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October 27, 2010

The meeting was called to order by Chairman Michael T. O'Brien.

The invocation was given by Rev. Lefebber.

The Attendance Roll Call disclosed one Legislator absent - Mr. Hebdon.

MR. GIARDINI moved, seconded by Mr. Marsh that the minutes of the October 13, 2010 session be approved. Carried.

* * * * *

COMMUNICATIONS:

Fulton County Board of Supervisors: Copy of its Resolution #391 entitled, Resolution Urging New York State Public Service Commission to Reject Proposal from National Grid to Increase Residential natural Gas and Electric Rates.

PROCLAMATION:

CHAIRMAN O'BRIEN proclaimed Sunday, October 31, 2010 as **Catholic Charities Sunday** in Cattaraugus County.

* * * * *

CHAIRMAN O'BRIEN called up **Act No. 490-2010**, Authorizing the Chair to Execute Contract with City of Salamanca Industrial Development Agency for Voting Machine Storage Space and asked that it be read.

Approved by 9 members of the Finance Committee and 7 members of the Public Works Committee.

MR. McCLUNE moved, seconded by Mr. Burrell to waive Rule 12. Carried.

Adopted October 27, 2010 by voice vote.

* * * * *

CHAIRMAN O'BRIEN announced this is the time and place called for public hearings on the following Local Laws and that anyone wishing to speak for or against these local laws, may now do so:

Act No. 491-2010, Local Law No. 3-2010: A Local Law Establishing Salary for County Administrator for the Years 2010 and 2011.

Virginia Banner, Ted Kochan and Larry Mack spoke against all Local Law raises.

Act No. 493-2010, Local Law No. 4-2010: A Local Law Establishing Salary for County Attorney for the Years 2010 and 2011.

Rosetta Quattrone and Dan Johnson spoke against all Local Law raises.

Act No. 495-2010, Local Law No. 5-2010: A Local Law Establishing Salary for Human Resources Director for the Years 2010 and 2011.

Act No. 497-2010, Local Law No. 6-2010: A Local Law Establishing Salary for County Treasurer for the Years 2010 and 2011.



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Act No. 7-2010: A Local Law Establishing Salary for the Years 2010 and 2011.

Act No. 501-2010, Local Law No. 8-2010: A Local Law Establishing Salary for Director of Information Services for the Years 2010 and 2011.

Act No. 503-2010, Local Law No. 9-2010: A Local Law Establishing Salary for County Clerk for the Years 2010 and 2011.

Kathy Johnson spoke against all Local Law raises.

Act No. 505-2010, Local Law No. 10-2010: A Local Law Establishing Salary for Election Commissioners (2) for the Years 2010 and 2011.

Laura Bennett spoke against all Local Law raises.

Act No. 507-2010, Local Law No. 11-2010: A Local Law Establishing Salary for Public Defender for the Years 2010 and 2011.

Act No. 509-2010, Local Law No. 12-2010: A Local Law Establishing Salary for Director, Department of Aging for the Years 2010 and 2011.

Act No. 511-2010, Local Law No. 13-2010: A Local Law Establishing Salary for Director, Department of Nursing Homes for the Years 2010 and 2011.

Act No. 513-2010, Local Law No. 14-2010: A Local Law Establishing Salary for Public Health Director for the Years 2010 and 2011.

Act No. 534-2010, Local Law No. 15-2010: A Local Law Establishing Fees for Department of Nursing Homes Resident Private Pay Rates and Repealing Act 570-2009.

Act No. 542-2010 Local Law Number 16-2010: A Local Law Establishing Salary for Commissioner of Public Works for the Years 2010 and 2011.

Tom Churokos spoke against all Local Law raises.

* * * * *

CHAIRMAN O'BRIEN called up **Act No. 491-2010**, Local Law Number 3-2010, A Local Law Establishing Salary for County Administrator for the Years 2010 and 2011 and asked that it be read.

CHAIRMAN O'BRIEN requested a Roll Call Vote on Act No. 491-2010, which disclosed as follows:

Ayes: Burrell 1.0915, Ellis 1.0875, Giardini 1.0094, Marsh 1.0843, McLarney 1.0632, Murphy 1.0875, Neal 1.0843, Sprague 1.0530, Stockman 1.0265, Vecchiarella 0.8834, Vickman 1.0915, Ward 1.0043, O'Brien 1.0632 - 13.6296.

Nays: Aiello 0.8772, Boser 1.0094, McClune 0.8834, Nenko 0.8772, Padlo 0.8772, Snyder 0.8772, Teachman 0.8772 - 6.2788.

Act No. 491-2010, having received the majority vote of the Legislature, was declared Adopted.

CHAIRMAN O'BRIEN called up **Act 493-2010**, Local Law Number 4-2010, A Local Law Establishing Salary for County Attorney for the Years 2010 and 2011 and asked that it be read.

CHAIRMAN O'BRIEN requested a Roll Call Vote on Act No. 493-2010, which disclosed as follows:

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Ellis 1.0875, Giardini 1.0094, Marsh 1.0843,
Neal 1.0843, Sprague 1.0530, Stockman 1.0265,
0915, Ward 1.0043, O'Brien 1.0632 - 13.6296.

Nays: Aiello 0.8772, Boser 1.0094, McClune 0.8834, Nenno 0.8772, Padlo
0.8772, Snyder 0.8772, Teachman 0.8772 - 6.2788.

Act No. 493-2010, having received the majority vote of the Legislature,
was declared Adopted.

CHAIRMAN O'BRIEN called up **Act 495-2010**, Local Law Number 5-2010, A
Local Law Establishing Salary for Human Resources Director for the Years 2010
and 2011 and asked that it be read.

CHAIRMAN O'BRIEN requested a Roll Call Vote on Act No. 495-2010, which
disclosed as follows:

Ayes: Burrell 1.0915, Ellis 1.0875, Giardini 1.0094, Marsh 1.0843,
McLarney 1.0632, Murphy 1.0875, Neal 1.0843, Sprague 1.0530, Stockman 1.0265,
Vecchiarella 0.8834, Vickman 1.0915, Ward 1.0043, O'Brien 1.0632 - 13.6296.

Nays: Aiello 0.8772, Boser 1.0094, McClune 0.8834, Nenno 0.8772, Padlo
0.8772, Snyder 0.8772, Teachman 0.8772 - 6.2788.

Act No. 495-2010, having received the majority vote of the Legislature,
was declared Adopted.

CHAIRMAN O'BRIEN called up **Act 497-2010**, Local Law Number 6-2010, A
Local Law Establishing Salary for County Treasurer for the Years 2010 and
2011 and asked that it be read.

CHAIRMAN O'BRIEN requested a Roll Call Vote on Act No. 497-2010, which
disclosed as follows:

Ayes: Burrell 1.0915, Ellis 1.0875, Giardini 1.0094, Marsh 1.0843,
McLarney 1.0632, Murphy 1.0875, Neal 1.0843, Sprague 1.0530, Stockman 1.0265,
Vecchiarella 0.8834, Vickman 1.0915, Ward 1.0043, O'Brien 1.0632 - 13.6296.

Nays: Aiello 0.8772, Boser 1.0094, McClune 0.8834, Nenno 0.8772, Padlo
0.8772, Snyder 0.8772, Teachman 0.8772 - 6.2788.

Act No. 497-2010, having received the majority vote of the Legislature,
was declared Adopted.

CHAIRMAN O'BRIEN called up **Act 499-2010**, Local Law Number 7-2010, A
Local Law Establishing Salary for Commissioner of Social Services for the
Years 2010 and 2011 and asked that it be read.

CHAIRMAN O'BRIEN requested a Roll Call Vote on Act No. 499-2010, which
disclosed as follows:

Ayes: Burrell 1.0915, Ellis 1.0875, Giardini 1.0094, Marsh 1.0843,
McLarney 1.0632, Murphy 1.0875, Neal 1.0843, Sprague 1.0530, Stockman 1.0265,
Vecchiarella 0.8834, Vickman 1.0915, Ward 1.0043, O'Brien 1.0632 - 13.6296.



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r 1.0094, McClune 0.8834, Nenno 0.8772, Padlo
0.8772 - 6.2788.

Act No. 499-2010, having received the majority vote of the Legislature,
was declared Adopted.

CHAIRMAN O'BRIEN called up **Act 501-2010**, Local Law Number 8-2010, A
Local Law Establishing Salary for Director of Information Services for the
Years 2010 and 2011 and asked that it be read.

CHAIRMAN O'BRIEN requested a Roll Call Vote on Act No. 501-2010, which
disclosed as follows:

Ayes: Burrell 1.0915, Ellis 1.0875, Giardini 1.0094, Marsh 1.0843,
McLarney 1.0632, Murphy 1.0875, Neal 1.0843, Sprague 1.0530, Stockman 1.0265,
Vecchiarella 0.8834, Vickman 1.0915, Ward 1.0043, O'Brien 1.0632 - 13.6296.

Nays: Aiello 0.8772, Boser 1.0094, McClune 0.8834, Nenno 0.8772, Padlo
0.8772, Snyder 0.8772, Teachman 0.8772 - 6.2788.

Act No. 501-2010, having received the majority vote of the Legislature,
was declared Adopted.

CHAIRMAN O'BRIEN called up **Act 503-2010**, Local Law Number 9-2010, A
Local Law Establishing Salary for County Clerk for the Years 2010 and 2011
and asked that it be read.

CHAIRMAN O'BRIEN requested a Roll Call Vote on Act No. 503-2010, which
disclosed as follows:

Ayes: Burrell 1.0915, Ellis 1.0875, Giardini 1.0094, Marsh 1.0843,
McLarney 1.0632, Murphy 1.0875, Neal 1.0843, Sprague 1.0530, Stockman 1.0265,
Vecchiarella 0.8834, Vickman 1.0915, Ward 1.0043, O'Brien 1.0632 - 13.6296.

Nays: Aiello 0.8772, Boser 1.0094, McClune 0.8834, Nenno 0.8772, Padlo
0.8772, Snyder 0.8772, Teachman 0.8772 - 6.2788.

Act No. 503-2010, having received the majority vote of the Legislature,
was declared Adopted.

CHAIRMAN O'BRIEN called up **Act 505-2010**, Local Law Number 10-2010, A
Local Law Establishing Salary for Election Commissioners (2) for the Years
2010 and 2011 and asked that it be read.

CHAIRMAN O'BRIEN requested a Roll Call Vote on Act No. 505-2010, which
disclosed as follows:

Ayes: Burrell 1.0915, Ellis 1.0875, Giardini 1.0094, Marsh 1.0843,
McLarney 1.0632, Murphy 1.0875, Neal 1.0843, Sprague 1.0530, Stockman 1.0265,
Vecchiarella 0.8834, Vickman 1.0915, Ward 1.0043, O'Brien 1.0632 - 13.6296.

Nays: Aiello 0.8772, Boser 1.0094, McClune 0.8834, Nenno 0.8772, Padlo
0.8772, Snyder 0.8772, Teachman 0.8772 - 6.2788.

received the majority vote of the Legislature,

CHAIRMAN O'BRIEN called up **Act 507-2010**, Local Law Number 11-2010, A Local Law Establishing Salary for Election Commissioners (2) for the Years 2010 and 2011 and asked that it be read.

CHAIRMAN O'BRIEN requested a Roll Call Vote on Act No. 507-2010, which disclosed as follows:

Ayes: Burrell 1.0915, Ellis 1.0875, Giardini 1.0094, Marsh 1.0843, McLarney 1.0632, Murphy 1.0875, Neal 1.0843, Sprague 1.0530, Stockman 1.0265, Vecchiarella 0.8834, Vickman 1.0915, Ward 1.0043, O'Brien 1.0632 - 13.6296.

Nays: Aiello 0.8772, Boser 1.0094, McClune 0.8834, Nenno 0.8772, Padlo 0.8772, Snyder 0.8772, Teachman 0.8772 - 6.2788.

Act No. 507-2010, having received the majority vote of the Legislature, was declared Adopted.

CHAIRMAN O'BRIEN called up **Act 509-2010**, Local Law Number 12-2010, A Local Law Establishing Salary for Director, Department of Aging for the Years 2010 and 2011 and asked that it be read.

CHAIRMAN O'BRIEN requested a Roll Call Vote on Act No. 509-2010, which disclosed as follows:

Ayes: Burrell 1.0915, Ellis 1.0875, Giardini 1.0094, Marsh 1.0843, McLarney 1.0632, Murphy 1.0875, Neal 1.0843, Sprague 1.0530, Stockman 1.0265, Vecchiarella 0.8834, Vickman 1.0915, Ward 1.0043, O'Brien 1.0632 - 13.6296.

Nays: Aiello 0.8772, Boser 1.0094, McClune 0.8834, Nenno 0.8772, Padlo 0.8772, Snyder 0.8772, Teachman 0.8772 - 6.2788.

Act No. 509-2010, having received the majority vote of the Legislature, was declared Adopted.

CHAIRMAN O'BRIEN called up **Act 511-2010**, Local Law Number 13-2010, A Local Law Establishing Salary for Director, Department of Nursing Homes for the Years 2010 and 2011 and asked that it be read.

CHAIRMAN O'BRIEN requested a Roll Call Vote on Act No. 511-2010, which disclosed as follows:

Ayes: Burrell 1.0915, Ellis 1.0875, Giardini 1.0094, Marsh 1.0843, McLarney 1.0632, Murphy 1.0875, Neal 1.0843, Sprague 1.0530, Stockman 1.0265, Vecchiarella 0.8834, Vickman 1.0915, Ward 1.0043, O'Brien 1.0632 - 13.6296.

Nays: Aiello 0.8772, Boser 1.0094, McClune 0.8834, Nenno 0.8772, Padlo 0.8772, Snyder 0.8772, Teachman 0.8772 - 6.2788.

Act No. 511-2010, having received the majority vote of the Legislature, was declared Adopted.



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up **Act 513-2010**, Local Law Number 14-2010, A
For Director, Department of Nursing Homes for
ed that it be read.

CHAIRMAN O'BRIEN requested a Roll Call Vote on Act No. 513-2010, which disclosed as follows:

Ayes: Burrell 1.0915, Ellis 1.0875, Giardini 1.0094, Marsh 1.0843, McLarney 1.0632, Murphy 1.0875, Neal 1.0843, Sprague 1.0530, Stockman 1.0265, Vecchiarella 0.8834, Vickman 1.0915, Ward 1.0043, O'Brien 1.0632 - 13.6296.

Nays: Aiello 0.8772, Boser 1.0094, McClune 0.8834, Nenno 0.8772, Padlo 0.8772, Snyder 0.8772, Teachman 0.8772 - 6.2788.

Act No. 513-2010, having received the majority vote of the Legislature, was declared Adopted.

CHAIRMAN O'BRIEN called up **Act 515-2010**, Establishing Salaries for Certain County Officials and asked that it be read.

CHAIRMAN O'BRIEN requested a Roll Call Vote on Act No. 515-2010, which disclosed as follows:

Ayes: Burrell 1.0915, Ellis 1.0875, Giardini 1.0094, Marsh 1.0843, McLarney 1.0632, Murphy 1.0875, Neal 1.0843, Sprague 1.0530, Stockman 1.0265, Vecchiarella 0.8834, Vickman 1.0915, Ward 1.0043, O'Brien 1.0632 - 13.6296.

Nays: Aiello 0.8772, Boser 1.0094, McClune 0.8834, Nenno 0.8772, Padlo 0.8772, Teachman 0.8772 - 5.4016.

Act No. 515-2010, having received the majority vote of the Legislature, was declared Adopted.

CHAIRMAN O'BRIEN called up **Act 542-2010**, Local Law Number 16-2010, A Local Law Establishing Salary for Commissioner of Public Works for the Years 2010 and 2011 and asked that it be read.

CHAIRMAN O'BRIEN requested a Roll Call Vote on Act No. 542-2010, which disclosed as follows:

Ayes: Burrell 1.0915, Ellis 1.0875, Giardini 1.0094, Marsh 1.0843, McLarney 1.0632, Murphy 1.0875, Neal 1.0843, Sprague 1.0530, Stockman 1.0265, Vecchiarella 0.8834, Vickman 1.0915, Ward 1.0043, O'Brien 1.0632 - 13.6296.

Nays: Aiello 0.8772, Boser 1.0094, McClune 0.8834, Nenno 0.8772, Padlo 0.8772, Snyder 0.8772, Teachman 0.8772 - 6.2788.

Act No. 542-2010, having received the majority vote of the Legislature, was declared Adopted.

CHAIRMAN O'BRIEN called up **Act 534-2010**, Local Law Number 15-2010, A Local Law Establishing Fees for Department of Nursing Homes Resident Private Pay Rates and Repealing Act 570-2009 and asked that it be read.

CHAIRMAN O'BRIEN requested a Roll Call Vote on Act No. 534-2010, which disclosed as follows:

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ser 1.0094, Burrell 1.0915, Ellis 1.0875,
, McClune 0.8834, McLarney 1.0632, Murphy
8772, Padlo 0.8772, Snyder 0.8772, Sprague
1.0530, Stockman 1.0265, Teachman 0.8772, Vecchiarella 0.8834, Vickman
1.0915, Ward 1.0043, O'Brien 1.0632 - 13.6296.

Nays: none.

Act No. 534-2010, having received the majority vote of the Legislature,
was declared Adopted.

* * * * *

ACT NO. 545-2010 by Mr. O'Brien

**APPOINTMENT TO COMMUNITY SERVICES BOARD AND
PEOPLE WITH DEVELOPMENTAL DISABILITIES SUBCOMMITTEE**

Pursuant to Section 41.11 of the Mental Hygiene Law.

RESOLVED, that the following individual is appointed to the
Community Services Board and the People with Developmental Disabilities
Subcommittee (formerly Mental Retardation & Developmental Disabilities
Subcommittee) with terms to expire December 31, 2013:

Christina L. Veno
479 Indiana Avenue
Olean, NY 14760.

Approved by 9 members of the Finance Committee and 7 members of the
Human Services Committee.

Adopted October 27, 2010 by voice vote.

ACT NO. 546-2010 by Mr. Giardini
and Mr. Ellis
and Mr. Aiello, Mr. Teachman and Mr. Padlo¹

**BID ACCEPTANCE FOR OLEAN COUNTY OFFICE BUILDING
COOLING SYSTEM REPLACEMENT
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise
for sealed bids for a cooling system replacement at the Olean County Office
Building, according to specifications provided by the Public Works Committee,
and

WHEREAS, the lowest responsible bid received meeting
specifications was the bid of Mazza Mechanical Services, Inc., in the amount
of \$72,800, and

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

RESOLVED, that the bid of Mazza Mechanical Services, Inc., be,
and the same hereby is, accepted, for a term commencing upon the Notice to
Proceed and terminating March 2, 2011, and be it further



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...e vouchers accordingly certified by the ... of Public Works be audited by the Auditor and

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No State Bid.
Five sets of specifications were sent out.
Four bids were received.

Approved by 9 members of the Finance Committee and 9 members of the Public Works Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Mr. Teachman and Mr. Padlo".

Adopted October 27, 2010 by voice vote.

ACT NO. 547-2010 by Mr. Giardini
and Mr. Ellis

**BID ACCEPTANCE FOR 4.0 CUBIC YARD FOUR-WHEEL DRIVE
ARTICULATED WHEEL LOADERS
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the purchase of two (2) 2011 4.0 Cubic Yard Four-Wheel Drive Articulated Wheel Loaders, with one (1) year buy back guarantee, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications for two (2) 2011 Hyundai HL-760-9 4.0 Cubic Yard Four-Wheel Drive Articulated Wheel Loaders, was the bid of George & Swede Sales & Service, Inc., determined as follows:

Cost Before Trade-In Allowance	\$ 268,858.00
Trade-In Allowance (two loaders) #2709 & #2809	<u>\$-228,000.00</u>
Net Cost	\$ 40,858.00,

and

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

RESOLVED, that the bid of George & Swede Sales & Service, Inc., be, and the same hereby is, accepted, and be it further

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.

State Bid does not offer buy back option.
Six sets of specifications were sent out.
Two bids were received.

Approved by 9 members of the Finance Committee and 9 members of the Public Works Committee.

Adopted October 27, 2010 by voice vote.

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548-2010 by Mr. Giardini
and Mr. Ellis

**BID ACCEPTANCE FOR PURCHASE OF ONE HYDRAULIC TRACK EXCAVATOR
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the purchase of one (1) new and unused 2011 or newer hydraulic track excavator, with one (1) year buy back guarantee, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications for one (1) new and unused 2011 or newer Link-Belt 135 Spin Ace hydraulic track excavator, was the bid of George & Swede Sales & Service, Inc., 7155 Big Tree Road, Pavilion, New York 14525, with the lowest net cost after buy back (with trade-in) of \$14,863, determined as follows:

Cost Before Trade-In Allowance	\$116,720.00
- Minus Trade-In Allowance Model #2109	<u>\$101,857.00</u>
Net Cost	\$ 14,863.00,

and

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

RESOLVED, that the bid of George & Swede Sales & Service, Inc. be, and the same hereby is, accepted, for a term commencing upon receipt of the order and terminating 150 days thereafter, and be it further

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.

State Bid does not offer buy back option.
Five sets of specifications were sent out.
Two bids were received.

Approved by 9 members of the Finance Committee and 9 members of the Public Works Committee.

Adopted October 27, 2010 by voice vote.

ACT NO. 549-2010 by Mr. Giardini
and Mr. Ellis and Mr. Murphy

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
STANTEC CONSULTING SERVICES, INC. FOR ENGINEERING SERVICES FOR
NEW ALBION BRIDGE NO. 35 FEDERAL-AID REPLACEMENT PROJECT**

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

WHEREAS, Act 95-2007, as amended by Act 646-2008, authorized a contract with Stantec Consulting Services, Inc., 2250 Brighton-Henrietta Town Line Road, Rochester, New York 14623-2706, for the provision of engineering services for the New Albion Bridge No. 35 Replacement Project located on Tannery Street over Tributary South Branch Cattaraugus Creek, BIN 3-32281-0, in the Town of New Albion, the term of which expires December 31, 2010, and



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on of time is necessary in order to complete
no additional cost to the County, now,

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 Stantec Consulting Services, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

Approved by 9 members of the Finance Committee and 9 members of the Public Works Committee.

Adopted October 27, 2010 by voice vote.

ACT NO. 550-2010 by Mr. Giardini
and Mr. Ellis

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
COMFORT PEST CONTROL FOR
PEST CONTROL SERVICES**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 602-2008 authorized a contract with Southern Tier Professional Pest Control for the provision of pest control services at various County buildings located throughout Cattaraugus County, the term of which expires December 31, 2010, and

WHEREAS, continued pest control services are needed at various County buildings located throughout the County, and

WHEREAS, the County Department of Public Works has solicited proposals from six (6) companies for the aforementioned pest control services, and

WHEREAS, Comfort Pest Control, 1007 Brigham Road, Dunkirk, New York 14048, has been recommended to provide pest control services at various County buildings throughout the County, for an amount as follows:

MONTHLY MAINTENANCE

Cattaraugus County Jail, 301 Court Street, Little Valley

Indoor Treatment	\$100/visit
Indoor/Outdoor Treatment	\$175/visit
Cluster Fly Treatment (as needed)	\$325/treatment

**Note: Hospital/Nursing Home Approved Bait and/or Spray will be used

**Note: Treatments at the Jail WILL NOT start until May 1, 2011

Pines Healthcare and Rehabilitation Center - Olean Campus

Indoor Treatment	\$50/visit
Indoor/Outdoor Treatment	\$100/visit
Cluster Fly Treatment (as needed)	\$125/treatment

**Note: Hospital/Nursing Home Approved Bait and/or Spray will be used

Pines Healthcare and Rehabilitation Center - Machias Campus

Indoor Treatment	\$60/visit
Indoor/Outdoor Treatment	\$100/visit
Cluster Fly Treatment (as needed)	\$200/treatment

**Note: Hospital/Nursing Home Approved Bait and/or Spray will be used

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	nd fall)	
	ias	
	ontrol (2 visits-spring & summer)	\$125/visit
	Rodent Control (2 visits-fall & early winter)	\$35/visit
	(combination - 3 traps & 3 bait stations)	

Cattaraugus County Office Building, 1 Leo Moss Drive, Olean

Indoor Treatment	\$75/visit
Indoor/Outdoor Treatment	\$175/visit
Cluster Fly Treatment (as needed)	\$250/treatment
Rodent Treatment (as needed)	\$80/visit

AS-NEEDED RODENT TREATMENTS

(per visit price to include servicing five (5) bait stations)

Transfer Stations

Allegany	\$23/visit
Conewango	\$23/visit
Dayton	\$23/visit
Five Points	\$23/visit
Machias	\$23/visit
Onoville	\$23/visit
Portville	\$23/visit
Salamanca	\$23/visit
Additional Bait Stations	\$16/each
Mole Trap (any of the listed locations)	\$16/each

NON-COVERED EMERGENCY TREATMENT: (TIME AND MATERIALS)

Hourly Rate for Weekdays	\$50/hour
Hourly Rate for Weeknights	\$75/hour
Hourly Rate for Weekends	\$85/hour
Hourly Rate for Holidays	\$85/hour
Mileage Rate (per mile)	\$0/mile,

now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Comfort Pest Control, for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2013, according to the above-described terms.

Approved by 9 members of the Finance Committee and 9 members of the Public Works Committee.

MR. SPRAGUE moved to amend Act No. 550-2010 as follows: In the Resolved, delete: "terminating December 31, 2013" and replacing with: "terminating December 31, 2012". Motion failed for lack of a second. Motion withdrawn.

Adopted October 27, 2010 by voice vote.



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by Ms. Vickman and Mr. McClune
and Mr. Neal¹

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**REJECTING CERTAIN DEPARTMENT OF NURSING HOMES BIDS
FOR DIETARY MANAGEMENT SERVICES**

Pursuant to Section 103 of the General Municipal Law.

WHEREAS, the Department of Nursing Homes advertised for sealed bids for the operation and management of the Department of Nursing Homes Dietary Department at the Pines Healthcare and Rehabilitation Center - Olean Campus, and

WHEREAS, the bids received for the operation and management of the Department of Nursing Homes Dietary Department at the Pines Healthcare and Rehabilitation Center - Olean Campus, should be rejected, the specifications revised and the services rebid, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby rejects the bids received on the operation and management of the Department of Nursing Homes Dietary Department at the Pines Healthcare and Rehabilitation Center - Olean Campus, which were opened on September 20, 2010, and authorizes the Department of Nursing Homes to rebid the services.

Approved by 9 members of the Finance Committee and 7 members of the Senior Services Committee.

¹ The following Legislator requested his name be listed as an additional sponsor: "Mr. Neal".

Adopted October 27, 2010 by voice vote.

ACT NO. 552-2010 by Ms. Vickman and Mr. McClune

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
MORRISON MANAGEMENT SPECIALISTS, INC. FOR
DEPARTMENT OF NURSING HOMES DIETARY MANAGEMENT SERVICES**

Pursuant to 10 NYCRR Section 415.14, Section 103
of the General Municipal Law and
Sections 408 and 408-a of the County Law.

WHEREAS, Act 140-2006, as amended, authorized a contract with Morrison Management Specialists, Inc., 5801 Peachtree Dunwoody Road, Atlanta, Georgia 30342, with a local office at 220 Oakbrook Drive, Williamsville, New York 14221, for the operation and management of the Department of Nursing Homes Dietary Department at the Pines Healthcare & Rehabilitation Centers - Olean Campus, the term of which expires November 30, 2010, and

WHEREAS, the Department of Nursing Homes is desirous of extending the term of the aforementioned contract until January 31, 2011 in order to allow for time to rebid the services, and

WHEREAS, there is a 3% annual increase in the per patient day price and registrant meal price in the current contract, which should be included in the 2 month extension, now, therefore, be it

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 Morrison Management Specialists, Inc., for the provision of the above-described services, for a term commencing December 1,

31, 2011, according to the above-described

Approved by 9 members of the Finance Committee and 7 members of the Senior Services Committee.

Adopted October 27, 2010 by voice vote.

ACT NO. 553-2010 by Mr. Neal, Ms. Vickman,
Mr. Boser, Mr. McClune and Mr. Nenno

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CHE SENIOR PSYCHOLOGICAL SERVICES, P.C. FOR
DEPARTMENT OF NURSING HOMES COUNSELING SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 600-2009 authorized a contract with CHE Senior Psychological Services, P.C., 5110 12th Avenue, Brooklyn, New York 11219, for the provision of psychological counseling services to the residents of the Pines Healthcare and Rehabilitation Center-Machias Campus, the term of which expires October 31, 2010, and

WHEREAS, the County Department of Nursing Homes is desirous of continuing the provision of psychological counseling services to its residents, and

WHEREAS, CHE Senior Psychological Services, P.C., can provide the aforementioned psychological counseling services to the residents of the Pines Healthcare and Rehabilitation Center-Machias Campus at no cost to the County, and

WHEREAS, CHE Senior Psychological Services, P.C. shall bill the residents' insurance carriers directly, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with CHE Senior Psychological Services, P.C., for the provision of the above-described services, for a term commencing November 1, 2010 and terminating October 31, 2013, according to the above-described terms.

Approved by 9 members of the Finance Committee and 7 members of the Senior Services Committee.

Adopted October 27, 2010 by voice vote.

ACT NO. 554-2010 by Mr. Aiello and Mr. Neal

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
GREATER BUFFALO CHAPTER OF THE AMERICAN RED CROSS FOR
CPR AND FIRST AID TRAINING FOR AMERICORPS MEMBERS**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 693-2008 authorized a contract with the Greater Buffalo Chapter of the American Red Cross for the provision of CPR and First Aid training for its Americorps members so that they may be better equipped to act in an emergency situation, and



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Bureau is again in need of the aforementioned
Buffalo Chapter of the American Red Cross
shall provide CPR and First Aid training for Youth Bureau Americorps members
for an amount not to exceed \$800, which includes necessary training
materials, and

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

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 Greater Buffalo Chapter of the American Red Cross, for the
provision of the above-described training, for a term commencing October 13,
2010 and terminating October 13, 2010, according to the above-described
terms.

Approved by 9 members of the Finance Committee and 7 members of the
Human Services Committee.

Adopted October 27, 2010 by voice vote.

ACT NO. 555-2010 by Mr. Aiello and Mr. Neal

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

Pursuant to 42 USCS Section 12501 and
Section 450 of the County Law.

WHEREAS, the Youth Bureau is desirous of obtaining services for
the Americorps START Program, and

WHEREAS, the Allegany-Limestone Central School District, 3131
Five Mile Road, Allegany, New York 14706, has agreed to provide services for
the Americorps START Program by contributing an amount of \$3,500 for one
full-time member, and

WHEREAS, this program is 75% state funded and 25% agency match
and grantee share, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is,
authorized and directed to execute a contract, on behalf of Cattaraugus
County, with the Allegany-Limestone Central School District, for the
Americorps START Program, for a term commencing October 10, 2010 and
terminating October 9, 2011, according to the above-described terms, and be
it further

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

Approved by 9 members of the Finance Committee and 7 members of the
Human Services Committee.

Adopted October 27, 2010 by voice vote.



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2010 authorized a contract with the Salamanca
for the provision of mental health social worker

WHEREAS, the Salamanca City Central School District has requested that the term of the aforementioned contract be changed, now, therefore, be it

RESOLVED, that Act 438-2010 be, and hereby is, amended as follows: In the Fourth Whereas, delete: "\$5,000" and replace with: "\$3,333", and be it further

RESOLVED, that Act 438-2010 be, and hereby is, further amended as follows: In the Resolved, delete: "December 31, 2011" and replace with: "August 31, 2011".

Approved by 9 members of the Finance Committee and 7 members of the Human Services Committee.

¹ The following Legislator requested his name be listed as an additional sponsor: "Mr. McClune".

Adopted October 27, 2010 by voice vote.

ACT NO. 558-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
JAMESTOWN COMMUNITY COLLEGE FOR DEPARTMENT OF COMMUNITY
SERVICES CLINICAL AND EDUCATIONAL EXPERIENCE PROGRAMS**

Pursuant to 14 NYCRR Section 585.7(b) and
Section 450 of the County Law.

WHEREAS, Jamestown Community College, 525 Falconer Street, Jamestown, New York 14701, desires to have certain students receive clinical field work experience and educational experience for various programs at the Department of Community Services, and

WHEREAS, the County Department of Community Services and Jamestown Community College should enter into a contract in order to produce qualified, client-centered and clinically educated students, and

WHEREAS, there is no cost to the County for participation in the above-described program, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Jamestown Community College, for the provision of the above-described clinical and educational experience programs, for a term commencing October 1, 2010 to continue in full force and effect until terminated by either party hereto, according to the above-described terms.

Approved by 9 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted October 27, 2010 by voice vote.

0 by Mr. Aiello and Mr. Snyder
and Mr. Neal¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE AMENDED CONTRACT WITH
OSCAR LOPEZ, M.D. FOR PSYCHIATRIC SERVICES FOR
DEPARTMENT OF COMMUNITY SERVICES**

Pursuant to 14 NYCRR Part 585 and
Act 472-2009 of the Cattaraugus County Legislature.

WHEREAS, Act 730-2009 authorized a contract with Oscar Lopez, M.D., 230 Bewley Building, Lockport, New York 14094, for the provision of psychiatric services for the patients and families of the County Department of Community Services, the term of which expires December 31, 2010, and

WHEREAS, the County Department of Community Services is desirous of amending the aforementioned contract to increase the total contract amount from \$70,000 to \$76,000, and

WHEREAS, Oscar Lopez, M.D., has agreed to provide the aforementioned psychiatric services for an amount of \$165 per hour for direct care, not to exceed 400 hours annually, plus \$50 per hour for travel not to exceed \$10,000 annually, for a total contract amount of \$76,000, and

WHEREAS, the aforementioned services are funded through federal, state and local funds, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Oscar Lopez, M.D., for the provision of the above-described psychiatric services, for a term commencing January 1, 2010 and terminating December 31, 2010, according to the above-described terms, and be it further

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

Approved by 9 members of the Finance Committee and 7 members of the Human Services Committee.

¹ The following Legislator requested his name be listed as an additional sponsor: "Mr. Neal".

Adopted October 27, 2010 by voice vote.

ACT NO. 560-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH ACCUMEDIC COMPUTER SYSTEMS, INC. FOR
DEPARTMENT OF COMMUNITY SERVICES ACCUMED SOFTWARE SYSTEM**

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

WHEREAS, Act 65-2010 authorized a contract with Accumedic Computer Systems, Inc., for the provision of the AccuMed Software System, including licenses for the AccuMed System, the QuicDoc System, and the Scheduler and Patient Accounts modules and training, the term of which expires November 30, 2010, and



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Department of Community Services is desirous of for the aforementioned software system, and Computer Systems, Inc., 11 Grace Avenue, Suite 401, Great Neck, New York 11021, can provide continued customer support for the AccuMed Software System for an amount not to exceed \$12,821.40, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Accumedic Computer Systems, Inc., for the provision of the above-described services, for a term commencing December 1, 2010 and terminating November 30, 2011, according to the above-described terms.

Approved by 9 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted October 27, 2010 by voice vote.

ACT NO. 561-2010 by Mr. Murphy and Mr. Aiello, Mr. Neal and Mr. Teachman¹

AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH NEW YORK STATE DEPARTMENT OF STATE FOR LOCAL ENHANCED WIRELESS 911 GRANT REIMBURSEMENT PROGRAM

Pursuant to Sections 332 and 450 of the County Law.

WHEREAS, Act 524-2009 authorized the Chair to execute grant documents with the New York State Department of State for reimbursement of costs incurred for the implementation and operation of Wireless 911 services during the period April 1, 2009 through March 31, 2012, and

WHEREAS, funding in the amount of \$43,354 is available through the New York State Department of State for reimbursement of costs incurred for the implementation and operation of Wireless 911 services during the period April 1, 2010 through March 31, 2013, and

WHEREAS, the County should apply for the aforementioned reimbursement funds, now, therefore, be it

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 Department of State, in order to apply for and receive the aforementioned reimbursement funds, for a term commencing April 1, 2010 and terminating March 31, 2013, according to the above-described terms.

Approved by 9 members of the Finance Committee and 7 members of the Public Safety Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Mr. Neal and Mr. Teachman".

Adopted October 27, 2010 by voice vote.

10 by Mr. Marsh and Mr. Padlo

**CHAIR TO EXECUTE CONTRACT WITH
VISION SOLUTIONS, INC. SOFTWARE MAINTENANCE SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 112-2007 authorized a contract with Application Design Service, Inc., for the provision and installation of the software necessary for the replication of the IBM AS400 at the Public Works Facility in Little Valley, as part of the backup system development, and

WHEREAS, the aforementioned contract authorized annual maintenance for the aforementioned software system for an amount of \$5,610 annually, and

WHEREAS, the cost of annual maintenance has increased to \$6,191.52, and

WHEREAS, Vision Solutions, Inc., Department CH19317, Palatine, Illinois 60055-9317, can provide the software maintenance necessary for the replication of the IBM AS400 for an annual amount of \$6,191.52, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Vision Solutions, Inc., for the provision of the above-described software maintenance, for a term commencing December 1, 2010 and terminating November 30, 2011, according to the above-described terms.

Approved by 9 members of the Finance Committee and 7 members of the County Operations Committee.

Adopted October 27, 2010 by voice vote.

ACT NO. 563-2010 by Public Safety Committee:

Mr. Murphy, Mr. Teachman, Mr. Aiello,
Mr. Neal, Mr. Vecchiarella, Mr. Hebdon and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
LEGAL ASSISTANCE OF WESTERN NEW YORK, INC. FOR
FAMILY COURT LEGAL REPRESENTATION OF INDIGENT PERSONS**

Pursuant to Sections 450 and 722 of the County Law.

WHEREAS, Act 726-2007 authorized a contract with Legal Assistance of Western New York, Inc., 104 East Steuben Street, Bath, New York 14810, for the provision of legal representation in Family Court to those who are financially unable to obtain counsel pursuant to New York State County Law Section 722, where there exists a conflict with the Public Defender's Office, the term of which expires December 31, 2010, and

WHEREAS, the County Public Defender's Office is in need of increasing the case load to 540 cases per year effective immediately, and

WHEREAS, the County Public Defender's Office is also desirous of extending the term of the aforementioned contract to December 31, 2011, and

WHEREAS, Legal Assistance of Western New York, Inc., can provide the aforementioned legal services for an amount of \$375,268 for 2011 for



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referred to Family Court, now, therefore, be
Chair of the Legislature be, and hereby is,
authorized and directed to execute an amended contract, on behalf of
Cattaraugus County, with Legal Assistance of Western New York, Inc., for the
provision of the above-described services, for a term commencing November 15,
2010 and terminating December 31, 2011, according to the above-described
terms.

Referred to the Finance Committee and the Public Safety Committee.

ACT NO. 564-2010 by Mr. Marsh and Mr. Padlo
who ask immediate consideration

**AMENDING ACT 188-2010 REGARDING COMPENSATION FOR
ELECTION INSPECTORS, ELECTION CHAIRS, ELECTION INSPECTOR
COORDINATORS AND POLLING SITE COORDINATORS FOR 2010 ELECTIONS**

Pursuant to Section 3-420 of the Election Law.

WHEREAS, Act 188-2010 established compensation for various
election inspectors, chairs and coordinators, for Cattaraugus County 2010
elections, and

WHEREAS, the Commissioners of the Board of Elections are in need
of Test Decking Inspectors in order to prepare the voting machines for
election, and

WHEREAS, the Board of Elections Commissioners recommend a
compensation of \$9 per hour for each Test Decking Inspector, now, therefore,
be it

RESOLVED, that Act 188-2010 is hereby amended to include
compensation at the rate of \$9 per hour for Test Decking Inspectors.

MR. BOSER moved, seconded by Mr. Ward to waive Rule 12. Carried.

Adopted October 27, 2010 by voice vote.

ACT NO. 565-2010 by Mr. Neal and Mr. Snyder
and Mr. Aiello, Mr. Murphy, Ms. Vickman and Mr. McClune¹
who ask immediate consideration

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
CATTARAUGUS COMMUNITY ACTION, INC. FOR HOME ENERGY
ASSISTANCE PROGRAM (HEAP) FUNDS ADMINISTRATION**

Pursuant to 18 NYCRR Part 393, P.L. 97-35, Section 34 of
the Social Services Law and Act 472-2010 of the
Cattaraugus County Legislature.

WHEREAS, Act 513-2009 authorized a contract with Cattaraugus
Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for
the provision of administrative functions for HEAP in Cattaraugus County, the
term of which expired March 31, 2010, and

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derally funded with State allocations funneled
ment of Health and Human Services, and
Community Action, Inc., can perform outreach
functions of the program for a sum not to exceed \$32,280, now, therefore, be
it

RESOLVED, that the County Administrator be, and hereby is,
authorized and directed to execute a contract, on behalf of Cattaraugus
County, with Cattaraugus Community Action, Inc., for the provision of the
above-described services, for a term commencing November 1, 2010 and
terminating March 31, 2011, according to the above-described terms, and be it
further

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

MR. GIARDINI moved, seconded by Mr. Nenno to waive Rule 12. Carried.

¹ The following Legislators requested their names be listed as
additional sponsors: "Mr. Aiello, Mr. Murphy, Ms. Vickman and Mr. McClune".

Adopted October 27, 2010 by voice vote.

MR. VECCHIARELLA moved, seconded by Mr. Padlo to adjourn until November
10, 2010 at 3:00 p.m. Carried.

Meeting adjourned at 4:30 p.m.

Ann M. Giglio
Journal Clerk