



# CATTARAUGUS COUNTY

John R. Searles, County Administrator

**NOTICE:**

Human Services Committee will meet for a work session on **Tuesday, August 31, 2010 at 2:00 p.m.** in the Services Training Room in the Department of Social Services, 2<sup>nd</sup> floor, in the Olean County Building

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Senior Services Committee will meet for a work session on **Tuesday, August 31, 2010 at 6:00 p.m.** at The Pines - Machias

Contingent Fund Balance: \$196,767

Tobacco Settlement Proceeds to Date: \$15,244,128

The following committees will meet on **Wednesday, September 1, 2010**, at the County Center in Little Valley, New York, at the indicated times.

Public Works	4:00 p.m.
Development & Agriculture	4:30 p.m.
Senior Services	5:00 p.m.
Labor Relations	5:05 p.m.
Public Safety	5:10 p.m.
Human Services	5:15 p.m.
Finance	5:20 p.m.

**ACT NO.**

**REFERRED RESOLUTIONS**

- 446-10 Mr. Giardini and Mr. Ellis and Mr. Murphy  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NYSDOT AND AUTHORIZING CATTARAUGUS COUNTY TO PARTICIPATE IN THE FEDERAL-AID PROJECT ADMINISTERED BY THE NYSDOT AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Department of Public Works)
- 447-10 Mr. Giardini and Mr. Ellis, Mr. Marsh and Mr. Neal  
AUTHORIZING THE CHAIR TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 1 WITH NYSDOT AND AUTHORIZING CATTARAUGUS COUNTY TO PARTICIPATE IN THE FEDERAL AID PROJECT ADMINISTERED BY THE NYSDOT AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Department of Public Works)
- 448-10 Mr. Giardini and Mr. Ellis  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH ABATE ASSOCIATES ENGINEERS & SURVEYORS, P.C. FOR CONSTRUCTION INSPECTION SERVICES FOR COUNTY ROAD NO. 85 MILL AND FILL PROJECT

- 449-10 Mr. Giardini and Mr. Ellis  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH MICHAEL JIMERSON, D/B/A TRIBAL PETROLEUM SUPPLIERS FOR PROPANE GAS
- 450-10 Mr. Neal and Mr. Snyder  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS-ALLEGANY WORKFORCE INVESTMENT BOARD, INC. FOR ACCEPTANCE OF ARRA FUNDING FOR WIA ONE-STOP PROGRAM SERVICES
- 451-10 Mr. Neal and Mr. Snyder  
AMENDING ACT 394-2010 REGARDING CONTRACT WITH CATTARAUGUS-ALLEGANY WORKFORCE INVESTMENT BOARD, INC. FOR OPERATION OF WIA ONE-STOP PROGRAM
- 452-10 Mr. Neal and Mr. Snyder  
AMENDING ACT 395-2010 REGARDING CONTRACT WITH CATTARAUGUS-ALLEGANY WORKFORCE INVESTMENT BOARD, INC. FOR YEAR-ROUND YOUTH PROGRAMS
- 453-10 Mr. Neal and Mr. Snyder  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH JAMESTOWN COMMUNITY COLLEGE FOR BRIDGE PROGRAM FOR ADULTS TO ATTEND COLLEGE AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Department of Social Services)
- 454-10 Ms. Vickman and Mr. McClune  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH TOTAL SENIOR CARE, INC. FOR PACE PROGRAM MEALS
- 455-10 Mr. McLarney and Mr. Boser  
AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH NEW YORK STATE OFFICE OF COMMUNITY RENEWAL FOR MICROENTERPRISE PROGRAM FUNDING
- 456-10 Mr. Murphy  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH ALLEGANY-LIMESTONE CENTRAL SCHOOL DISTRICT FOR SCHOOL RESOURCE OFFICER PROGRAM
- 457-10 Mr. McLarney, Mr. Boser and Mr. Ward  
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH EBS-RMSCO, INC. FOR THIRD-PARTY ADMINISTRATION OF CATTARAUGUS COUNTY FLEXIBLE BENEFITS PLAN
- 458-10 Mr. Neal and Mr. Snyder  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH IVANS, INC. FOR MEDICARE PART B ACCESS COMMUNICATIONS SERVICE AGREEMENT

- 459-10 Mr. Neal and Mr. Snyder  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH UNIVERSITY OF PITTSBURGH AT BRADFORD FOR DEPARTMENT OF COMMUNITY SERVICES WORK STUDY INTERNSHIP PROGRAM
- 460-10 Mr. Murphy  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH PIONEER CENTRAL SCHOOL DISTRICT FOR SCHOOL RESOURCE OFFICER PROGRAM
- 461-10 Mr. Neal  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR DISTRICT ATTORNEY AID TO PROSECUTION PROGRAM
- 462-10 Mr. Ellis and Mr. Neal  
URGING THE COMMISSIONER OF AGRICULTURE AND GOVERNOR'S ADVISORY COUNCIL ON AGRICULTURE TO DEVELOP A CONSOLIDATED AGRICULTURAL AND FARMLAND PROTECTION PLAN TO GUIDE NEW YORK STATE'S EFFORTS IN SUPPORTING ITS AGRICULTURAL INDUSTRY AND PROTECTING AGRICULTURAL LAND
- 463-10 Mr. McClune and Mr. Nenno  
SUPPORTING STATE LEGISLATION TO RETURN MEDICAID FRAUD RECOVERY MONEY TO COUNTIES

Cattaraugus County Legislative Committee Referrals				Committee Meeting September 1, 2010					
Act #	Finance	County Ops	DPW	Senior Services	Strategic Planning	Human Services	Develop. & Agriculture	Public Safety	Labor Relations
446	X		X						
447	X		X						
448	X		X						
449	X		X						
450	X					X			
451	X					X			
452	X					X			
453	X					X			
454	X			X					
455	X						X		
456	X							X	
457	X								X
458	X					X			
459	X					X			
460	X							X	
461	X							X	
462	X						X		
463	X			X		X			
<b>TOTALS</b>	<b>18</b>	<b>0</b>	<b>4</b>	<b>2</b>	<b>0</b>	<b>7</b>	<b>2</b>	<b>3</b>	<b>1</b>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
NYS DOT AND AUTHORIZING CATTARAUGUS COUNTY TO PARTICIPATE  
IN THE FEDERAL-AID PROJECT ADMINISTERED BY THE NYS DOT AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Public Works)**

Pursuant to Title 23 U.S. Code and  
Sections 363, 366 and 450 of the County Law.

I. WHEREAS, the project to Resurface (mill and overlay) County Road No. 12 (East Otto Road) from County Road No. 11, North Otto Road to County Road No. 13, Maples Road, in the Town of Otto, Cattaraugus County, PIN 5759.55 (the "Project"), is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% Non-Federal funds, now, therefore, be it

I. RESOLVED, that the Cattaraugus County Legislature hereby approves the above-described project, and be it further

II. RESOLVED, that the Cattaraugus County Legislature hereby authorizes the County of Cattaraugus to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Construction & Construction Inspection phase of the Project, or portions thereof, and be it further

III. RESOLVED, that the sum of \$100,000 is hereby appropriated and made available to cover the cost of participation in the above phase of the Project, and be it further

IV. RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the project's Construction & Construction Inspection phase exceeds the amount appropriated above, \$100,000 and/or 100% of the full Federal and Non-Federal shares of the cost of the project's Construction & Construction Inspection phase exceeds \$500,000, the project's current total cost, the County of Cattaraugus shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the NYS DOT thereof, and be it further

V. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute all necessary documents, on behalf of Cattaraugus County, with the NYS DOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and be it further

VI. RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project, and be it further

VII. RESOLVED, that this Resolution shall take effect immediately, and be it further

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

Increase Estimated Revenue Account:

H.4597	TEA-21 Program (SAFETEA-LU)	\$400,000.00
H.3501	Consolidated Highway Aid	\$100,000.00

Increase Appropriation Accounts:

H.5198.142	County Road No. 12 (SAFETEA-LU)	\$400,000.00
H.5197.218	County Road No. 12 (CHIPS)	\$100,000.00.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input type="checkbox"/>
Co. Operations	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input checked="" type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>	_____	<input type="checkbox"/>

**AUTHORIZING THE CHAIR TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 1  
WITH NYSDOT AND AUTHORIZING CATTARAUGUS COUNTY TO PARTICIPATE  
IN THE FEDERAL-AID PROJECT ADMINISTERED BY THE NYSDOT AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Public Works)**

Pursuant to Title 23 U.S. Code and  
Sections 363, 366 and 450 of the County Law.

I. WHEREAS, a project for the replacement of the North 9<sup>th</sup> Street Bridge over Little Valley Creek, BIN 3-32234-0, in the Village of Little Valley, Cattaraugus County, PIN 5757.36 (the "Project"), is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% Non-Federal funds, and

II. WHEREAS, the County desires to advance the above project by making a commitment of 100% of the non-federal share of the costs of the Preliminary Engineering (Design I-VI), Right-of-Way Incidentals, Right-of-Way Acquisition and Construction & Construction Inspection phases of the Project, PIN 5757.36, now, therefore, be it

I. RESOLVED, that the Cattaraugus County Legislature hereby approves the above-described project, and be it further

II. RESOLVED, that the Cattaraugus County Legislature hereby authorizes the County of Cattaraugus to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Preliminary Engineering (Design I-VI), Right-of-Way Incidentals, Right-of-Way Acquisition and Construction & Construction Inspection phases of the Project, or portions thereof, and be it further

III. RESOLVED, that the sum of \$162,000 is hereby appropriated in addition to \$165,000 previously appropriated for the project's Preliminary Engineering (Design I-VI) and right-of-Way Incidentals phases via County Resolution No. 258-2006 adopted May 24, 2006, and made available to cover the cost of participation in the above phases of the project, and be it further

IV. RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the project's Preliminary Engineering (Design I-VI), Right-of-Way Incidentals, right-of-Way Acquisition and Construction & Construction Inspection phases exceeds the amount appropriated, \$327,000, and/or 100% of the full Federal and Non-Federal shares of the cost of the Preliminary Engineering (Design I-VI), Right-of-Way Incidentals, Right-of-Way Acquisition and Construction & Construction Inspection phases exceeds \$973,420, the County of Cattaraugus shall convene its Legislature as soon as possible to appropriate said excess

amount immediately upon the notification by the NYSDOT thereof, and be it further

V. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute all necessary documents, on behalf of Cattaraugus County, with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and be it further

VI. RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project, and be it further

VII. RESOLVED, that this Resolution shall take effect immediately, and be it further

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

Increase Estimated Revenue Accounts:

H.4597	TEA-21 Program (SAFETEA-LU)	\$646,736.00
H.3592	Marchiselli Program	\$131,913.00

Increase Appropriation Account:

H.5198.132	Little Valley Bridge No. 15	\$778,649.00.
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Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input type="checkbox"/>
Co. Operations	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input checked="" type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>	_____	<input type="checkbox"/>



**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
ABATE ASSOCIATES ENGINEERS & SURVEYORS, P.C. FOR  
CONSTRUCTION INSPECTION SERVICES FOR  
COUNTY ROAD NO. 85 MILL AND FILL PROJECT**

Pursuant to Section 131-b of the Highway Law and  
Section 450 of the County Law.

I. WHEREAS, construction inspection services are needed for the  
County Road No. 85 mill and fill project, and

II. WHEREAS, Abate Associates Engineers & Surveyors, P.C., 4455  
Genesee Street, P.O. Box 218, Buffalo, New York 14225-0218, can provide a  
certified inspector for the provision of on-site construction inspection  
services for the County Road No. 85 mill and fill project, for an amount not  
to exceed \$15,084, and

III. WHEREAS, sufficient funds are included in the 2010 budget to  
cover the costs of the aforementioned services, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is,  
authorized and directed to execute a contract, on behalf of Cattaraugus  
County, with Abate Associates Engineers & Surveyors, P.C., for the provision  
of the above-described services, for a term commencing September 9, 2010 and  
terminating December 31, 2010, according to the above-described terms.

Resolution Referred to:			
Finance	<input checked="" type="checkbox"/>	Human Services	<input type="checkbox"/>
Co. Operations	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input checked="" type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>	_____	<input type="checkbox"/>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
MICHAEL JIMERSON, D/B/A TRIBAL PETROLEUM SUPPLIERS FOR PROPANE GAS**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 467-2009 authorized a contract with Michael A. Jimerson, d/b/a Tribal Petroleum Suppliers, for the provision of propane gas for heating at the Department of Public Works-Highway Division at Markhams, the term of which expires September 30, 2010, and

II. WHEREAS, the County Department of Public Works has solicited proposals from two (2) companies for the provision of propane gas, and

III. WHEREAS, the lowest proposal was received from Michael A. Jimerson, d/b/a Tribal Petroleum Suppliers, P.O. Box 287, 1828 Route 20, Silver Creek, New York 14136, as follows: Method #2 - fixed price of \$1.239 per gallon, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Michael A. Jimerson, d/b/a Tribal Petroleum Suppliers, for the provision of propane gas, for a term commencing October 1, 2010 and terminating September 30, 2011, according to the above-described terms.

State bid for propane gas at this time is for pricing that varies according to the market. At this time the State price is \$1.396 per gallon. Two sets of specifications were sent out. Two proposals were received.

Resolution Referred to:

- |                    |                                     |                 |                          |
|--------------------|-------------------------------------|-----------------|--------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input type="checkbox"/> |
| Co. Operations     | <input type="checkbox"/>            | Develop. & Ag   | <input type="checkbox"/> |
| DPW                | <input checked="" type="checkbox"/> | Public Safety   | <input type="checkbox"/> |
| Senior Services    | <input type="checkbox"/>            | Labor Relations | <input type="checkbox"/> |
| Strategic Planning | <input type="checkbox"/>            | _____           | <input type="checkbox"/> |

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATTARAUGUS-ALLEGANY WORKFORCE INVESTMENT BOARD, INC. FOR  
ACCEPTANCE OF ARRA FUNDING FOR  
WIA ONE-STOP PROGRAM SERVICES**

Pursuant to P.L. 105-220, Workforce Investment Act of 1998,  
20 USC 9201 and Section 450 of the County Law.

I. WHEREAS, Act 99-2010 authorized a contract with the Cattaraugus-Allegany Workforce Investment Board, Inc., for the acceptance of ARRA funding for the operation of the aforementioned WIA One-Stop program, the term of which expired June 30, 2010, and

II. WHEREAS, the WIB has additional ARRA funds available in the amount of \$100,818 for one-stop program services, and

III. WHEREAS, the County Department of Social Services is desirous of continuing the provision of WIA One-Stop program services and can make available all necessary qualified personnel, licenses, facilities and expertise to perform, or have performed, the services required, and

IV. WHEREAS, the WIB will pay to the County an amount of \$100,818 in ARRA funds for the provision of the above-described program services, and

V. WHEREAS, this program is 100% federally funded, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Cattaraugus-Allegany Workforce Investment Board, Inc., for acceptance of ARRA funding, for a term commencing July 1, 2010 and terminating June 30, 2011, according to the above-described terms, and be it further

II. RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

Resolution Referred to:

- |                    |                                     |                 |                                     |
|--------------------|-------------------------------------|-----------------|-------------------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input checked="" type="checkbox"/> |
| Co. Operations     | <input type="checkbox"/>            | Develop. & Ag   | <input type="checkbox"/>            |
| DPW                | <input type="checkbox"/>            | Public Safety   | <input type="checkbox"/>            |
| Senior Services    | <input type="checkbox"/>            | Labor Relations | <input type="checkbox"/>            |
| Strategic Planning | <input type="checkbox"/>            | _____           | <input type="checkbox"/>            |

AMENDING ACT 394-2010 REGARDING CONTRACT WITH  
CATTARAUGUS-ALLEGANY WORKFORCE INVESTMENT BOARD, INC. FOR  
OPERATION OF WIA ONE-STOP PROGRAM

Pursuant to P.L. 105-220, Workforce Investment Act of 1998,  
20 USC 9201 and Section 450 of the County Law.

I. WHEREAS, Act 394-2010 authorized a contract with the Cattaraugus-Allegany Workforce Investment Board, Inc., for the operation of the aforementioned WIA One-Stop program, the term of which expires June 30, 2011, and

II. WHEREAS, the funds for the aforementioned program have been reduced, and

III. WHEREAS, the WIB will pay the County for the administration of the above-described program the sum of \$452,451 for the 2010-2011 program year, now, therefore, be it

I. RESOLVED, that Act 394-2010 be, and hereby is, amended as follows: In the Fourth Whereas, delete: "\$474,105" and replace with: "\$452,451".

Resolution Referred to:

- |                    |                                     |                 |                                     |
|--------------------|-------------------------------------|-----------------|-------------------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input checked="" type="checkbox"/> |
| Co. Operations     | <input type="checkbox"/>            | Develop. & Ag   | <input type="checkbox"/>            |
| DPW                | <input type="checkbox"/>            | Public Safety   | <input type="checkbox"/>            |
| Senior Services    | <input type="checkbox"/>            | Labor Relations | <input type="checkbox"/>            |
| Strategic Planning | <input type="checkbox"/>            | _____           | <input type="checkbox"/>            |

AMENDING ACT 395-2010 REGARDING CONTRACT WITH  
CATTARAUGUS-ALLEGANY WORKFORCE INVESTMENT BOARD, INC. FOR  
YEAR-ROUND YOUTH PROGRAMS

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 395-2010 authorized a contract with the Cattaraugus-Allegany Workforce Investment Board, Inc. (WIB), for the provision of services necessary to operate year-round youth programs, the term of which expires June 30, 2011, and

II. WHEREAS, the funds for the aforementioned program have been reduced, and

III. WHEREAS, the WIB will pay the County an amount of \$85,089 for the provision of the above-described youth services for the 2010-2011 program year, now, therefore, be it

I. RESOLVED, that Act 395-2010 be, and hereby is, amended as follows: In the Third Whereas, delete: "\$87,973" and replace with: "85,089".

Resolution Referred to:

- |                    |                                     |                 |                                     |
|--------------------|-------------------------------------|-----------------|-------------------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input checked="" type="checkbox"/> |
| Co. Operations     | <input type="checkbox"/>            | Develop. & Ag   | <input type="checkbox"/>            |
| DPW                | <input type="checkbox"/>            | Public Safety   | <input type="checkbox"/>            |
| Senior Services    | <input type="checkbox"/>            | Labor Relations | <input type="checkbox"/>            |
| Strategic Planning | <input type="checkbox"/>            | _____           | <input type="checkbox"/>            |

AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH JAMESTOWN COMMUNITY COLLEGE FOR  
BRIDGE PROGRAM FOR ADULTS TO ATTEND COLLEGE AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Social Services)

Pursuant to Sections 363, 366 and 450 of the County Law.

I. WHEREAS, the County Department of Social Services is desirous of providing services to eligible adult recipients to assist them in attending college, and

II. WHEREAS, Jamestown Community College, 525 Falconer Street, Jamestown, New York 14701, can provide a bridge program for the aforementioned eligible adult recipients, which will prepare them for college, for an amount of \$6,771 per participant, for an amount not to exceed \$67,710, and

III. WHEREAS, the aforementioned program is 100% federally funded, and

IV. WHEREAS, various appropriation and revenue accounts must be adjusted in order to cover the costs of the aforementioned bridge program, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Jamestown Community College, for the provision of the above-described services, for a term commencing September 15, 2010 and terminating September 30, 2011, according to the above-described terms, and be it further

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

Increase Estimated Revenue Account:		
A.4618	TANF Employment Grant	\$19,750.00
Increase Appropriation Account:		
A.6018.526	JCC Bridge Program	\$19,750.00.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input checked="" type="checkbox"/>
Co. Operations	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>	_____	<input type="checkbox"/>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
TOTAL SENIOR CARE, INC. FOR  
PACE PROGRAM MEALS**

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

I. WHEREAS, Act 454-2009 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 Program participants as part of a comprehensive program of services to participants, the term of which expires August 31, 2010, and

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

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

Hot Noon Meal and Cold Supper combined:	Medicaid Rate
Hot Noon Meal only:	Medicaid Rate
Congregate Meal:	\$3.75 per meal,

now, therefore, be it

I. 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, 2010 and terminating August 31, 2011, according to the above-described terms.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input type="checkbox"/>
Co. Operations	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input checked="" type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>	_____	<input type="checkbox"/>

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH  
NEW YORK STATE OFFICE OF COMMUNITY RENEWAL FOR  
MICROENTERPRISE PROGRAM FUNDING**

Pursuant to Section 450 of the County Law.

I. WHEREAS, the County Department of Economic Development, Planning and Tourism currently participates in the Small Cities Microenterprise program, and

II. WHEREAS, the New York State Office of Community Renewal has a new funding source available for the Microenterprise Program, and

III. WHEREAS, the County should apply to the New York State Office of Community Renewal for the new Small Cities Microenterprise funding, and

IV. WHEREAS, the aforementioned program is 100% state funded, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the New York State Office of Community Renewal, in order to apply for the above-described funding, according to the above-described terms, and be it further

II. RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

Resolution Referred to:

- |                    |                                     |                 |                                     |
|--------------------|-------------------------------------|-----------------|-------------------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input type="checkbox"/>            |
| Co. Operations     | <input type="checkbox"/>            | Develop. & Ag   | <input checked="" type="checkbox"/> |
| DPW                | <input type="checkbox"/>            | Public Safety   | <input type="checkbox"/>            |
| Senior Services    | <input type="checkbox"/>            | Labor Relations | <input type="checkbox"/>            |
| Strategic Planning | <input type="checkbox"/>            | _____           | <input type="checkbox"/>            |



**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH ALLEGANY-LIMESTONE CENTRAL SCHOOL DISTRICT FOR SCHOOL RESOURCE OFFICER PROGRAM**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 403-2007 authorized a contract with the Allegany-Limestone Central School District for a part-time school resource officer in an attempt to deter criminal behavior through positive interactions with students during school hours, the term of which expired June 30, 2010, and

II. WHEREAS, the School Resource Officer Program is designed to provide education, law enforcement and counseling to high school students, and

III. WHEREAS, the funding of the COPS in Schools Grant terminated on February 26, 2004, and

IV. WHEREAS, the Allegany-Limestone Central School District has agreed to pay the annual actual cost of the aforementioned school resource officer, and

V. WHEREAS, the Cattaraugus County Sheriff's Office has agreed to assign a law enforcement officer to the Allegany-Limestone Central School, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Allegany-Limestone Central School District, for the provision of the School Resource Officer Program, for a term commencing July 1, 2010 and terminating June 30, 2011, with the option to renew for two (2) additional one-year periods, according to the above-described terms.

Resolution Referred to:

- |                    |                                     |                 |                                     |
|--------------------|-------------------------------------|-----------------|-------------------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input type="checkbox"/>            |
| Co. Operations     | <input type="checkbox"/>            | Develop. & Ag   | <input type="checkbox"/>            |
| DPW                | <input type="checkbox"/>            | Public Safety   | <input checked="" type="checkbox"/> |
| Senior Services    | <input type="checkbox"/>            | Labor Relations | <input type="checkbox"/>            |
| Strategic Planning | <input type="checkbox"/>            | _____           | <input type="checkbox"/>            |

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
EBS-RMSCO, INC. FOR THIRD-PARTY ADMINISTRATION OF  
CATTARAUGUS COUNTY FLEXIBLE BENEFITS PLAN**

Pursuant to Section 92-a of the General Municipal  
Law and Section 450 of the County Law.

I. WHEREAS, Act 688-2009 authorized a contract with RMSCO, Inc., for the third-party administration of the Cattaraugus County Flexible Benefits Plan, the term of which expires December 31, 2010, and

II. WHEREAS, the County Human Resources Department is in need of assistance with the preparation of plan documents, the summary plan description and the Administrator's Guide, and

III. WHEREAS, EBS-RMSCO, Inc., FSA Customer Service Department, 30 Perinton Hills Mall, Fairport, New York 14450, can assist with the preparation of the plan documents, the summary plan description and the Administrator's Guide for a one-time fee of \$450, and

IV. WHEREAS, a contract amendment is necessary to include the additional one-time document preparation fee of \$450, and

V. WHEREAS, sufficient funds are included in the 2010 budget to cover the costs of the aforementioned additional services, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with EBS-RMSCO, Inc. for the provision of the above-described services, for a term commencing January 1, 2010 and terminating December 31, 2010, according to the above-described terms.

Resolution Referred to:

- |                    |                                     |                 |                                     |
|--------------------|-------------------------------------|-----------------|-------------------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input type="checkbox"/>            |
| Co. Operations     | <input type="checkbox"/>            | Develop. & Ag   | <input type="checkbox"/>            |
| DPW                | <input type="checkbox"/>            | Public Safety   | <input type="checkbox"/>            |
| Senior Services    | <input type="checkbox"/>            | Labor Relations | <input checked="" type="checkbox"/> |
| Strategic Planning | <input type="checkbox"/>            | _____           | <input type="checkbox"/>            |

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
IVANS, INC. FOR MEDICARE PART B ACCESS  
COMMUNICATIONS SERVICE AGREEMENT**

Pursuant to Section 41.07 of the Mental Hygiene Law and  
Section 450 of the County Law.

I. WHEREAS, the County Department of Community Services is required to utilize an electronic broadband service to bill for Medicare Part B services, and

II. WHEREAS, IVANS, Inc., 100 First Stamford Place, Stamford, Connecticut 06902, can provide IVANS' LIME Single-User Broadband Solution with NetClient Software for access to Medicare applications, for an amount as follows:

<u>Year</u>	<u>Monthly</u>	<u>Annual Portal Access</u>	<u>One-Time Set-Up Fee</u>	<u>Total Annual</u>
2010	\$82.35	\$60.00	\$50.00	\$ 439.40
2011	\$82.35	\$60.00		\$1,048.20
2012	\$82.35	\$60.00		\$ 658.80

III. WHEREAS, the aforementioned services are 100% federally funded, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with IVANS, Inc., for the provision of the above-described services, for a term commencing September 1, 2010 and terminating August 31, 2012, according to the above-described terms, and be it further

II. RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

Resolution Referred to:

- |                    |                                     |                 |                                     |
|--------------------|-------------------------------------|-----------------|-------------------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input checked="" type="checkbox"/> |
| Co. Operations     | <input type="checkbox"/>            | Develop. & Ag   | <input type="checkbox"/>            |
| DPW                | <input type="checkbox"/>            | Public Safety   | <input type="checkbox"/>            |
| Senior Services    | <input type="checkbox"/>            | Labor Relations | <input type="checkbox"/>            |
| Strategic Planning | <input type="checkbox"/>            | _____           | <input type="checkbox"/>            |

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
UNIVERSITY OF PITTSBURGH AT BRADFORD FOR DEPARTMENT OF  
COMMUNITY SERVICES WORK STUDY INTERNSHIP PROGRAM**

Pursuant to Section 450 of the County Law.

I. WHEREAS, the County Department of Community Services is desirous of participating in a work study internship program with the University of Pittsburgh at Bradford, and

II. WHEREAS, the University of Pittsburgh at Bradford, 300 Campus Drive, Bradford, Pennsylvania 16701, has agreed to provide interns to the Department of Community Services at no cost to the County, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the University of Pittsburgh at Bradford, for a term commencing September 1, 2010 and terminating December 31, 2011, according to the above-described terms.

Resolution Referred to:

- |                    |                                     |                 |                                     |
|--------------------|-------------------------------------|-----------------|-------------------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input checked="" type="checkbox"/> |
| Co. Operations     | <input type="checkbox"/>            | Develop. & Ag   | <input type="checkbox"/>            |
| DPW                | <input type="checkbox"/>            | Public Safety   | <input type="checkbox"/>            |
| Senior Services    | <input type="checkbox"/>            | Labor Relations | <input type="checkbox"/>            |
| Strategic Planning | <input type="checkbox"/>            | _____           | <input type="checkbox"/>            |

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH PIONEER CENTRAL SCHOOL DISTRICT FOR SCHOOL RESOURCE OFFICER PROGRAM**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 404-2007 authorized a contract with the Pioneer Central School District for a full-time school resource officer in an attempt to deter criminal behavior through positive interactions with students during school hours, the term of which expired June 30, 2010, and

II. WHEREAS, the School Resource Officer Program is designed to provide education, law enforcement and counseling to high school students, and

III. WHEREAS, the Pioneer Central School District has expressed a good faith intention to provide the total cost of the school resource officer at the conclusion of the COPS Universal Hiring Grant Program, and

IV. WHEREAS, the funding for the COPS Universal Hiring Grant terminated on June 30, 2001, and

V. WHEREAS, the Pioneer Central School District has agreed to pay the annual actual cost of a full-time school resource officer, and

VI. WHEREAS, the Cattaraugus County Sheriff's Department has agreed to assign the law enforcement officer to the Pioneer Central School District, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Pioneer Central School District, for the provision of the School Resource Officer Program, for a term commencing July 1, 2010 and terminating June 30, 2011, with the option to renew for two (2) additional one-year periods, according to the above-described terms.

Resolution Referred to:

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|--------------------|-------------------------------------|-----------------|-------------------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input type="checkbox"/>            |
| Co. Operations     | <input type="checkbox"/>            | Develop. & Ag   | <input type="checkbox"/>            |
| DPW                | <input type="checkbox"/>            | Public Safety   | <input checked="" type="checkbox"/> |
| Senior Services    | <input type="checkbox"/>            | Labor Relations | <input type="checkbox"/>            |
| Strategic Planning | <input type="checkbox"/>            | _____           | <input type="checkbox"/>            |

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR  
DISTRICT ATTORNEY AID TO PROSECUTION PROGRAM**

Pursuant to Section 450 of the County Law and  
Chapter 53 of the Laws of 1990.

I. WHEREAS, Act 533-2009 authorized a contract with the New York State Division of Criminal Justice Services for funding for the Aid to Prosecution Program, and

II. WHEREAS, the District Attorney has been notified by the New York State Division of Criminal Justice Services that the District Attorney's Office is eligible for a grant in the amount of \$35,300 under the Aid to Prosecution Program for the period April 1, 2010 to March 31, 2011, and

III. WHEREAS, the purpose of this program is to expedite the processing of repeat and serious felony offenders, to maintain increased levels of experienced prosecution personnel, to seek the imposition of maximum sentences and minimum plea bargaining options for defendants, to limit the caseloads of experienced attorneys in order to maintain a policy of vertical prosecution and to screen all potentially Aid to Prosecution eligible felony cases, and

IV. WHEREAS, a contract is necessary with the New York State Division of Criminal Justice Services in order to accept the aforementioned funding, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute the aforementioned contract, on behalf of Cattaraugus County, with the New York State Division of Criminal Justice Services, for the provision of the above-described program, for a term commencing April 1, 2010 and terminating March 31, 2011, according to the above-described terms, and be it further

II. RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

Resolution Referred to:

- |                    |                                     |                 |                                     |
|--------------------|-------------------------------------|-----------------|-------------------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input type="checkbox"/>            |
| Co. Operations     | <input type="checkbox"/>            | Develop. & Ag   | <input type="checkbox"/>            |
| DPW                | <input type="checkbox"/>            | Public Safety   | <input checked="" type="checkbox"/> |
| Senior Services    | <input type="checkbox"/>            | Labor Relations | <input type="checkbox"/>            |
| Strategic Planning | <input type="checkbox"/>            | _____           | <input type="checkbox"/>            |

**URGING THE COMMISSIONER OF AGRICULTURE AND GOVERNOR'S ADVISORY COUNCIL  
ON AGRICULTURE TO DEVELOP A CONSOLIDATED AGRICULTURAL AND FARMLAND  
PROTECTION PLAN TO GUIDE NEW YORK STATE'S EFFORTS IN SUPPORTING ITS  
AGRICULTURAL INDUSTRY AND PROTECTING AGRICULTURAL LAND**

Pursuant to Section 153 of the County Law.

I. WHEREAS, New York farmers are stewards to approximately 7.5 million acres of land or approximately 25% of the land in New York State and play a key role in protecting New York's land, water and other natural resources, and

II. WHEREAS, New York farmers are significant partners in enhancing water quality, mitigating the impacts of climate change, providing wildlife habitat and improving the overall health of the state's environment, and

III. WHEREAS, farms and agribusinesses are significant elements of New York's economy, generating \$23 billion economic impact annually in New York and providing jobs for thousands of New Yorkers, and

IV. WHEREAS, New York has nationally recognized programs to help farmers protect land and water including the Environmental Protection Fund, Agricultural Nonpoint Source Program, the Agricultural Environmental Management Program, Soil and Water Conservation Districts and the Farmland Protection Program, and

V. WHEREAS, the 2010-2011 Executive Budget proposal contains a 35% reduction in funding for the Environmental Protection Fund and a more than 50% reduction for the Farmland Protection Program, and

VI. WHEREAS, proposed cuts to the Farmland Protection Program hurt New York's ability to leverage federal conservation funds, and

VII. WHEREAS, progress must be made in building state and local capacity to complete farmland protection projects more quickly, and

VIII. WHEREAS, the consolidation of a unified vision for the conservation of farmers and farmland and the establishment of a mutually agreed upon set of long-term goals in this area is essential to securing future funding, now, therefore, be it

I. RESOLVED, that the Cattaraugus County Legislature supports the continued implementation and funding of the Environmental Protection Fund, the Agricultural Nonpoint Source Program, the Agricultural Environmental Management Program, and the Farmland Protection Program, and be it further

II. RESOLVED, that the Cattaraugus County Legislature urges the Commissioner of Agriculture and Governor's Advisory Council on Agriculture to develop a consolidated state Agricultural and Farmland Protection Plan to be consistent with locally adopted plans to help guide the state's efforts in supporting its agricultural industry, soil and water conservation districts

and protecting agricultural land including an emphasis on long-term goals, and be it further

III. RESOLVED, that the Clerk of the Legislature is hereby directed to forward a copy of this resolution to Governor Paterson, Senator Young, Senator Smith, Assembly Speaker Silver, Assembly Member Giglio, the New York State Association of Counties, and the Western New York Inter-County Association.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input type="checkbox"/>
Co. Operations	<input type="checkbox"/>	Develop. & Ag	<input checked="" type="checkbox"/>
DPW	<input type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>	_____	<input type="checkbox"/>



**SUPPORTING STATE LEGISLATION TO RETURN  
MEDICAID FRAUD RECOVERY MONEY TO COUNTIES**

Pursuant to Section 153 of the County Law.

I. WHEREAS, New York State has the nation's highest Medicaid costs at nearly \$55 billion per year, and

II. WHEREAS, counties in New York State are required by the State to pay a portion of the non-federal share of the Medicaid Program, and

III. WHEREAS, in 2009, the New York State Attorney General's Office recovered more than \$283 million in Medicaid fraud monies, and

IV. WHEREAS, currently, when Medicaid fraud money is recovered, the state receives its portion, but counties do not receive their full share in return, and

V. WHEREAS, proposed legislation would change the redistribution calculation to include restoration of fraud monies to counties where the fraud was uncovered, now, therefore, be it

I. RESOLVED, that the Cattaraugus County Legislature hereby supports legislation to return Medicaid fraud recovery money to counties, and be it further

II. RESOLVED, that the Clerk of the Legislature is hereby directed to forward a copy of this resolution to Governor Paterson, Senator Young, Senator Smith, Assembly Speaker Silver, Assembly Member Giglio, the New York State Association of Counties, and the Western New York Inter-County Association.

Resolution Referred to:

- |                    |                                     |                 |                                     |
|--------------------|-------------------------------------|-----------------|-------------------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input checked="" type="checkbox"/> |
| Co. Operations     | <input type="checkbox"/>            | Develop. & Ag   | <input type="checkbox"/>            |
| DPW                | <input type="checkbox"/>            | Public Safety   | <input type="checkbox"/>            |
| Senior Services    | <input checked="" type="checkbox"/> | Labor Relations | <input type="checkbox"/>            |
| Strategic Planning | <input type="checkbox"/>            | _____           | <input type="checkbox"/>            |