



# CATTARAUGUS COUNTY

John R. Searles, County Administrator

303 Court Street  
Little Valley, New York 14755

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

Contingent Fund Balance: \$20,720

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

The following committees will meet on **Wednesday, June 19, 2013**, at the County Center in Little Valley, New York, at the indicated times:

Public Works	4:00 p.m.
Human Services	
• <i>Annual Report – Community Svs. – Dawn Miller</i>	
• <i>Annual Report – Veteran’s – Steve McCord</i>	5:00 p.m.
Development & Agriculture	6:00 p.m.
Labor Relations	6:15 p.m.
County Operations	6:30 p.m.
Senior Services	6:45 p.m.
Public Safety	7:00 p.m.
Finance	7:15 p.m.

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**ACT NO.**

**PREFILED RESOLUTIONS**

- 268-13 Mr. Marsh  
APPOINTMENT TO COMMUNITY SERVICES BOARD
- 269-13 Mr. Snyder, Sr.  
APPOINTMENT TO CATTARAUGUS COUNTY BOARD OF HEALTH
- 270-13 Mr. Aiello and Mr. Weller  
BID ACCEPTANCE FOR PURCHASE OF TWO TANDEM AXLE TRUCKS WITH DUMP BODIES AND SNOWFIGHTING EQUIPMENT
- 271-13 Mr. Aiello, Mr. Klancer, Mr. Murphy and Mr. Weller  
BID ACCEPTANCE FOR PRECAST CONCRETE BOX CULVERT FOR MANSFIELD CULVERT NO. 13
- 272-13 Mr. Aiello and Mr. Weller  
BID ACCEPTANCE FOR PURCHASE OF 50-CUBIC YARD OPEN TOP CONTAINERS AND 50-CUBIC YARD CONTAINERS WITH ROOFS (Department of Public Works)
- 273-13 Mr. Aiello and Mr. Weller  
BID ACCEPTANCE FOR 2013 BRIDGE DECK SEALING PROGRAM (Department of Public Works)
- 274-13 Mr. Aiello, Mr. Felton, Ms. Vickman and Mr. Weller  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH E & M ENGINEERS AND SURVEYORS, P.C. FOR DEPOT STREET DRAINAGE IMPROVEMENTS HAZARD MITIGATION PROJECT

- 275-13 Mr. Aiello, Mr. Klancer, Mr. Murphy and Mr. Weller  
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH GREENMAN-PEDERSEN, INC. FOR CONSTRUCTION SUPPORT AND INSPECTION SERVICES FOR OTTO BRIDGE NO. 12 FEDERAL AID REPLACEMENT PROJECT
- 276-13 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 INTERMUNICIPAL AGREEMENT WITH CHAUTAUQUA COUNTY FOR SHARED RECYCLING COORDINATION/EDUCATION SERVICES AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS (Department of Public Works)
- 277-13 Mr. Aiello and Mr. Weller  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH SIMPLEXGRINNELL LP FOR LIFE SAFETY SERVICE AGREEMENT FOR VARIOUS COUNTY BUILDINGS
- 278-13 Mr. Aiello and Mr. Weller  
AUTHORIZING THE CHAIR TO EXECUTE LICENSE AGREEMENT WITH ADMINISTRATIVE OFFICE OF THE UNITED STATES BANKRUPTCY COURT FOR FEDERAL USE OF COUNTY PROPERTY
- 279-13 Mr. Snyder, Sr.  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES FOR INDIGENT LEGAL SERVICES FUNDING (June 1, 2013 - May 31, 2016 Grant)
- 280-13 Mr. Snyder, Sr.  
AMENDING RULE 40 OF THE RULES OF ORDER OF THE COUNTY LEGISLATURE
- 281-13 Mr. Marsh, Mr. Snyder, Sr., and Mr. Boser  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH MASSMUTUAL LIFE INSURANCE COMPANY AND STATE STREET BANK AND TRUST COMPANY FOR COUNTY OF CATTARAUGUS EMPLOYEE'S MODEL PLAN DEFERRED COMPENSATION PLAN
- 282-13 Ms. Vickman  
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH NEW YORK STATE CATHOLIC HEALTH PLAN, INC. D/B/A FIDELIS CARE NEW YORK FOR PROVISION OF ADULT DAY CARE MEALS
- 283-13 Ms. Edstrom and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH THE COMMUNITY FOUNDATION FOR THE NATIONAL CAPITAL REGION FUNDING THROUGH SALLIE MAE FUND FOR AMERICORPS START PROGRAM
- 284-13 Ms. Edstrom and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH VARIOUS HANDICAPPED EDUCATION PROVIDERS FOR YOUTH BUREAU CHILDREN WITH SPECIAL NEEDS PROGRAM
- 285-13 Ms. Edstrom and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH VARIOUS SCHOOL DISTRICTS FOR PRE-SCHOOL HANDICAPPED TRANSPORTATION SERVICES

- 286-13 Mr. Hale and Mr. Murphy  
AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES OFFICE OF PROBATION AND CORRECTIONAL ALTERNATIVES FOR ALTERNATIVES TO INCARCERATION PROGRAMS FOR JAIL DIVERSION AND/OR RE-ENTRY IN NEW YORK STATE AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
- 287-13 Ms. Edstrom and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH DOMINIC DISPENZA FOR DEPARTMENT OF SOCIAL SERVICES SEXUAL OFFENDER RISK EVALUATIONS
- 288-13 Ms. Edstrom and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NEW YORK STATE DEPARTMENT OF HEALTH FOR DRINKING WATER SUPPLY PROTECTION PROGRAM
- 289-13 Ms. Edstrom and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE MEMORANDUM OF UNDERSTANDING WITH ACCORD CORPORATION FOR HEALTH DEPARTMENT ADOLESCENT PREGNANCY PREVENTION PROGRAM
- 290-13 Ms. Edstrom and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH SENECA NATION AREA OFFICE OF AGING FOR DEPARTMENT OF HEALTH HOME DELIVERED MEALS PROGRAM
- 291-13 Ms. Edstrom and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH HEALTHNOW NEW YORK, INC. D/B/A BLUE CROSS & BLUE SHIELD OF WESTERN NEW YORK FOR HOME HEALTH SERVICES
- 292-13 Mr. Felton  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH IM SOLUTIONS, INC. FOR DEPARTMENT OF NURSING HOMES MDS CONSULTANT SERVICES AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS (Department of Nursing Homes)
- 293-13 Mr. Felton  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH OLEAN GENERAL HEALTHCARE SYSTEMS FOR DEPARTMENT OF NURSING HOMES RESPIRATORY EQUIPMENT
- 294-13 Mr. Marsh  
LOCAL LAW NUMBER 3-2013 – A LOCAL LAW AMENDING LOCAL LAW NUMBER 2-1993 (INTRO NUMBER 2-1993) ENTITLED, “ALLOWING RELEASE OF FUNDS LIENED UNDER SECTION 22 OF THE GENERAL MUNICIPAL LAW”
- 295-13 Mr. Marsh  
AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 3-2013

Committee referrals for the June 19, 2013 Committee meetings									
Act #	Finance	County Ops	DPW	Senior Services	Strategic Planning	Human Services	Develop. & Agriculture	Public Safety	Labor Relations
268	X					X			
269	X					X			
270	X		X						
271	X		X						
272	X		X						
273	X		X						
274	X		X						
275	X		X						
276	X								
277	X		X	X		X			
278	X		X						
279	X							X	
280	X	X							
281	X								X
282	X			X					
283	X					X			
284	X					X			
285	X					X			
286	X					X		X	X
287	X					X			
288	X					X			
289	X					X			
290	X			X					
291	X					X			
292	X			X					
293	X			X					
294	X	X							
295	X	X							
<b>Totals</b>	<b>28</b>	<b>3</b>	<b>8</b>	<b>5</b>	<b>0</b>	<b>11</b>	<b>0</b>	<b>2</b>	<b>2</b>

**APPOINTMENT TO COMMUNITY SERVICES BOARD**

Pursuant to Section 41.11 of the Mental Hygiene Law.

I. RESOLVED, that the following individual is appointed to the Community Services Board with a term to expire December 31, 2016:

Daniel P. Piccioli  
10 Solterra Circle  
Allegany, New York 14706  
*(filling the vacancy created by the late Wendy Bourgeois),*

and be it further

II. RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Cattaraugus County Community Services Board.

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"/>            |

APPOINTMENT TO CATTARAUGUS COUNTY BOARD OF HEALTH

Pursuant to Section 343 of the Public Health Law.

I. RESOLVED, that the following individual is appointed to fill the unexpired term of Andrzej Colonna Klaczynski, M.D., to expire December 31, 2016:

Zahid Chohan, M.D.  
1741 David Drive  
Olean, New York 14760,

and be it further

II. RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Cattaraugus County Board of Health.

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"/>            |

**BID ACCEPTANCE FOR PURCHASE OF TWO TANDEM AXLE TRUCKS WITH DUMP BODIES AND SNOWFIGHTING EQUIPMENT**

Pursuant to Section 103 of the General Municipal Law and Section 215 of the County Law.

I. WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the purchase of two (2) 2013 or newer, tandem axle trucks with dump bodies and snowfighting equipment with stainless steel hydraulic tanks, according to specifications provided by the Public Works Committee, and

II. WHEREAS, the lowest responsible bid received meeting specifications for the purchase of two (2) 2013 or newer, tandem axle trucks with dump bodies and snowfighting equipment with stainless steel hydraulic tanks, was the bid of Kenworth of Buffalo, NY, Inc., 100 Commerce Drive, Buffalo, New York 14218, for an amount per truck as follows:

	\$206,991.00
less	\$ 20,000.00 trade-in allowance
net cost of	\$186,991.00
plus Option #4b	\$ 850.00 for stainless steel hydraulic tank

Total Cost \$187,841.00 per truck for a total amount of \$375,682.00,

and

III. WHEREAS, also included in the bid is the option to purchase one (1) or more 13-foot spreaders for an amount of \$13,600.00 if ordered within six (6) months of the award of the contract, and

IV. WHEREAS, sufficient funds are included in the 2013 budget to cover the cost of the aforementioned equipment, now, therefore, be it

I. RESOLVED, that the bid of Kenworth of Buffalo, NY, Inc., be, and the same hereby is, accepted, for a term commencing upon Notice of Award and terminating 150 days after receipt of the order, and be it further

II. RESOLVED, that vouchers submitted in accordance with the provisions of the General Municipal Law §106-b and certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

No State Bid.

Ten sets of specifications were sent out.

Four bids 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"/>

**BID ACCEPTANCE FOR PRECAST CONCRETE BOX CULVERT FOR  
MANSFIELD CULVERT NO. 13**

Pursuant to Section 103 of the General Municipal Law and  
Section 215 of the County Law.

I. WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for a precast concrete box culvert for Mansfield Culvert No. 13, according to specifications provided by the Public Works Committee, and

II. WHEREAS, the lowest responsible bid received meeting specifications for the aforementioned precast concrete box culvert was the bid of Kistner Concrete Products, Inc., P.O. Box 218, East Pembroke, New York 14056, for an amount of \$86,254.00, to be paid as invoiced and as determined by the Department of Public Works, and

III. WHEREAS, sufficient funds are included in the 2013 budget to cover the costs of the aforementioned culvert, now, therefore, be it

I. RESOLVED, that the bid of Kistner Concrete Products, Inc., be, and the same hereby is, accepted, for a term commencing upon Notice of Award and terminating October 31, 2013, with delivery to be made between August 12, 2013 and August 26, 2013, and be it further

II. RESOLVED, that vouchers submitted in accordance with the provisions of the General Municipal Law §106-b and certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

No State Bid.

Eight sets of specifications were sent out.

Three bids 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"/> |



**BID ACCEPTANCE FOR PURCHASE OF  
50-CUBIC YARD OPEN TOP CONTAINERS AND  
50-CUBIC YARD CONTAINERS WITH ROOFS  
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and  
Section 215 of the County Law.

I. WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the purchase of two (2) new and unused 50-cubic yard open top containers and two (2) 50-cubic yard containers with roofs, according to specifications provided by the Public Works Committee, and

II. WHEREAS, the lowest acceptable bids received meeting specifications for the purchase of two (2) new and unused 50-cubic yard open top containers and two (2) 50-cubic yard containers with roofs was the bid of Custom Container Solutions, LLC, 391 Wolfland Road, Lewisburg, Pennsylvania 17837, for a total amount of \$40,050.00, as follows:

two (2) 50-cubic yard open top containers	\$19,000.00
two (2) 50-cubic yard containers with roofs	\$21,050.00,

and

III. WHEREAS, sufficient funds are included in the 2013 budget to cover the costs of the aforementioned equipment, now, therefore, be it

I. RESOLVED, that the bid of Custom Container Solutions, LLC, be, and the same hereby is, accepted, for a term commencing upon the signing of the contract documents and terminating 30 days thereafter, and be it further

II. RESOLVED, that the vouchers accordingly certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

No State Bid.

25 sets of specifications were sent out.

Seven bids were received for the containers with roofs

Eight bids were received for the open top containers.

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"/>

**BID ACCEPTANCE FOR 2013 BRIDGE DECK SEALING PROGRAM  
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and  
Section 131-b of the Highway Law.

I. WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the 2013 bridge deck sealing program, according to bid specifications and general information provided by the Public Works Committee, and

II. WHEREAS, the lowest bid received meeting specifications for the provision of the aforementioned bridge deck sealing program was the bid of Acme Power Washing, Inc., 15590 Powerline Road, Holley, New York 14470, in the amount of \$61,000.00 to clean and seal decks on 22 County bridges, and

III. WHEREAS, the aforementioned bridge deck sealing program shall commence upon Notice to Proceed and shall be completed by September 30, 2013, and

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

I. RESOLVED, that the bid of Acme Power Washing, Inc., be, and the same hereby is, accepted, and be it further

II. RESOLVED, that the vouchers accordingly certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

No State Bid.

Seven (7) sets of specifications were sent out.

Four (4) bids 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 E & M ENGINEERS AND SURVEYORS, P.C. FOR  
DEPOT STREET DRAINAGE IMPROVEMENTS HAZARD MITIGATION PROJECT**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 76-2013 authorized a contract with the New York State Emergency Management Office in order to accept and receive Hazard Mitigation Grant funds for the Depot Street Drainage Improvement Project in the Town of Ashford, and

II. WHEREAS, engineering services are needed for the aforementioned Hazard Mitigation Project, and

III. WHEREAS, E & M Engineers and Surveyors, P.C., 24 Derrick Road, Bradford, Pennsylvania 16701, can provide the necessary base engineering services for an amount not to exceed \$33,100.00, plus an allowance of \$500.00 each for temporary and permanent easements, and an amount not to exceed \$20,721.00 for inspection services on an as-needed basis, to be paid on a percent-of-completion basis as invoiced and approved by the Department of Public Works, and

IV. WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned project, 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 E & M Engineers and Surveyors, P.C., for the provision of the above-described services, for a term commencing June 27, 2013 and terminating August 31, 2014, 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 AMENDED CONTRACT WITH GREENMAN-PEDERSEN, INC. FOR CONSTRUCTION SUPPORT AND INSPECTION SERVICES FOR OTTO BRIDGE NO. 12 FEDERAL AID REPLACEMENT PROJECT**

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

I. WHEREAS, Act 246-2012 authorized a contract with Greenman-Pedersen, Inc., 4950 Genesee Street, Suite 165, Buffalo, New York 14225, for the provision of construction support and inspection services for the Otto Bridge No. 12 Replacement Project, located on County Road No. 11 over South Branch Cattaraugus Creek, the term of which expires June 30, 2013, and

II. WHEREAS, an extension of the aforementioned contract to December 31, 2013 is necessary in order to complete the project, and

III. WHEREAS, Greenman-Pedersen, Inc., can continue to provide the necessary construction support and inspection services for the aforementioned federal aid bridge replacement project for an additional cost not to exceed \$165,000.00, to be paid on a percent-of-progress basis, as determined by the Department of Public Works, and

IV. WHEREAS, sufficient funds are included in the budget to cover the aforementioned costs, 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 Greenman-Pedersen, Inc., for the provision of the above-described engineering services, for a term commencing May 23, 2012 and terminating December 31, 2013, 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  
SIMPLEXGRINNELL LP FOR LIFE SAFETY SERVICE  
AGREEMENT FOR VARIOUS COUNTY BUILDINGS**

Pursuant to Sections 215 and 450 of the County Law.

I. WHEREAS, Act 203-2010 authorized a contract with SimplexGrinnell LP, 6850 Main Street, Suite 3, Williamsville, New York 14221, for the provision of annual systems test & inspections, smoke detector cleaning/sensitivity testing, panel parts replacement coverage and informal training for the Little Valley County Center and Jail Facility, the Olean Office Facility and the DPW Facility, the term of which expires June 30, 2013, and

II. WHEREAS, the County Department of Public Works is desirous of continuing the aforementioned services with the exclusion of the above-referenced Jail Facility and the addition of the Pines Healthcare & Rehabilitation Center – Machias Campus, the Stone House and the Guidepost/PROS Facility, and

III. WHEREAS, SimplexGrinnell LP has agreed to provide the following services for a total amount for all locations of \$16,095.00 per year, to be paid as invoiced:

***Annual Systems Test & Inspections of Fire & Smoke Alarms  
Smoke Detector Cleaning/Sensitivity Testing  
Panel Parts Replacement Coverage***

<u>Site</u>	<u>Address</u>	<u>Amount</u>
LV County Center Building	303 Court Street Little Valley, NY 14755	\$6,075.00
Olean Office Facility	1 Leo Moss Drive Olean, NY 14760	\$1,400.00
DPW Facility	8810 Route 242	\$1,560.00
Security Panel Parts Coverage	Little Valley, NY 14755	\$1,200.00
Pines Healthcare and Rehabilitation Center – Machias Campus	9822 Route 16 Machias, NY 14101	\$4,085.00
Stone House	9824 Route 16 Machias, NY 14101	\$ 400.00
Guidepost/PROS Facility	203 Laurens Street	\$1,175.00
Smoke Detector Cleaning	Olean, NY 14760	\$ 200.00

and

IV. WHEREAS, sufficient funds are included in the 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 SimplexGrinnell LP, for the provision of the above-described services, for a term commencing July 1, 2013 and terminating June 30, 2016, 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 checked="" 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 LICENSE AGREEMENT WITH ADMINISTRATIVE OFFICE OF THE UNITED STATES BANKRUPTCY COURT FOR FEDERAL USE OF COUNTY PROPERTY**

Pursuant to Sections 215 and 450 of the County Law.

I. WHEREAS, Act 279-2012 authorized a license agreement with the Administrative Office of the United States Bankruptcy Court for the use of the County's court facility located in the Olean Office Building one day each month, the term of which expires September 30, 2013, and

II. WHEREAS, the United States Bankruptcy Court is desirous of continuing the aforementioned license agreement under the same terms, and

III. WHEREAS, the County has agreed to allow the United States Bankruptcy Court to utilize the County's court facility located in the Olean Office Building once per month for an amount of \$600.00 per month, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a license agreement, on behalf of Cattaraugus County, with the Administrative Office of the United States Bankruptcy Court to use the above-described space for a term commencing October 1, 2013, and terminating September 30, 2014, 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  
NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES FOR  
INDIGENT LEGAL SERVICES FUNDING  
(June 1, 2013 – May 31, 2016 Grant)**

Pursuant to Article 30 of the Executive Law,  
Article 18-B and Section 450 of the County Law.

I. WHEREAS, the New York State Office of Indigent Legal Services has announced that it is accepting proposals for a three-year distribution of funds from the 2013 Indigent Legal Services Fund (ILSF), and

II. WHEREAS, a three-year plan must be submitted to the Office of Indigent Legal Services which demonstrates that the funding provided will be utilized to improve the quality of legal representation under Article 18-B of the County Law, and

III. WHEREAS, Cattaraugus County has been notified that it shall receive an amount of \$80,733.00 per year for three (3) years, for a total three-year grant in the amount of \$242,199.00, and

IV. WHEREAS, the application for the aforementioned funding shall reflect such proposed uses thereof as may be agreed upon by the Public Defender, the Administrator of Assigned Counsel and Legal Assistance of Western New York, with the approval of the County Administrator, and

V. WHEREAS, it is in the best interests of Cattaraugus County to submit the aforementioned three-year proposal and apply for the ILSF funding at no cost to the County, now, therefore, be it

I. RESOLVED, that the Public Defender's Office, with the agreement of the Administrator of Assigned Counsel and Legal Assistance of Western New York, and subject to the advice and consent of the Cattaraugus County Administrator, be, and hereby is, authorized and directed to submit to the NYS Office of Indigent Legal Services a three-year proposal for its proposed use of the aforementioned funds within the parameters set forth herein, and be it further

II. 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 Indigent Legal Services, in order to apply for, accept and receive the aforementioned funds, and commit Cattaraugus County to their use as prescribed by such office, for a term commencing June 1, 2013 and terminating May 31, 2106, 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"/>            |

**AMENDING RULE 40 OF THE  
RULES OF ORDER OF THE COUNTY LEGISLATURE**

Pursuant to Rule 32 of the Rules of Order.

I. WHEREAS, General Municipal Law Section 72-h allows the County to transfer ownership of tax title property, acquired through the foreclosure process, to other municipalities, and

II. WHEREAS, Rule 40 of the Rules of Order should be amended as follows: After 40.8, add a new 40.9 to read:

"No property shall be conveyed to another municipality unless the municipality reimburses the County for the amount of returned taxes for which the County has made whole to the municipality involved or any other town, city, village or school district.",

and

III. WHEREAS, Rule 40 of the Rules of Order should be further amended by renumbering the "old" 40.9 through 40.13 sections to 40.10 through 40.14 respectively, and

IV. WHEREAS, Rule 40 of the Rules of Order should be further amended as follows: After 40.14, add a new 40. 15 to read:

"In the event that properties remain unsold after they have been offered for sale at two annual spring property tax auctions, and at the sole discretion of the County Treasurer and the Director of Real Property Tax Services, the County Treasurer's Office is hereby authorized to accept sealed bids for the purchase of such property until the close of business on the last day of July in each year, and a resolution authorizing the sale of any such property to the highest bidder shall thereafter be submitted to the Legislature for its consideration.",

now, therefore, be it

I. RESOLVED, that Rule 40 of the Rules of Order is hereby amended as stated above.

Resolution Referred to:

- |                    |                                     |                 |                          |
|--------------------|-------------------------------------|-----------------|--------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input type="checkbox"/> |
| Co. Operations     | <input checked="" 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  
MASSMUTUAL LIFE INSURANCE COMPANY AND  
STATE STREET BANK AND TRUST COMPANY  
FOR COUNTY OF CATTARAUGUS EMPLOYEE’S MODEL PLAN  
DEFERRED COMPENSATION PLAN**

Pursuant to Section 5 of the State Finance Law and  
Section 405 of the County Law.

I. WHEREAS, Act 262-1986, adopted July 7, 1986, by the Cattaraugus County Legislature, established a Model Deferred Compensation Plan for eligible County employees and elected or appointed officials, and

II. WHEREAS, Section 9003 of the New York State Rules & Regulations requires all contracts or agreements with Administrative Service Agencies and Financial Organizations be awarded for a duration not to exceed five (5) years, and

III. WHEREAS, the County of Cattaraugus's current agreement for the administration and funding of the County’s deferred compensation plan expired May 21, 2013, and

IV. WHEREAS, the County of Cattaraugus has solicited competitive proposals and published such solicitation in the New York State Register and local newspapers, and

V. WHEREAS, the Deferred Compensation Committee did accept and evaluate four (4) sets of competitive proposals, and

VI. WHEREAS, the County of Cattaraugus’s Deferred Compensation Committee has recommended that the County enter into a five (5) year contract with MassMutual Life Insurance Company (formerly Hartford Life) as the administrator and financial provider and State Street Bank and Trust Company as Trustee, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts with MassMutual Life Insurance Company (formerly Hartford Life) and State Street Bank and Trust Company, which will be in effect for a period of five (5) years commencing July 1, 2013 and terminating June 30, 2018.

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 AMENDED CONTRACT WITH  
NEW YORK STATE CATHOLIC HEALTH PLAN, INC. D/B/A  
FIDELIS CARE NEW YORK FOR  
PROVISION OF ADULT DAY CARE MEALS**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 366-2011 authorized a contract with the New York State Catholic Health Plan, Inc., d/b/a Fidelis Care New York, 8 Southwoods Boulevard, Albany, New York 12211, for the provision of home delivered meals and congregate meals for eligible patients, and

II. WHEREAS, an amendment of the aforementioned contract is necessary to further clarify the benefits available to certain members of the Medicaid population, and

III. WHEREAS, effective June 1, 2013, the Department of Aging can provide home delivered meals and congregate meals to the above-described patients at the following rates:

**Program: Managed Long Term Care Program**

<u>HCPCS</u>	<u>Description</u>	<u>Rate</u>
S5102	Adult Social Day Program, per diem	\$50.00
S5102TG	Adult Social Day Program, half day, per diem	\$25.00
S9977	Congregate Meals, per meal	\$ 6.00
A0110	Transportation to & from center activities, round trip	\$22.00

**Program: Managed Medicaid & Managed Long Term Care Program**

<u>HCPCS</u>	<u>Description</u>	<u>Rate</u>
S5170	Home Delivered Meal, per meal	\$ 7.00

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 New York State Catholic Health Plan, Inc., d/b/a Fidelis Care New York, for the provision of the above-described meals, for a term commencing August 1, 2011, as amended, to continue in full force and effect until terminated by either party hereto.

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  
THE COMMUNITY FOUNDATION FOR THE NATIONAL CAPITAL REGION  
FUNDING THROUGH SALLIE MAE FUND FOR  
AMERICORPS START PROGRAM**

Pursuant to Section 450 of the County Law.

I. WHEREAS, the Community Foundation for the National Capital Region, through the Sallie Mae Fund, has offered funding in the amount of \$3,000.00 for the Youth Bureau Americorps START Program, and

II. WHEREAS, the County Youth Bureau is desirous of accepting the aforementioned funding, and

III. WHEREAS, the County must execute grant documents with the Community Foundation for the National Capital Region in order to accept and receive the aforementioned funding, and

IV. WHEREAS, this program is 100% funded through the Sallie Mae Fund, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the Community Foundation for the National Capital Region and the Sallie Mae Fund, in order to receive the aforementioned grant funding, 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 CONTRACTS WITH  
VARIOUS HANDICAPPED EDUCATION PROVIDERS FOR  
YOUTH BUREAU CHILDREN WITH SPECIAL NEEDS PROGRAM**

Pursuant to Section 236 of the Family Court Act and  
Section 450 of the County Law.

I. WHEREAS, Act 260-2012 authorized contracts with various handicapped education providers for the provision of educational and evaluation services for various County preschool-aged children with special needs, the terms of which expire June 30, 2013, and

II. WHEREAS, the Family Court Act mandates that the County provide payment for the educational and evaluation services which are approved by the Court, and

III. WHEREAS, contracts are necessary with education providers, related-service providers, and evaluators which are accredited by the New York State Education Department, and

IV. WHEREAS, payments to the education providers, related-service providers, and evaluators will be in accordance with the budgetary tuition rate approved by the County and/or the State, and

V. WHEREAS, these services are 59.5% State funded and 40.5% County funded, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with various education providers, related-service providers, and evaluators for the provision of the above-described services, for a term commencing July 1, 2013 and terminating June 30, 2014, according to the above-described terms, and be it further

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

III. RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days written notice, and be it further

IV. RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting.

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 CONTRACTS WITH  
VARIOUS SCHOOL DISTRICTS FOR  
PRE-SCHOOL HANDICAPPED TRANSPORTATION SERVICES**

Pursuant to 8 NYCRR Part 4410 and Section 450 of the County Law.

I. WHEREAS, Act 257-2012 authorized contracts with various school districts for the provision of pre-school handicapped transportation services, the terms of which expire June 30, 2013, and

II. WHEREAS, transportation services are required for pre-school children with handicapping conditions within the County of Cattaraugus, and

III. WHEREAS, various school districts in Cattaraugus County have agreed to provide the aforementioned transportation services at the rate of \$3.40 per child loaded mile per day (from child's home to school and returned), plus \$7.25 per hour per bus for an aide, on a case-by-case basis, when deemed necessary with proof of documentation in the child's IEP requiring such aide, and

IV. WHEREAS, the aforementioned services shall be provided in accordance with the provisions of Section 103 of the General Municipal Law and Section 4410 of the Education Law, and

V. WHEREAS, this program is 59.5% state funded and 40.5% locally funded, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with various school districts, for the provision of the above-described transportation services, for a term commencing July 1, 2013 and terminating June 30, 2014, according to the above-described terms, and be it further

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

III. RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days written notice, and be it further

IV. RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting.

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 GRANT DOCUMENTS WITH  
NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES  
OFFICE OF PROBATION AND CORRECTIONAL ALTERNATIVES FOR  
ALTERNATIVES TO INCARCERATION PROGRAMS FOR JAIL DIVERSION  
AND/OR RE-ENTRY IN NEW YORK STATE AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Probation Department)**

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

I. WHEREAS, Act 235-2013 authorized the Chairman to apply for funding through the New York State Division of Criminal Justice Services Grants Management System for the Alternatives to Incarceration (ATI) Programs and Adult Re-Entry Employment Programs currently supported under the Byrne Jag American Recovery and Reinvestment Act through December 31, 2013, and

II. WHEREAS, the County Probation Department has been awarded a grant in the amount of \$85,200.00 for the Alternatives to Incarceration (ATI) Programs for Jail Diversion and/or Adult Re-Entry in New York State through December 31, 2013, and

III. WHEREAS, the aforementioned grant award is supported with State Aid – Re-Entry ATI Bridge funding, and

IV. WHEREAS, contracts are necessary in order to accept and receive the aforementioned grant funds, and

V. WHEREAS, various appropriation and revenue accounts must be adjusted in order to accommodate the above-described grant, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Division of Criminal Justice Services Office of Probation and Correctional Alternatives, in order to accept and receive the aforementioned grant funding, 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 Accounts:

A.314.3144.0000.3310.11	State Aid – Re-Entry ATI Bridge Funding	\$85,200.00
A.601.6155.0000.1341	DSS-Re-Entry	\$38,689.00

Increase Appropriation Accounts:

A.314.3144.0000.11000	Re-Entry Wages	\$20,317.00
A.314.3144.0000.81000	Re-Entry FICA	\$ 1,554.00
A.314.3144.0000.82000	Re-Entry Retirement	\$ 2,337.00
A.314.3144.0000.83000	Re-Entry Health Insurance	\$ 2,813.00
A.314.3144.0000.84000	Dental Insurance	\$ 71.00
A.314.3144.0000.40405	Job Training	\$14,989.00
A.314.3144.0000.41412	Drug Testing	\$ 420.00
A.314.3144.0000.46101	Meals	\$ 300.00
A.314.3144.0000.46102	Mileage	\$ 1,500.00
A.314.3144.0000.46106	Training	\$ 2,000.00



A.314.3144.0000.46108	Cell Phone	\$ 210.00
A.314.3144.0000.48306	DSS Contracted Services	\$38,689.00
A.601.6155.0000.11000	DSS-Re-Entry Wages	\$23,588.00
A.601.6155.0000.81000	DSS-Re-Entry FICA	\$ 1,814.00
A.601.6155.0000.82000	DSS-Re-Entry Retirement	\$ 4,964.00
A.601.6155.0000.83000	DSS-Re-Entry Health	\$ 8,252.00
A.601.6155.0000.84000	DSS-Re-Entry Dental	\$ 71.00.

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 checked="" 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  
DOMINIC DISPENZA FOR DEPARTMENT OF SOCIAL SERVICES  
SEXUAL OFFENDER RISK EVALUATIONS**

Pursuant to Section 251 of the Family Court Act and  
Section 450 of the County Law.

I. WHEREAS, Act 324-2012 authorized a contract with Dominic Dispenza, 21 Princeton Place, Orchard Park, New York 14127, for the provision of sexual offender risk evaluation services for the County Department of Social Services, the term of which expires June 30, 2013, and

II. WHEREAS, the County Department of Social Services is desirous of continuing the aforementioned contract, and

III. WHEREAS, Dominic Dispenza can provide the aforementioned sexual offender risk evaluations for an amount of \$500.00 per assessment, to be paid on a monthly basis, as invoiced, and

IV. WHEREAS, this program is 65% state and 35% county funded, and

V. WHEREAS, sufficient funds are included in the 2013 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 Dominic Dispenza, for the provision of the aforementioned sexual offender risk evaluations, for a term commencing July 1, 2013 and terminating June 30, 2014, according to the above-described terms, and be it further

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

III. RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days written notice, and be it further

IV. RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting.

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  
NEW YORK STATE DEPARTMENT OF HEALTH FOR  
DRINKING WATER SUPPLY PROTECTION PROGRAM**

Pursuant to 10 NYCRR Part 53, 21 NYCRR Part 2604 and  
Section 450 of the County Law.

I. WHEREAS, Act 213-2012 authorized a contract with the New York State Department of Health for the provision of a drinking water supply protection program, the term of which expired March 31, 2013, and

II. WHEREAS, there is funding available in the amount of \$132,009.00 through the New York State Department of Health Center for Environmental Health, Division of Environmental Protection, Bureau of Public Water Supply Protection, Flanigan Square, 547 River Street, Troy, New York 12180-2216, for a drinking water supply protection program, and

III. WHEREAS, the County Health Department is desirous of providing drinking water supply protection services, and

IV. WHEREAS, a contract is necessary in order to obtain the aforementioned funding, and

V. WHEREAS, the 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 Department of Health for the aforementioned grant, for a term commencing April 1, 2013 and terminating March 31, 2014, according to the above-described terms, and be it further

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

III. RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days written notice, and be it further

IV. RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting.

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 MEMORANDUM OF UNDERSTANDING WITH ACCORD CORPORATION FOR HEALTH DEPARTMENT ADOLESCENT PREGNANCY PREVENTION PROGRAM**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 564-2012 authorized a Memorandum of Understanding with the Accord Corporation for participation in the Comprehensive Adolescent Pregnancy Prevention (CAPP) project, in an effort to reduce teen pregnancy rates in Cattaraugus County, the term of which expired December 31, 2012, and

II. WHEREAS, the County Health Department is desirous of continuing to participate in the Comprehensive Adolescent Pregnancy Prevention (CAPP) project, and

III. WHEREAS, the County Health Department shall expand clinic hours in the Salamanca office to incorporate 2-3 additional hours, twice monthly, and

IV. WHEREAS, the Allegany County Community Opportunities and Rural Development Corporation (ACCORD), 84 Schuyler Street, P.O. Box 573, Belmont, New York 14813, shall pay to the County Health Department an amount of \$7,800.00 to assist with promoting the CAPP program initiatives, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a memorandum of understanding, on behalf of Cattaraugus County, with the ACCORD Corporation, for the provision of the above-described services, for a term commencing January 1, 2013 and terminating December 31, 2013, according to the above-described terms, and be it further

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

III. RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days written notice, and be it further

IV. RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting.

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  
SENECA NATION AREA OFFICE OF AGING FOR  
DEPARTMENT OF HEALTH HOME DELIVERED MEALS PROGRAM**

Pursuant to Section 119-o of the General Municipal Law and  
Section 450 of the County Law.

I. WHEREAS, the County Health Department is desirous of providing home delivered meals to clients of the Long Term Home Health Care Program who reside on or near the Cattaraugus Territory of the Seneca Nation of Indians, and

II. WHEREAS, the Seneca Nation Area Office of Aging, 28 Thomas Indian School Drive, Irving, New York 14081, has agreed to provide for the preparation and delivery of a noon meal in the areas contiguous to Cattaraugus County five (5) days per week, at the current Medicaid rate per delivered 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 the Seneca Nation Area Office of Aging, for the provision of the above-described services, for a term commencing May 1, 2013 and terminating December 31, 2013, 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 AMENDED CONTRACT WITH HEALTHNOW NEW YORK, INC. D/B/A BLUE CROSS & BLUE SHIELD OF WESTERN NEW YORK FOR HOME HEALTH SERVICES**

Pursuant to Article 44 of the Public Health Law and Section 450 of the County Law.

I. WHEREAS, Act 543-1999, as amended by Act 340-2009, authorized a contract with HealthNow New York, Inc., d/b/a/ Blue Cross & Blue Shield of Western New York, Inc., for the provision of home health services, and

II. WHEREAS, the County Health Department needs to provide additional services which have not heretofore been covered, and

III. WHEREAS, that effective April 1, 2013, the aforementioned contract is hereby amended to add the following services:

<u>Home Health Care Service</u>	<u>Rate</u>
Medical Social Services	\$114.10 per visit
Home Meal Delivery	\$6.32 per delivery limited to one (1) delivery per day,

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 Health Now New York, Inc., d/b/a Blue Cross & Blue Shield of Western New York, for the provision of the above-described services, for a term commencing April 1, 2013 to continue in full force and effect until terminated or otherwise amended thereto, 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 IM SOLUTIONS, INC. FOR  
DEPARTMENT OF NURSING HOMES MDS CONSULTANT SERVICES AND  
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS  
(Department of Nursing Homes)**

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

I. WHEREAS, the Department of Nursing Homes is in need of MDS (medical data set) consultant services to ensure that its documents are "audit-ready", and

II. WHEREAS, IM Solutions, Inc., 109 Chatham Avenue, Buffalo, New York 14216, can provide MDS consultant services, which shall include services to prevent overpayments or potential fraud, ensure that Department of Nursing Homes employees have been trained appropriately to prepare and file documents and ensure that documents are "audit-ready", for an amount not to exceed \$3,750.00 per month for a total not to exceed \$11,250.00, to be paid as invoiced, and

III. WHEREAS, various appropriation and revenue accounts must be adjusted in order 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 IM Solutions, Inc., for the provision of the above-described services, for a term commencing June 26, 2013 and terminating three (3) months after commencement of services, 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:

Decrease Appropriation Accounts:

EF.453.4530.7270.47037	Prescription Drugs	\$5,625.00
EI.453.4530.7270.47037	Prescription Drugs	\$5,625.00

Increase Appropriation Accounts:

EF.453.4530.6020.41611	Consultant Services	\$5,625.00
EI.453.4530.6020.41611	Consultant Services	\$5,625.00.

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 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 CONTRACT EXTENSION WITH  
OLEAN GENERAL HEALTHCARE SYSTEMS FOR  
DEPARTMENT OF NURSING HOMES RESPIRATORY EQUIPMENT**

Pursuant to 10 NYCRR Section 415.12(k) and  
Section 450 of the County Law.

I. WHEREAS, Act 346-2010 authorized a contract with Olean General Healthcare Systems, 234 Homer Street, Olean, New York 14760, for the provision of respiratory equipment and related services to the County Department of Nursing Homes, the term of which expires June 30, 2013, and

II. WHEREAS, the County Department of Nursing Homes is desirous of extending the aforementioned contract until October 1, 2013 in order to rebid the services, and

III. WHEREAS, Olean General Healthcare Systems, can provide the aforementioned respiratory equipment and related services in accordance with the following rate schedule:

<u>Description</u>	<u>Rate</u>
Oxygen Concentrators, 5 liter	\$ 1.80 per day
BiPAP-S	\$ 3.09 per day
CPAP	\$ 2.58 per day
CiPAP-S/T (ventilator)	\$10.30 per day
Air Compressors (50 psi)	\$ 1.03 per day
Miscellaneous Supplies	25% off list
Pulse Oximeter	\$0.00 per month
Oxygen Conservers	\$15.45 per month
Ventilators BiPAP-S/T	\$309 per month

Projected Contract Cost – 36 months

Services for a respiratory therapist for clinical support and routine maintenance/calibration of equipment shall be included by the vendor.  
In-service training and documentation will also be provided by the vendor for an amount of \$1.00 per day.,

now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract extension, on behalf of Cattaraugus County, with Olean General Healthcare Systems, for the provision of the above-described services, for a term commencing July 1, 2013 and terminating October 1, 2013, 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"/> |



**LOCAL LAW NUMBER 3-2013  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law and Sections 22(3) and (4) of the General Municipal Law.

**A LOCAL LAW AMENDING LOCAL LAW NUMBER 2-1993  
(INTRO NUMBER 2-1993) ENTITLED, "ALLOWING RELEASE OF  
FUNDS LIENED UNDER SECTION 22 OF THE GENERAL MUNICIPAL LAW"**

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 2-1993 (Intro Number 2-1993) entitled, "Allowing Release of Funds Liened Under Section 22 of the General Municipal Law", to clarify the intent thereof and the manner in which its provisions can be carried out.

SECTION 2. Amendment of Local Law Number 2-1993. Local Law Number 2-1993 (Intro Number 2-1993), is hereby amended as follows:

A. By amending Section 1 thereof to read as follows:

"SECTION 1. Legislative Intent. General Municipal Law Section 22(3) and (4) provides that upon the adoption of a resolution the Legislature may require that the County Treasurer serve upon the New York State Superintendent of Insurance notice of intention to make a claim against fire insurance proceeds for delinquent real property taxes, thereby creating a means by which the County can recoup such taxes in cases where the properties have experienced significant reduction in value because of fire. The law further provides, however, that such action can be taken only if the Legislature has first adopted a local law requiring that the County release or return to the insured any or all amounts to which it would otherwise be entitled to claim, provided that the insured agrees that the County, in writing, to restore the affected premises to the same or improved condition that the subject premises was in prior to the time that the lien of the County against proceeds provided for by Section 22 of the General Municipal Law arose, subject to such conditions as such resolution shall provide to guarantee performance of such obligation by the insured."

B. By deleting Section 4 thereof in its entirety.

C. By renumbering Sections 2 and 3 thereof to Sections 3 and 4, respectively.

D. By adding a new Section 2 thereto, as follows:

"SECTION 2. Release or Return of Funds to Insured. In the event that the County Legislature, by resolution adopted pursuant to Section 22(3) of the General Municipal Law, directs the County Treasurer to serve a notice of intention to claim against fire insurance proceeds regarding tax delinquent properties upon the State Superintendent of Insurance and thereafter satisfies the County's tax lien from the proceeds of such insurance or otherwise, the County shall release or return to the insured any or all amounts to which it would otherwise be entitled to claim, provided that the insured agrees that the County, in writing, to restore the affected premises to the same or improved condition that the subject premises was in prior to the time that the lien of the County against proceeds provided for by Section 22 of

the General Municipal Law arose, subject to such conditions as such resolution shall provide to guarantee performance of such obligation by the insured.”

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 immediately.

Resolution Referred to:

- |                    |                                     |                 |                          |
|--------------------|-------------------------------------|-----------------|--------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input type="checkbox"/> |
| Co. Operations     | <input checked="" 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 PUBLIC HEARING ON LOCAL LAW NUMBER 3-2013**

Pursuant to Section 20 of the Municipal Home Rule Law.

I. WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on June 26, 2013, a proposed Local Law entitled "A Local Law Amending Local Law Number 2-1993 (Intro Number 2-1993) Entitled, Allowing Release of Funds Liened Under Section 22 of the General Municipal Law", and

II. WHEREAS, no local law shall be adopted until a public hearing thereon has been had by the Cattaraugus County Legislature upon at least five days' notice, now, therefore, be it

I. RESOLVED, that a public hearing shall be held on the proposed local law by this County Legislature on the 24th day of July, 2013, at 3:01 p.m. at the Legislature's Chambers, County Office Building, 303 Court Street, Little Valley, New York, and that at least five days' notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Resolution Referred to:

- |                    |                                     |                 |                          |
|--------------------|-------------------------------------|-----------------|--------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input type="checkbox"/> |
| Co. Operations     | <input checked="" 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"/> |