. Privilege of the Floor
  - 1. Proposed Resolution- Amend Rules and Regulations of the Chautauqua County Legislature
  - 2. Proposed Resolution- Quit Claim Deeds
  - 3. Proposed Resolution- Authorize Transfer of Tax Foreclosure Property to Town of Chautauqua
  - 4. Proposed Resolution- Authorize Transfer of Tax Foreclosure Property to Town of Ripley
  - 5. Other-



**RULES AND REGULATIONS  
CHAUTAUQUA COUNTY LEGISLATURE**

**SECTION I — LEGISLATURE**

**Rule 1. Meetings**

- A. The Legislature shall annually hold its organizational meeting on the first business day of January at 4:00 P.M. in the Chautauqua County Legislative Chambers, Gerace Office Building, Mayville, New York. At this meeting the Clerk shall preside and the first order of business shall be the election of a Chairman of the Legislature for the ensuing year. The election is conducted by nominations from the floor. A roll call vote shall be taken by each Legislator stating the name of the nominee he or she wishes. The Legislature shall then proceed with the appointment of a Clerk and Secretary to the Legislature. At the first meeting in January, the Legislature may by resolution, delegate the authority to the Chairman to approve certain correction of errors of \$2,500. or less to the tax levy pursuant to Section 554 & 556 of the New York State Real Property Tax Law.
- B. Regular meetings of the Legislature shall be held at 6:30 p.m. on the fourth Wednesday of each month with the following exceptions:
1. The regularly scheduled October meeting of the Legislature shall convene as set forth by Local Law ~~at 2:00 p.m.~~ for the purpose of conducting a public hearing(s) on the County Executive's and other elected officials' tentative budgets and for conducting regular business. ~~At the conclusion of its regular business, the Legislature shall recess and shall reconvene at 6:30 p.m. to conclude the public hearing and adopt budgets for the succeeding year. The meeting shall continue day to day for such time as may be necessary to adopt budgets for the succeeding year.~~
  2. The November and December meetings of the Legislature shall be held at the call of the Chairman.
- C. All meetings of the Legislature shall be held at the Gerace Office Building, Mayville, New York except that a regularly scheduled meeting may be held at any suitable site within the County, providing a resolution designating such site and meeting date shall be presented by the Chairman, without regard to any rules herein relating to pre-filing and such site is approved by at least three quarters of the total membership of the Legislature.
- D. Special meetings shall be held at the call of the Clerk upon direction of the Chairman or upon written request signed by a majority of the Legislature. A notice in writing stating time, place and purpose of the special meeting shall be served personally or by email or mail ~~on~~ to each Legislator by the Clerk at least forty-eight hours before the date fixed for holding the meeting or a member may waive the serving of a notice for such meeting in writing signed by him. Only business specified in the notice thereof may be transacted at a special meeting.
- E. The Chairman of the Legislature may cancel and reschedule a regular meeting of the Legislature in the event of inclement weather or other unusual circumstances that make the original meeting date impractical.
- F. In the case of the nonappearance of the Chairman within fifteen minutes of the appointed hour, the Clerk shall call the Legislature to Order and a Chairman pro tem shall be elected to preside for such day only, or during the absence of the Chairman. The Chairman pro tem shall have and exercise the powers and duties of the Chairman at the meeting over which he or she is called to preside. The Chairman shall have the right to name any member to perform duties of the chair who shall at such times be vested with the powers of Chair-

man, but the power of such substitute shall not extend beyond the current session without the consent of the Legislature.

G. At any public hearing held by the Legislature and at any other meeting of the Legislature, when requested by the Chairman, the Sheriff of Chautauqua County shall delegate one of his or her uniformed deputies to the legislative meeting to act as a sergeant-at-arms.

## **Rule 2. Quorum**

A majority of the whole number of the Legislators shall constitute a quorum for the transaction of business, but a lesser number may adjourn.

## **Rule 3. Order of Business**

- A. The order of business at each session, except at such times that may be set apart for the consideration of special orders of the day, shall be as follows:
1. Roll call
  2. Prayer
  3. Pledge of Allegiance
  4. Approval of Minutes
  5. Privilege of the floor for members of the public other than members of the Legislature (This privilege shall extend to any person appearing for himself in which case each individual appearing shall be limited to three minutes; and to persons representing any group in which case there shall be allowed only one spokesman for the group, who shall be limited to a maximum time of five minutes. Any person requesting this privilege shall be limited to subject matter relating to local laws, resolutions, and motions appearing on the agenda.)
  6. Petitions, Communications, and Commendations
  - ~~7. Orders of the Day and Unfinished Business~~
  - 8 7. Local Laws, Resolutions, and Motions
  - 9 8. Announcements
  - ~~10~~ 9. Privilege of the floor for members of the Legislature and the public to speak on any subject
- B. The privilege of the floor may be extended to any person out of the order of business set forth in Subsection A unless a Legislator objects in which case the floor shall be extended only upon a majority vote of the Legislature of the whole.
- C. The ~~Clerk of the Board~~ Chairman shall have the duty of calling such time limits, and the Chairman may determine, at his or her discretion, whether individuals are speaking for themselves or are representing groups. The Chairman shall maintain good order, and may require any speaker to cease speaking if remarks are made in bad taste or are slanderous or not germane to any action taken or contemplated by the Legislature. The time limits specified above shall be adhered to, except that the Chairman may allow any person speaking to complete a statement or thought started before such time expires, and a longer time may be allowed by the Chair with approval of a majority of the Legislature.
- D. Before the commencement of business at any meeting, the Clerk shall ~~place on the desk of~~ provide each Legislator, a listing of the communications received, the agenda for the day and other special business that may be brought to the attention of the Legislature. The Clerk shall also provide an appropriate number of copies for members of the press and public who may be present at the meeting. All correspondence or communications for the meeting shall be made available or read by the Clerk, if requested. Before action upon any local law, motion, or resolution, the Clerk shall read the number assigned and the short title of the local law, motion, or resolution.
- E. Individual Legislators who wish to recognize certain individuals or organizations for outstanding

achievements shall first ~~file~~ contact with the Clerk of the Legislature with a request for commendation, which identifies the individual(s), or organization(s) and describes the achievement. ~~The Clerk of the Legislature shall then cause the same to be placed on the agenda under communications for a subsequent meeting of the Legislature. The matter may be discussed or debated during the communications portion of the agenda or such other time during the meeting as the Chairman deems appropriate.~~ Subject to the confirmation and direction of the Chairman, the Clerk of the Legislature shall as soon as possible cause to be prepared a document appropriate for the commendation and bearing the signature of the Chairman of the Legislature and the sponsoring Legislator(s) for delivery to the recipient. ~~Any member of the Legislature who opposes the requested commendation may call for a vote of the membership. In case of a vote of the membership said request for commendation must receive a favorable majority vote in accordance with Rule 9C.~~

- F. Whenever appropriate and possible, the Chairman may change the order of business to accommodate appearances by county managers and employees.

#### **Rule 4. Local Laws**

- A. A local law formalizes legislation of the most significant nature, usually actions that are required by law to be enacted by local law. The Municipal Home Rule Law governs local laws. Through Municipal Home Rule Law local officials now have a reliable grant of local legislative powers that may be exercised with confidence that local laws adopted within the scope of the home rule grant will be construed as though they were enacted by the State Legislature
- B. Local laws ~~are not~~ may be prefiled in the same manner as resolutions, but .A a local law can only be introduced by a member or committee of the County Legislature and must be on desks 7 calendar days (exclusive of Sundays) or emailed or mailed at least 10 days (exclusive of Sundays) before the County Legislature may debate and act on it. Exception: If there is a message of necessity for its immediate passage from the County Executive and a two-thirds vote for immediate passage by the legislative body, the local law can be debated and acted upon under emergency procedure, provided, however, that such local law must be passed by the affirmative vote of two-thirds of the total membership of the County Legislature.
- C. The County Executive holds a public hearing within 20 days after the local law has been presented to him or her and has a total of 30 days to approve or disapprove of the local law. If within the thirty days after a local law shall have been presented such officer shall neither approve it nor return it to the Clerk with objections; it shall be deemed to be adopted in the manner as if it was signed. At any time prior to such adoption or to the return of a local law by such officer, the County Legislature may recall the same and reconsider its action thereon. If the local law is not subject to referendum, final adoption occurs after the County Executive holds a public hearing and approves the local law and it is filed with the Secretary of State. If the local law is subject to referendum, mandatory or on petition, it is considered finally adopted when it receives the affirmative vote of a majority of the qualified voters, or if no petition is filed, within 45 days after approval by the County Executive. The correct local law number is based on the date of final adoption, and may differ from the introductory number.

#### **Rule 5. Motions**

- A. A motion is an informal proposed action in writing dealing specifically with matters which are not legislative in character. All motions must contain factual information establishing the basis for their consideration by the Legislature and describing the implications of the Legislature's positive consideration.
- B. In motions the Legislature may express its opinion for the good of the County in the form of a statement of policy or "Sense of the Chautauqua County Legislature" and may proclaim the same as it may seem fitting and proper under the circumstances. Numbered motions shall be used by the Legislature for such expressions and for such other internal matters which shall not cause or otherwise direct an action to be taken by any

other department or agency within County Government. In addition to the above requirements, the Clerk of the Legislature must certify to the Legislature upon presentation of all motions that a particular motion is signed by at least a majority of the members of the Legislature, otherwise a particular motion shall not be considered, and a two thirds affirmative vote of the members of the Legislature shall be required for passage of motions.

C. Motions shall only be sponsored by a member or committee of the Legislature.

D. Only the Title of the numbered motion together with the action of the Legislature shall be printed in the official Journal of Proceedings. However, the Clerk of the Legislature shall maintain the original motions on file in accordance with existing directives.

### **Rule 6. Resolutions**

A. A resolution is a formal expression of opinion, will, or intent of a proposed action in writing for enactment of legislation and actions which are legislative in character.

B. Goals and objectives, as well as specific performance measures for those goals and objectives, which shall be used in the formulation of budgets and for measuring the success of the budgets' implementation, shall be adopted by resolution.

C. Resolutions shall only be sponsored by a member of the Chautauqua County Legislature.

### **Rule 7. Action on Motions and Resolutions**

A. All motions and resolutions read by the Clerk of the Legislature for action shall be in writing and shall contain a short title setting forth the purpose of proposed action, and shall include the sponsor's name(s), which shall be carried on the resolution and motion throughout the Legislative process. All motions must contain factual information establishing the basis for their consideration by the Legislature and describing the implications of the Legislature's positive consideration.

B. All motions and resolutions filed with the Clerk of the Legislature before 10:00 a.m. of the fourth day previous to a regular meeting of the Legislature, if such fourth day is not a holiday, Saturday or Sunday and if such is a holiday, Saturday or Sunday, then before 10:00 a.m. on the first day prior thereto that the office of the Clerk of the Legislature is open, shall be presented by the Clerk for action at the first following regular meeting of the Legislature, and such resolution or motion shall not require a second. A sponsoring Legislator may indicate that the motion or resolution should go to the appropriate committee(s) first, but regardless of committee action or inaction, the resolution or motion shall be presented by the Clerk for action at the next following regular meeting of the Legislature. All motions and resolutions to be considered by the Legislature at special meetings called in accordance with the provisions of Rule 1D shall be filed with the Clerk at the time notice of a special meeting is directed to the Clerk of the Legislature by the Chairman or request for a special meeting is made by a majority of the Legislature and such motions and resolutions shall not require a second. The Clerk of the Legislature shall forthwith assign a number to each such motion and resolution and make it or a copy of it available for inspection by members of the Legislature in the Legislative meeting rooms. The Clerk shall forward to each Legislator a copy of all motions and resolutions prefiled for consideration at regular meetings as soon as practicable. The Clerk shall forward to each Legislator a copy of all motions and resolutions prefiled for consideration at special meetings at such time as the notice of special meeting is directed to the Legislators as required by Rule 1D. ~~Resolutions and motions shall be word processed and filed on 8 1/2 x 11" paper.~~ However, the Clerk shall not refuse to file any resolutions or motions properly signed and timely presented for filing because of any defect in form. In addition to the above requirements, (1) the Clerk must certify to the Legislature upon presentation of all motions that a particular motion is signed by at least ~~two thirds~~ a majority of the members of the Legislature,

otherwise a particular motion shall not be considered, and (2) upon the prefile and/or subsequent amendment in committee or otherwise of a local law or resolution that would impact sales tax revenues of local municipalities other than the County, the Clerk shall immediately send by first class mail or via facsimile or by email a copy of such prefiled local law, resolution, or amendment to the clerk of all municipalities that will be impacted thereby. A failure to mail or receive said copy shall not, however, be grounds for invalidating local laws, resolutions, or amendments of such legislation adopted by the Legislature.

- C. Any motion or resolution not filed in accordance with the provisions of paragraph (B) of Rule 7 or any motion or resolution offered verbally from the floor shall be laid on the table until the next meeting day, unless the sponsoring Legislator shall indicate that he wishes the motion or resolution to go to the appropriate committee(s) first. All motions and resolutions shall be signed by one or more Legislators (or may be offered verbally from the floor.) All motions and resolutions except those prefiled pursuant to Rule 7B can be offered as an emergency, after obtaining a second, and explaining the necessity for immediate action on the motion or resolution; ~~in which event, the Chairman shall call for a showing of hands and if the Chairman determines that~~ two-thirds of the membership of the Legislature is favorable, ~~he or she shall allow~~ debate and action on the proposed motion or resolution shall proceed. Any motion or resolution offered in writing or verbally shall be in the possession of the Legislature and may be withdrawn only by the joint action of those persons offering and seconding it before amendment. The same offered verbally may be read from the floor, but the sponsor thereof shall have delivered a written copy of the full text to the Clerk. Emergency motions shall be considered only after the end of prefiled motions and/or before prefiled resolutions. Emergency resolutions shall be considered only after prefiled resolutions. In accordance with Robert's Rules of Order a further two-thirds vote will be required to bring an emergency motion or resolution out of order on the agenda.

### **Rule 8. Rules of Debate**

- A. When a question is under debate, the procedure and rules of debate shall be governed by Robert's Rules of Order relative to precedence of motions as follows:
1. Fix the time at which to adjourn (requires second, not debatable, may be amended & requires a majority).
  2. To adjourn (requires second, not debatable, may not be amended & requires a majority).
  3. To recess (requires second, not debatable, may be amended & requires a majority).
  4. Lay on the table. "To Table" holds until close of next regular meeting, it does not kill a local law, resolution, or motion. If not taken from Table before close of next regular meeting it then kills the business (requires second, not debatable, may not be amended & requires a majority).
  5. Previous Question (requires second, not debatable, may not be amended & requires a 2/3 vote).
  6. Limit or extend limits of debate (requires second, not debatable, may be amended, & requires a 2/3 vote).
  7. Postpone to a certain time. The object is to set a time when a matter must be considered (requires second, debatable, may be amended & requires a majority).
  8. Commit or Refer (requires second, debatable, may be amended & requires a majority).
  9. Amend (requires second, debatable, may be amended & requires a majority).
  10. Postpone Indefinitely. The object is to kill a local law, resolution, or motion (requires second, debatable, may not be amended & requires a majority).
  11. Take from table. Must be "Taken from Table" before close of next session, after tabling motion was made (requires second, not debatable, may not be amended & requires a majority).
  12. Reconsider. To bring up a question for discussion and obtain a new vote. Only one who voted with prevailing side can make this motion, but anybody can second; can only be made on same day (requires second, debatable, may not be amended & requires a 2/3 vote).
  13. Rescind. To annul some action, no matter how old, except where action has been taken that cannot be undone. Rescind a motion any time can be moved by anyone; requires a second, except "to give notice."

If "Notice" of the motion to be proposed was given at a previous meeting or prefiled for this meeting, a majority vote will carry. No "Notice" given requires two-thirds vote to carry (requires second, debatable, may be amended & requires a 2/3 vote without previous notice).

14. Renew. Used to reintroduce a local law, resolution, or motion again at a future session. Can be made and seconded by any Legislator (requires second, debatable, may be amended & requires a 2/3 vote without previous notice).
15. Suspend Rules (requires second, not debatable, may not be amended & requires a 2/3 vote without previous notice)
16. Withdraw. The maker of a local law, motion, or resolution has the right to "Withdraw" it any time before the Chairman of the Legislature opens the debate on the local law, motion, or resolution. The maker and the person who seconded it can withdraw a motion that has been seconded before any debate. Once a local law, motion, or resolution is under debate, permission by a motion seconded and approved by majority vote is required (not debatable, may not be amended & requires a majority vote).

B. No member shall speak on any question without first raising his or her hand, and upon being recognized by the Chairman may proceed. When two or more members raise their hands at the same time the Chairman shall name the member who shall speak first.

C. The Chair may limit the speaking of a member on any motion or resolution or any amendment to a motion or resolution to three times.

### **Rule 9. Voting**

A. A roll call shall be taken on any question when required by statute or demanded by any member of the Legislature.

A roll call is required by law for the following:

1. Fixing or altering salaries, or establishing salary and wage classifications.
2. Adoption of budgets.
3. Levying of taxes.
4. Bond resolutions: any authorization to fund or refund indebtedness wherein a two-thirds vote is required.
5. Legalizing informal acts of a town meeting, village election, and town or village officer.
6. Legalizing municipal obligations incurred through error or mistake wherein a two-thirds (2/3) vote is required.
7. Alteration of boundaries of a town.
8. Local Laws.
9. Any sale or conveyance of County real property to a third party wherein a two-thirds (2/3) vote is required after the County Legislature has determined that said real property is no longer necessary for public use.
10. Override Executive Vetoes, wherein a two-thirds (2/3) vote is required.
11. Home rule requests to the State legislature.

B. Every member who shall be present when the Chairman states a question shall vote thereon, except that a Legislator may abstain from voting with permission from a majority of the Legislature because of a direct interest in the question presented.

C. Unless a larger affirmative vote is required by law or specifically by the rules, action may be taken by the Legislature and authorized by a majority of the total membership. If a larger proportion is required by these rules, the required proportion shall be deemed to be a proportion of the total membership.

D. Negative votes shall be recognized by the Chairman and duly recorded by name.



- E. Voting on any appointment to a County Office or a County Body requiring the confirmation of the Legislature shall be by voice vote except if any member of the Legislature requests a roll call vote.

## **SECTION II — COMMITTEES**

### **Rule 1. Standing Committees**

- A. The Legislature may create standing committees for the purpose of aiding and assisting the Legislature in transacting its business. A member of any standing committee shall serve until the end of the calendar year in which he or she shall be appointed. Standing committees shall consist of not less than three or more than nine members.
- B. The Legislature may from time to time create special committees. Any resolution creating a special committee shall specify the powers and duties of the committee and the number of its members.
- C. The general rules of parliamentary practice as outlined in Robert's Rules of Order, revised, shall be referred to for the guidance of all special and standing committees of the legislature.

### **Rule 2. Quorum**

A majority of the whole number of the committee shall constitute a quorum for the transaction of business, but a lesser number may adjourn. The Chairman of the Legislature, in his or her capacity as ex-officio of a committee, may be added to the whole number of the committee and counted for the purpose of attaining a quorum and determining the majority vote.

### **Rule 3. Order of Business**

- A. The order of business at each meeting, except at such times that may be set apart for the consideration of special orders of the day, shall be as follows:
1. Call to Order.
  2. Approval of Minutes.
  3. Privilege of the floor for members of the public. This Privilege shall extend to any person appearing for himself in which case each individual appearing shall be limited to three minutes: and to persons representing any group in which case there shall be allowed only one spokesman for the group, who shall be limited to a maximum time of five minutes.
  4. Petitions and Communications.
  - ~~5. Executive and Other Elected Officials Reports.~~
  - ~~6. Committee Reports.~~
  - ~~7. Orders of the Day and Unfinished Business.~~
  5. Local Laws, Resolutions, and Motions.
  6. Discussions.
  7. Other Business.
- B. The privilege of the floor may be extended to any person out of the order of business set forth in Subsection A unless a Legislator objects in which case the floor shall be extended only upon a majority vote of the committee of the whole.
- C. The Secretary of the committee shall have the duty of calling such time limits, and the Chairman may determine, at his or her discretion, whether individuals are speaking for themselves or are representing groups. The Chairman shall maintain good order, and may require any speaker to cease speaking if remarks

are made in bad taste or are slanderous or not germane to any action taken or contemplated by the committee. The time limits specified above shall be adhered to, except that the Chairman may allow any person speaking to complete a statement or thought started before such time expires, and a longer time may be allowed by the Chairman with approval of a majority of the committee.

#### **Rule 4. Local Laws, Motions, Resolutions**

A. Sponsorship of local laws, motions and resolutions shall be the same as in “Section I Legislature.” Except resolutions requested by the County Executive shall be placed on an appropriate committee prefiled agenda. All local laws, motions and resolutions shall be filed with the Clerk of the Legislature by 11:00 a.m. of the fifth day previous to a regular meeting of the committee; if such fifth day is a Saturday or Sunday or holiday, then by 11:00 a.m. on the first day prior thereto that the office of the Clerk of the Legislature is open. Any such local law, motion or resolution prefiled by a Legislator shall not require a sponsor in committee. Any local law, motion or resolution on a prefiled agenda shall not need a motion moved and seconded to bring it to the floor for action. Matters not on a prefiled agenda shall be considered upon the approval of the Chairman of the committee or upon the approval of the majority of the committee. Resolutions of a committee, except resolutions to adjourn, shall be deemed adopted upon the affirmative vote of a majority of the total membership of the committee.

#### **Rule 5. Committee Chairman**

- A. Each committee Chairman shall provide a time for the public to be heard on matters relating to the meeting agenda or on matters within the scope and authority of the committee. The Vice-Chairman shall serve as Chairman in the absence of the Chairman.
- B. Each committee Chairman shall be responsible for keeping the minutes of the meetings of his or her committee and may delegate the duty. The minutes shall be kept in a uniform minute book provided by the Clerk of the Legislature. The minutes shall contain verbatim of the business conducted by the committee, together with a record of the decisions made by the committee and the time and place and persons present at the committee meeting. Copies of the minutes shall be filed with the Clerk of the Legislature and made available to the County Executive within ten days after each meeting to the extent practicable.
- C. Each standing committee chair may appoint subcommittees at his or her discretion to deal with issues within the scope and authority of his or her committee.

#### **Rule 6. Meeting Time, Place, Notification, Executive Session**

- A. The Clerk of the Legislature shall notify the news media within the County and the appropriate elected officials and departments who have business before a committee of the dates, times and places of all regular and special meetings of all committees of the Legislature. Such committee meetings shall be open to the public.
- B. Regular scheduled meetings of the committees shall not be changed as to time or place except upon the approval of the Chairman of the committee and with the approval of a majority vote of the committee either at a meeting of the committee or canvassed by phone, with timely notice given to the Clerk of the Legislature so as to fulfill the requirements of New York State’s Open Meetings Law, as amended.
- C. A committee Chairman may call a special meeting of the committee with timely notice filed with the Clerk of the Legislature.
- D. To close a meeting for executive session several procedural steps must be taken:
1. A motion must be made during an open meeting to enter into executive session.
  2. The motion must identify “the general area or areas of the subject or subjects to be considered.”
  3. The motion must be carried by a majority vote of the total membership of the committee.

4. There are eight subjects that are allowable by law to be discussed behind closed doors
  - a. matters which will imperil the public safety if disclosed;
  - b. any matter which may disclose the identity of a law enforcement agency or informer;
  - c. information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
  - d. discussions regarding proposed, pending or current litigation;
  - e. collective negotiations pursuant to Article 14 of the Civil Service Law, i.e., the Taylor Law;
  - f. the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
  - g. the preparation, grading or administration of examinations;
  - h. the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.
5. All committee action shall take place in open session.

**Rule 7. Functions and Powers of Committees**

- A. All standing committees shall have the functions and powers and duties herein enumerated and such other functions, powers and duties as shall from time to time be conferred upon or assigned to them by the Legislature. Every standing committee shall have implied authority to do whatever is necessary or incidental to carry out the main purpose of the committee.
- B. Within the areas of its designated interest, each committee shall fulfill the following functions:
  1. Investigate facts, conditions and alternative actions relative to current or proposed county government action or other involvement, as a basis for recommending policy to the Legislature.
  2. Recommend policy to the Legislature regarding proposed policy relative to the County Executive, the departments or agencies for which he or she is responsible, other elected officials and their departments, and other governmental or private agencies.
  3. Represent the County and act in a liaison position between such groups and the County Legislature.
  4. Consider and recommend to the Legislature action on all appointments by the County Executive that require legislative approval, except on an appointment to fill a vacancy in the County Legislature.
  5. Establish budget oversight procedures and outcomes for the committees designated interest.
- C. The following standing committees of the County Legislature are hereby created:
  - Administrative Services
  - Audit and Control ~~Committee~~
  - Human Services
  - Planning and Economic Development
  - Public Facilities
  - Public Safety
- D. The areas of responsibilities for each of the above named committees are as follows:

**ADMINISTRATIVE SERVICES COMMITTEE**

This Committee shall:

- a. Study and make recommendations to the ~~Policy Conference and~~ Audit & Control Committee and the full Legislature on goals and objectives, specific performance measures, and budget appropriations for programs associated with administrative services under the executive branch of county government, and programs associated with the County Clerk and Board of Elections.
- b. Continuously monitor the programs associated with administrative services under the executive branch of county government and the County Clerk and Board of Elections, and evaluate the

- performance of such programs relative to the goals and objectives and specific performance measures adopted by the Legislature and in accordance with program appropriations.
- c. Deal with all matters pertaining to other municipalities involving programs associated with administrative services under the executive branch of county government and programs associated with the County Clerk and Board of Elections.
  - d. Review and make recommendations to the Legislature regarding compensation of all officers and employees paid from county funds.
  - e. Deal with all matters pertaining to the operation of the Legislature.
  - f. Review and recommend proposed changes to the Chautauqua County Charter and review proposed changes to the Chautauqua County Administrative Code.
  - g. Act on all appointments not under the jurisdiction of another committee of the Legislature.
  - h. Deal with all matters involving county tax sales, county tax liens, and county tax deeds and shall make recommendations to the full Legislature concerning the sale or other disposition of County-owned tax properties.

## **AUDIT AND CONTROL COMMITTEE**

This Committee shall:

- a. Study and make recommendations to the full Legislature on all appropriations for all purposes. It shall work with the County Executive, other elected officials, and the Budget Director in developing the tentative capital budget and the tentative operating and maintenance budget.
- b. Review the aforesaid tentative budgets after their presentation with the County Executive, other elected officials, the Budget Director, and those department heads requesting revised budgets. It may summon other department heads to testify as it deems necessary. In preparing the tentative capital budget and tentative operating and maintenance budget, the committee shall receive recommendations from the other standing committees relating to priorities within their respective jurisdiction.
- c. Recommend to the full Legislature such changes in the tentative budgets as it deems appropriate. After the budget has been legally established, it shall review any requested additions or transfers of funds between accounts or departments, except those transfers authorized by Executive Transfer. No local enactment designated for committee review carrying an appropriation or transfer of money shall be acted upon by the full Legislature until action shall have been taken by this committee, except as otherwise provided herein.
- d. Approve all capital projects and review performance and actual costs against original commitments.
- e. Deal with all matters pertaining to other municipalities in areas of tax exemption.
- f. With the assistance of the Finance Director, Budget Director, and the County Legislature's financial analyst, it shall monitor and recommend to the full Legislature any necessary action regarding the County's investment policies, indebtedness, tax levy, tax rate, tax stabilization, fund balances, long-range financial planning and other financial matters.
- g. Be responsible for identifying, developing, and recommending general financial policy and related structural changes in County government in order to ensure its financial health and stability.

## **HUMAN SERVICES COMMITTEE**

This Committee shall:

- a. Study and make recommendations to the ~~Policy Conference and~~ Audit & Control Committee and the full Legislature on goals and objectives, specific performance measures, and budget appropriations for programs associated with Human Services under the executive branch of county government.
- b. Continuously monitor the programs associated with human services under the executive branch of county government and evaluate the performance of such programs relative to the goals and

objectives and specific performance measures adopted by the Legislature and in accordance with program appropriations.

- c. Deal with all matters pertaining to other municipalities that involve programs associated with human services.

## **PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE**

This Committee shall:

- a. Study and make recommendations to the ~~Policy Conference and~~ Audit and Control Committee and the full Legislature on goals and objectives, specific performance measures, and budget appropriations for programs associated with planning and economic development under the executive branch of county government.
- b. Continuously monitor the programs associated with planning and economic development under the executive branch of county government and evaluate the performance of such programs relative to the goals and objectives and specific performance measures adopted by the Legislature and in accordance with program appropriations.
- c. Deal with all matters pertaining to other municipalities that involve programs associated with planning and economic development.
- d. Deal with all matters associated with the Chautauqua County Industrial Development Agency, Chautauqua County Planning Board, and agriculture.
- e. Deal with all matters pertaining to air and water quality and land use, except for matters involving public facilities.

## **PUBLIC FACILITIES COMMITTEE**

This Committee shall:

- a. Study and make recommendations to the ~~Policy Conference and~~ Audit and Control Committee and the full Legislature on goals and objectives, specific performance measures, and budget appropriations for programs associated with public facilities under the executive branch of county government, and special purpose districts.
- b. Continuously monitor the programs associated with public facilities under the executive branch of county government and evaluate the performance of such programs relative to the goals and objectives and specific performance measures adopted by the Legislature and in accordance with program appropriations.
- c. Deal with all matters pertaining to other municipalities that involve programs associated with public facilities.

## **PUBLIC SAFETY COMMITTEE**

This Committee shall:

- a. Study and make recommendations to the ~~Policy Conference and~~ Audit and Control Committee and the full Legislature on goals and objectives, specific performance measures, and budget appropriations for programs associated with public safety under the Sheriff, District Attorney, ~~and~~ Public Defender, Probation and Coroners Emergency Services.
- b. Continuously monitor the programs associated with public safety under the Sheriff, District Attorney, Public Defender, Probation and Coroners Emergency Services and evaluate the performance of such programs relative to the goals and objectives and specific performance measures adopted by the Legislature and in accordance with program appropriations.
- c. Deal with all matters pertaining to other municipalities that involve programs associated with public safety.
- d. Act as a liaison to the Courts of Chautauqua County and deal with public safety matters involving the courts.

## **Rule 8. Rules of Debate**

The rules of debate applicable to the Legislature in Section I, Rule 8, are applicable to Committees.

## **SECTION III — DUTIES AND RESPONSIBILITIES**

### **Rule 1. Responsibilities of Chairman of the Legislature**

The Chairman of the County Legislature:

- a. May act as a liaison agent between Chautauqua County and its neighboring counties and may be authorized to attend official meetings and functions in neighboring counties where such meetings deal with subjects which may concern the government and welfare of the people of Chautauqua County.
- b. Shall, together with the Public Facilities Committee, act as a liaison between the Planning Board and the County Legislature.

### **Rule 2. Duties of Chairman of the Legislature**

- a. The Chairman shall preserve order and decorum, and shall decide all questions of order. His or her decision is final unless an appeal is taken to the Legislature, in which case his or her ruling may be overridden by a two-thirds majority of the membership of the Legislature. He or she shall appoint the members of all standing committees, Chairman and Vice Chairman of committees, Ranking Member of the minority party with the advice of the minority leader, and legislative representation to all special committees, boards and commissions, which are the responsibility of the Legislature.
- b. The Chairman shall be an ex-officio member of all standing and special committees and shall receive notice of all committee meetings.
- c. The Chairman shall have the duty of becoming familiar with the property, functions and fiscal affairs of the County and make recommendations to the Legislature on legislation, rules and regulations and such other matters as he or she may deem material and advisable.
- d. The Chairman shall have the authority to determine which Legislators and employees of the Legislative branch may attend conferences and schools conducted for the betterment of County government.
- e. The Chairman is authorized to call a meeting of any standing or special committee of the Legislature at any time.
- f. Whenever appropriate and possible, the Chairman may change the order of business to accommodate appearances by county managers and employees.
- ~~g. The Chairman is authorized to designate one (1) coroner as the primary liaison to the County Legislature who shall be responsible for coordinating communication between the coroners and the Legislature regarding procedures and policies affecting the coroners and their duties. The designated coroner shall not receive additional compensation for acting as coroner liaison.~~

### **Rule 3. Duties of the Clerk**

- a. The Clerk shall keep a record of all acts and proceedings of the Legislature and be the custodian of the records, vouchers and other papers required or authorized by law to be deposited in his or her office ~~including all contracts and claims.~~
- b. The Clerk shall prepare the tax rolls, except when otherwise directed by the Legislature.
- c. Administration:
  1. ~~Coroners~~ Legislature office staff
- d. The Clerk shall be responsible for additional and related duties as may be prescribed by law.

### **Rule 4. Duties of Other Officers**

The duties of all other County officials as specified herein shall be in addition to the duties, responsibilities, and limitations for each such officer as set forth by the State of New York Constitution and Laws, the County Charter, and the County Administrative Code.

## SECTION IV — EXPENSES AND OTHER UNSPECIFIED PROCEDURES

### Rule 1. Expenses of Legislators

- a. The actual and necessary expense of all members of the Legislature incurred in the performance of official powers and duties of the County shall be a County charge.
- b. When a Legislator travels on official County business and travel commences from a location other than their personal residence within their district, he or she shall be entitled to the current County mileage allowance for the miles from the residence, if the residence is nearer the site of official County business, or the actual mileage from the location other than the residence to the site of official County business if that distance is less than the mileage from the residence.
- c. No mileage allowance shall be paid to any Legislator for attendance at meetings of any organization or municipality, unless the Legislator has been appointed an official representative of the County Legislature by either the Chairman of the Legislature or by a Legislative Resolution. Mileage allowance shall not be paid to any Legislature for attending Town, Village, City Board or Council meetings.
- d. No mileage allowance shall be paid to any Legislator when the means of transportation is other than personal automobile. Subject to approval of the Chairman of the Legislature, reasonable travel expenses other than those incurred by use of a personal automobile shall be reimbursable as actual and necessary expenses while on County business, provided that receipts shall be required for all commercial or public transportation expenses.
- e. All claims for the actual and necessary expenses of members of the County Legislature shall be made upon properly executed County claim vouchers, with proper documentation, which shall be subject to the review and approval of the Chairman of the Legislature.
- f. All special requests for reimbursement of expenses, including expenses related to Conferences, Training, and out of County travel, must be approved by the Chairman of the Legislature prior to incurring the expense.

### Rule 2. Challengers, Appeals, Disagreements

Any challengers, appeals or disagreements as to the meaning or effect of any of the rules of procedure specified herein as they may be from time to time ruled upon by the Chairman of the Legislature or other officers, shall be determined by the Chairman, with advice by the Legislature's Attorney by reference to Robert's Rules of Order, and any item of procedure not governed specifically by any of these rules shall be governed by Robert's Rules of Order.

### Rule 3. Amendments to the Rules and Regulations

These rules may be amended and other rules added and adopted by a majority vote of the Legislature upon resolution duly presented in accordance with these rules. All rules in conflict with these rules and all previous rules and regulations governing the Chautauqua County Legislature are hereby repealed and rescinded.

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Unanimously Adopted – June 26, 2002 – Res. No. 142-02

Amended – December 18, 2002 – Res. No. 243-02

Amended – March 26, 2003 – Res. No. 74-03

Amended – July 23, 2003 – Res. No. 160-03

Amended – October 22, 2003 - Res. No. 216-03

Amended – March 30, 2005 – Res. No. 55-05

Amended – April 26, 2006 – Res. No. 86-06

Amended – May 24, 2006 – Res. No. 109-06

Amended – October 24, 2007 – Res. No. 224-07

Amended – April, 22, 2009 – Res. No. 82-09

Amended – April 28, 2010 – Res. No. 88-10

Amended -

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

JEC 9/4/18
SMA 9/4/18
KMD 9/4/18
KLC 9/4/18
GMB 9/7/18

**TITLE:** Quit Claim Deeds

**BY:** Administrative Services and Audit & Control Committees:

**AT THE REQUEST OF:** County Executive George M. Borrello:

WHEREAS, the Administrative Services Committee of the County Legislature has received and hereby recommends acceptance, pursuant to Section 1166 of the Real Property Tax Law, the following offers for the County's Tax Liens as detailed on the attached Schedule 1 under tax sale certificates noted on original papers on file in the office of the Director of Finance; and

WHEREAS, that unless otherwise noted, the County Tax Enforcement Officer has confirmed that the offers received are in compliance with the County's policy regarding tax foreclosure as set forth in Resolution No. 110-17; now therefore be it

RESOLVED, That the Executive and Chairman of this Legislature be hereby authorized to execute Quitclaim Deeds conveying to the offers herein mentioned, the interest of Chautauqua County in said properties under said tax sale certificates; and be it further

RESOLVED, That the Director of Finance of Chautauqua County be hereby authorized to cancel any outstanding taxes, fees, interest and other charges. In adopting this resolution, the Legislature intends to adopt each transaction separately, in the usual form of Resolution, and the failure of any particular transaction to be completed shall in no manner affect the validity of any of the others.

Offer Number	Municipality	S/B/L	Purchaser	Offer Amount	Taxes Owning
PA-23-2018	City of Dunkirk	060300-79.14-5-61	MFN Enterprises LLC	\$ 1,000.00	\$ 4,197.94
PA-67-2018	City of Jamestown	060800-370.19-1-5	MFN Enterprises LLC	\$ 9,000.00	\$ 1,891.89
PA-68-2018	City of Jamestown	060800-370.19-2-21	MFN Enterprises LLC	\$ 1,000.00	\$ 5,469.47
PA-75-2017	City of Jamestown	060800-387.06-5-38	MFN Enterprises LLC	\$ 50.00	\$ 3,208.05
PA-83-2016	City of Jamestown	060800-387.12-5-70	Irving L Leonard	\$ 50.00	\$ 10,306.98
PA-164-2014	City of Jamestown	060800-387.25-1-38	Ronald Hultin	\$ 150.00	\$ 28,397.77
PA-165-2014	City of Jamestown	060800-387.26-1-30	Margaret Kaltenmeir	\$ 200.00	\$ 5,907.29
PA-90-2015	City of Jamestown	060800-387.26-4-50	MFN Enterprises LLC	\$ 4,620.00	\$ 12,966.73
PA-148-2018	City of Jamestown	060800-387.26-4-51	MFN Enterprises LLC	\$ 6,380.00	\$ 3,139.33
PA-182-2018	Busti/Lakewood	062201-368.20-4-8	Daniel Dolan	\$ 3,407.00	\$ 9,170.08
PA-212-2018	Chautauqua/Mayville	062801-262.12-1-42	Mark Mitchener	\$ 14,500.00	\$ 4,117.88
PA-254-2018	Gerry	064489-302.00-2-43	Chris A Callen	\$ 4,200.00	\$ 3,484.55
PA-321-2018	Ripley	066200-240.12-3-43	Jonathan D Ribbing	\$ 600.00	\$ 2,963.20
			<b>Total</b>	<b>\$ 45,157.00</b>	<b>\$ 95,221.16</b>

\_\_\_\_\_  
**APPROVED**  
\_\_\_\_\_  
**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
**County Executive**

\_\_\_\_\_  
**Date**





**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

JEC 8/30/18
KDG 8/30/18
KMD 8/28/18
KLC 9/4/18
GMB 9/7/18

**TITLE:** Authorize Transfer of Tax Foreclosure Property to Town of Ripley

**BY:** Administrative Services and Audit & Control Committees:

**AT THE REQUEST OF:** County Executive George M. Borrello:

WHEREAS, pursuant to Resolution 44-13, the County Legislature established a general policy regarding disposition of tax foreclosure parcels, but retained authority to impose special requirements, terms, and conditions for the sale of particular tax parcels and determine in its sole discretion to whom a particular tax parcel will be sold; and

WHEREAS, the Town of Ripley has requested that the County convey to the Town a tax delinquent property (SBL #240.11-1-21); therefore be it

RESOLVED, That the Chautauqua County Legislature hereby authorizes the transfer of the County's property interest in tax parcel # 240.11-1-21 to the Town of Ripley for \$9,751.01, with the Town responsible for any applicable real property taxes commencing with the 2018-19 school taxes; and be it further

RESOLVED, That the County Executive is hereby authorized to negotiate additional terms and conditions, enter into any necessary agreements, and execute all documents necessary to accomplish the aforementioned transaction.

\_\_\_\_\_  
**APPROVED**

\_\_\_\_\_  
**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
**County Executive**

\_\_\_\_\_  
**Date**