

June 27, 2012

The meeting was called to order by the Chairman Norman L. Marsh.

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed three Legislators absent – Mr. Murphy, Mr. Padlo and Mr. Teachman.

MS. AIELLO moved, seconded by Ms. Edstrom that the minutes of the June 13, 2012 session be approved. Carried.

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COMMUNICATIONS:

Fulton County Board of Supervisors: Copy of their Resolution No. 228 entitled, “Resolution Supporting S.5509B/A.8489A to Revise the Sharing Formula for Wireless E911 Surcharge Monites”.

Tioga County Legislature: Copy of their Resolution No. 145-12 entitled, “Resolution in Support of Senate Bill No. S5629-B and Assembly Bill No. A6575 an Act to Amend the Tax Law, in Relation to Authorizing Certain Counties, Cities and School Districts to Impose up to a Four Percent Rate of Sales and Compensating Use Taxes Pursuant to the authority of Article 29 of such Law and to Preserve the Authority of Certain Counties and a City to Impose Such Taxes at Rates in Excess of Four Percent; and to Repeal Certain Provisions of Such Law Relating Thereto”.

New York State Association of Counties: Letter acknowledging receipt of Act Nos. 263-2012; 272-2012 and 273-2012.

APPOINTMENTS:

LONG-TERM CARE ADVISORY COUNCIL

Unexpired terms to expire December 31, 2012

Steve McCord, Director
Veterans Service Agency
1 Leo Moss Drive, Suite 6510
Olean, New York 14760
(replacing John Sampson)

Catherine Mackay, Director
Department of Aging
1 Leo Moss Drive, Suite 7610
Olean, New York 14760
(replacing Cherianne Wold)

CATTARAUGUS-ALLEGANY WORKFORCE INVESTMENT BOARD

Three-year terms to expire December 31, 2014

Roger Mitchell, Plant Manager
Friendship Dairies
County Route 20
Friendship, New York 14739

David Wilkinson, Business Manager
Electricians Local #106
322 James Avenue
Jamestown, New York 14701

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CHAIRMAN MARSH announced this is the time and place called for a public hearing on **Act No. 295-2012**, Local Law Number 3 - 2012, entitled, “A Local Law Providing for the Removal and Storage of Vehicles”, and that anyone wishing to speak for or against this local law, may now do so.

There being no one wishing to speak, CHAIRMAN MARSH declared the public hearing closed.

CHAIRMAN MARSH reconvened the meeting. MR. WELLER moved, seconded by Mr. VanRensselaer to amend Act No. 297-2012, Local Law Number-2012 as follows: In the title, delete: "Overriding Tax Levy Limit for Fiscal Year 2013", and add: "Authorizing a Limited Override of Tax Levy Limit for Fiscal Year 2013 Only to Account for Cattaraugus County's Obligation to Include Within its Tax Cap Certain Amounts that Benefit Other Municipalities"; Amend Section 1 (e) to read: "However, and only to the extent that the County is required by state law to include within its tax cap calculation (1) sales tax received by the County for the benefit of towns which elect to apply such proceeds against County tax liability of property located in their jurisdictions, (2) taxes due to the County to replace city, village or town taxes, fees, charges and expenses regarding which the County Treasurer has made the municipality whole and (3) real property taxes deemed "omitted" regarding which the County is required to make the municipality whole, the Legislature deems it necessary to authorize an override of such limit."; Amend Section 2 to read: "Authorizing Limited Override of Tax Levy Limit for 2013. For fiscal year 2013, only to the extent that the County is required by state law to include within its tax cap calculation (1) sales tax received by the County for the benefit of towns which elect to apply such proceeds against County tax liability of property located in their jurisdictions, (2) taxes due to the County to replace city, village or town taxes, fees, charges and expenses regarding which the County Treasurer has made the municipality whole, and (3) real property taxes deemed "omitted" for a prior year, the County is hereby authorized to and shall override the real property tax levy limit established and imposed by such section."

MR. SPRAGUE and Mrs. Labuhn requested a Roll Call Vote on the amendments to Act No. 297-2012, Local Law Number 3, which disclosed as follows:

Ayes: Aiello 0.8673, Boser 1.0267, Edstrom 0.8673, Felton 1.0972, Hale 1.0655, Klancer 1.1005, Snyder, Jr. 1.0655, Snyder, Sr. 0.8673, VanRensselaer 1.1278, Vickman 1.0972, Weller 1.0972, Marsh 1.1278 – 12.4073.

Nays: Edwards 0.9684, Koch 0.8685, Labuhn 0.8685, Lamberson 1.0267, Sprague 1.0230, Stockman 1.0003 – 5.7554.

The amendments to Act No. 297-2012, Local Law Number 3, having received the majority vote of the legislature were declared adopted.

MR. AIELLO moved, seconded by Mr. Lamberson to waive Rule 12 and bring Act No. 322-2012 to the floor. Carried.

ACT NO. 322-2012 by Mr. Aiello, Ms. Edstrom, Mr. Felton, Mr. Hale, Mr. Klancer, Mr. Marsh, Mr. Murphy, Mr. Snyder, Jr., Mr. Snyder, Sr., Mr. Teachman, Mr. VanRensselaer, Ms. Vickman and Mr. Weller
who ask immediate consideration

**AMENDING ACT 298-2012 REGARDING PUBLIC HEARING ON
LOCAL LAW NUMBER 4-2012**

Pursuant to Section 1650 of the Vehicle and Traffic Law and
Section 10 of the Municipal Home Rule Law.

WHEREAS, Act 298-2012 authorized a public hearing on a proposed Local Law entitled, "A Local Law Overriding Tax Levy Limit for Fiscal Year 2013", and

WHEREAS, the first Whereas of Act 298-2012 should be amended to read as follows:

“I. WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on June 13, 2012, a proposed Local Law entitled “A Local Law Authorizing a Limited Override of Tax Levy Limit for Fiscal Year 2013 Only Account for Cattaraugus County’s Obligation to Include Within its Tax Cap Certain Amounts that Benefit Other Municipalities”, now, therefore, be it

RESOLVED, that Act 322-2012 is hereby amended as stated above, and that such Act shall, except as to the extent it is hereby amended, be and remain in full force and effect.

Adopted June 27, 2012 by voice vote.

CHAIRMAN MARSH announced this is the time and place called for a public hearing on **Act No. 297-2012**, Local Law Number 4 - 2012, as amended, entitled, “A Local Law Authorizing a Limited Override of Tax Levy Limit for Fiscal Year 2013 Only Account for Cattaraugus County’s Obligation to Include Within its Tax Cap Certain Amounts that Benefit Other Municipalities”, and that anyone wishing to speak for or against this local law, may now do so.

There being no one wishing to speak, CHAIRMAN MARSH declared the public hearing closed.

CHAIRMAN MARSH announced this is the time and place called for a public hearing on **Act No. 299-2012**, Local Law Number 5 - 2012, entitled, “A Local Law Regulating the Transfer of Secondhand Articles”, and that anyone wishing to speak for or against this local law, may now do so.

There being no one wishing to speak, CHAIRMAN MARSH declared the public hearing closed.

CHAIRMAN MARSH called up **Act No. 295-2012**, Local Law Number 3 - 2012, “A Local Law Providing for the Removal and Storage of Vehicles”, and asked that it be read.

Approved by 8 members of the Finance Committee.

CHAIRMAN MARSH requested a Roll Call Vote on Act No. 295-2012, which disclosed as follows:

Ayes: Aiello 0.8673, Boser 1.0267, Edstrom 0.8673, Edwards 0.9684, Felton 1.0972, Hale 1.0655, Klancer 1.1005, Koch 0.8685, Labuhn 0.8685, Lamberson 1.0267, Snyder, Jr. 1.0655, Snyder, Sr. 0.8673, Sprague 1.0230, Stockman 1.0003, VanRensselaer 1.1278, Vickman 1.0972, Weller 1.0972, Marsh 1.1278 – 18.1627.

Nays: none.

Act No. 295-2012, having received the majority vote of the Legislature, was declared Adopted.

CHAIRMAN MARSH called up **Act No. 299-2012**, Local Law Number 5 - 2012, “A Local Law Regulating the Transfer of Secondhand Articles”, and asked that it be read.

Approved by 8 members of the Finance Committee and 7 members of the Public Safety Committee.

The following Legislators requested their names be listed as additional sponsors: “Mr. Aiello, Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Klancer, Mr. Marsh, Mr. Murphy, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. Teachman, Mr. VanRensselaer, Ms. Vickman, Mr. Weller, Mr. Boser, Mr. Koch, Mrs. Labuhn, Mr. Lamberson, Mr. Padlo and Mr. Sprague”.

CHAIRMAN MARSH requested a Roll Call Vote on Act No. 299-2012, which disclosed as follows:

Ayes: Aiello 0.8673, Boser 1.0267, Edstrom 0.8673, Edwards 0.9684, Felton 1.0972, Hale 1.0655, Klancer 1.1005, Koch 0.8685, Labuhn 0.8685, Lamberson 1.0267, Snyder, Jr. 1.0655, Snyder, Sr. 0.8673, Sprague 1.0230, Stockman 1.0003, VanRensselaer 1.1278, Vickman 1.0972, Weller 1.0972, Marsh 1.1278 – 18.1627.

Nays: none.

Act No. 299-2012, having received the majority vote of the Legislature, was declared Adopted, as amended (amended on June 13, 2012).

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ACT NO. 305-2012 by Ms. Edstrom and Mrs. Stockman
and Mr. Aiello¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
HEALTH RESEARCH, INC. FOR PUBLIC HEALTH
PREPAREDNESS AND RESPONSE TO BIOTERRORISM**

Pursuant to Section 301 et seq. of the Public Health Service Act and
Section 450 of the County Law.

WHEREAS, Act 444-2010 authorized a contract with Health Research, Inc., in order to accept funding for the terrorism emergency response and preparedness plan, the term of which expires August 9, 2012, and

WHEREAS, Health Research, Inc., Riverview Center, 150 Broadway, Suite 560, Menands, New York 12204, has awarded an amount of \$82,145.00 to the County Health Department for the next phase of the terrorism emergency response and preparedness plan, and

WHEREAS, a contract is necessary with the Health Research, Inc., in order to accept the aforementioned funding, and

WHEREAS, this program is 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 the Health Research, Inc., for the provision of the above-described services, for a term commencing July 1, 2012 and terminating June 30, 2013, according to the above-described terms, and be it further

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

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

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.

Approved by 8 members of the Finance Committee, 7 members of the Human Services Committee and 6 members of the Public Safety Committee.

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

Adopted June 27, 2012 by voice vote.

ACT NO. 306-2012 by Ms. Edstrom and Mrs. Stockman
and Mrs. Labuhn¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
TOTAL SENIOR CARE, INC. FOR TELEHEALTH SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Total Senior Care, Inc., 519 North Union Street, Olean, New York 14760, has requested the Health Department to provide telehealth services for its patients, and

WHEREAS, the County Health Department has agreed to provide telehealth services to Total Senior Care patients for an amount of \$125.00 per installation and \$15.00 per day for monitoring, 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 Total Senior Care, Inc., for the provision of the above-described services, for a term commencing January 1, 2012 and terminating December 31, 2012, according to the above-described terms.

Approved by 8 members of the Finance Committee and 7 members of the Human Services Committee.

¹ The following Legislator requested her name be listed as an additional sponsor: "Mrs. Labuhn".

Adopted June 27, 2012 by voice vote.

ACT NO. 307-2012 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
WELCO, LKA, INC. FOR HEALTH DEPARTMENT
CLEAN INDOOR AIR ACT COMPLIANCE CHECKS**

Pursuant to Article 13-F of the Public Health Law,
Section 1399-hh(3) of the Public Health Law and
Section 450 of the County Law.

WHEREAS, Act 517-2011 authorized a contract with WELCO, LKA, Inc., 1869 Camp Street Ext., Jamestown, New York 14701, for the provision of Clean Indoor Air Act compliance checks on bars and restaurants within Cattaraugus County, the term of which expired March 30, 2012, and

WHEREAS, the County Health Department is desirous of continuing the aforementioned services for bars only, unless a complaint is received on a facility that is not a bar, and

WHEREAS, WELCO, LKA, Inc., has agreed to continue performing the aforementioned compliance checks on bars, at sites to be determined by the Cattaraugus County Board of Health, for an

amount of \$48.00 per site, plus mileage and meals, not to exceed an amount of \$5,472.00, to be paid as invoiced and approved by the Health Department, and

WHEREAS, this program is 100% state 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 WELCO, LKA, Inc., for the provision of the above-described services, for a term commencing May 1, 2012 and terminating March 30, 2013, according to the above-described terms, and be it further

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

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

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.

Approved by 8 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted June 27, 2012 by voice vote.

ACT NO. 308-2012 by Ms. Edstrom and Mrs. Stockman
and Mrs. Labuhn¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
HOUGHTON COLLEGE FOR COUNTY HEALTH DEPARTMENT
PARTICIPATION IN TEAMBUILDING AND OUTDOOR ADVENTURE**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 516-2011 authorized a contract with Houghton College, 1 Willard Avenue, Houghton, New York 14744, for participation in the Challenge Ropes Course, for the purpose of learning team building skills, such as cooperation, problem solving, communication and leadership, the term of which expired December 3, 2011, and

WHEREAS, the County Health Department is desirous of providing the opportunity for eligible individuals in the Family Planning Reproductive Health Program to participate in the Teambuilding and Outdoor Adventure Program at Houghton College, and

WHEREAS, Houghton College can allow the County Health Department to utilize its Challenge Ropes Course for a total of 40 participants, for an amount of \$45.00 per participant, for a total amount of \$1,800.00, which includes transportation, and

WHEREAS, sufficient funds are included in the 2012 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 Houghton College for the provision of the above-described services, for a term commencing July 1, 2012 and terminating upon completion of the program on December 31, 2012, according to the above-described terms, and be it further

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

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

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.

Approved by 8 members of the Finance Committee and 7 members of the Human Services Committee.

¹ The following Legislator requested her name be listed as an additional sponsor: "Mrs. Labuhn".

Adopted June 27, 2012 by voice vote.

ACT NO. 309-2012 by Mr. Felton and Ms. Vickman

**AUTHORIZING THE PURCHASE OF ACCIDENT/LIABILITY INSURANCE
THROUGH CORPORATE INSURANCE MANAGEMENT, INC. FOR
DEPARTMENT OF AGING RSVP VOLUNTEERS**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 208-2011 authorized the purchase of accident/liability insurance for volunteers active in the RSVP program, the term of which expires June 30, 2012, and

WHEREAS, the County Department of Aging is desirous of providing accident and liability insurance for volunteers active in the RSVP program, and

WHEREAS, Corporate Insurance Management, Inc. (CIMA), 2750 Killamey Drive, Suite 202, Woodbridge, Virginia 22192, can provide accident and liability insurance for volunteers active in the RSVP program, for an amount of \$3,094.57 to be paid as invoiced, and

WHEREAS, sufficient funds are included in the 2012 budget to cover the costs of the aforementioned insurance, now, therefore, be it

RESOLVED, that the Director of the Department of Aging be, and hereby is, authorized and directed to purchase accident/liability insurance for RSVP volunteers, on behalf of Cattaraugus County, through Corporate Insurance Management, Inc., for a term commencing July 1, 2012 and terminating June 30, 2013, according to the above-described terms.

Approved by 8 members of the Finance Committee and 6 members of the Senior Services Committee.

Adopted June 27, 2012 by voice vote.

ACT NO. 310-2012 by Mr. Felton and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT WITH
FOURTH & MAPLE, LLC FOR DEPARTMENT OF AGING
LINWOOD ADULT DAY CARE SERVICES AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Aging)**

Pursuant to Section 95-a of the General Municipal Law and Sections 215, 363, 366 and 450 of the County Law.

WHEREAS, Act 309-2008 authorized a lease agreement with Fourth & Maple, LLC, 221 Homer Street, Olean, New York 14760, for the provision of the Linwood Adult Day Care services for the elderly of Cattaraugus County, the term of which expires June 30, 2012, and

WHEREAS, the County Department of Aging is desirous of renewing the aforementioned lease for the Linwood Adult Day Care services, and

WHEREAS, Fourth & Maple, LLC, 221 Homer Street, Olean, New York 14760, has agreed to lease a total of 5,589 square feet of space at its North Fourth Street facility in the Village of Allegany, for a three (3) year term, as follows:

- July 1, 2012 – June 30, 2013
\$6.00 per square foot or \$2,794.50 per month, which includes utilities
- July 1, 2013 – June 30, 2014
Increase based on annual Consumer Price Index (CPI)
- July 1, 2014 – June 30, 2015
Increase based on annual Consumer Price Index (CPI),
with the County's option to renew for a 4th year at the 2014-2015 rate and terms,

and

WHEREAS, this program is 75% state and 25% county funded, and

WHEREAS, various appropriation and revenue accounts must be adjusted, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease agreement, on behalf of Cattaraugus County, with Fourth & Maple, LLC, for the leasing of the above-described space, for a term commencing July 1, 2012 and terminating June 30, 2015, with the County's option to renew for an additional one-year period at the 2014-2015 rate, according to the above-described terms, and be it further

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

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

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, and be it further

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

Decrease Appropriation Account:

A.677.6701.6913.44203	SNAP West Valley Office Rental	\$ 615.00
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Increase Appropriation Account:

A.677.6751.6951.44203	Daycare CSEP Grant office Rental	\$ 615.00.
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Approved by 8 members of the Finance Committee and 6 members of the Senior Services Committee.

Adopted June 27, 2012 by voice vote.

ACT NO. 311-2012 by Mr. Felton and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
FOURTH & MAPLE LLC FOR
ALLEGANY SENIOR WELLNESS AND NUTRITION PROGRAM AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of the Aging)**

Pursuant to Section 95-a of the General Municipal Law,
Title III-C of the Older Americans Act of 1965, as amended, and
Sections 215, 363, 366 and 450 of the County Law.

WHEREAS, Act 308-2008 authorized a contract with Fourth & Maple, LLC, 221 Homer Street, Olean, New York 14760, for the rental of space for the Senior Wellness and Nutrition Program kitchen operation, and

WHEREAS, the County Department of Aging is desirous of continuing the operation of the Senior Nutrition program kitchen and congregate dining site, and

WHEREAS, Fourth & Maple, LLC, has agreed to rent to the County a total of 3,091 square feet consisting of space in the kitchen food preparation area (including a walk-in cooler and the smaller walk-in freezer) and an eating area on the first floor, for the Senior Nutrition Program kitchen operation and congregate dining site for a three (3) year term, as follows:

- July 1, 2012 – June 30, 2013
\$6.00 per square foot or \$1,545.90 per month, which includes utilities
- July 1, 2013 – June 30, 2014
Increase based on annual Consumer Price Index (CPI)
- July 1, 2014 – June 30, 2015
Increase based on annual Consumer Price Index (CPI),
with the County's option to renew for a 4th year at the 2014-2015 rate and terms,

and

WHEREAS, this program is 41% federal, 55% state and 4% county funded, and

WHEREAS, various appropriation and revenue accounts must be adjusted, 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 Fourth & Maple, LLC, for the rental of the above-described premises, for a term commencing July 1, 2012 and terminating June 30, 2015, with the County's option to renew for a one-year period at the same rate, according to the above-described terms, and be it further

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

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

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, and be it further

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

Decrease Appropriation Account:

A.677.6701.6913.44203	SNAP West Valley Office Rental	\$ 341.00
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Increase Appropriation Accounts:

A.677.6701.0020.44203	SNAP Administrative overhead-Office Rental	\$ 43.65
A.677.6701.6901.44203	SNAP Allegany Office Rental	\$ 143.22
A.677.6702.0020.44203	IIC-1 Administrative Overhead-Office Rental	\$ 45.01
A.677.6703.0020.44203	IIC-2 Administrative Overhead-Office Rental	\$ 109.12.

Approved by 8 members of the Finance Committee and 6 members of the Senior Services Committee.

Adopted June 27, 2012 by voice vote.

ACT NO. 312-2012 by Ms. Edstrom, Mr. Snyder, Jr. and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE TRANSFER AGREEMENTS WITH
ROCHESTER REGIONAL HEALTHCARE ASSOCIATION AND
ITS AFFILIATES FOR PATIENT TRANSFERS**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 525-2009 authorized transfer agreements with the Rochester Regional Healthcare Association, 3445 Winton Place, Rochester, New York 14623, and its affiliates, for the provision of patient transfers to and from adult day healthcare agencies, adult day social models, certified home health agencies, day treatment centers, hospice agencies, hospitals, licensed home care service agencies, long term home health care programs and nursing homes, the term of which expires December 31, 2013, and

WHEREAS, the parties are desirous of continuing the aforementioned transfer services, and

WHEREAS, the Rochester Regional Healthcare Association, and its affiliates shall, on an as-needed basis, following their respective admission criteria, coordinate patient transfers between the County Departments of Health and Nursing Homes and any of the above-listed entities, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute transfer agreements, on behalf of Cattaraugus County, with the Rochester Regional Healthcare Association and its affiliates, for the provision of the above-described services, for a term commencing January 1, 2013 and terminating December 31, 2015, according to the above-described terms.

Approved by 8 members of the Finance Committee, 7 members of the Human Services Committee and 6 members of the Senior Services Committee.

Adopted June 27, 2012 by voice vote.

ACT NO. 313-2012 by Mr. Murphy
and Mr. Aiello and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO APPLY FOR
FUNDING THROUGH NEW YORK STATE DIVISION OF
HOMELAND SECURITY AND EMERGENCY SERVICES FOR
STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 195-2011 authorized the Chairman to apply for funding through the New York State Division of Homeland Security and Emergency Services for the Statewide Interoperable Communications grant, and

WHEREAS, funding is again available through the New York State Division of Homeland Security and Emergency Services for the aforementioned grant, and

WHEREAS, the purpose of the aforementioned program is to facilitate the development, consolidation and/or improved operation of public safety communications to support and enhance statewide interoperable communications for first responders, and

WHEREAS, the Sheriff's Office is desirous of applying for the aforementioned funding, and

WHEREAS, it is necessary to execute grant documents in order to apply for the aforementioned funding, 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 Division of Homeland Security and Emergency Services, in order to apply for the aforementioned grant funding, according to the above-described terms.

Approved by 8 members of the Finance Committee and 6 members of the Public Safety Committee.

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

Adopted June 27, 2012 by voice vote.

ACT NO. 314-2012 by Labor Relations Committee:
Mr. Aiello, Mr. Edwards, Ms. Vickman, Mr. Boser and Mr. Lamberson
and Mr. Weller and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO ENTER INTO AN AGREEMENT
REGARDING TERMS AND CONDITIONS OF PUBLIC EMPLOYMENT
BETWEEN THE COUNTY OF CATTARAUGUS & SHERIFF OF CATTARAUGUS COUNTY
AND CSEA LOCAL 1000 AFSCME, AFL-CIO CATTARAUGUS COUNTY
SHERIFF'S DEPARTMENT EMPLOYEES UNIT FOR THE PERIOD JANUARY 1, 2012
TO DECEMBER 31, 2012 AND TRANSFER OF FUNDS
(Contingent Fund – Sheriff's Department Employees Unit)**

Pursuant to Article 14 of the Civil Service Law and
Sections 363 and 365 of the County Law.

WHEREAS, the Cattaraugus County Sheriff’s Department Employees Unit is the bargaining agent for certain employees of the Cattaraugus County Sheriff’s Department, and

WHEREAS, an agreement has been reached on terms and conditions of employment which include a 1.5% wage increase for employees effective January 1, 2012, and

WHEREAS, this wage increase represents the total wage and benefit package settled upon by the parties, and

WHEREAS, the items agreed upon for the Articles of Agreement have heretofore been disclosed to the County Legislature for information, and

WHEREAS, the Cattaraugus County Sheriff’s Department Employees Unit of Civil Service Employees Association, Inc. Local 1000, AFSCME AFL-CIO has heretofore ratified such agreement, and

WHEREAS, a transfer of funds is necessary in order to cover the aforementioned costs, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed, on behalf of the County of Cattaraugus, to execute the Articles of Agreement with the Cattaraugus County Sheriff’s Department Employees Unit, and be it further

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

Decrease Appropriation Account:		
A.901.1990.0000.40601	Contingent Fund	\$55,481.00
Increase Appropriation Accounts:		
A.311.3150.0000.11000	Full Time Wages	\$36,904.00
A.311.3150.0000.12000	Part Time Wages	\$ 5,051.00
A.311.3150.0000.13000	Overtime	\$ 1,542.00
A.311.3150.0000.81000	FICA	\$ 3,328.00
A.311.3150.0000.82000	Retirement	\$ 8,656.00.

Approved by 8 members of the Finance Committee and 6 members of the Public Safety Committee.

¹ The following Legislators requested their names be listed as additional sponsors: “Mr. Weller and Mr. Padlo”.

Adopted June 27, 2012 by voice vote.

ACT NO. 315-2012 by Ms. Edstrom
and Mr. Aiello, Mr. Lamberson and Mr. Padlo

**REINSTATING ONE POSITION OF COMMUNITY MENTAL
HEALTH THERAPIST ON A TEMPORARY BASIS IN THE
DEPARTMENT OF COMMUNITY SERVICES (COMMUNITY SERVICES)**

Pursuant to Sections 204 and 205 of the County Law.

WHEREAS, Act 568-2011 abolished certain positions within the Department of Community services with an effective date of October 1, 2012, and

WHEREAS, Community Services is desirous of continuing one position of Community Mental Health Therapist on a temporary basis to assist in the transition to the new model of providing services to its clients, and

WHEREAS, this position will act as a "Transition Therapist" which will assist in minimizing the loss of billing revenue by assigning this Therapist to areas of therapy coverage wherever needed, now, therefore, be it

RESOLVED, that effective October 1, 2012 there is hereby created one position of Mental Health Therapist in the Community Services Department, and be it further

RESOLVED, that effective August 1, 2013, that this position be automatically abolished, and be it further

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

Increase Appropriation Accounts:

A.431.4330.2100.11000	Adult MH Clinic: Full Time Wages	\$15,546.30
A.431.4330.2100.81000	Adult MH Clinic: FICA	\$ 1,189.29
A.431.4330.2100.82000	Adult MH Clinic: Retirement	\$ 2,891.61
A.431.4330.2100.83000	Adult MH Clinic: Health Insurance	\$ 2,922.44
A.431.4330.2100.84000	Adult MH Clinic: Dental Insurance	\$ 32.99

Decrease Appropriation Account:

A.431.4335.2100.41229	MH Clinics: Social Worker Contracted	\$22,582.63.
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Approved by 8 members of the Finance Committee, 7 members of the Human Services Committee and 5 members of the Labor Relations Committee.

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

Adopted June 27, 2012 by voice vote.

ACT NO. 316-2012 by Ms. Edstrom and Mrs. Stockman

AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH JAMESTOWN COMMUNITY COLLEGE, NEW YORK STATE DEPARTMENT OF LABOR AND CATTARAUGUS-ALLEGANY WORKFORCE INVESTMENT BOARD, INC., FOR ONE STOP SYSTEM OPERATOR SERVICES

Pursuant to P.L. 105-220, 20 USCS 9201, 20 CFR 662.400 and Section 450 of the County Law.

WHEREAS, the Cattaraugus-Allegany Workforce Investment Board, Inc. (WIB), One Blue Bird Square, Olean, New York 14760, is authorized to designate a One Stop Operator that is a consortium of entities operating three or more of the mandated One Stop Partner programs, and

WHEREAS, the consortium consists of the County Department of Social Services (DSS), Jamestown Community College (JCC), the New York State Department of Labor Division of Employment Services (NYSDOL) and the Cattaraugus-Allegany Workforce Investment Board, Inc. (WIB), and

WHEREAS, the NYSDOL and JCC participate as members of the consortium, with DSS coordinating service providers within the One Stop Center, without compensation, and

WHEREAS, the DSS acts as the primary provider of One Stop System services, and is responsible for managing and tracking local WIA revenues and expenditures for Cattaraugus County, and for maintaining records and reports as may be required by federal or state authorities or the local WIB, 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 (JCC), the New York State Department of Labor Division of Employment Services (NYSDOL) and the Cattaraugus-Allegany Workforce Investment Board, Inc., for the provision of the above-described services, for a term commencing July 1, 2012 and terminating June 30, 2014, according to the above-described terms.

Approved by 8 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted June 27, 2012 by voice vote.

ACT NO. 317-2012 by Mr. Snyder, Sr.

**LOCAL LAW NUMBER 6 - 2012
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law and Section 678 of the County Law.

**A LOCAL LAW AUTHORIZING COUNTY TREASURER TO DISPOSE OF
JEWELRY AND OTHER PERSONAL PROPERTY**

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

SECTION 1. Purpose.

From time-to-time, the County Treasurer comes into possession of jewelry and other personalty abandoned or otherwise left by residents of the County's nursing home. It is in the best interests of the County and its residents to establish a process for the disposition of such assets.

SECTION 2. Establishing Procedure for Disposition of Jewelry and Other Personal Property.

From and after the date hereof, the provisions of County Law Section 678 shall, in the County of Cattaraugus, apply to all jewelry and other property formerly owned or possessed by a resident of the County Nursing Homes, rather than only to personalty actually found on the body of a deceased person.

SECTION 3. Severability. If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 4. Effective Date. This Local Law shall become effective immediately.

Approved by 8 members of the Finance Committee.

No action taken on Act No. 317-2012 at this time.

ACT NO. 318-2012 by Mr. Snyder, Sr.

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 6-2012

Pursuant to Section 1650 of the Vehicle and Traffic Law and
Section 10 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on June 27, 2012, a proposed Local Law entitled "A Local Law Authorizing the County Treasurer to Dispose of Jewelry and Other Personal Property", and

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

RESOLVED, that a public hearing shall be held on the proposed local law by this County Legislature on the 25th day of July, 2012, 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.

Approved by 8 members of the Finance Committee.

Adopted June 27, 2012 by voice vote.

ACT NO. 319-2012 by Ms. Edstrom and Mrs. Stockman
and Mr. Weller and Mrs. Labuhn¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CORNELL COOPERATIVE EXTENSION-CATTARAUGUS COUNTY FOR
COORDINATOR OF PUBLIC HEALTH PREPAREDNESS & RESPONSE TO
BIOTERRORISM AND EMERGENCY PREPAREDNESS RESOURCE SPECIALIST**

Pursuant to Sections 224 (8) and 450 of the County Law.

WHEREAS, Act 378-2011 authorized the Chair to execute a contract with Cornell Cooperative Extension-Cattaraugus County, 28 Parkside Drive, Ellicottville, New York 14731, for the services of a Coordinator of Public Health Preparedness & Response to Bioterrorism and An Emergency Preparedness Resource Specialist, the term of which expires August 9, 2012, and

WHEREAS, the County Health Department is desirous of continuing the aforementioned services, and

WHEREAS, the Coordinator of Public Health Preparedness & Response to Bioterrorism shall be responsible for ensuring that the County Health Department is prepared to respond and react to environmental and/or health-related disasters which may affect Cattaraugus County, and

WHEREAS, the Emergency Preparedness Resource Specialist shall be responsible for assisting the Coordinator in ensuring that the County Health Department is prepared to respond and react to environmental and/or health related disasters which may affect Cattaraugus County, and

WHEREAS, Cornell Cooperative Extension-Cattaraugus County can provide personnel to perform the tasks of Coordinator of Public Health Preparedness & Response to Bioterrorism and Emergency Preparedness Resource Specialist, in accordance with the following:

Emergency Preparedness Coordinator –

\$44,017.00 per year, plus an amount not to exceed \$1,500.00 for work-related expenses, for a total not to exceed \$45,517.00

Emergency Preparedness Resource Specialist –

\$29,093.00 per year, plus an amount not to exceed \$500.00 for work-related expenses, for a total not to exceed \$29,593.00

*Approved work-related expenses will be reimbursed at cost, including approved work-related cell phone usage

*Mileage will be reimbursed at the Cornell established rate of \$.485/mile

and

WHEREAS, this program is 100% state 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 Cornell Cooperative Extension-Cattaraugus County, for the provision of the above-described services, for a term commencing July 1, 2012 and terminating June 30, 2013, according to the above-described terms, and be it further

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

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

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.

¹ The following Legislators requested their names be listed as additional sponsors: “Mr. Weller and Mrs. Labuhn”.

Referred to the Finance Committee and the Human Services Committee.

ACT NO. 320-2012 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CORNELL COOPERATIVE EXTENSION-CATTARAUGUS COUNTY FOR
COORDINATOR OF EMERGENCY MEDICAL SERVICES**

Pursuant to Sections 224(8) and 450 of the County Law.

WHEREAS, Act 379-2011 authorized the Chair to execute a contract with Cornell Cooperative Extension-Cattaraugus County, 28 Parkside Drive, Ellicottville, New York 14731, for the services of a Coordinator of Emergency Medical Services, the term of which expires August 9, 2012, and

WHEREAS, the County Health Department is desirous of renewing the aforementioned contract, and

WHEREAS, the Coordinator of Emergency Medical Services shall be responsible for the preparation, review and approval of a basic grant application form, which is forwarded to the State for final approval of state-reimbursed EMT courses, and

WHEREAS, Cornell Cooperative Extension-Cattaraugus County can provide personnel to perform the tasks of Coordinator of Emergency Medical Services, for an amount as follows:

\$14,673.00 per year, plus an amount not to exceed \$500.00 for work-related expenses, for a total not to exceed \$15,173.00

*Approved work-related expenses will be reimbursed at cost, including approved work-related cell phone usage

*Mileage will be reimbursed at the Cornell established rate of \$.485/mile

and

WHEREAS, this program is 100% state 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 Cornell Cooperative Extension-Cattaraugus County, for the provision of the above-described services, for a term commencing July 1, 2012 and terminating June 30, 2013, according to the above-described terms, and be it further

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

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

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.

Approved by 8 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted June 27, 2012 by voice vote.

ACT NO. 321-2012 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CHAUTAUQUA COUNTY DEPARTMENT OF THE AGING FOR
DEPARTMENT OF HEALTH MEALS ON WHEELS PROGRAM**

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

WHEREAS, the County Health Department is desirous of providing home delivered meals to clients of the Long Term Home Health Care Program located near Chautauqua County, and

WHEREAS, the Chautauqua County Department of the Aging has agreed to provide for the preparation and delivery of a noon meal in the townships contiguous to Cattaraugus County five (5) days per week, at the current Medicaid rate per delivered meal, 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 Chautauqua County Department of the Aging, for the provision of the above-described services, for a term commencing January 1, 2012 to

continue in full force and effect until terminated by either party hereto, according to the above-described terms.

Approved by 8 members of the Finance Committee, 7 members of the Human Services Committee and 6 members of the Senior Services Committee.

Adopted June 27, 2012 by voice vote.

ACT NO. 322-2012 by Mr. Aiello, Ms. Edstrom, Mr. Felton, Mr. Hale, Mr. Klancer, Mr. Marsh, Mr. Murphy, Mr. Snyder, Jr., Mr. Snyder, Sr., Mr. Teachman, Mr. VanRensselaer, Ms. Vickman and Mr. Weller who ask immediate consideration

AMENDING ACT 298-2012 REGARDING PUBLIC HEARING ON LOCAL LAW NUMBER 4-2012

See page 363 near the beginning of the meeting. Acted upon out of sequence.

ACT NO. 323-2012 by Mr. Aiello and Mr. Weller who ask immediate consideration

AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH COMMUNICATION SERVICES OF WNY & PA, INC. D/B/A EAGLE RADIO TECHNOLOGIES FOR RADIO MAINTENANCE

Pursuant to Sections 408 and 450 of the County Law.

WHEREAS, Act 207-2010 authorized a contract with Communication Services of WNY & PA, Inc., d/b/a Eagle Radio Technologies, 1367 East Second Street, Jamestown, New York 14701, for the maintenance of two-way radio communications equipment for the Department of Public Works, Health Department, Office of Emergency Services, and Fire Advisory Board, according to specifications submitted under the direction of the Public Works Committee, the term of which expired March 31, 2012, and

WHEREAS, the Department of Public Works is desirous of extending the term of the aforementioned contract at the same rates to December 31, 2012, and

WHEREAS, Communication Services of WNY & PA, Inc., d/b/a Eagle Radio Technologies, has agreed to extend the term of the aforementioned contract until December 31, 2012, at the same rates, 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 Communication Services of WNY & PA, Inc., d/b/a Eagle Radio Technologies, for the provision of the above-described radio maintenance for a term commencing April 1, 2010 and terminating December 31, 2012, according to the above-described terms.

MR. SNYDER, JR. moved, seconded by Mr. Koch to waive Rule 12. Carried.

Adopted June 27, 2012 by voice vote.

ACT NO. 324-2012 by Ms. Edstrom and Mrs. Stockman
who ask immediate consideration

**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.

WHEREAS, Act 514-2011 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, 2012, and

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

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

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

WHEREAS, sufficient funds are included in the 2012 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 Dominic Dispenza, for the provision of the aforementioned sexual offender risk evaluations, for a term commencing July 1, 2012 and terminating June 30, 2013, according to the above-described terms, and be it further

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

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

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.

MR. EDWARDS moved, seconded by Mrs. Labuhn to waive Rule 12. Carried.

Adopted June 27, 2012 by voice vote.

ACT NO. 325-2012 by County Operations Committee:

Mr. Teachman, Mr. Padlo, Mr. Klancer, Mr. Snyder, Jr.,
Mrs. Stockman, Mr. Weller and Mr. Sprague
who ask immediate consideration

**CREATING ONE POSITION OF RECEPTION CLERK IN THE
DEPARTMENT OF INFORMATION SERVICES AND
ESTABLISHING COMPENSATION FOR SAME**

Pursuant to Sections 204 and 205 of the County Law and
Section 22 of the Civil Service Law.

WHEREAS, Information Services is obligated to staff the front desk in the Olean County Building, and

WHEREAS, heretofore this has been accomplished by using a number of non-permanent substitute employees, and

WHEREAS, in order to provide continuity and assure adequacy of coverage, it is in the County's best interest to create a position of Reception Clerk to be filled on a part-time basis, and

WHEREAS, this single part-time position will not increase any costs associated with filling the position on a part-time basis, and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Civil Service Commission, which has approved and certified the title as in accordance with Section 22 of the Civil Service Law, now, therefore, be it

RESOLVED, that effective immediately, there is hereby created one position of Reception Clerk, to be filled on a part-time basis in the Department of Information Services, to be compensated at Grade 10 (\$10.43 per hour), Part-Time Bargaining Unit.

MRS. STOCKMAN moved, seconded by Mr. Sprague to waive Rule 12. Carried.

Adopted June 27, 2012 by voice vote.

ACT NO. 326-2012 by Human Services Committee:

Ms. Edstrom, Mrs. Stockman, Mr. Edwards, Mr. VanRensselaer,
Ms. Vickman, Mrs. Labuhn and Mr. Lamberson
who ask immediate consideration

**ABOLISHING ONE (1) POSITION OF COMMUNITY HEALTH NURSE
FILLED ON A PART-TIME BASIS, CREATING TWO (2) POSITIONS OF HOME HEALTH AIDE TO
BE FILLED ON A PART-TIME BASIS IN
THE HEALTH DEPARTMENT AND
ESTABLISHING COMPENSATION FOR SAME**

Pursuant to Section 205 of the County Law and Section 22 of the Civil Service Law.

WHEREAS, the Health Department is desirous of creating two positions of Home Health Aide, both filled on a part-time basis, to assist in its Certified Home Health Care Agency, and

WHEREAS, it is increasingly difficult for those contractors currently providing Home Health Care Aides to continue to do so when needed, and

WHEREAS, there will be little increase of costs, if any, in creating these two part time positions of Home Health Care Aide, and

WHEREAS, due to a recent retirement of a Community Health Nurse this position will no longer be necessary thus providing for the funding of these two positions of Home Health Care Aide, and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Civil Service Commission, which has approved and certified the title as Home Health Care Aide in accordance with Section 22 of the Civil Service Law, now, therefore, be it

RESOLVED, that effective immediately, there is hereby abolished one (1) position of Community Health Nurse, and be it further

RESOLVED, that effective immediately there is hereby created two (2) positions of Home Health Aide to be filled on a part-time basis, Part Time Bargaining Unit, Grade 15 (\$12.63 per hour).

MS. VICKMAN moved, seconded by Mr. Boser to waive Rule 12. Carried.

Adopted June 27, 2012 by voice vote.

ACT NO. 327-2012 by Human Services Committee:
Ms. Edstrom, Mrs. Stockman, Mr. Edwards, Mr. VanRensselaer,
Ms. Vickman, Mrs. Labuhn and Mr. Lamberson
who ask immediate consideration

**CREATING ONE (1) POSITION OF CLINICAL PHYSICIAN TO BE
FILLED ON A PART-TIME BASIS IN THE HEALTH DEPARTMENT AND ESTABLISHING
COMPENSATION FOR SAME**

Pursuant to Section 205 of the County Law and Section 22 of the Civil Service Law.

WHEREAS, the Health Department is desirous of creating one position of Clinical Physician, to be filled on a part-time basis, to assist in the operation of health clinics, and

WHEREAS, the addition of the Clinical Physician will provide for increased services to the residents of Cattaraugus County, and

WHEREAS, there will be a minimal increase in costs associated with creating this position, and

WHEREAS, the Health Department has identified a physician who is willing to operate a clinic for the Health Department at such minimal cost, and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Civil Service Commission, which has approved and certified the title as Clinical Physician in accordance with Section 22 of the Civil Service Law, now, therefore, be it

RESOLVED, that effective immediately, there is hereby created one (1) position of Clinical Physician, to be compensated at a bi-weekly rate of \$50.00.

MS. EDSTROM moved, seconded by Mr. Hale to waive Rule 12. Carried.

Adopted June 27, 2012 by voice vote.

ACT NO. 328-2012 by Mr. VanRensselaer and Mr. Boser
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SENECA-SALAMANCA AREA CHAMBER OF COMMERCE, INC., FOR
INFORMATION CENTER MANAGER/COORDINATOR**

Pursuant to Sections 224(14) and 450 of the County Law.

WHEREAS, Act 253-2011 authorized a contract with the Salamanca Area Chamber of Commerce, Inc., 26 Main Street, Salamanca, New York 14779, for the provision of an information center manager for the I-86 (westbound) rest area, the term of which expires June 30, 2012, and

WHEREAS, the County is responsible for staffing the rest area on I-86 (westbound) in the Town of Allegany for a minimum of five (5) hours per day for 151 days per year, plus additional hours per day during the holiday periods of Thanksgiving, Christmas and Easter, and

WHEREAS, the County Department of Economic Development, Planning and Tourism does not have sufficient staff to provide management of the information center, and

WHEREAS, the Seneca-Salamanca Area Chamber of Commerce, Inc., 26 Main Street, Salamanca, New York 14779, can provide an information center manager/coordinator for a minimum of 15 hours per week, with six (6) to eight (8) hours on Sundays (mandatory), as well as holiday periods, for an amount of \$5,625.00 for six (6) months, and

WHEREAS, funding for this program is provided through casino proceeds, 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 Seneca-Salamanca Area Chamber of Commerce, Inc., for the provision of the above-described services, for a term commencing July 1, 2012 and terminating December 31, 2012, according to the above-described terms, and be it further

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

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

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.

MR. VANRENSELAER moved, seconded by Mr. Weller to waive Rule 12. Carried.

Adopted June 27, 2012 by voice vote.

ACT NO. 329-2012 by Mr. Marsh
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
ALLEGANY COUNTY AND CATTARAUGUS-ALLEGANY WORKFORCE
INVESTMENT BOARD, INC. FOR WORKFORCE SERVICES**

Pursuant to Section 117(d)(3) of the Workforce
Investment Act of 1998 and 29 USCS 2832 (d)(3).

WHEREAS, Act 325-2007 authorized a contract with Allegany County and the Cattaraugus-Allegany Workforce Investment Board, Inc., the term of which expires June 30, 2012, and

WHEREAS, the purpose of the aforementioned contract was to define and delineate the functions, powers, duties, relationships and operating procedures of the grant recipient, the Workforce Investment Board and the chief elected officials of Allegany and Cattaraugus Counties, in order to facilitate the provision of policy guidance for, and the exercise of oversight of, the Workforce Investment Act, and

WHEREAS, the parties are desirous of continuing the aforementioned services, and

WHEREAS, an agreement is necessary with Allegany County and the Cattaraugus-Allegany Workforce Investment Board, Inc., to authorize the funding streams which are currently being received by the County, or which are anticipated to be received by the County in conjunction with the Workforce Investment System, to flow to the Workforce Investment Board, Inc., 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 Allegany County and the Cattaraugus-Allegany Workforce Investment Board, Inc., for the provision of the above-described services and funding, for a term commencing July 1, 2012 and terminating June 30, 2014, according to the above-described terms.

MR. KLANCER moved, seconded by Mr. Snyder, Sr. to waive Rule 12. Carried.

Adopted June 27, 2012 by voice vote.

MR. TEACHMAN moved, seconded by Mrs. Stockman to adjourn until July 25, 2012 at 3:00 p.m. Carried.

Meeting adjourned at 3:58 p.m.

Ann M. Giglio
Journal Clerk