



CATTARAUGUS COUNTY

John R. Searles, County Administrator

303 Court Street
Little Valley, New York 14755

Phone (716) 938-2577 / Fax (716) 938-2760

The Legislature of Cattaraugus County will meet in adjourned session at the County Center, Little Valley, New York, on **Wednesday, December 12, 2012**, for the transaction of such business as may properly come before the meeting.

Contingent Fund Balance: \$21,222

Tobacco Settlement Proceeds to Date: \$19,031,363

3:00 p.m.

CALL TO ORDER
ROLL CALL
INVOCATION
MINUTES OF PREVIOUS MEETING
COMMUNICATIONS
PRIVILEGE OF THE FLOOR
Public Hearings:

- *Local Law No. 15-2012*
- *Local Law No. 16-2012*

RESOLUTIONS READY FOR ACTION
UNFINISHED BUSINESS
RESOLUTIONS – IMMEDIATE CONSIDERATION
ADJOURNMENT

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ACT NO.

RESOLUTIONS READY FOR ACTION

- 573-12 Mr. Aiello
LOCAL LAW NUMBER 15 – 2012 - A LOCAL LAW AMENDING LOCAL LAW NUMBER 5-2012 (INTRO NO. 5-2012), ENTITLED “REGULATING THE TRANSFER OF SECONDHAND ARTICLES, AND REPEALING LOCAL LAW NO. 3-1981 REGARDING THE TRANSFER OF PRECIOUS METALS AND JEWELRY”
- 575-12 Mr. Aiello, Mr. Edwards, Ms. Vickman, Mr. Boser and Mr. Lamberson
LOCAL LAW NUMBER 16 - 2012 A LOCAL LAW ESTABLISHING FEES FOR CIVIL SERVICE EXAMINATION SERVICES
- 593-12 Mr. Aiello and Mr. Weller
BID ACCEPTANCE FOR COLD STORAGE BUILDING AT DPW FACILITY (Contract A – Department of Public Works)
Approved by 6 Finance and 8 Public Works
- 594-12 Mr. Aiello and Mr. Weller
BID ACCEPTANCE FOR DEMOLITION AND REMOVAL OF STRUCTURE LOCATED AT 133 NORTH 12TH STREET IN OLEAN (Department of Public Works) *Additional sponsor: Mr. Padlo*
Approved by 7 Finance and 9 Public Works

- 595-12 Mr. Aiello and Mr. Weller
 BID ACCEPTANCE FOR GASOLINE FOR ONOVILLE MARINA (Department of Public Works)
 Approved by 7 Finance and 9 Public Works
- 596-12 Public Works Committee: Mr. Aiello, Mr. Weller, Ms. Edstrom, Mr. Klancer, Mr. Snyder, Jr., Mr. Teachman, Mr. Koch, Mr. Lamberson and Mr. Sprague
 AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH C & S OPERATIONS, INC. - QUE CENTRE GROUP FOR QUE CENTRE FACILITIES MAINTENANCE MANAGEMENT SOFTWARE
 Approved by 7 Finance and 7 County Operations
- 597-12 Ms. Edstrom and Mrs. Stockman
 AUTHORIZING THE CHAIR TO EXECUTE MEMORANDUM OF UNDERSTANDING WITH NEW YORK STATE DEPARTMENT OF HEALTH FOR FAMILY PLANNING BENEFIT PROGRAM *Additional sponsor: Mr. VanRensselaer*
 Approved by 7 Finance and 7 Human Services
- 598-12 Mr. Felton and Ms. Vickman
 AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENTS WITH VARIOUS ENTITIES FOR DEPARTMENT OF AGING SENIOR WELLNESS AND NUTRITION PROGRAM SITES
 Approved by 7 Finance and 6 Senior Services
- 599-12 Mr. Felton and Ms. Vickman
 AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH HEALTHY COMMUNITY ALLIANCE, INC. FOR MANAGEMENT OF DEPARTMENT OF AGING SENIOR WELLNESS AND NUTRITION PROGRAM SITE
 Approved by 7 Finance and 6 Senior Services
- 600-12 Mr. Felton and Ms. Vickman
 AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS COMMUNITY ACTION, INC. FOR COORDINATION OF HOME DELIVERED MEALS PROGRAM
 Approved by 7 Finance and 6 Senior Services
- 601-12 Mr. Felton and Ms. Vickman
 AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH HARMONY INFORMATION SYSTEMS, INC. SYNERGY SOFTWARE TECHNOLOGIES FOR DATA COLLECTION SYSTEM FOR DEPARTMENT OF AGING
 Approved by 7 Finance and 6 Senior Services
- 602-12 Mr. Felton and Ms. Vickman
 AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH D-KAUR, INC. FOR CONSULTING DIETICIAN SERVICES FOR DEPARTMENT OF AGING
 Approved by 7 Finance and 6 Senior Services
- 603-12 Mr. Aiello and Mr. Lamberson
 AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH MARSH USA, INC. FOR BROKER OF RECORD SERVICES FOR COUNTY INSURANCE PROGRAM
 Approved by 7 Finance and 5 Labor Relations

- 604-12 Mr. Aiello and Mr. Lamberson
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH EBS-RMSCO, INC. FOR
THIRD-PARTY ADMINISTRATION OF CATTARAUGUS COUNTY HEALTH PLAN,
MEDICARE D AND VISION SERVICE PLAN BENEFITS
Approved by 7 Finance and 5 Labor Relations
- 605-12 Mr. Aiello and Mr. Lamberson
AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH EBS-
RMSCO, INC. FOR GASB 45 ACTUARIAL, CONSULTING AND ADMINISTRATIVE
SERVICES
Approved by 7 Finance and 5 Labor Relations
- 606-12 Mr. Aiello and Mr. Lamberson
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH EBS-RMSCO, INC. FOR
THIRD-PARTY ADMINISTRATION OF CATTARAUGUS COUNTY FLEXIBLE BENEFITS
PLAN
Approved by 7 Finance and 5 Labor Relations
- 607-12 Mr. Aiello and Mr. Lamberson
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH PMA MANAGEMENT
CORP. FOR WORKERS' COMPENSATION PROGRAM ADMINISTRATION
Approved by 7 Finance and 5 Labor Relations
- 608-12 Mr. Aiello and Mr. Lamberson
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH ACTUARIAL & TECHNICAL
SOLUTIONS, INC. FOR WORKERS' COMPENSATION ACTUARIAL CONSULTING
SERVICES
Approved by 7 Finance and 5 Labor Relations
- 609-12 Mr. Aiello and Mr. Lamberson
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH AMERITAS LIFE
INSURANCE CORP. OF NEW YORK FOR DENTAL INSURANCE COVERAGE
Approved by 7 Finance and 5 Labor Relations
- 610-12 Mr. Marsh
ESTABLISHING STANDARD WORK DAY FOR CERTAIN ELECTED AND APPOINTED
OFFICIALS FOR REPORTING PURPOSES TO NEW YORK STATE RETIREMENT SYSTEM
Approved by 7 Finance and 5 Labor Relations
- 611-12 Mr. Aiello and Mr. Lamberson
AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH EMPLOYEE
SERVICES, INC., FOR EMPLOYEE ASSISTANCE PROGRAM
Approved by 7 Finance and 5 Labor Relations
- 612-12 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH GUSTAVUS ADOLPHUS
CHILD AND FAMILY SERVICES, INC. FOR SKILL BUILDING AND RESPITE SERVICES FOR
DEPARTMENT OF COMMUNITY SERVICES CHILD/ADOLESCENT CLIENTS *Additional
sponsor: Mr. VanRensselaer*
Approved by 7 Finance and 7 Human Services

- 613-12 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH KIMBERLY CONROY, RN, MS, CS, NPP FOR DEPARTMENT OF COMMUNITY SERVICES PSYCHIATRIC NURSE PRACTITIONER SERVICES AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS (Department of Community Services)
Approved by 7 Finance and 7 Human Services
- 614-12 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH KIMBERLY CONROY, RN, MS, CS, NPP FOR DEPARTMENT OF COMMUNITY SERVICES PSYCHIATRIC NURSE PRACTITIONER SERVICES *Additional sponsors: Mr. VanRensselaer and Mr. Padlo*
Approved by 7 Finance and 7 Human Services
- 615-12 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH JAMESTOWN PSYCHIATRIC, P.C. FOR DEPARTMENT OF COMMUNITY SERVICES MEDICAL DIRECTOR SERVICES
Approved by 7 Finance and 7 Human Services
- 616-12 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH RAJAN GULATI PHYSICIAN, P.C. FOR DEPARTMENT OF COMMUNITY SERVICES MEDICAL SERVICES
Approved by 7 Finance and 7 Human Services
- 617-12 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT WITH SOUTHERN TIER ENVIRONMENTS FOR LIVING, INC. FOR LEASE OF SPACE IN COUNTY PROS FACILITY
Approved by 7 Finance and 7 Human Services
- 618-12 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH SOUTHERN TIER ENVIRONMENTS FOR LIVING, INC. FOR SOCIAL WORKER/MENTAL HEALTH THERAPIST FOR DEPARTMENT OF COMMUNITY SERVICES PROS PROGRAM
Approved by 7 Finance and 7 Human Services
- 619-12 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS COMMUNITY ACTION, INC. FOR DEPARTMENT OF COMMUNITY SERVICES REGISTERED NURSE SERVICES (PROS PROGRAM)
Approved by 7 Finance and 7 Human Services
- 620-12 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NEW DIRECTIONS YOUTH & FAMILY SERVICES, INC. FOR RESPITE SERVICES
Approved by 7 Finance and 7 Human Services
- 621-12 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS REHABILITATION CENTER, INC. FOR DEPARTMENT OF COMMUNITY SERVICES VOCATIONAL SERVICES FOR PROS PROGRAM
Approved by 6 Finance and 7 Human Services

- 622-12 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS
REHABILITATION CENTER, INC. FOR DEPARTMENT OF COMMUNITY SERVICES
RESPITE SERVICES *Additional sponsor: Mrs. Labuhn*
Approved by 6 Finance and 7 Human Services
- 623-12 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH OLEAN CHILD DAY CARE
CENTER, INC. FOR DAY CARE SERVICES FOR DEPARTMENT OF COMMUNITY SERVICES
PROS CLIENTS *Additional sponsors: Mr. Teachman and Mr. Padlo*
Approved by 7 Finance and 7 Human Services
- 624-12 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH JAMESTOWN
PSYCHIATRIC, P.C., FOR DEPARTMENT OF COMMUNITY SERVICES MENTAL HEALTH
PSYCHIATRIC SERVICES FOR PROS CLIENTS
Approved by 7 Finance and 7 Human Services
- 625-12 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH HOUSING OPTIONS MADE
EASY, INC. FOR PEER SPECIALISTS FOR THE PROS PROGRAM
Approved by 7 Finance and 7 Human Services
- 626-12 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH HEALTHCARE SOLUTIONS
WNY, LLC FOR DEPARTMENT OF COMMUNITY SERVICES BILLING AND ACCOUNTS
RECEIVABLE MANAGEMENT SERVICES
Approved by 7 Finance and 7 Human Services
- 627-12 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH COUNCIL ON ADDICTION
RECOVERY SERVICES, INC. FOR LEASING OF OFFICE SPACE AT THE STONE HOUSE
Approved by 7 Finance, 7 Human Services and 9 Public Works
- 628-12 Mr. Murphy
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NATIONAL FUEL GAS
DISTRIBUTION CORPORATION FOR RADIO TOWER SPACE
Approved by 7 Finance, 6 Public Safety and 9 Public Works
- 629-12 Mr. Snyder, Sr.
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH SYSTEMS EAST, INC. FOR
APPLICATION SOFTWARE AND SUPPORT SERVICES FOR REAL PROPERTY TAX
MANAGEMENT
Approved by 7 Finance and 7 County Operations
- 630-12 Mr. Snyder, Sr.
CANCELING UNENFORCEABLE LIENS
Approved by 7 Finance and 7 County Operations

- 631-12 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH BCS INSURANCE
COMPANY FOR AMERICORPS START PROGRAM HEALTH INSURANCE
Approved by 7 Finance and 7 Human Services
- 632-12 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NEW YORK STATE
INSURANCE FUND FOR AMERICORPS PROGRAM WORKERS' COMPENSATION
COVERAGE
Approved by 7 Finance and 7 Human Services
- 633-12 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH BELFAST CENTRAL
SCHOOL FOR AMERICORPS START PROGRAM *Additional sponsor: Mr. Padlo*
Approved by 7 Finance and 7 Human Services
- 634-12 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH PORTVILLE CENTRAL
SCHOOL DISTRICT FOR AMERICORPS START PROGRAM *Additional sponsors: Mr. Hale
and Mr. Padlo*
Approved by 7 Finance and 7 Human Services
- 635-12 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS COUNTY
ARTS COUNCIL FOR AMERICORPS START PROGRAM *Additional sponsor: Mr. Padlo*
Approved by 7 Finance and 7 Human Services
- 636-12 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH SOUTHERN TIER HEALTH
CARE SYSTEM, INC. FOR AMERICORPS START PROGRAM *Additional sponsor: Mr. Padlo*
Approved by 7 Finance and 7 Human Services
- 637-12 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE DOCUMENTS REGARDING YOUTH
PROGRAMS FOR 2013 *Additional sponsor: Mr. Padlo*
Approved by 7 Finance and 7 Human Services
- 638-12 Mr. Felton and Ms. Vickman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH COMMUNITY CARE OF
WESTERN NEW YORK, INC., D/B/A HOMECARE & HOSPICE FOR HOSPICE CARE
Additional sponsor: Mr. Padlo
Approved by 7 Finance and 6 Senior Services
- 639-12 Mr. Marsh
APPROVING JAMESTOWN COMMUNITY COLLEGE'S CAPITAL PROJECT FOR
EXPANSION AND RENOVATION OF ARTWORKS AREA IN THE HAMILTON
COLLEGIATE CENTER AT JAMESTOWN CAMPUS
Approved by 7 Finance

**LOCAL LAW NUMBER 15 – 2012
COUNTY OF CATTARAUGUS, NEW YORK**

**A LOCAL LAW AMENDING LOCAL LAW NUMBER 5-2012 (INTRO NO. 5-2012),
ENTITLED “REGULATING THE TRANSFER OF SECONDHAND ARTICLES, AND REPEALING LOCAL LAW NO. 3-
1981 REGARDING THE
TRANSFER OF PRECIOUS METALS AND JEWELRY”**

BE IT ENACTED by the County Legislature of the County of Cattaraugus as follows:

SECTION 1. Legislative Intent. It is the intent of this local law to amend Local Law Number 5-2012 (Intro No. 5-2012) which regulates the transfer of secondhand articles.

SECTION 2. Amendment of Local Law Number 5-2012. Local Law Number 5-2012 (Intro No. 5-2012), entitled "A Local Law Regulating the Transfer of Secondhand Articles, and Repealing Local Law No. 3-1981 Regarding the Transfer of Precious Metals and Jewelry", is hereby amended as follows:

- 2.1 In Section 6. License Fees, subparagraph b., delete: "Ten Dollars (\$10.00)", and replace with: "Twenty-Five Dollars (\$25.00)".
- 2.2 In Section 8. Licensing, delete: "The license shall remain in effect for a period of one year", and replace with: "The license shall remain in effect for a period of five (5) years".
- 2.3 In Section 10. Expiration and Renewal of Licenses, delete: "annually", and replace with: "five (5) years from the date of issue,".
- 2.4 In Section 12. Records to be maintained by Secondhand Dealer,
 - in subparagraph a, delete: "on a Receipt", and replace with: "in a format supplied by the Sheriff's Office",
 - in subparagraph c. sub 2, after the words "delivered via electronic mail", add the words: "or fax", and
 - in subparagraph c., add a new sub 4: "These original records may be retrieved by the Sheriff's Office at any time for examination or as evidence of a crime."
- 2.5 In Section 13. Requirement to Hold Secondhand Articles Prior to Disposal, Resale or Alteration, delete: "seven days", and replace with: "ten days".

SECTION 3. Effective Date. The local law shall become effective immediately upon filing in the Office of the Secretary of State.

**LOCAL LAW NUMBER 16 - 2012
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 23(2) of the Civil Service Law and
Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW ESTABLISHING FEES FOR
CIVIL SERVICE EXAMINATION SERVICES**

BE IT ENACTED by the County Legislature of the County of Cattaraugus as follows:

SECTION 1. Legislative Intent. It is the intent of this Local Law to establish a reasonable fee for testing services administered by the Cattaraugus County Civil Service Commission, due to an increase in examination fees assessed to Cattaraugus County by the New York State Department of Civil Service.

SECTION 2. Fee Schedule. For examinations announced on and after January 1, 2013, the following fees shall be charged by the Cattaraugus County Civil Service Commission:

For uniformed protective service examinations:	\$25.00 per application
For all other examinations:	\$15.00 per application.

SECTION 3. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the particular provision directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4. Effective Date. This Local Law shall take effect January 1, 2013.