



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, June 26, 2013**, for the transaction of such business as may properly come before the meeting.

Contingent Fund Balance: \$20,720

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

- *Thomas Malecki, Drescher & Malecki, LLP – 2012 Annual Report*

RESOLUTIONS READY FOR ACTION

UNFINISHED BUSINESS

RESOLUTIONS – IMMEDIATE CONSIDERATION

ADJOURNMENT

.....

ACT NO.

RESOLUTIONS NOT READY FOR ACTION

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"

Approved by 7 Finance and 5 County Operations

RESOLUTIONS READY FOR ACTION

238-13

Mr. Marsh

ESTABLISHING MODIFIED LIST OF APPROVED PROFESSIONAL ORGANIZATIONS

Approved by 7 Finance and 7 Human Services

268-13

Mr. Marsh

APPOINTMENT TO COMMUNITY SERVICES BOARD ***Additional sponsors: Mrs. Labuhn and Mr. Padlo***

Approved by 7 Finance and 7 Human Services

269-13

Mr. Snyder, Sr.

APPOINTMENT TO CATTARAUGUS COUNTY BOARD OF HEALTH ***Additional sponsors: Mrs. Labuhn and Mr. Padlo***

AMENDED: In the 1st Resolved, delete "1741 David Drive", replace with "3 Satellite Circle"

Approved by 6 Finance and 7 Human Services

- 270-13 Mr. Aiello and Mr. Weller
 BID ACCEPTANCE FOR PURCHASE OF TWO TANDEM AXLE TRUCKS WITH DUMP BODIES AND SNOWFIGHTING EQUIPMENT
 Approved by 7 Finance and 6 Public Works
- 271-13 Mr. Aiello, Mr. Klancer, Mr. Murphy and Mr. Weller
 BID ACCEPTANCE FOR PRECAST CONCRETE BOX CULVERT FOR MANSFIELD CULVERT NO. 13
 Approved by 7 Finance and 6 Public Works
- 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)
 Approved by 7 Finance and 6 Public Works
- 273-13 Mr. Aiello and Mr. Weller
 BID ACCEPTANCE FOR 2013 BRIDGE DECK SEALING PROGRAM (Department of Public Works)
 Approved by 7 Finance and 6 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
 Approved by 7 Finance and 6 Public Works
- 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
 Approved by 7 Finance and 6 Public Works
- 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)
 Approved by 7 Finance
- 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 **Additional sponsors: Ms. Edstrom, Mr. Edwards, Mrs. Stockman, Ms. Vickman, Mr. Koch and Mrs. Labuhn**
 Approved by 7 Finance, 6 Public Works, 7 Human Services and 7 Senior Services
- 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
 Approved by 7 Finance and 6 Public Works

- 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)
Approved by 7 Finance and 6 Public Safety
- 280-13 Mr. Snyder, Sr.
AMENDING RULE 40 OF THE RULES OF ORDER OF THE COUNTY LEGISLATURE
Approved by 7 Finance and 5 County Operations
- 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
Approved by 7 Finance and 4 Labor Relations
- 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
Approved by 7 Finance and 6 Senior Services
- 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
Approved by 7 Finance and 7 Human Services
- 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 **Additional sponsors: Mr. VanRensselaer and Ms. Vickman**
Approved by 7 Finance and 7 Human Services
- 285-13 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH VARIOUS SCHOOL DISTRICTS FOR PRE-SCHOOL HANDICAPPED TRANSPORTATION SERVICES **Additional sponsors: Mr. VanRensselaer and Ms. Vickman**
Approved by 7 Finance and 7 Human 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
Approved by 7 Finance, 7 Human Services, 6 Public Safety and 4 Labor Relations

- 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
Approved by 7 Finance and 7 Human Services
- 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
Approved by 7 Finance and 7 Human Services
- 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
Additional sponsor: Mrs. Labuhn
Approved by 7 Finance and 7 Human Services
- 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 **Additional sponsors: Mr. Felton, Mrs. Stockman, Mr. VanRensselaer, Ms. Vickman, Mr. Koch and Mrs. Labuhn**
Approved by 7 Finance and 7 Senior Services
- 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
AMENDED: in the 3rd Whereas, add "Nursing Assessment/Evaluation (RN) \$110 per visit"
Approved by 7 Finance and 7 Human 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)
Approved by 7 Finance and 6 Senior Services
- 293-13 Mr. Felton
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH OLEAN GENERAL HEALTHCARE SYSTEMS FOR DEPARTMENT OF NURSING HOMES RESPIRATORY EQUIPMENT
Approved by 7 Finance and 6 Senior Services
- 295-13 Mr. Marsh
AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 3-2013
Approved by 7 Finance and 5 County Operations

ESTABLISHING MODIFIED LIST OF APPROVED PROFESSIONAL ORGANIZATIONS

Pursuant to Section 203(1) of the County Law.

- I. WHEREAS, Cattaraugus County is involved in numerous governmental and proprietary activities, and
- II. WHEREAS, there are professional organizations in which the membership of various officers and employees would be beneficial to the County, and
- III. WHEREAS, these organizations provide ideas for implementation of cost-saving measures and provide a means of disseminating information on current trends in specialized fields, and
- IV. WHEREAS, payment of dues in these organizations is beneficial to the County and serves a public purpose, and
- V. WHEREAS, there is a reasonable connection between the activities of these organizations and the official duties of the officers or employees whose membership dues will be paid therein, and
- VI. WHEREAS, the dues and/or membership fees required to become a participating member of the organizations listed below exceed \$2,500.00, and should be approved by the Cattaraugus County Legislature, now, therefore, be it

I. RESOLVED, that effective January 1, 2013, the following constitutes the list of approved organizations in which Cattaraugus County authorizes membership and the payment of dues which exceed \$2,500.00:

<u>Department</u>	<u>Organization</u>
Community Services	New York Association of Psychiatric Rehabilitation Services
Health	WNY Public Health Alliance Home Care Association of New York State
Legislature	NYS Association of Counties
Nursing Homes	Leading Age County Nursing Facilities of New York, Inc.
Social Services	New York Public Welfare Association.

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~~ **3 Satellite Circle**

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.

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,
<i>Nursing Assessment/Evaluation (RN)</i>	<i>\$110 per visit</i>

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.