

November 14, 2012

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

The invocation was given by Rev. Kay.

The Attendance Roll Call disclosed all Legislators present.

MR. SNYDER, SR. moved, seconded by Ms. Edstrom that the minutes of the October 24, 2012 session be approved. Carried.

* * * * *

COMMUNICATIONS:

New York State Department of State: Letter acknowledging receipt of Local Law No. 8-2012, Act No. 357-2012, and the filing of the same.

James J. Snyder, Sr., Chairman, Finance Committee: Apportionment of Mortgage Taxes from April 1, 2012 through September 30, 2012. (See page 535).

* * * * *

APPOINTMENTS:

Cattaraugus County Arson Task Force
Unexpired four-year term to expire December 31, 2015

Sgt. Mark Crosson
Sheriff's Office
301 Court Street
Little Valley, New York 14755
(replacing Brandon Walters)

* * * * *

CHAIRMAN MARSH announced this is the time and place called for a public hearing on **Act No. 470-2012**, Local Law Number 11 – 2012, entitled, "A Local Law Continuing Cattaraugus County Hotel And Motel Tax", 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. 470-2012 and asked that it be read.

Approved by 9 members of the Finance Committee and 7 members of the Development and Agriculture Committee.

CHAIRMAN MARSH requested a Roll Call Vote on Act No. 470-2012, Local Law Number 11-2012, which disclosed as follows:

Ayes: Aiello 0.8673, Boser 1.0267, Edstrom 0.8673, Felton 1.0972, Hale 1.0655, Klancer 1.1005, Koch 0.8685, Labuhn 0.8685, Lamberson 1.0267, Murphy 1.1005, Padlo 0.8673, Snyder, Jr. 1.0655, Snyder, Sr. 0.8673, Sprague 1.0230, Stockman 1.0003, Teachman 0.8673, VanRensselaer 1.1278, Vickman 1.0972, Weller 1.0972, Marsh 1.1278 – 20.0294.

Nays:– Edwards 0.9684 - 0.9684.

Act No. 470-2012, Local Law Number 11-2012, having received the majority vote of the legislature were declared adopted.

To: The Chairman and Legislature of Cattaraugus County:

I, the Chairman of the Finance Committee, which committee has charge of Apportionment of Mortgage Taxes, respectfully report that the amount to be apportioned for the six-month period from April 1, 2012 through September 30, 2012 is \$343,315.52 and recommend that the amounts opposite the names of the cities/towns be paid to the fiscal officers of that city/town, and amounts in the column headed villages, be paid to the treasurers of the respective villages.

Respectfully submitted,

James J. Snyder, Sr., Chairman
Finance Committee

APPORTIONMENT OF MORTGAGE TAXES

| | ROW 1 CITY/TOWN ASSESSED VALUATION | ROW 2 DOUBLE CITY/TOWN VALUATION | ROW 3 VILLAGE ASSESSED VALUATION | ROW 4 VILLAGE PERCENTAGE SHARE | ROW 5 TOTAL AMOUNT MORTGAGE TAX DISTRIBUTED | ROW 6 VILLAGE SHARE | ROW 7 CITY/ TOWN SHARE |
|-----------------|---|---|---|---|---|---------------------------|---------------------------------|
| ALLEGANY | 317,460,920 | 634,921,840 | 68,409,529 | 0.10774480 | 37,158.94 | 4,003.68 | 33,155.26 |
| ASHFORD | 75,853,334 | 151,706,668 | | 0.00000000 | 11,626.01 | 0.00 | 11,626.01 |
| CARROLLTON | 76,363,868 | 152,727,736 | | 0.00000000 | 6,684.78 | 0.00 | 6,684.78 |
| COLDSPRING | 47,086,904 | 94,173,808 | | 0.00000000 | 2,036.68 | 0.00 | 2,036.68 |
| CONEWANGO | 33,286,081 | 66,572,162 | | 0.00000000 | 5,202.22 | 0.00 | 5,202.22 |
| DAYTON | 49,159,931 | 98,319,862 | 12,488,539 | 0.12701949 | 7,317.70 | 929.49 | 6,388.21 |
| EAST OTTO | 48,232,744 | 96,465,488 | | 0.00000000 | 6,758.67 | 0.00 | 6,758.67 |
| ELLCOTTVILLE | 561,474,402 | 1,122,948,804 | 119,400,804 | 0.10632791 | 47,123.71 | 5,010.57 | 42,113.14 |
| FARMERSVILLE | 56,849,966 | 113,699,932 | | 0.00000000 | 3,959.69 | 0.00 | 3,959.69 |
| FRANKLINVILLE | 85,517,773 | 171,035,546 | 33,440,942 | 0.19552042 | 11,126.11 | 2,175.38 | 8,950.73 |
| FREEDOM | 5,099,713 | 10,199,426 | | 0.00000000 | 9,469.86 | 0.00 | 9,469.86 |
| GREAT VALLEY | 174,675,637 | 349,351,274 | | 0.00000000 | 11,818.34 | 0.00 | 11,818.34 |
| HINSDALE | 72,043,759 | 144,087,518 | | 0.00000000 | 4,309.96 | 0.00 | 4,309.96 |
| HUMPHREY | 49,246,491 | 98,492,982 | | 0.00000000 | 5,578.38 | 0.00 | 5,578.38 |
| ISCHUA | 41,400,874 | 82,801,748 | | 0.00000000 | 2,598.97 | 0.00 | 2,598.97 |
| LEON | 50,374,498 | 100,748,996 | | 0.00000000 | 5,549.14 | 0.00 | 5,549.14 |
| LITTLE VALLEY | 46,876,597 | 93,753,194 | 19,708,316 | 0.21021488 | 4,763.69 | 1,001.40 | 3,762.29 |
| LYNDON | 27,910,793 | 55,821,586 | | 0.00000000 | 3,360.29 | 0.00 | 3,360.29 |
| MACHIAS | 129,663,804 | 259,327,608 | | 0.00000000 | 9,122.49 | 0.00 | 9,122.49 |
| MANSFIELD | 106,344,882 | 212,689,764 | | 0.00000000 | 5,859.32 | 0.00 | 5,859.32 |
| NAPOLI | 32,773,894 | 65,547,788 | | 0.00000000 | 1,584.34 | 0.00 | 1,584.34 |
| NEW ALBION | 57,101,892 | 114,203,784 | 21,896,757 | 0.19173408 | 5,568.62 | 1,067.69 | 4,500.93 |
| OLEAN, TOWN | 83,486,628 | 166,973,256 | | 0.00000000 | 11,850.97 | 0.00 | 11,850.97 |
| OLEAN, CITY | 498,088,623 | 996,177,246 | | 0.00000000 | 55,537.34 | 0.00 | 55,537.34 |
| OTTO | 30,964,487 | 61,928,974 | | 0.00000000 | 4,929.24 | 0.00 | 4,929.24 |
| PERRYSBURG | 56,821,581 | 113,643,162 | | 0.00000000 | 6,004.26 | 0.00 | 6,004.26 |
| PERSIA | 59,053,737 | 118,107,474 | 40,690,229 | 0.34451866 | 8,372.09 | 2,884.34 | 5,487.75 |
| PORTVILLE | 135,840,457 | 271,680,914 | 28,685,594 | 0.10558561 | 13,853.88 | 1,462.77 | 12,391.11 |
| EAST RANDOLPH | 0 | 0 | | 0.00000000 | | 0.00 | 0.00 |
| RANDOLPH | 82,576,400 | 165,152,800 | | 0.00000000 | 7,838.66 | 0.00 | 7,838.66 |
| RED HOUSE | 106,197,495 | 212,394,990 | | 0.00000000 | 34.80 | 0.00 | 34.80 |
| SALAMANCA, TOWN | 27,592,186 | 55,184,372 | | 0.00000000 | 2,173.63 | 0.00 | 2,173.63 |
| SALAMANCA, CITY | 17,702,021 | 35,404,042 | | 0.00000000 | 9,033.29 | 0.00 | 9,033.29 |
| SOUTH VALLEY | 29,750,455 | 59,500,910 | | 0.00000000 | 2,044.56 | 0.00 | 2,044.56 |
| YORKSHIRE | 30,034,991 | 60,069,982 | 6,110,705 | 0.10172643 | 13,064.89 | 1,329.04 | 11,735.85 |
| TOTALS | 3,302,907,818 | | 350,831,415 | | 343,315.52 | 19,864.37 | 323,451.15 |

ACT NO. 488-2012 by Mr. Aiello and Mr. Weller

**BID ACCEPTANCE FOR TREE REMOVAL & STUMP GRINDING
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for tree removal & stump grinding for the Department of Public Works, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest acceptable bids for the tree removal, stump grinding and limbing in the four quadrants of the County is split between the following two (2) bidders:

Ray N. Fisher, d/b/a
Good Neighbor Services
9276 Dake Hill Road
Cattaraugus, New York 14719

Modern Tree Service, Inc.
7858 Boston Colden Road
Boston, New York 14025,

and

WHEREAS, the lowest responsible bids received meeting specifications are as follows:

RAY N. FISHER, D/B/A
GOOD NEIGHBOR SERVICES
9276 Dake Hill Road
Cattaraugus, New York 14719

TREE REMOVAL (Per Diameter Inch)

Quadrant Rate

Schedule A

Provide ALL equipment and personnel necessary to complete contract specifications. Minimum requirements for equipment shall include a stump grinder, tractor loader, large dump truck for hauling wood, utility truck, chipper, truck with enclosed chipper box, a 50' high platform hydraulic aerial device, saws, adequate ropes and pulleys, and other related equipment, as well as traffic control.

| | |
|----|----------|
| NE | \$ 31.00 |
| NW | \$ 31.00 |
| SE | \$ 32.50 |
| SW | \$ 31.00 |

Schedule B

The same as Schedule A except the County will provide traffic control.

| | |
|----|----------|
| NE | \$ 28.00 |
| NW | \$ 26.00 |
| SE | \$ 29.00 |
| SW | \$ 28.00 |

Schedule C

The same as Schedule A except all wood greater than four (4) inches in diameter will be left on site, in a safe area off the shoulder of the road for the County to dispose. The successful bidder shall remove all wood and debris smaller than 4 inches in diameter. Required equipment will not be as extensive as listed in Schedule A above.

| | |
|----|----------|
| NW | \$ 25.00 |
| SE | \$ 29.00 |
| SW | \$ 28.00 |

Schedule D

The same as Schedule C except the County will provide traffic control.

| | |
|----|----------|
| NE | \$ 24.00 |
| NW | \$ 22.00 |
| SE | \$ 27.00 |
| SW | \$ 23.00 |

STUMP GRINDING (Per Diameter Inch)

Schedule A

| | | |
|----------------------------|----|---------|
| Same As Schedule "A" Above | SW | \$ 5.00 |
|----------------------------|----|---------|

Schedule B

| | | |
|----------------------------|----|---------|
| Same As Schedule "B" Above | SW | \$ 5.00 |
|----------------------------|----|---------|

LIMBING- per Hour FIRST HOUR

| | | |
|--|----|----------|
| To include mobilization, a 50' bucket truck, operator/sawer, and one groundsperson. County will provide cleanup, disposal of wood & debris, and traffic control. | NE | \$195.00 |
| | NW | \$175.00 |
| | SE | \$250.00 |
| | SW | \$185.00 |

LIMBING- AFTER FIRST HOUR

| | | |
|---|----|----------|
| This is a " <u>Per Half Hour</u> " rate | NE | \$ 95.00 |
| | NW | \$ 85.00 |
| | SE | \$125.00 |
| | SW | \$ 92.00 |

MODERN TREE SERVICE, INC.
 7858 Boston Colden Road
 Boston, New York 14025

TREE REMOVAL (Per Diameter Inch)

| | | |
|--|-----------------|-------------|
| | <u>Quadrant</u> | <u>Rate</u> |
|--|-----------------|-------------|

Schedule C

| | | |
|---|----|----------|
| The same as Schedule A except all wood greater than four (4) inches in diameter will be left on site, in a safe area off the shoulder of the road for the County to dispose. The successful bidder shall remove all wood and debris smaller than 4 inches in diameter. Required equipment will not be as extensive as listed in Schedule A above. | NE | \$ 27.50 |
|---|----|----------|

Schedule D

| | | |
|--|----|----------|
| The same as Schedule C except the County will provide traffic control. | SW | \$ 24.00 |
|--|----|----------|

STUMP GRINDING (Per Diameter Inch)

Schedule A

| | | |
|----------------------------|----|---------|
| Same As Schedule "A" Above | NE | \$ 4.25 |
| | NW | \$ 4.25 |
| | SE | \$ 5.25 |

Schedule B

| | | |
|----------------------------|----|---------|
| Same As Schedule "B" Above | NE | \$ 4.25 |
| | NW | \$ 4.25 |
| | SE | \$ 5.25 |

now, therefore, be it

RESOLVED, that the bid of Ray N. Fisher d/b/a Good Neighbor Services be, and the same hereby is, accepted, for a term commencing January 1, 2013 and terminating December 31, 2013, and be it further

RESOLVED, that the bid of Modern Tree Services, Inc. be, and the same hereby is, accepted, for a term commencing January 1, 2013 and terminating December 31, 2013, and be it further

RESOLVED, that the acceptance of the aforementioned bid is contingent upon and subject to the inclusion in the 2013 budget of sufficient funds to cover the costs of the aforementioned services, 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.

No State Bid.

Six sets of specifications were sent out.

Three bids were received.

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

Adopted November 14, 2012 by voice vote.

ACT NO. 489-2012 by Mr. Aiello and Mr. Weller

**BID ACCEPTANCE FOR RIVETED STEEL BRIDGE DECKING
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of riveted steel bridge decking, according to specifications provided by the Public Works Committee, and

WHEREAS, Chemung Supply Corp., P.O. Box 527, Elmira, New York 14902, submitted the only bid for the provision of riveted steel bridge decking in the amount of \$64,610.00, and

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

RESOLVED, that the bid of Chemung Supply Corp. be, and the same hereby is, accepted, and be it further

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

No State Bid.

Seven sets of specifications were sent out.

One bid was received.

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

Adopted November 14, 2012 by voice vote.

ACT NO. 490-2012 by Mr. Aiello and Mr. Weller

**BID ACCEPTANCE FOR HVAC AND REFRIGERATION MAINTENANCE FOR
COUNTY BUILDINGS
(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 HVAC and refrigeration maintenance for County buildings, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications was the bid of Van Hook Service Co., Inc., 76 Seneca Avenue, Rochester, New York 14621, as follows:

| | (1/1/2013– <u>12/31/2014)</u> | (1/1/2015– <u>12/31/2016)</u> |
|--|----------------------------------|----------------------------------|
| Seasonal Service – Heating and Cooling Season | | |
| County Center-LV & Jail | \$1,290.00 | \$1,425.00 |
| DPW Facility - LV | \$2,560.00 | \$2,690.00 |
| Social Services Building - LV | \$1,000.00 | \$1,213.00 |
| County Office Building-Olean | \$2,560.00 | \$2,690.00 |
| The Pines – Olean | \$3,680.00 | \$3,680.00 |
| The Pines – Machias | \$3,735.00 | \$3,680.00 |
| Stone House – Machias | <u>\$1,200.00</u> | <u>\$1,200.00</u> |
| Annual Total | \$16,025.00 | \$16,578.00 |
| TOTAL FOR 2-YEAR PERIOD | \$32,050.00 | \$33,156.00 |
| TOTAL FOR 4-YEAR PERIOD | | \$65,206.00 |
| Hourly Rate for Work Not Covered by Contract | \$ 85.00 | \$ 87.00 |
| Mileage Rate for Work Not Covered by Contract – Per Mile | \$.40 | \$.40 |

now, therefore, be it

RESOLVED, that the bid of Van Hook Service Co., Inc., be, and the same hereby is, accepted, for two (2) two-year terms commencing January 1, 2013 and terminating December 31, 2016, and be it further

RESOLVED, that the aforementioned contract is contingent upon and subject to the inclusion in the 2013 budget of sufficient funds to cover the costs of the aforementioned services, 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.

No State Bid.

Eight 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 November 14, 2012 by voice vote.

ACT NO. 491-2012 by Mr. Aiello, Mr. Klancer, Mr. Murphy and Mr. Weller

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
ERDMAN ANTHONY AND ASSOCIATES, INC. FOR
ENGINEERING DESIGN SERVICES FOR
LEON BRIDGE NO. 18 FEDERAL AID REPLACEMENT PROJECT**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 568-2009, as amended by Act 622-2010, authorized a contract with Erdman Anthony and Associates, Inc., 2165 Brighton Henrietta Town Line Road, Rochester, New York 14623-2755, for the provision of engineering design services for the Leon Bridge No. 18 federal aid replacement project, the term of which expires December 31, 2012, and

WHEREAS, the County Department of Public Works is desirous of extending the term of the aforementioned contract to December 31, 2013 in order to allow time to complete the project, at no additional cost to the County, 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 Erdman Anthony and Associates, Inc., for the provision of the above-described services, extending the term of the contract which commenced January 1, 2011, to terminate 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.

Adopted November 14, 2012 by voice vote.

ACT NO. 492-2012 by Mr. Aiello and Mr. Weller

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
GREENMAN-PEDERSEN, INC. FOR
ENGINEERING CONSULTANT SERVICES FOR
2011-2012 BRIDGE PAINTING PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 457-2011 authorized a contract with Greenman-Pedersen, Inc., 4950 Genesee Street, Buffalo, New York 14225, for the provision of engineering consultant services for the 2011-2012 Bridge Painting Program, the term of which expires December 31, 2012, and

WHEREAS, an extension of the aforementioned contract to June 30, 2013 is necessary in order to complete the aforementioned services, at no additional cost to the County, 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 Greenman-Pedersen, Inc., for the provision of the above-described services, extending the term of the contract which commenced October 27, 2011, to terminate June 30, 2013, according to the above-described terms.

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

Adopted November 14, 2012 by voice vote.

ACT NO. 493-2012 by Mr. Aiello, Mr. Weller and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
GREENMAN-PEDERSEN, INC.¹ (FORMERLY ABATE ASSOCIATES
ENGINEERS & SURVEYORS, P.C., FOR
ENGINEERING SERVICES FOR RECONSTRUCTION OF
COUNTY ROAD NO. 57 INTERSECTION WITH BENTLEY ROAD**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 315-2010, as amended by Acts 624-2010 and 287-2011, authorized a contract with *Greenman-Pedersen, Inc.*,¹ (formerly Abate Associates Engineers & Surveyors, P.C.) 4455 Genesee Street, P.O. Box 218, Buffalo, New York 14225-0218, for the provision of engineering services for the reconstruction of County Road No. 57 intersection with Bentley Road in the Town of Dayton, the term of which expires December 31, 2012, and

WHEREAS, an extension of the aforementioned contract to December 31, 2013 is necessary in order to complete the aforementioned reconstruction project, at no additional cost to the County, 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 *Greenman-Pedersen, Inc.*,¹ (formerly Abate Associates Engineers & Surveyors, P.C.) for the provision of the above-described services, extending the term of the contract which commenced March 1, 2010, to terminate 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.

¹ MR. AIELLO moved, seconded by Mr. Boser to amend Act No. 493-2012 as follows: In the title, the first Whereas, and the first Resolved, add: "Greenman-Pedersen, Inc. (formerly Abate Associates Engineers & Surveyors, P.C.,)". Carried.

Adopted, as amended, November 14, 2012 by voice vote.

ACT NO. 494-2012 by Mr. Aiello and Mr. Weller

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
HUNT ENGINEERS, ARCHITECTS & LAND SURVEYORS, P.C. FOR
SAWMILL RUN DEVELOPMENT OF ONOVILLE MARINA
ENGINEERING SERVICES**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 250-2008, as amended by Acts 642-2009 and 61-2011, authorized a contract with Hunt Engineers, Architects & Land Surveyors, P.C., Airport Corporate Park, 100 Hunt Center, Horseheads, New York 14845, for the provision of engineering services for the proposed Sawmill Run Development of the Onoville Marina, the term of which expires December 31, 2012, and

WHEREAS, an extension of the aforementioned contract is necessary in order to complete the detail site design and regulatory approval for the aforementioned project, at no additional cost to the County, 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 Hunt Engineers, Architects & Land Surveyors, P.C., for the provision of the above-described services, extending the term of the contract which commenced January 1, 2011, to terminate 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.

Adopted November 14, 2012 by voice vote.

ACT NO. 495-2012 by Mr. Aiello and Mr. Weller
and Mr. Lamberson¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
T. Y. LIN INTERNATIONAL FOR
ENGINEERING ASSESSMENT REPORTS FOR
CATTARAUGUS COUNTY DAMS**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 278-2012 authorized a contract with T.Y. Lin International for the provision of engineering assessment services for eight (8) dams in Cattaraugus County, the term of which expires December 31, 2012, and

WHEREAS, an extension of the aforementioned contract to December 31, 2013 is necessary in order to complete the assessment reports for the eight (8) dams, at no additional cost to the County, 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 T.Y. Lin International, for the provision of the above-described services, extending the term of the contract which commenced June 13, 2012, to terminate 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.

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

Adopted November 14, 2012 by voice vote.

ACT NO. 496-2012 by Mr. Aiello, Mr. Teachman, Mr. Weller and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
AUDUBON ARCHITECTURE, ENGINEERING, SURVEYING AND
LANDSCAPE ARCHITECTURE, P.C. FOR ENGINEERING DESIGN SERVICES FOR
PHASE I INFORMATION SERVICES UPGRADES**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, the County Department of Information Services is in need of engineering design services for upgrades needed in both the Little Valley and Olean County Centers and the Public Works Facility for information technology matters, and

WHEREAS, Phase I of the aforementioned upgrade project consists of the electrical requirements at the two County Centers to allow for the installation of equipment to begin the network improvements and implementation of the VOIP telephone project, and

WHEREAS, Audubon Architecture, Engineering, Surveying and Landscape Architecture, P.C., (formerly known as Wendel Duchscherer), 140 John James Audubon Parkway, Suite 201, Buffalo, New York 14228, can provide the aforementioned Phase I engineering design services for a lump sum amount of \$4,500.00, which includes expenses, to be paid on a percent of completion basis, as invoiced and approved by the Department of Public Works, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned costs, 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 Audubon Architecture, Engineering, Surveying and Landscape Architecture, P.C., (formerly known as Wendel Duchscherer), for the provision of the above-described services, for a term commencing November 14, 2012 and terminating June 30, 2013, according to the above-described terms.

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

Adopted November 14, 2012 by voice vote.

ACT NO. 497-2012 by Public Works Committee:

Mr. Aiello, Mr. Weller, Ms. Edstrom, Mr. Klancer, Mr. Snyder, Jr.,
Mr. Teachman, Mr. Koch, Mr. Lamberson and Mr. Sprague
and Mr. Hale and Mr. Murphy

**DECLARING COUNTY-OWNED COMMUNICATIONS TOWER IN THE
TOWN OF LYNDON NO LONGER NECESSARY FOR
PUBLIC USE AND AUTHORIZING SALE TO TOWN OF LYNDON**

Pursuant to Section 215 of the County Law and
Rule 41.4 of Act 1-2012 of the Cattaraugus County Legislature.

WHEREAS, the County's communications tower located in the Town of Lyndon has been evaluated and is functionally obsolete for reuse as part of the County's communication upgrade, and

WHEREAS, the County proposes to construct a new taller communications tower on the adjoining property owned by the Lyndon Volunteer Fire Department, and

WHEREAS, the above-described "old" communications tower is situate on property owned by the Town of Lyndon, and physically attached to the Town's facility, and

WHEREAS, the "old" communications tower is no longer necessary for public use by the County, and

WHEREAS, the Town of Lyndon is desirous of purchasing the old communications tower for \$1.00, and

WHEREAS, the County should sell the above-described "old" communications tower to the Town of Lyndon for \$1.00, now, therefore, be it

RESOLVED, that the above-described "old" communications tower situated in the Town of Lyndon is no longer necessary for public use by the County, and be it further

RESOLVED, that the County Sheriff's Office is authorized to sell the "old" communications tower to the Town of Lyndon for \$1.00.

Approved by 9 members of the Finance Committee and 6 members of the Public Safety Committee.

Adopted November 14, 2012 by voice vote.

ACT NO. 498-2012 by Public Works Committee:
Mr. Aiello, Mr. Weller, Ms. Edstrom, Mr. Klancer, Mr. Snyder, Jr.,
Mr. Teachman, Mr. Koch, Mr. Lamberson and Mr. Sprague

**AUTHORIZING LEASE AGREEMENT AND PERMANENT EASEMENT WITH
LYNDON VOLUNTEER FIRE DEPARTMENT FOR
COMMUNICATIONS FACILITY**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, the Sheriff's Office is desirous of constructing a new communications facility, which shall include a communications tower, appurtenances, equipment and access on property owned by the Lyndon Volunteer Fire Department, and

WHEREAS, the Lyndon Volunteer Fire Department, 816 Lyndon Center Road, Cuba, New York 14727, has agreed to allow the County to construct the aforementioned communications facility on its property at no cost to the County, and

WHEREAS, a lease agreement and permanent easement with the Lyndon Volunteer Fire Department are necessary for the placement of, and access to, the Sheriff's Department communications facility, and

WHEREAS, the permanent easement shall be described as follows:

PARCEL MLY-1

ALL THAT PARCEL OF LAND situate in the Town of Lyndon, County of Cattaraugus, State of New York, being part of Lot 21, Town 4, Range 3 of the Holland Land Company's survey bounded and described as follows:

COMMENCING at the northeast corner of the lands of the Lyndon Volunteer Fire Company, Inc. (reputed owner) as described in a deed recorded in the Cattaraugus County Clerk's office in Liber 865, Page 848;

THENCE along the North line of said tract, South 89 degrees 52 minutes 05 seconds West, 100.00 feet to the POINT OF BEGINNING of the tract herein described;

THENCE South 00 degrees 07 minutes 55 seconds East, 100.00 feet;

THENCE South 89 degrees 52 minutes 05 seconds West, 49.65 feet;

THENCE South 13 degrees 47 minutes 21 seconds East, 231.80 feet;

THENCE along the North bounds of County Road 47 (also known as Lyndon Center Road), South 89 degrees 52 minutes 05 seconds West, 15.44 feet;

THENCE North 13 degrees 47 minutes 21 seconds West, 231.80 feet;

THENCE South 89 degrees 52 minutes 05 seconds West, 34.91 feet;

THENCE North 00 degrees 07 minutes 55 seconds West, 100.00 feet;

THENCE along the North line of said tract, North 89 degrees 52 minutes 05 seconds East, 100.00 feet to the POINT OF BEGINNING, Containing 13,477 square feet or 0.309 acre of land, more or less.,
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 the Lyndon Volunteer Fire Department, for the purpose of a communications facility, for a term commencing November 1, 2012 and

terminating October 31, 2017, with the option to renew for an additional five (5) year term, according to the above-described terms, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute all documents deemed necessary to create a permanent easement in favor of the County across, over and through the above-described property for the purpose of a communications facility.

Approved by 9 members of the Finance Committee and 6 members of the Public Safety Committee.

Adopted November 14, 2012 by voice vote.

ACT NO. 499-2012 by Mr. Murphy
and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
OLEAN MEDICAL GROUP, LLP FOR JAIL PHYSICIAN SERVICES**

Pursuant to Section 501 of the Correction Law,
9 NYCRR Part 7010 and Section 450 of the County Law.

WHEREAS, Act 641-2011 authorized a contract with the Olean Medical Group, LLP, 535 Main Street, Olean, New York 14760, for the provision of jail physician services, the term of which expires December 31, 2012, and

WHEREAS, the County Sheriff's Office is desirous of continuing the aforementioned services, and

WHEREAS, the Olean Medical Group, LLP, can provide the aforementioned jail physician services at the rate of \$170.00 per hour for services provided, which includes mileage, to be paid on a monthly basis as invoiced, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2013 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Olean Medical Group, LLP, for the provision of the above-described services, for a term commencing January 1, 2013 and terminating December 31, 2013, according to the above-described terms, and be it further

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 9 members of the Finance Committee and 9 members of the Public Safety Committee.

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

Adopted November 14, 2012 by voice vote.

ACT NO. 500-2012 by Mr. Murphy
and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CRAIG ZUCKERMAN, D.Ed. FOR SHERIFF'S OFFICE
PRE-EMPLOYMENT PSYCHOLOGICAL SCREENING SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 642-2011 authorized a contract with Craig Zuckerman, D.Ed., Licensed Psychologist, 784 Main Street, Olean, New York 14760, for the provision of pre-employment psychological evaluations of prospective employees of the Sheriff's Office, the term of which expires December 31, 2012, and

WHEREAS, the Sheriff's Office is desirous of continuing the aforementioned services, and

WHEREAS, Craig Zuckerman, D.Ed., Licensed Psychologist and independent contractor, has agreed to provide pre-employment psychological evaluations of prospective employees using the enhanced 16PF, and the Protective Services Report, as the basis for written reports and recommendations, for an amount of \$125.00 per report, to be paid as invoiced, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2013 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Craig Zuckerman, for the provision of the above-described services, for a term commencing January 1, 2013 and terminating December 31, 2013, according to the above-described terms, and be it further

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 9 members of the Finance Committee and 9 members of the Public Safety Committee.

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

Adopted November 14, 2012 by voice vote.

ACT NO. 501-2012 by Mr. Felton and Ms. Vickman
and Mr. Koch¹

**BID ACCEPTANCE FOR PRESCRIPTION SERVICES
(Department of Nursing Homes)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of pharmaceutical services for the Cattaraugus County Department of Nursing Homes at the Pines Healthcare & Rehabilitation Center-Machias Campus and the Pines Healthcare & Rehabilitation Center-Olean Campus, according to specifications provided by the Senior Services Committee, and

WHEREAS, the lowest bid received meeting specifications was the bid of Buffalo Pharmacies, Inc., 20 Lawrence Bell Drive, Williamsville, New York 14221, which shall supply pharmaceuticals for the Cattaraugus County Department of Nursing Homes, as follows:

Prescription Medications

- Brand Name Medications: Actual Acquisition Cost + 0.00%
- Generic Medications: Actual Acquisition Cost + 0.00%
- Non-Prescription Medications: Actual Invoice Cost + 0.00%

Minimum Price: \$0.50

Payment Terms: 2% discount if paid in 20 days, net amount due in 30 days

Credits and Minimum Value:

- \$3.00 for sub-acute residents and \$4.00 for long-term care residents,

now, therefore, be it

RESOLVED, that the bid of Buffalo Pharmacies, Inc., be, and the same hereby is, accepted, for a term commencing December 6, 2012 and terminating December 2, 2014, with the option to renew for two (2) additional two-year periods at the bid price, and be it further

RESOLVED, that the vouchers accordingly certified by the Administrator of the County Department of Nursing Homes be audited by the Auditor and paid by the County Treasurer.

No State Bid.

32 sets of specifications were sent out.

2 other bids were received.

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. Koch".

Adopted November 14, 2012 by voice vote.

ACT NO. 502-2012 by Ms. Edstrom and Mrs. Stockman
and Mr. Aiello, Mrs. Labuhn, Mr. Lamberson and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CITY OF OLEAN FOR
REIMBURSEMENT FOR OATS BUS SERVICE**

Pursuant to Public Law 104-1993, Section 119-o of the
General Municipal Law and Section 450 of the County Law.

WHEREAS, Act 603-2011 authorized a contract with the City of Olean for the operation of the O.A.T.S. bus service within the City, the term of which expired May 31, 2012, and

WHEREAS, the County Department of Social Services is desirous of continuing the aforementioned bus service within the City of Olean, and

WHEREAS, the County is desirous of reimbursing the City of Olean a lump sum amount of \$27,599.00 for transportation services provided to DSS-eligible recipients during the term of the proposed contract, and

WHEREAS, the City of Olean has agreed to provide the O.A.T.S. bus transportation services to DSS-eligible recipients, and

WHEREAS, these 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 the City of Olean, for reimbursement for the provision of transportation services to DSS-eligible recipients, for a term commencing June 1, 2012 and terminating May 31, 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 9 members of the Finance Committee and 6 members of the Human Services Committee.

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

Adopted November 14, 2012 by voice vote.

ACT NO. 503-2012 by Ms. Edstrom and Mrs. Stockman
and Mr. Aiello, Mr. Hale, Mr. Murphy, Mr. Teachman, Mr. VanRensselaer,
Ms. Vickman, Mrs. Labuhn and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SOUTHERN TIER HEALTH CARE SYSTEM, INC. FOR CHILD PROTECTION
SERVICES THROUGH SOUTHERN TIER CHILD ADVOCACY CENTER**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 608-2011 authorized a contract with Southern Tier Health Care System, Inc., One Blue Bird Square, Olean, New York 14760, for the conduct of examinations and interviews for open child protection cases, the term of which expires December 31, 2012, and

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

WHEREAS, the Southern Tier Health Care System, Inc., through its Southern Tier Child Advocacy Center, can conduct the aforementioned examinations and interviews for an annual amount not to exceed \$15,000.00, to be paid on a monthly basis, as invoiced, and

WHEREAS, this program is 62% state and 38% county funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2013 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with the Southern Tier Health Care System, Inc., for the provision of services through its Southern Tier Child Advocacy

Center, for a term commencing January 1, 2013 and terminating December 31, 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 9 members of the Finance Committee and 6 members of the Human Services Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Mr. Hale, Mr. Murphy, Mr. Teachman, Mr. VanRensselaer, Ms. Vickman, Mrs. Labuhn and Mr. Padlo".

Adopted November 14, 2012 by voice vote.

ACT NO. 504-2012 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
JUDITH GALLEGOS FOR TANF ELIGIBLE DRUG/ALCOHOL
SCREENING AND CASE MANAGEMENT**

Pursuant to 29 USCS 1604 and Section 450 of the County Law.

WHEREAS, Act 622-2011 authorized a contract with Judith Gallegos, 6 North Academy Street, Franklinville, New York 14737, for the provision of drug/alcohol screening and comprehensive case management for all public assistance adult applicants/recipients, the term of which expires December 31, 2012, and

WHEREAS, the County Department of Social Services is required to provide the aforementioned services pursuant to the Welfare Reform Act of 1996, and

WHEREAS, Judith Gallegos, an independent contractor, has agreed to continue providing drug/alcohol screening and comprehensive case management for all public assistance adult applicants/recipients for a total annual amount not to exceed \$39,403.00, to be paid on a monthly basis as invoiced, and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2013 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Judith Gallegos for the provision of the above-described services, for a term commencing January 1, 2013 and terminating December 31, 2013, according to the above-described terms, and be it further

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 9 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted November 14, 2012 by voice vote.

ACT NO. 505-2012 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
VARIOUS ENTITIES FOR DEPARTMENT OF SOCIAL SERVICES
SKILLED NURSING IN-HOME CARE SERVICES**

Pursuant to Section 3612 of the Public Health Law,
18 NYCRR Part 505, Section 636-a of the Executive Law, and
Section 450 of the County Law.

WHEREAS, Act 609-2011 authorized contracts with Pediatric Home Care Services, Inc., 2829 Sheridan Drive, Tonawanda, New York 14150, and Aurora Home Care, Inc., 3527 Harlem Road, Cheektowaga, New York 14225, for the provision of mandated skilled nursing in-home care services for eligible residents of Cattaraugus County, when such services are medically necessary and ordered by a physician, the terms of which expire December 31, 2012, and

WHEREAS, the County Department of Social Services is desirous of continuing the above-described services, and

WHEREAS, Pediatric Home Care Services, Inc., and Aurora Home Care, Inc., have agreed to provide skilled nursing in-home care services in accordance with the following rate schedule:

| <u>Skilled Nursing Service</u> | <u>Rates/Care Hour</u> |
|------------------------------------|------------------------|
| Licensed Practical Nurse | \$21.00 |
| Licensed Practical Nurse (Premium) | \$24.00 |
| Registered Nurse (Premium) | \$28.00, |

and

WHEREAS, this program is 50% federal, 25% state and 25% county funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, contingent upon and subject to the inclusion in the 2013 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Pediatric Home Care Services, Inc., and Aurora Home Care, Inc., for the provision of the above-described services, for a term commencing January 1, 2013 and terminating December 31, 2013, according to the above-described terms, and be it further

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 9 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted November 14, 2012 by voice vote.

ACT NO. 506-2012 by Ms. Edstrom and Mrs. Stockman
and Mr. Teachman and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
PARENT EDUCATION PROGRAM, INC., FOR PROTECTIVE/PREVENTIVE
SERVICES FOR CHILDREN AT RISK OF PLACEMENT**

Pursuant to P.L. 96-272, 18 NYCRR Parts 405, 407 and 423, Sections 409 and 409-b of the Social Services Law and Section 450 of the County Law.

WHEREAS, Act 610-2011 authorized a contract with the Parent Education Program, Inc., 234 North Union Street, Olean, New York 14760, for the provision of "Families Together" and "Families First" services for families with children who may be placed in foster care, the term of which expires December 31, 2012, and

WHEREAS, the County Department of Social Services is desirous of renewing the aforementioned contract and providing the following services:

- The Families Together Program will serve one (1) family at a time that is referred by the County, and
- The Families First Program will provide in-home parenting skills and related services to approximately 15 Cattaraugus County families per month,

and

WHEREAS, the Parent Education Program, Inc., has agreed to provide the above-described services for an annual amount of \$61,062.00, to be paid on a monthly basis, as invoiced, and

WHEREAS, this program is 62% state and 38% county funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2013 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with the Parent Education Program, Inc., for the provision of the above-described services, for a term commencing January 1, 2013 and terminating December 31, 2013, according to the above-described terms, and be it further

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 9 members of the Finance Committee and 6 members of the Human Services Committee.

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

Adopted November 14, 2012 by voice vote.

ACT NO. 507-2012 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COMMUNITY ACTION, INC., FOR
RESIDENTIAL SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE**

Pursuant to 18 NYCRR Parts 408 and 452.2(b), Article 6-A of
the Social Services Law and Section 450 of the County Law.

WHEREAS, Act 474-2011 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the provision of necessary and available approved residential services to victims of domestic violence, the term of which expires December 31, 2012, and

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

WHEREAS, Cattaraugus Community Action, Inc., has agreed to administer the aforementioned program at a cost of \$69.77 per person per day, or at the 2013 rate as set by the New York State Office of Children and Family Services, and

WHEREAS, this program is 50% federal, 25% state and 25% county funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2013 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Cattaraugus Community Action, Inc., for the administration of the above-described program, for a term commencing January 1, 2013 and terminating December 31, 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 9 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted November 14, 2012 by voice vote.

ACT NO. 508-2012 by Ms. Edstrom and Mrs. Stockman
and Mr. Teachman and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
GENESIS HOUSE OF OLEAN, INC. FOR HOMELESS SHELTER SERVICES FOR
DEPARTMENT OF SOCIAL SERVICES ELIGIBLE RECIPIENTS**

Pursuant to Article 2-A of the Social Services Law and
Section 450 of the County Law.

WHEREAS, Act 614-2011 authorized a contract with the Genesis House of Olean, Inc., 107 South Barry Street, Olean, New York 14760, for the provision of homeless shelter services for eligible recipients, the term of which expires December 31, 2012, and

WHEREAS, the County Department of Social Services is desirous of continuing the aforementioned homeless shelter services, and

WHEREAS, Genesis House of Olean, Inc., can provide homeless shelter services on an as-needed basis in accordance with the following rate schedule:

| | |
|--|-------------------|
| Single Person | \$30.00 per night |
| Family (any size) | \$40.00 per night |
| After 30 Days | \$35.00 per night |
| Hotel reimbursement in emergency situations at a reasonable rate for a maximum of 3 nights, | |

and

WHEREAS, the above-described services for families are 50% federal, 25% state and 25% local funded and for individuals are 50% state and 50% local funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2013 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Genesis House of Olean, Inc., for the provision of the above-described services, for a term commencing January 1, 2013 and terminating December 31, 2013, according to the above-described terms, and be it further

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 9 members of the Finance Committee and 6 members of the Human Services Committee.

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

Adopted November 14, 2012 by voice vote.

ACT NO. 509-2012 by Ms. Edstrom and Mrs. Stockman
*and Mr. Teachman, Mrs. Labuhn and Mr. Padlo*¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
GREATER OLEAN, INC., FOR DEPARTMENT OF SOCIAL SERVICES
TANF ON-THE-JOB TRAINING SERVICES**

Pursuant to Public Law 104-1993 and Section 450 of the County Law.

WHEREAS, Act 612-2011 authorized a contract with Greater Olean, Inc., for the provision of on-the-job training for TANF-eligible participants, the term of which expires December 31, 2012, and

WHEREAS, the County Department of Social Services is desirous of continuing the aforementioned on-the-job training for TANF-eligible participants, and

WHEREAS, Greater Olean, Inc., 120 North Union Street, Olean, New York 14760, has agreed to develop and manage on-the-job training for participants that are TANF-eligible for an annual amount not to exceed \$53,045.00, to be paid on a monthly basis, as invoiced, 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, contingent upon and subject to the inclusion in the 2013 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Greater Olean, Inc., for a term commencing January 1, 2013 and terminating December 31, 2013, for the provision of the above-described services, 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 9 members of the Finance Committee and 6 members of the Human Services Committee.

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

Adopted November 14, 2012 by voice vote.

ACT NO. 510-2012 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
JAMESTOWN COMMUNITY COLLEGE FOR
TRAINING COORDINATOR SERVICES**

Pursuant to Section 112 of the Social Services Law and
Section 450 of the County Law.

WHEREAS, Act 472-2011 authorized a contract with Jamestown Community College, P.O. Box 5901, Olean, New York 14760-5901, for an employee education and training program, the term of which expires December 31, 2012, and

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

WHEREAS, Jamestown Community College has agreed to provide a full-time training coordinator who will provide the above-described staff development services to employees of the Cattaraugus County Department of Social Services, and

WHEREAS, the maximum amount for 2013 is \$88,554.40, of which \$61,988.08 is charged to the Cattaraugus County Department of Social Services, and

WHEREAS, this program is 100% reimbursable through state and federal funds, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2013 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Jamestown Community College, for the provision of the above-described employee education program, for a term commencing January 1, 2013 and terminating December 31, 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 9 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted November 14, 2012 by voice vote.

ACT NO. 511-2012 by Ms. Edstrom and Mrs. Stockman
and Mr. Teachman, Mrs. Labuhn and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
OLEAN MEDICAL GROUP, LLP FOR DEPARTMENT OF
SOCIAL SERVICES SECOND OPINION EMPLOYMENT UNIT PHYSICALS**

Pursuant to 29 USCS 1604 and Section 450 of the County Law.

WHEREAS, Act 611-2011 authorized a contract with the Olean Medical Group, LLP, 533 Main Street, Olean, New York 14760, for the provision of second opinion employment unit physicals for applicants/recipients of temporary assistance, the term of which expires December 31, 2012, and

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

WHEREAS, the Olean Medical Group, LLP, has agreed to provide second opinion employment unit physicals for the County Department of Social Services employment program in accordance with the following fee schedule:

| | |
|---|----------|
| Office Visit Level 1 (minimal) | \$ 28.00 |
| Office Visit Level 2 (problem focus) | \$ 42.25 |
| Office Visit Level 3 (expanded problem) | \$ 58.50 |
| Office Visit Level 4 (detail-moderate) | \$ 82.00 |
| Office Visit Level 5 (comprehensive-high) | \$131.00 |

**Charges for specific tests are as recommended by the physician and approved on a case-by-case basis by the chief social welfare examiner for the employment unit,

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, contingent upon and subject to the inclusion in the 2013 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with the Olean Medical Group, LLP, for the provision of the above-described services, for a term commencing January 1, 2013 and terminating December 31, 2013, according to the above-described terms, and be it further

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 9 members of the Finance Committee and 6 members of the Human Services Committee.

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

Adopted November 14, 2012 by voice vote.

ACT NO. 512-2012 by Ms. Edstrom and Mrs. Stockman
and Mrs. Labuhn¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SOUTHWESTERN NY CHAPTER OF THE AMERICAN RED CROSS FOR
EMERGENCY DISASTER ASSISTANCE**

Pursuant to P.L. 93-288, 36 USCS 2 and
Section 450 of the County Law.

WHEREAS, Act 615-2011 authorized a contract with the Southwestern NY Chapter of the American Red Cross for the provision of such care, assistance and treatment that may be necessary to assure that persons are maintained in, or restored to, their domicile(s) with sufficient food and clothing to meet their needs pursuant to the New York State Social Services Law, which includes the responsibility for emergency assistance to recipients of public assistance, if made necessary as a result of disaster, the term of which expires December 31, 2012, and

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

WHEREAS, the Southwestern NY Chapter of the American Red Cross has agreed to continue providing the aforementioned emergency assistance, and

WHEREAS, the County Department of Social Services is responsible for the payment of emergency needs only, as follows:

Clothing:

\$89.00 per individual

Food:

An allowance of \$10.00 per day per individual up to a maximum of 3 days

Shelter:

Shelter provided for a maximum of 3 days at reasonable cost,

and

WHEREAS, it is economically and organizationally feasible for the County to contract with the Southwestern NY Chapter of the American Red Cross for the provision of this assistance, and

WHEREAS, this program is 50% federal, 25% state and 25% county funded, now, therefore, be it

RESOLVED, that the chair be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2013 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with the Southwestern NY Chapter of the American Red Cross for the provision of the above-described emergency disaster assistance for a term commencing January 1, 2013 and terminating December 31, 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 9 members of the Finance Committee and 6 members of the Human Services Committee.

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

Adopted November 14, 2012 by voice vote.

ACT NO. 513-2012 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
BERKSHIRE FARM CENTER & SERVICES FOR YOUTH, INC. FOR
DEPARTMENT OF SOCIAL SERVICES FAMILY ASSESSMENT
RESPONSE SERVICES FOR CHILD PROTECTION CASES**

Pursuant to Public Law 104-193 and Section 450 of the County Law.

WHEREAS, Act 613-2011, as amended by Act 158-2012, authorized a contract with Berkshire Farm Center & Services for Youth, Inc., Tri-Main Center, 2495 Main Street, Suite 330,

Buffalo, New York 14214, for the provision of family assessment response services for child protection cases, the term of which expires December 31, 2012, and

WHEREAS, Family Assessment Response (or "FAR") is an alternative to the traditional child protection investigative response, and allows Child Protection Services (CPS) an option in the manner in which CPS responds to accepted reports of child maltreatment, and

WHEREAS, the Department of Social Services is desirous of continuing the provision of the aforementioned services, and

WHEREAS, Berkshire Farm Center & Services for Youth, Inc., Tri-Main Center, can provide the aforementioned services for an annual amount not to exceed \$77,694.00, to be paid on a monthly basis as invoiced, and

WHEREAS, this program is 62% state funded and 38% county funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2013 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Berkshire Farm Center & Services for Youth, Inc., for the provision of the aforementioned services, for a term commencing January 1, 2013 and terminating December 31, 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 9 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted November 14, 2012 by voice vote.

ACT NO. 514-2012 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
BERKSHIRE FARM CENTER AND SERVICES FOR YOUTH, INC. FOR
DEPARTMENT OF SOCIAL SERVICES PROJECT TURNABOUT
(HOME-BASED TRUANCY PREVENTION PROGRAM)**

Pursuant to 10 NYCRR Part 405 and Section 450 of the County Law.

WHEREAS, Act 617-2011 authorized a contract with Berkshire Farm Center and Service for Youth, Inc., Tri-Main Center, 2495 Main Street, Suite 330, Buffalo, New York 14214, for the provision of a home-based truancy prevention program, the term of which expires December 31, 2012, and

WHEREAS, the County Department of Social Services is desirous of continuing the aforementioned truancy prevention program in Cattaraugus County, and

WHEREAS, Berkshire Farm Center and Services for Youth, Inc., has agreed to conduct an attendance support plan in partnership with the County Department of Social Services for an amount not to exceed \$231,225.00, to be paid on a monthly basis as invoiced, as follows:

Target Population:

- Elementary Grades 3-8 with flexibility if attendance problems are identified earlier or later

Overarching Goals:

- Reduction in truancy rates
- Improved academic success and achievement
- Strengthening family systems that support positive relationships with schools and improve for families the value of education

Key Solution Factors:

- Collaboration with schools, DSS, families and other agencies
- Early intervention and parental involvement/accountability
- Systemic and individualized approach to root causes of truancy

Strategies:

- Early parental notification
- Attendance expectations are made clear to students and parents before school year begins
- Prompt parental/child intervention that includes individualized goal setting
- Clear and enforceable sanctions and incentives are in place,

and

WHEREAS, this program is 62% state and 38% county funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2013 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Berkshire Farm Center and Services for Youth, Inc., for the provision of the above-described services, for a term commencing January 1, 2013 and terminating December 31, 2013, according to the above-described terms, and be it further

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 9 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted November 14, 2012 by voice vote.

ACT NO. 515-2012 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
THE BONADIO GROUP FOR ACCOUNTING SERVICES FOR
DEPARTMENT OF SOCIAL SERVICES CLIENT ACCOUNTS**

Pursuant to Public Law 104-193 and Section 450 of the County Law.

WHEREAS, Act 604-2011 authorized a contract with The Bonadio Group, 171 Sully's Trail, Pittsford, New York 14534, for the provision of accounting services for the Department of Social Services client accounts, the term of which expires December 31, 2012, and

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

WHEREAS, The Bonadio Group can provide the necessary accounting services for an amount of \$150.00 per hour, with no travel time or mileage paid, and

WHEREAS, the above-described services are 50% federal and 50% state funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2013 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with The Bonadio Group for the provision of the above-described services, for a term commencing January 1, 2013 and terminating December 31, 2013, according to the above-described terms, and be it further

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 9 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted November 14, 2012 by voice vote.

ACT NO. 516-2012 by Ms. Edstrom and Mrs. Stockman
and Mrs. Labuhn¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATHOLIC CHARITIES OF WESTERN NY FOR DEPARTMENT OF
SOCIAL SERVICES TANF FUNDING FOR MULTI-SYSTEMIC THERAPY
SERVICES FOR PINS DIVERSION**

Pursuant to Public Law 104-193 and Section 450 of the County Law.

WHEREAS, Act 618-2011 authorized a contract with Catholic Charities of Western NY, 2636 West State Street, Olean, New York 14760, for the provision of 1 1/2 therapists for the Multi-Systemic Therapy (MST) program, for the provision of preventive and other supportive services to persons in need of supervision (PINS), ages 16 and 17, the term of which expires December 31, 2012, and

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

WHEREAS, Catholic Charities of Western NY has agreed to continue the provision of home-based services to 16 and 17 year olds for whom a PINS action has been initiated in an attempt to prevent detention and foster care placements, for a total annual amount not to exceed \$190,964.00, to be paid on a monthly basis as invoiced, and

WHEREAS, this program is funded through federal, state and local funds, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2013 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Catholic Charities of Western New York for the provision of the above-described services, for a term commencing January 1, 2013 and terminating December 31, 2013, according to the above-described terms, and be it further

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 9 members of the Finance Committee and 6 members of the Human Services Committee.

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

Adopted November 14, 2012 by voice vote.

ACT NO. 517-2012 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COMMUNITY ACTION, INC. FOR
ALTERNATE HOURS VISITATION FOR AT-RISK CHILDREN**

Pursuant to CFR Parts 74 and 92 and Section 450 of the County Law.

WHEREAS, Acts 621-2011 and 455-2012 authorized contracts for the provision of alternate hours visitation services for at-risk children, the term of which expires December 31, 2012, and

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

WHEREAS, Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, can provide both planned and unplanned visits to families working with the Cattaraugus County Child Welfare Unit for an annual amount not to exceed \$27,000.00, to be paid on a monthly basis as invoiced, and

WHEREAS, this program is 100% federally funded through the flexible fund for family services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2013 budget of sufficient funds

to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Cattaraugus Community Action, Inc., for the provision of the above-described services, for a term commencing January 1, 2013 and terminating December 31, 2013, according to the above-described terms, and be it further

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 9 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted November 14, 2012 by voice vote.

ACT NO. 518-2012 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COMMUNITY ACTION, INC., FOR
NON-RESIDENTIAL SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE**

Pursuant to 18 NYCRR Parts 408 and 452.2(b), Article 6-A of the
Social Services Law and Section 450 of the County Law.

WHEREAS, Act 473-2011 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the provision of mandated approved non-residential services to victims of domestic violence, the term of which expires December 31, 2012, and

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

WHEREAS, Cattaraugus Community Action, Inc., has agreed to administer the aforementioned program at an annual cost not to exceed \$25,000.00, to be paid on a monthly basis as invoiced, 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, contingent upon and subject to the inclusion in the 2013 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Cattaraugus Community Action, Inc., for the administration of the above-described program, for a term commencing January 1, 2013 and terminating December 31, 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 9 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted November 14, 2012 by voice vote.

ACT NO. 519-2012 by Ms. Edstrom and Mrs. Stockman
and Mrs. Labuhn¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR
EARLY INTERVENTION PROGRAM ADMINISTRATION (EIP)**

Pursuant to Public Law 98-8 and Section 450 of the County Law.

WHEREAS, Act 217-2012 authorized the Chair to execute a contract with the New York State Department of Health and various entities for the Child Find (Infant & Child Health Assessment Program) and the Early Intervention Program (EIP) administration, the term of which expired September 30, 2012, and

WHEREAS, the New York State Department of Health, Bureau of Child and Adolescent Health, has approved funding in the amount of \$40,786.00 to the County Health Department to continue a system to gather quality information about children with special health care needs in Cattaraugus County for the period commencing October 1, 2012 and terminating September 30, 2013, and

WHEREAS, a contract is necessary with the New York State Department of Health in order to obtain the aforementioned funding, 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 the New York State Department of Health, in order to obtain the aforementioned funding for the Early Intervention Programs, for a term commencing October 1, 2012 and terminating September 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 9 members of the Finance Committee and 6 members of the Human Services Committee.

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

Adopted November 14, 2012 by voice vote.

ACT NO. 520-2012 by Ms. Edstrom and Mrs. Stockman
and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SOUTHERN TIER COMMUNITY HEALTH CENTER NETWORK D/B/A
UNIVERSAL PRIMARY CARE FOR
HEALTH DEPARTMENT NURSE PRACTITIONER SERVICES**

Pursuant to 10 NYCRR Section 766.10 and Section 450 of the County Law.

WHEREAS, Act 64-2012 authorized a contract with Southern Tier Community Health Center Network d/b/a Universal Primary Care, 500 Main Street, Olean, New York 14760, for the provision of nurse practitioner services for the County Health Department Family Planning and Sexually Transmitted Disease Clinics, the term of which expires December 31, 2012, and

WHEREAS, the County Health Department is desirous of continuing the aforementioned contract at the rate of \$40.00 per hour for up to 28 hours per week for each nurse practitioner, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2013 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with the Southern Tier Community Health Center Network d/b/a Universal Primary Care, for the provision of the above-described services, for a term commencing January 1, 2013 and terminating December 31, 2013, according to the above-described terms, and be it further

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 9 members of the Finance Committee and 6 members of the Human Services Committee.

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

Adopted November 14, 2012 by voice vote.

ACT NO. 521-2012 by Ms. Edstrom and Mrs. Stockman
and Mr. Teachman, Mrs. Labuhn and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
OLEAN GENERAL HOSPITAL FOR HEALTH DEPARTMENT
NUTRITION, PHYSICAL, OCCUPATIONAL AND SPEECH THERAPY SERVICES**

Pursuant to 10 NYCRR Section 763.3 and Section 450 of the County Law.

WHEREAS, Act 631-2011 authorized the Chair to execute a contract with Olean General Hospital, 515 Main Street, Olean, New York 14760, for the provision of outpatient physical therapy

services for patients in the Health Department's Home Care Program, the term of which expires December 31, 2012, and

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

WHEREAS, Olean General Hospital can provide nutrition, physical, occupational and speech therapy services, as follows:

OUTPATIENT

| | |
|-----------------------------|--|
| Outpatient Physical Therapy | \$48/standard office visit |
| | \$21/short office visit (less than 15 min.) |

HOME VISITS

| | |
|------------------------------|------------|
| Physical Therapy Home Visits | \$68/visit |
| Physical Therapy Evaluations | \$70/each |

| | |
|----------------------------------|------------|
| Occupational Therapy Home Visits | \$68/visit |
| Occupational Therapy Evaluations | \$70/each |

| | |
|----------------------------|------------|
| Speech Therapy Home Visits | \$68/visit |
| Speech Therapy Evaluations | \$70/each |

| | |
|-------------------------------------|------------|
| Nutritionist Education/Counseling | \$90/visit |
| Nutritionist Evaluations/Assessment | \$90/visit |

CONSULTING SERVICES

| | |
|---------------------------------------|-----------|
| Qualified Medical Record Practitioner | \$68/hour |
|---------------------------------------|-----------|

MEETINGS

| | |
|------------------------|------------|
| Attendance at meetings | \$28/hour, |
|------------------------|------------|

and

WHEREAS, Olean General Hospital shall be paid on a monthly basis, as invoiced, in accordance with the rates listed above for services rendered, which are inclusive of all costs, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2013 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Olean General Hospital, for the provision of the above-described services, for a term commencing January 1, 2013 and terminating December 31, 2013, according to the above-described terms, and be it further

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 9 members of the Finance Committee and 6 members of the Human Services Committee.

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

Adopted November 14, 2012 by voice vote.

ACT NO. 522-2012 by Ms. Edstrom and Mrs. Stockman
and Mr. Teachman, Mrs. Labuhn and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
OLEAN GENERAL HOSPITAL FOR
LABORATORY, RADIOLOGY AND MAMMOGRAPHY SERVICES**

Pursuant to 10 NYCRR Part 763 and Section 450 of the County Law.

WHEREAS, Act 523-2011 authorized a contract with Olean General Hospital, 515 Main Street, Olean, New York 14760, for the provision of laboratory, radiology and mammography services for the County Health Department, the term of which expires December 31, 2012, and

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

WHEREAS, the Olean General Hospital can provide the aforementioned laboratory, radiology and mammography services at the Olean General Hospital approved Medicaid rate, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2013 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Olean General Hospital, for the provision of the above-described services, for a term commencing January 1, 2013 and terminating December 31, 2013, according to the above-described terms, and be it further

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 9 members of the Finance Committee and 6 members of the Human Services Committee.

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

Adopted November 14, 2012 by voice vote.

ACT NO. 523-2012 by Ms. Edstrom and Mrs. Stockman
and Mr. Aiello, Mr. Teachman, Mr. Lamberson and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
VIC VENA PHARMACY, INC. FOR PHARMACY CONSULTANT SERVICES**

Pursuant to 10 NYCRR Section 752.5 and
Section 450 of the County Law.

WHEREAS, Act 636-2011 authorized a contract with Vic Vena Pharmacy, Inc., 1322 West State Street, Olean, New York 14760, for the provision of a pharmacy consultant for assistance in the development of policies and procedures related to the provision of drugs and vaccines and advising professional and para-professional staff on drug interactions, side effects, and recall procedures as required by Article 28 of the Public Health Law, the term of which expires December 31, 2012, and

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

WHEREAS, Vic Vena Pharmacy, Inc. has agreed to continue providing the aforementioned services at the rate of \$70.00 per hour, to be paid as invoiced, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2013 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Vic Vena Pharmacy, Inc., for the provision of the above-described services, for a term commencing January 1, 2013 and terminating December 31, 2013, according to the above-described terms, and be it further

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 9 members of the Finance Committee and 6 members of the Human Services Committee.

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

Adopted November 14, 2012 by voice vote.

ACT NO. 524-2012 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE
AMENDED CONTRACT WITH CATTARAUGUS COUNTY
CHAPTER, NYSARC, INC. FOR PROVISION OF SERVICES**

Pursuant to Section 75.13 of the Mental Hygiene Law and
Act 290-2011 of the Cattaraugus County Legislature.

WHEREAS, Act 73-2009 authorized a contract with the Cattaraugus County Chapter, NYSARC, Inc., for the provision of comprehensive programs and service facilities for the mentally retarded, mentally ill, developmentally disabled, and physically handicapped residents of Cattaraugus County, the term of which expired December 31, 2009, and

WHEREAS, New York State has approved additional funding for the 2009 program year in the amount of \$7,180.00, bringing the total amount of state aid to an amount of \$590,498.00 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, the contract requires that such additional funding be paid over to the contractor, NYSARC, Inc., for the term commencing January 1, 2009 and terminating December 31, 2009, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute an amended contract with the Cattaraugus County Chapter of NYSARC, Inc., for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, and be it further

RESOLVED, that payment of the aforementioned amount be made to the Cattaraugus County Chapter, NYSARC, Inc., upon submission of a voucher for payment certified by the Chair of the Legislature, audited by the County Administrator, and paid by the County Treasurer, 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 9 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted November 14, 2012 by voice vote.

ACT NO. 525-2012 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE OFFICE OF MENTAL HEALTH FOR
DEPARTMENT OF COMMUNITY SERVICES EARLY RECOGNITION SERVICES**

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

WHEREAS, the Department of Community Services has been awarded funding in the amount of \$106,418.00 to cover the cost of an Early Recognition Specialist and related supervision and administrative costs for the 2013 program year, and

WHEREAS, a contract is necessary with the New York State Office of Mental Health in order to accept the aforementioned grant funding, 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, contingent upon and subject to the inclusion in the 2013 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with the New York State Office of Mental Health, in order to accept the aforementioned funding, for a term commencing

January 1, 2013 and terminating December 31, 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 9 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted November 14, 2012 by voice vote.

ACT NO. 526-2012 by Ms. Edstrom and Mrs. Stockman
and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
SOUTHERN TIER ENVIRONMENTS FOR LIVING, INC. FOR
VARIOUS MENTAL HEALTH PROGRAMS AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

Pursuant to Section 75.13 of the Mental Hygiene Law and
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 41-2012 authorized a contract with Southern Tier Environments for Living, Inc., (S.T.E.L.), 715 Central Avenue, Dunkirk, New York 14048, for the provision of employment assistance, intensive case management and supportive case management for mentally ill individuals, and supported housing services, the term of which expires December 31, 2012, and

WHEREAS, the County Department of Community Services has received additional state aid in the amount of \$6,319.00 for three (3) additional supported housing units for housing and support services for mentally ill individuals effective October 1, 2012, and

WHEREAS, S.T.E.L. has agreed to provide the additional housing units and services for the additional state aid of \$6,319.00, representing a total amended contract amount not to exceed \$95,752.00, and

WHEREAS, this program is 100% state 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 an amended contract for the year 2012 with S.T.E.L., 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, 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 the County Administrator is hereby directed to make the following budgetary changes:

Increase Estimated Revenue Account:

A.440.4322.6050.3490.078 STEL: State Aid, OMH Supported Housing \$6,319.00

Increase Appropriation Account:

A.440.4322.6050.42026.078 STEL: Supported Housing \$6,319.00.

Approved by 9 members of the Finance Committee and 6 members of the Human Services Committee.

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

Adopted November 14, 2012 by voice vote.

ACT NO. 527-2012 by Mr. Teachman and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SIRIUS COMPUTER SOLUTIONS, INC. FOR NETWORK CONSULTING SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Information Services is in need of professional network consulting services, and

WHEREAS, Sirius Computer Solutions, Inc., 301 Plainfield Road, Suite 210, Syracuse, New York 13212, can provide the network consulting services for an amount not to exceed \$39,530.00, including the following:

- Install and configure customer-owned Cisco Prime Infrastructure software and registration of networking devices to support device access attempts logging, device configuration change management, device user access unique identification, and general device monitoring, logging, and security. Customer will provide virtual server resources that meet or exceed manufacturer's recommended specifications.
- Provide network discovery and troubleshooting for WAN connectivity (IPSec VPN tunnels, Frame Relay WAN circuits, Remote VPN connections, etc.) including remote office connectivity, Olean to Little Valley main office connectivity, and Internet services to support daily network requirements and future needs for Unified Communications project.
- Reconcile existing documentation with existing infrastructure, and identify misconfigurations, discrepancies, and single points of failure. Recommend improvements and configuration changes to existing WAN networking hardware and services.
- Identify and review existing Internet egress points for management, security, and performance. Evaluate general internet connectivity and architecture for resiliency, redundancy, and security. Provide recommendations for best practices around design and configuration of edge internet devices and security appliances.
- Troubleshoot reported LAN / WAN anomalies currently affecting mission critical network services and applications and provide recommendations for improvement and general network stabilization prior to and during core network upgrade project.
- Provide recommendations reporting and 'as built' documentation for any devices configured or altered during discovery and troubleshooting activities.,

and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned costs, 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 Sirius Computer Solutions, Inc., for the provision of the above-described services, for a term commencing November 1, 2012 and terminating October 31, 2013, according to the above-described terms.

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

Adopted November 14, 2012 by voice vote.

ACT NO. 528-2012 by Mr. Snyder, Sr.

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
DRESCHER & MALECKI, LLP FOR AUDITING SERVICES**

Pursuant to Sections 210 and 450 of the County Law.

WHEREAS, Act 766-2009 authorized a contract with the firm of Toski, Schaefer & Co., P.C., for the provision of certain auditing services for Cattaraugus County for fiscal years 2009, 2010 and 2011, the term of which expires December 31, 2012, and

WHEREAS, the County Treasurer is desirous of contracting with another auditing firm to provide the aforementioned services in 2013, 2014 and 2015, and

WHEREAS, the firm of Drescher & Malecki, LLP, 3083 William Street, Cheektowaga, New York 14227, can provide audit services for the County for an amount as follows:

| | <u>2012</u> | <u>2013</u> | <u>2014</u> |
|----------------------------|-------------|-------------|-------------|
| Audit Services: | | | |
| Financial Statements | \$49,786.00 | \$50,786.00 | \$51,786.00 |
| Deferred Compensation Plan | \$ 4,000.00 | \$ 4,100.00 | \$ 4,200.00 |

** The prices stated above include all labor, materials, transportation, insurance and all other necessary expenses, both direct and indirect, to fulfill the provisions of the contract.

now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2013 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with the firm of Drescher & Malecki, LLP, for the provision of the above-described auditing services, for a term commencing January 1, 2013 and terminating December 31, 2015, according to the above-described terms.

Approved by 9 members of the Finance Committee.

Adopted November 14, 2012 by voice vote.

ACT NO. 529-2012 by Mr. Murphy

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE OFFICE OF PROBATION AND
CORRECTIONAL ALTERNATIVES FOR ALTERNATIVES TO
INCARCERATION PROGRAM**

Pursuant to Article 13-A of the Executive Law and Section 450 of the County Law.

WHEREAS, Act 357-2011, as amended by Act 109-2012, authorized a contract with the New York State Division of Probation and Correctional Alternatives for an Alternatives to Incarceration Program for the 2011 program year, the term of which expired June 30, 2012, and

WHEREAS, the Alternatives to Incarceration Program consists of a pre-trial release component with a total program cost of \$28,165.00, with an amount of \$10,595.00 being funded through the New York State Office of Probation and Correctional Alternatives for the contract term of July 1, 2012 through June 30, 2013, and

WHEREAS, the Pre-Trial Release Program provides for the screening and, for those eligible, background evaluation on all individuals admitted to the County jail, provides the courts with sufficient information and recommendations for possible release on recognizance pending resolution of the case in court, helps relieve overcrowding in the jail, and allows the jail to operate with a simplified classification system, and

WHEREAS, this program is 39% state funded and 61% locally 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 New York State Office of Probation and Correctional Alternatives, for the provision of the above-described program, 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 9 members of the Finance Committee and 6 members of the Public Safety Committee.

Adopted November 14, 2012 by voice vote.

ACT NO. 530-2012 by Mr. Murphy

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
NEW YORK STATE OFFICE OF PROBATION AND
CORRECTIONAL ALTERNATIVES FOR 200% OF
POVERTY ALTERNATIVE TO INCARCERATION PROGRAM**

Pursuant to 29 USCS Section 1604 and
Section 450 of the County Law.

WHEREAS, Act 462-2011 authorized the Chair to execute a grant application and contract with the New York State Division of Probation and Correctional Alternatives for TANF Project for Community Corrections Programs, the term of which expires December 31, 2012, and

WHEREAS, the TANF Project for Community Corrections Programs is now known as the 200% of Poverty Alternative to Incarceration Program, and

WHEREAS, the County Probation Department is eligible to apply for a renewal grant in the amount of \$133,030.00 for the period January 1, 2013 to December 31, 2013, and

WHEREAS, a contract with the New York State Office of Probation and Correctional Alternatives is necessary in order to accept the aforementioned funding, 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 grant documents, contingent upon and subject to the inclusion in the 2013 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with the New York State Office of Probation and Correctional Alternatives, in order to apply for, and accept, the aforementioned grant funds, for a term commencing January 1, 2013 and terminating December 31, 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 6 members of the Public Safety Committee.

Adopted November 14, 2012 by voice vote.

ACT NO. 531-2012 by Mr. Murphy
and Mr. Koch¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR
DISTRICT ATTORNEY AID TO PROSECUTION PROGRAM**

Pursuant to Section 450 of the County Law and
Chapter 53 of the Laws of 1990.

WHEREAS, Act 374-2011 authorized a contract with the New York State Division of Criminal Justice Services for funding for the Aid to Prosecution Program, and

WHEREAS, the District Attorney has been notified by the New York State Division of Criminal Justice Services that the District Attorney's Office is eligible for a grant in the amount of \$29,200.00 under the Aid to Prosecution Program for the period April 1, 2012 to March 31, 2013, and

WHEREAS, the purpose of this program is to expedite the processing of repeat and serious felony offenders, to maintain increased levels of experienced prosecution personnel, to seek the imposition of maximum sentences and minimum plea bargaining options for defendants, to limit the caseloads of experienced attorneys in order to maintain a policy of vertical prosecution and to screen all potentially Aid to Prosecution eligible felony cases, and

WHEREAS, a contract is necessary with the New York State Division of Criminal Justice Services in order to accept the aforementioned funding, 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 the aforementioned contract, on behalf of Cattaraugus County, with the New York State Division of Criminal Justice Services, for the provision of the above-described program, for a term commencing April 1, 2012 and terminating March 31, 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 9 members of the Finance Committee and 6 members of the Public Safety Committee.

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

Adopted November 14, 2012 by voice vote.

ACT NO. 532-2012 by Mr. Marsh, Mr. Snyder, Sr. and Mr. Sprague

AMENDING PURCHASING POLICY

Pursuant to Section 103(16) of the General Municipal Law.

WHEREAS, Act 636-2009 adopted by the Cattaraugus County Legislature enacted the Cattaraugus County Purchasing Policy, and

WHEREAS, such policy has been amended by Acts 382-2010, 472-2010 and 290-2011 and

WHEREAS, General Municipal Law Section 103(16), enacted by Chapter 308 of the Laws of 2012 of the State of New York, provides that any county or political subdivision authorized to make purchases of apparatus, materials, equipment or supplies, or to contract for services related to the installation or repair of apparatus, materials, equipment and supplies, may make such purchases or contract for such services through the use of any contract let by the federal government or any agency thereof, any state or any other county or political subdivision or district therein, if such contract was let in a manner that constitutes competitive bidding consistent with state law and made available for use by other governmental entities, and

WHEREAS, it is in the best interest of Cattaraugus County that the County's Purchasing Policy be amended in order to permit purchases from other governmental entities pursuant to Section 103(16) of the General Municipal Law, now, therefore, be it

RESOLVED, that the Cattaraugus County's Purchasing Policy, originally enacted by Act 636-2009, as amended by Acts 382-2010, 472-2010 and 290-2011 and is further amended in the following respects:

1.1 By renumbering paragraph 3.12 thereof, entitled "Purchases Under Another County's Bid Award Process" to paragraph no. 3.12.1; and by adding paragraph 3.12.2, which shall read as follows:

“3.12.2 Purchases Under General Municipal Law Section 103(16).

.1 General Municipal Law Section 103(16), enacted by Chapter 308 of the Laws of 2012 of the State of New York, which expires and shall be deemed repealed on August 1, 2017 unless extended, authorizes the County to make purchases of apparatus, materials, equipment or supplies, or to contract for services related to the installation, maintenance or repair of apparatus, materials, equipment or supplies, through the use of a contract let by the United States or any agency thereof, any state or any other county or political subdivision or district therein, if such contract was let in a manner that constitutes competitive bidding consistent with New York Law and is made available for use by other governmental entities.

.2 Prior to making any such purchase or contract, the County department involved shall consider whether such contract will result in cost savings after all factors, including charges for service, material and delivery have been considered.

.3 Prior to making any such purchase or contract, the County department involved, in consultation with the County Attorney, shall determine that the original contract let by the United States or any of the other entities identified herein was let in a manner that constitutes competitive bidding consistent with General Municipal Law Section 103 and all other applicable laws of the State of New York and that such purchase or contract has been made available for use by other governmental entities.”, and be it further

RESOLVED, that this amendment shall expire and be deemed repealed coincident with the expiration and repeal of General Municipal Law §103(16), and be it further

RESOLVED, that, except as herein specifically amended, the County’s Purchasing Policy shall be and remain in full force and effect.

Approved by 9 members of the Finance Committee.

Adopted November 14, 2012 by voice vote.

ACT NO. 533-2012 by Mr. Marsh

**LOCAL LAW NUMBER 12- 2012
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law and
Section 103 of the General Municipal Law.

**A LOCAL LAW ESTABLISHING UNIFORM GUIDELINES FOR
DETERMINING THE RESPONSIBILITY OF BIDDERS**

BE IT ENACTED by the Legislature of the County of Cattaraugus ("the County"), as follows:

Section 1. Legislative Intent. It is the intent of this Local Law to enhance the County's ability to identify the lowest "responsible bidder" on public works construction projects by instituting more comprehensive submission requirements and an evaluation system which is in compliance with New York State General Municipal Law. The County, based upon its experience, has determined that quality workmanship, efficient operation, safety, and timely completion of projects are not necessarily assured by awarding a public works contract solely on the basis of the low price. This Local Law establishing uniformity of guidelines for determining the responsibility of bidders will assure efficient use of taxpayer dollars, will promote public safety, and is in the public interest.

Section 2. Applicability. This Local Law shall apply to construction projects subject to the competitive bidding requirements of General Municipal Law § 103 and advertised for bids on or after the effective date.

Section 3. Public Works. For purposes of this Local Law, the term "public works" shall mean the following: any constructing, altering, reconstructing, repairing, rehabilitating, refinishing, refurbishing, remodeling, remediating, renovating, custom fabricating, maintenance, landscaping, improving, moving, wrecking, painting, decorating, demolishing, and adding to or subtracting from any public building, structure, highway, roadway, street, alley, bridge, sewer, drain, ditch, sewage disposal plant, water work, parking facility, railroad, excavation, or other project, development, real property, or improvement, or to any part thereof, whether or not the performance of the work herein described involves the addition to, or fabrication into, any structure, project or development, real property or improvement herein described of any material or article of merchandise, which is paid for out of public funds in an amount exceeding \$10,000.00. The term also includes any public works leased by the County under a lease containing an option to purchase exceeding the \$10,000.00 threshold established hereby.

Section 4. Responsible Bidder Questionnaire.

A. New York State Vendor Responsibility Questionnaire. Before a public works contract may be awarded pursuant to General Municipal Law §103, contracting officials shall determine the responsibility of potential contractors and subcontractors by reviewing uniform questionnaires submitted by each contractor and subcontractor for the project. All bidders are required to submit the New York State Vendor Responsibility Questionnaire For-Profit Construction (CCA-2) form (hereinafter "uniform questionnaire") with appendices A, B, and C to ascertain information as to integrity, responsibility and competence.

B. List of Subcontractors. Each bidder shall submit a list of the subcontractors used in the calculation of the bid upon submission of the uniform questionnaire.

C. Conformity by Subcontractors. Subcontractors shall complete the Uniform Questionnaire and meet the same responsibility standards as contractors to be eligible to work on public work contracts. Questionnaires shall be completed by subcontractors no later than the time and date of the award. The County reserves the right to reject the bid on the basis of unsatisfactory questionnaire responses by a subcontractor designated to perform work by the bidding general contractor.

Section 5. Requirements.

A. All general bidders and sub-bidders (including sub-sub bidders) for construction projects funded by the County of Cattaraugus as set forth above in Section 2, shall as a condition of the bid, agree in writing that they shall comply with the obligations established by this Local Law.

B. The County shall require that all bidders fill out the uniform questionnaire in order to ascertain the financial responsibility, accountability, reliability, skill, judgment, and integrity of the apparent lowest bidder.

C. The County shall utilize the "Guidelines for Responsibility Determinations" as set forth in Executive Order No. 170 (9 NYCRR 4.170) in evaluating the responsibility of contractors and determining the lowest responsible bidder.

D. Contractors and all subcontractors shall properly classify their workers as employees rather than as independent contractors, unless those workers meet the definition of "independent contractor" as defined by the Internal Revenue Service, and shall treat said employees accordingly for purposes of workers' compensation insurance coverage, unemployment insurance, employment taxes, and social security taxes.

E. The contractors and all subcontractors shall require each employee to sign in and out at the beginning and end of each day, and list next to his or her name his or her craft, and to provide such information to the County Commissioner of Public Works ("the Commissioner"), on a bi-weekly basis. Such information shall be kept in the Commissioner's office for a period of three (3) years, and copies of

same shall be made available to the public immediately upon Freedom of Information Law (FOIL) request.

Section 6. Procedure.

A. The Commissioner, or other department head soliciting public works bids, shall distribute to all bidders a copy of this local law and the uniform questionnaire and thereafter collect from bidders all information required by this local law, and keep such information in his/her offices for a period of three (3) years, review of which will be made available to the public.

B. If a bidder fails or refuses to provide all the information required by this local law, or provides false information, the bidder's bid will be rejected at the bid opening.

C. The Commissioner shall post a list of the three low apparent bidders on the County of Cattaraugus website five (5) days after the bid opening.

D. If the apparent lowest bidder is deemed not responsible, then the next lowest bidder will be reviewed and so on until the lowest bidder is deemed responsible and selected as the lowest responsible bidder. In the event a bidder fails to furnish the requested information, the bidder shall be deemed disqualified and determined to be not responsible, the next lowest bidder shall become the apparent lowest bidder.

E. Not later than five (5) calendar days prior to a final determination that the apparent lowest bidder is not responsible, the County will notify the party of same, in writing, stating the reasons and setting forth a reasonable time, date and place for the apparent low bidder to appear and be heard.

F. If the bid of the lowest responsible bidder appears disproportionately low when compared with estimates obtained by or on behalf of the County and/or compared to other bids submitted (10% or greater disparity), the County reserves the right to inquire further of the apparent lowest bidder to determine whether the bid contains mathematical errors, omissions and/or erroneous assumptions, and whether the apparent lowest bidder has the capability to perform and complete the contract for the bid amount.

G. If a bidder is found to have willfully violated New York Labor Law §220 within the previous five (5) years, that bidder shall automatically be deemed "not responsible" and his bid shall be rejected unless the Commissioner, subject to review by the Public Works Committee of the Cattaraugus County Legislature, determines otherwise. Otherwise, based on all of the information collected pursuant to this local law and any other factor deemed relevant, the Commissioner of Public Works, or other department heads soliciting public works bids, shall determine if the apparent lowest bidder is in fact "responsible."

Section 7. Incomplete Submissions by Bidders and Subcontractors. It is the sole responsibility of the contractor to comply with all submission requirements at the time it submits its bid to the County. The submission requirements also apply to all subcontractors, except that the contractor shall submit all subcontractor questionnaires to the County of Cattaraugus no later than the date and time of the contract award. Contractor and/or subcontractor submissions deemed non-responsive will result in automatic rejection of the bid.

Section 8. Sanctions.

A. Any bidder or subcontractor bidder who fails to comply with any of the obligations described in as determined by the Commissioner may, in the sole discretion of the County, and only following an opportunity for the bidder to be heard, be subject to one or more of the following sanctions:

1. Temporary suspension of work on the project until compliance is obtained; or
2. Withholding by the County of payment due under the contract until compliance is obtained; or
3. Permanent removal from any further work on the project; or
4. Liquidated damages payable to the County in an amount equal to five percent (5%) of the dollar value of the general contract.

B. In addition to the above sanctions, any contractor or subcontractor, or principal officer who has been determined to have violated any of the provisions of this local Law shall be barred from performing any work on future contracts awarded by the County for six (6) months for the first violation, three (3) years for the second violation, and permanently for the third violation.

C. Any sum collected as a penalty pursuant to this section shall be applied toward enforcement and administration costs.

Section 9. Public Records. All information submitted by a contractor or subcontractor pursuant to this Local Law is a public record and shall be immediately available to any person upon request made pursuant to the Freedom of Information Law (Public Officers Law Article 6).

Section 10. Materiality. The requirements of this Local Law are a material part of the bid documents and the contract and the successful bidder shall insert this Local Law in all subcontracts.

Section 11. 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 of Judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local law or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved In the controversy in which such judgment or order shall be rendered.

Section 12. Other Local Laws. Any prior Local Law or portion thereof in conflict with this Local Law is hereby repealed.

Section 13. Effective Date. This Local Law shall take effect upon filing in the Office of the Secretary of State, in accordance with Section 27 of the New York State Municipal Home Rule Law.

No action was taken on Act No. 533-2012 at this time.

ACT NO. 534-2012 by Mr. Marsh

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 12-2012

Pursuant to Section 10 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on November 14, 2012, a proposed Local Law entitled "A Local Law Establishing Uniform Guidelines for Determining the Responsibility of Bidders", 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 28th day of November, 2012, at 3:01 p.m. at the Legislature's Chambers, County Center, 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 9 members of the Finance Committee.

Adopted November 14, 2012 by voice vote.

ACT NO. 535-2012 by Mr. Aiello and Mr. Sprague

**LOCAL LAW NUMBER 13-2012
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 103 of the General Municipal Law, as amended by Chapter 608 of the Laws of 2011 of the State of New York and Chapter 2 of 2012 of the Laws of the State of New York.

**A LOCAL LAW AUTHORIZING THE AWARD OF
PURCHASE CONTRACTS ON THE BASIS OF BEST VALUE**

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

SECTION 1. Preamble.

A. Section 103 of the General Municipal Law requires competitive bidding for purchase contracts and public works contracts and has historically required that such bids be awarded to the lowest responsible bidder whose bid meets the requirements of the specifications for the project.

B. Section 103 was recently amended to provide that by enacting a Local Law so providing, counties and other municipalities may award purchase contracts which would otherwise be subject to the "lowest bidder" rule on the basis of best value, as defined in Section 163 of the State Finance Law, to a responsive and responsible bidder or offeror.

C. The Cattaraugus County Legislature hereby determines that it is in the best interest of the County and its residents for the Legislature to have the authority to award purchase contracts on the basis of best value.

SECTION 2. Authorization.

A. On and after the effective date hereof, Cattaraugus County may award purchase contracts, including contracts for service work, but excluding any purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of the Labor Law, on the basis of best value, as defined in Section 163 of the State Finance Law, to a responsive and responsible bidder or offeror.

B. The election to award any such contract on the basis of best value shall be made by the legislative committee which authorizes the solicitation for bids therefor.

C. In the event that no such election is made, purchase contracts will continue to be awarded to the lowest responsible bidder furnishing the required security.

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 upon the filing with the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

No action was taken on Act No. 535-2012 at this time.

ACT NO. 536-2012 by Mr. Aiello and Mr. Sprague

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 13-2012

Pursuant to Section 10 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on November 14, 2012, a proposed Local Law entitled "A Local Law Authorizing the Award of Purchase Contracts on the Basis of Best Value", 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 28th day of November, 2012, at 3:02 p.m. at the Legislature's Chambers, County Center, 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 9 members of the Finance Committee.

Adopted November 14, 2012 by voice vote.

ACT NO. 537-2012 by Mr. Marsh

URGING NEW YORK STATE LEGISLATURE TO ADOPT AND IMPLEMENT JESSICA'S LAW TO PROTECT CHILDREN FROM SEXUAL PREDATORS

Pursuant to Section 153 of the County Law.

WHEREAS, The Jessica Lunsford Act (a/k/a Jessica's Law) was passed by the 2005 Florida Legislature following the assault and murder of Jessica Lunsford in Homosassa Springs, Florida, by a previously convicted sex offender, and

WHEREAS, the basis of Jessica's Law is to set a mandatory minimum sentence of 25 years in prison and a lifetime of electronic monitoring of adults convicted of lewd or lascivious acts against a victim less than 12 years old, thereby reducing the recidivism rate of sex offenders against children, and

WHEREAS, New York State is one of the few states in the country that has not enacted any part of Jessica's Law, and

WHEREAS, currently the maximum sentence for an adult who has sexual intercourse with a child less than eleven (11) years old, in New York State, is 25 years, however, the majority of those sentences are lowered to the level of rape in the third or second degree, which carries a maximum sentence of seven years in prison, and

WHEREAS, New York State must take additional steps to monitor sex offenders, to protect the public from them, and to provide adequate penalties for and safeguard against sex offenders, particularly those who prey on children, and

WHEREAS, existing New York State laws that punish aggravated sexual assault, habitual sexual offenders, and child molesters must be strengthened and improved, and

WHEREAS, Jessica's Law, when enacted in New York State, will insure that predators who sexually violate children under 12 years of age will pay a severe penalty, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby urges the New York State Legislature to adopt and implement Jessica's Law to protect children from sexual predators in New York State, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a copy of this resolution to Governor Cuomo, Senate President Pro Tempore Skelos, Assembly Speaker Silver, Senator Young, Assembly Member Giglio, the New York State Association of Counties and the Western New York Inter-County Association.

Referred to the Finance Committee and the Public Safety Committee.

ACT NO. 538-2012 by Mr. Snyder, Sr.

REFUNDING BOND RESOLUTION DATED NOVEMBER 7, 2012.

A RESOLUTION AUTHORIZING THE ISSUANCE PURSUANT TO SECTION 90.10 OF THE LOCAL FINANCE LAW OF REFUNDING BONDS OF THE COUNTY OF CATTARAUGUS, NEW YORK, TO BE DESIGNATED SUBSTANTIALLY "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BONDS", AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO AND THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY

WHEREAS, the County of Cattaraugus, New York (hereinafter, the "County") heretofore issued \$5,350,000 Public Improvement (Serial) Bonds, 2001 to pay the cost of the various County improvements, such Public Improvement (Serial) Bonds, 2001, being dated September 15, 2001 and maturing or matured on August 15 annually (the "2001 Refunded Bonds"); and

WHEREAS, the County heretofore issued \$7,367,775 Public Improvement (Serial) Bonds, 2003 to pay the cost of various County improvements, such Public Improvement (Serial) Bonds, 2003, being dated October 15, 2003 and maturing or matured on April 15 annually (the "2003 Refunded Bonds"); and

WHEREAS, the County heretofore issued \$3,090,000 Public Improvement (Serial) Bonds, 2004 to pay the cost of various County improvements, such Public Improvement (Serial) Bonds, 2004, being dated September 1, 2004 and maturing or matured on September 1 annually (the "2004 Refunded Bonds"); and

WHEREAS, the County heretofore issued \$4,400,000 Public Improvement (Serial) Bonds, 2005 to pay the cost of various County improvements, such Public Improvement (Serial) Bonds, 2005, being dated September 1, 2005 and maturing or matured on September 1 annually (the "2005 Refunded Bonds"); and

WHEREAS, the County heretofore issued \$4,350,365 Public Improvement (Serial) Bonds, 2006 to pay the cost of various County improvements, such Public Improvement (Serial) Bonds, 2006, being dated September 1, 2006 and maturing or matured on April 1 annually (the "2006 Refunded Bonds"); and

WHEREAS, the 2001, 2003, 2004, 2005 and 2006 Refunded Bonds are hereinafter sometimes referred to collectively as the "Refunded Bonds"; and

WHEREAS, it would be in the public interest to refund all, or one or more, or a portion of one or more, of the \$750,000 outstanding principal balance of the 2001 Refunded Bonds maturing in 2013 and thereafter, the \$1,550,000 outstanding principal balance of the 2003 Refunded Bonds maturing in 2014 and thereafter, the \$1,175,000 outstanding principal balance of the 2004 Refunded Bonds maturing in 2014 and thereafter, the \$1,750,000 outstanding principal balance of the 2005 Refunded Bonds maturing in 2015 and thereafter, and the \$1,650,000 outstanding principal balance of the 2006

Refunded Bonds maturing in 2016 and thereafter, each by the issuance of refunding bonds pursuant to Section 90.10 of the Local Finance Law; and

WHEREAS, each of such refundings will individually result in present value savings in debt service as so required by Section 90.10 of the Local Finance Law; NOW, THEREFORE, BE IT

RESOLVED, by the County Legislature of the County of Cattaraugus, New York, as follows:

Section 1. For the object or purpose of refunding the aforementioned outstanding aggregate principal balance of the Refunded Bonds, including providing moneys which, together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized, shall be sufficient to pay (i) the principal amount of the Refunded Bonds, (ii) the aggregate amount of unmatured interest payable on the Refunded Bonds to and including the date on which the Refunded Bonds which are callable are to be called prior to their respective maturities in accordance with the refunding financial plan, as hereinafter defined, (iii) the costs and expenses incidental to the issuance of the refunding bonds herein authorized, including the development of the refunding financial plan, as hereinafter defined, compensation to the underwriter or underwriters, as hereinafter defined, costs and expenses of executing and performing the terms and conditions of the escrow contract or contracts, as hereinafter defined, and fees and charges of the escrow holder or holders, as hereinafter mentioned, (iv) the redemption premium to be paid on the Refunded Bonds which are to be called prior to their respective maturities, and (v) the premium or premiums for a policy or policies of municipal bond insurance or cost or costs of other credit enhancement facility or facilities, for the refunding bonds herein authorized, or any portion thereof, there are hereby authorized to be issued not exceeding \$7,500,000 refunding bonds of the County pursuant to the provisions of Section 90.10 of the Local Finance Law (the "County Refunding Bonds" or the "Refunding Bonds"), it being anticipated that the amount of Refunding Bonds actually to be issued will be approximately \$7,010,000, as provided in Section 4 hereof. The Refunding Bonds described herein are hereby authorized to be consolidated for purposes of sale in one or more refunding bond issues. The County Refunding Bonds shall each be designated substantially "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BOND" together with such series designation and year as is appropriate on the date of sale thereof, shall be of the denomination of \$5,000 or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity, shall be numbered with the prefix R-12 (or R with the last two digits of the year in which the Refunding Bonds are issued as appropriate) followed by a dash and then from 1 upward, shall be dated on such dates, and shall mature annually on such dates in such years, bearing interest semi-annually on such dates, at the rate or rates of interest per annum, as may be necessary to sell the same, all as shall be determined by the County Treasurer pursuant to Section 4 hereof. It is hereby further determined that (a) such Refunding Bonds may be issued in series, (b) such Refunding Bonds may be sold at a discount in the manner authorized by paragraph a of Section 57.00 of the Local Finance Law pursuant to subdivision 2 of paragraph f of Section 90.10 of the Local Finance Law, and (c) such Refunding Bonds may be issued as a single consolidated issue. It is hereby further determined that such Refunding Bonds may be issued to refund all, or any portion of, the Refunded Bonds, subject to the limitation hereinafter described in Section 10 hereof relating to approval by the State Comptroller.

Section 2. The Refunding Bonds may be subject to redemption prior to maturity upon such terms as the County Treasurer shall prescribe, which terms shall be in compliance with the requirements of Section 53.00 (b) of the Local Finance Law. If less than all of the Refunding Bonds of any maturity are to be redeemed, the particular refunding bonds of such maturity to be redeemed shall be selected by the County by lot in any customary manner of selection as determined by the County Treasurer.

The Refunding Bonds shall be issued in registered form and shall not be registrable to bearer or convertible into bearer coupon form. In the event said Refunding Bonds are issued in non-certificated form, such bonds, when issued, shall be initially issued in registered form in denominations such that one bond shall be issued for each maturity of bonds and shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities

depository for the bonds in accordance with the Book-Entry-Only system of DTC. In the event that either DTC shall discontinue the Book-Entry-Only system or the County shall terminate its participation in such Book-Entry-Only system, such bonds shall thereafter be issued in certificated form of the denomination of \$5,000 each or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity. In the case of non-certificated Refunding Bonds, principal of and interest on the bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to The Depository Trust Company, New York, New York, or to its nominee, Cede & Co., while the bonds are registered in the name of Cede & Co. in accordance with such Book-Entry-Only System. Principal shall only be payable upon surrender of the bonds at the principal corporate trust office of such Fiscal Agent (or at the office of the County Clerk as Fiscal Agent as hereinafter provided).

In the event said Refunding Bonds are issued in certificated form, principal of and interest on the Refunding Bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to the registered owners of the Refunding Bonds as shown on the registration books of the County maintained by the Fiscal Agent (as hereinafter defined), as of the close of business on the fifteenth day of the calendar month or first business day of the calendar month preceding each interest payment date as appropriate and as provided in a certificate of the County Treasurer providing for the details of the Refunding Bonds. Principal shall only be payable upon surrender of bonds at the principal corporate trust office of a bank or trust company or banks or trust companies located or authorized to do business in the State of New York, as shall hereafter be designated by the County Treasurer as fiscal agent of the County for the Refunding Bonds (collectively the "Fiscal Agent").

Refunding Bonds in certificated form may be transferred or exchanged at any time prior to maturity at the principal corporate trust office of the Fiscal Agent for bonds of the same maturity of any authorized denomination or denominations in the same aggregate principal amount.

Principal and interest on the Refunding Bonds will be payable in lawful money of the United States of America.

The County Treasurer, as chief fiscal officer of the County, is hereby authorized and directed to enter into an agreement or agreements containing such terms and conditions as he shall deem proper with the Fiscal Agent, for the purpose of having such bank or trust company or banks or trust companies act, in connection with the Refunding Bonds, as the Fiscal Agent for said County, to perform the services described in Section 70.00 of the Local Finance Law, and to execute such agreement or agreements on behalf of the County, regardless of whether the Refunding Bonds are initially issued in certificated or non-certificated form; provided, however, that the County Treasurer is also hereby authorized to name the County Clerk as the Fiscal Agent in connection with the Refunding Bonds if said Refunding Bonds are issued in non-certificated form.

The County Treasurer is hereby further delegated all powers of this County Legislature with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for said Refunding Bonds, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

The Refunding Bonds shall be executed in the name of the County by the manual or facsimile signature of the County Treasurer, and a facsimile of its corporate seal shall be imprinted thereon. In the event of facsimile signature, the Refunding Bonds shall be authenticated by the manual signature of an authorized officer or employee of the Fiscal Agent. The Refunding Bonds shall contain the recital required by subdivision 4 of paragraph j of Section 90.10 of the Local Finance Law and the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of the Refunding Bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the Fiscal Agent, and, accordingly,

pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the Fiscal Agent.

Section 3. It is hereby determined that:

(a) the maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by subdivision 1 of paragraph b of Section 90.10 of the Local Finance Law;

(b) the maximum period of probable usefulness permitted by law at the time of the issuance of the respective Refunded Bonds, for the classes of objects or purposes for which such respective Refunded Bonds were issued is set forth in the bond determinations certificates of the County Treasurer for each of the Refunded Bonds;

(c) the last installment of the Refunding Bonds will mature not later than the expiration of the period of probable usefulness of each of the objects or purposes for which said respective Refunded Bonds were issued in accordance with the provisions of subdivision 1 of paragraph c of Section 90.10 of the Local Finance Law;

(d) the estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, if any, computed in accordance with the provisions of subdivision 2 of paragraph b of Section 90.10 of the Local Finance Law, with regard to each of the Respective Series of Refunded Bonds, is as shown in the Refunding Financial Plan described in Section 4 hereof.

Section 4. The financial plan for the aggregate of the refundings authorized by this resolution (collectively, the "Refunding Financial Plan"), showing the sources and amounts of all moneys required to accomplish such refundings, the estimated present value of the total debt service savings and the basis for the computation of the aforesaid estimated present value of total debt service savings, are set forth in Exhibit A attached hereto and made a part of this resolution. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in one series to refund all of the Refunded Bonds in the principal amount of \$7,010,000 , and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth on Exhibit A attached hereto and made a part of this resolution. This County Legislature recognizes that the Refunding Bonds may be issued in one or more series, and for only one or more of the Refunded Bonds, or portions thereof, that the amount of the Refunding Bonds, maturities, terms, and interest rate or rates borne by the Refunding Bonds to be issued by the County will most probably be different from such assumptions and that the Refunding Financial Plan will also most probably be different from that attached hereto as Exhibit A. The County Treasurer is hereby authorized and directed to determine which of the Refunded Bonds will be refunded and at what time, the amount of the Refunding Bonds to be issued, the date or dates of such bonds and the date or dates of issue, maturities and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities, whether the Refunding Bonds shall be sold at a discount in the manner authorized by paragraph e of Section 57.00 of the Local Finance Law, and the rate or rates of interest to be borne thereby, whether the Refunding Bonds shall be issued having substantially level or declining annual debt service and all matters related thereto, and to prepare, or cause to be provided, a final Refunding Financial Plan for the Refunding Bonds and all powers in connection therewith are hereby delegated to the County Treasurer; provided, that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of Section 90.10 of the Local Finance Law. The County Treasurer shall file a copy of his certificates determining the details of the Refunding Bonds and the final Refunding Financial Plan with the County Clerk not later than ten (10) days after the delivery of the Refunding Bonds, as herein provided.

Section 5. The County Treasurer is hereby authorized and directed to enter into an escrow contract or contracts (collectively the "Escrow Contract") with a bank or trust company, or with banks or

trust companies, located and authorized to do business in this State as said President shall designate (collectively the "Escrow Holder") for the purpose of having the Escrow Holder act, in connection with the Refunding Bonds, as the escrow holder to perform the services described in Section 90.10 of the Local Finance Law.

Section 6. The faith and credit of said County of Cattaraugus, New York, are hereby irrevocably pledged to the payment of the principal of and interest on the Refunding Bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall be annually levied on all the taxable real property in said County a tax sufficient to pay the principal of and interest on such Refunding Bonds as the same become due and payable.

Section 7. All of the proceeds from the sale of the Refunding Bonds, including the premium, if any, but excluding accrued interest thereon, shall immediately upon receipt thereof be placed in escrow with the Escrow Holder for the Refunded Bonds. Accrued interest on the Refunding Bonds shall be paid to the County to be expended to pay interest on the Refunding Bonds. Such proceeds as are deposited in the escrow deposit fund to be created and established pursuant to the Escrow Contract, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunded Bonds in accordance with Section 90.10 of the Local Finance Law, and the holders, from time to time, of the Refunded Bonds shall have a lien upon such moneys held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder for the Refunded Bonds in the escrow deposit fund shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the County irrespective of whether such parties have notice thereof.

Section 8. Notwithstanding any other provision of this resolution, so long as any of the Refunding Bonds shall be outstanding, the County shall not use, or permit the use of, any proceeds from the sale of the Refunding Bonds in any manner which would cause the Refunding Bonds to be an "arbitrage bond" as defined in Section 148 of the Internal Revenue Code of 1986, as amended, and, to the extent applicable, the Regulations promulgated by the United States Treasury Department thereunder.

Section 9. In accordance with the provisions of Section 53.00 and of paragraph h of Section 90.10 of the Local Finance Law, in the event such bonds are refunded, the County hereby elects to call in and redeem each Respective Series of Refunded Bonds which the County Treasurer shall determine to be refunded in accordance with the provisions of Section 4 hereof and with regard to which the right of early redemption exists. The sum to be paid therefor on such redemption date shall be the par value thereof plus the redemption premium, and the accrued interest to such redemption date. The Escrow Agent for the Refunding Bonds is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the County in the manner and within the times provided in the Refunded Bonds. Such notice of redemption shall be in substantially the form attached to the Escrow Contract. Upon the issuance of the Refunding Bonds, the election to call in and redeem the callable Refunded Bonds and the direction to the Escrow Agent to cause notice thereof to be given as provided in this paragraph shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with the publication requirements of paragraph a of Section 53.00 of the Local Finance Law, or any successor law thereto.

Section 10. The Refunding Bonds shall be sold at private sale to Roosevelt & Cross Inc. (the "Underwriter") for purchase prices to be determined by the County Treasurer, plus accrued interest from the date or dates of the Refunding Bonds to the date or dates of the delivery of and payment for the

Refunding Bonds. Subject to the approval of the terms and conditions of such private sale by the State Comptroller as required by subdivision 2 of paragraph f of Section 90.10 of the Local Finance Law, the County Treasurer, is hereby authorized to execute and deliver a purchase contract for the Refunding Bonds in the name and on behalf of the County providing the terms and conditions for the sale and delivery of the Refunding Bonds to the Underwriter. After the Refunding Bonds have been duly executed, they shall be delivered by the County Treasurer to the Underwriter in accordance with said purchase contract upon the receipt by the County of said purchase price, including accrued interest.

Section 11. The County Treasurer and all other officers, employees and agents of the County are hereby authorized and directed for and on behalf of the County to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.

Section 12. All other matters pertaining to the terms and issuance of the Refunding Bonds shall be determined by the County Treasurer and all powers in connection thereof are hereby delegated to the County Treasurer.

Section 13. The validity of the Refunding Bonds may be contested only if:

1. Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
2. The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
3. Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. A summary of this resolution, which takes effect immediately, shall be published in the official newspapers of said County, together with a notice of the County Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

EXHIBIT A

PRELIMINARY REFUNDING FINANCIAL PLAN

COUNTY OF CATTARAUGUS, NEW YORK

| CATTARAUGUS COUNTY NY SUMMARY OF REFUNDING RESULTS NOT BQ;NON-CALLABLE; INSURED; A1 UNDERLYING | |
|---|-------------------|
| REFUNDING CALLABLE 2001, 2003, 2004, 2005, 2006 BONDS | |
| <u>Dated/Delivery:</u> | 11/15/2012 |
| Refunding Par Amount | 7,010,000 |
| Bond Arbitrage Yield | 1.633329% |
| Escrow Yield | 0.217019% |
| Refunded Bonds Par Amount | 6,875,000 |
| Average Coupon of Refunded Bonds | 3.904959% |
| Net PV Savings | 198,165.14 |
| Percentage of PV Savings | 2.882402% |
| Aggregate Budgetary Savings | 230,681.81 |
| Annual Budgetary Savings (Dec 31) | |
| Fiscal Year 2013 | 55,600.56 |
| Fiscal Year 2014 | 29,250.00 |
| Fiscal Year 2015 | 36,531.25 |
| Fiscal Year 2016 | 29,250.00 |
| Fiscal Year 2017 | 29,575.00 |
| Fiscal Year 2018 | 20,925.00 |
| Fiscal Year 2019 | 18,550.00 |
| Fiscal Year 2020 | 5,900.00 |
| Fiscal Year 2021 | 5,100.00 |
| ROOSEVELT & CROSS | |

SOURCES AND USES OF FUNDS

CATTARAUGUS COUNTY NY
 Refunding GO Bonds 2012
 REFUNDING 2001, 2003, 2004, 2005, 2006 BONDS
 NOT BQ; NON-CALLABLE; INSURED
 A1 UNDERLYING

Dated Date 11/15/2012
 Delivery Date 11/15/2012

Sources:

| | |
|----------------|---------------------|
| Bond Proceeds: | |
| Par Amount | 7,010,000.00 |
| Net Premium | 387,793.74 |
| | <u>7,397,793.74</u> |

Uses:

| | |
|----------------------------|---------------------|
| Refunding Escrow Deposits: | |
| Cash Deposit | 1.95 |
| SLGS Purchases | <u>7,263,796.00</u> |
| | 7,263,797.95 |

| | |
|-------------------------|------------------|
| Delivery Date Expenses: | |
| Cost of Issuance | 60,000.00 |
| Underwriter's Discount | 42,060.00 |
| Insurance (40 bps) | <u>31,389.10</u> |
| | 133,449.10 |

| | |
|----------------------|---------------------|
| Other Uses of Funds: | |
| Additional Proceeds | 546.69 |
| | <u>7,397,793.74</u> |

Notes:

REFUNDS 09/15/01 BONDS (08/15/13-14)
 REFUNDS 10/15/03 BONDS (04/15/14-17)
 REFUNDS 09/01/04 BONDS (09/01/14-19)
 REFUNDS 09/01/05 BONDS (09/01/15-20)
 REFUNDS 09/01/06 BONDS (04/01/16-21)

SOURCES AND USES OF FUNDS

CATTARAUGUS COUNTY NY
 Refunding GO Bonds 2012
 REFUNDING 2001, 2003, 2004, 2005, 2006 BONDS
 NOT BC, NON-CALLABLE, INSURED
 A1 UNDERLYING

Dated Date 11/15/2012
 Delivery Date 11/15/2012

| Sources: | Refunding 2001 Bonds | Refunding 2003 Bonds | Refunding 2004 Bonds | Refunding 2005 Bonds | Refunding 2006 Bonds | Total |
|----------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|--------------|
| Bond Proceeds: | | | | | | |
| Par Amount | 771,500.00 | 1,556,400.00 | 1,194,300.00 | 1,790,400.00 | 1,697,400.00 | 7,010,000.00 |
| Premium | 8,820.72 | 58,990.98 | 58,646.98 | 121,431.20 | 139,903.86 | 387,793.74 |
| | 780,320.72 | 1,615,390.98 | 1,252,946.98 | 1,911,831.20 | 1,837,303.86 | 7,397,793.74 |

| Uses: | Refunding 2001 Bonds | Refunding 2003 Bonds | Refunding 2004 Bonds | Refunding 2005 Bonds | Refunding 2006 Bonds | Total |
|----------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|--------------|
| Refunding Escrow Deposits: | | | | | | |
| Cash Deposit | 0.52 | 0.01 | 0.65 | 0.52 | 0.25 | 1.95 |
| SLGS Purchases | 765,857.00 | 1,585,997.00 | 1,230,225.00 | 1,877,355.00 | 1,804,362.00 | 7,263,796.00 |
| | 765,857.52 | 1,585,997.01 | 1,230,225.65 | 1,877,355.52 | 1,804,362.25 | 7,263,797.95 |

| Delivery Date Expenses: | Refunding 2001 Bonds | Refunding 2003 Bonds | Refunding 2004 Bonds | Refunding 2005 Bonds | Refunding 2006 Bonds | Total |
|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|------------|
| Cost of Issuance | 6,603.42 | 13,321.54 | 10,222.25 | 15,324.39 | 14,528.40 | 60,000.00 |
| Underwriter's Discount | 4,629.00 | 9,338.40 | 7,165.80 | 10,742.40 | 10,184.40 | 42,060.00 |
| Insurance (40 bps) | 3,140.12 | 6,651.33 | 5,275.49 | 8,230.45 | 8,091.71 | 31,389.10 |
| | 14,372.54 | 29,311.27 | 22,663.54 | 34,297.24 | 32,804.51 | 133,449.10 |

| Other Uses of Funds: | Refunding 2001 Bonds | Refunding 2003 Bonds | Refunding 2004 Bonds | Refunding 2005 Bonds | Refunding 2006 Bonds | Total |
|----------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|--------------|
| Additional Proceeds | 90.66 | 82.70 | 57.79 | 178.44 | 137.10 | 546.69 |
| | 780,320.72 | 1,615,390.98 | 1,252,946.98 | 1,911,831.20 | 1,837,303.86 | 7,397,793.74 |

SOURCES AND USES OF FUNDS

CATTARAUGUS COUNTY NY
Refunding GO Bonds 2012
REFUNDING 2001, 2003, 2004, 2005, 2006 BONDS
NOT BQ; NON-CALLABLE; INSURED
A1 UNDERLYING

Notes:
REFUNDS 09/15/01 BONDS (08/15/13-14)
REFUNDS 10/15/03 BONDS (04/15/14-17)
REFUNDS 09/01/04 BONDS (09/01/14-19)
REFUNDS 09/01/05 BONDS (09/01/15-20)
REFUNDS 09/01/06 BONDS (04/01/16-21)

SUMMARY OF REFUNDING RESULTS

CATTARAUGUS COUNTY NY
 Refunding GO Bonds 2012
 REFUNDING 2001, 2003, 2004, 2005, 2006 BONDS
 NOT BQ; NON-CALLABLE; INSURED
 A1 UNDERLYING

| | |
|--|--------------|
| Dated Date | 11/15/2012 |
| Delivery Date | 11/15/2012 |
| Arbitrage yield | 1.633329% |
| Escrow yield | 0.217019% |
| Bond Par Amount | 7,010,000.00 |
| True Interest Cost | 1.783480% |
| Net Interest Cost | 1.740077% |
| All-In TIC | 1.999845% |
| Average Coupon | 2.963990% |
| Average Life | 4.030 |
| Par amount of refunded bonds | 6,875,000.00 |
| Average coupon of refunded bonds | 3.904959% |
| Average life of refunded bonds | 4.317 |
| PV of prior debt to 11/15/2012 @ 1.522076% | 7,595,412.20 |
| Net PV Savings | 198,165.14 |
| Percentage savings of refunded bonds | 2.882402% |

Notes:

REFUNDS 09/15/01 BONDS (08/15/13-14)
 REFUNDS 10/15/03 BONDS (04/15/14-17)
 REFUNDS 09/01/04 BONDS (09/01/14-19)
 REFUNDS 09/01/05 BONDS (09/01/15-20)
 REFUNDS 09/01/06 BONDS (04/01/16-21)

SAVINGS

CATTARAUGUS COUNTY NY
Refunding GO Bonds 2012
REFUNDING 2001, 2003, 2004, 2005, 2006 BONDS
NOT BQ; NON-CALLABLE; INSURED
A1 UNDERLYING

| Date | Prior Debt Service | Refunding Debt Service | Savings | Annual Savings | Present Value to 11/15/2012 @ 1.5220761% |
|------------|--------------------|------------------------|---------------|----------------|--|
| 02/15/2013 | 16,031.25 | | 16,031.25 | | 15,970.59 |
| 03/01/2013 | 56,037.50 | | 56,037.50 | | 55,787.87 |
| 04/01/2013 | 33,000.00 | 499,624.44 | -466,624.44 | | -463,959.12 |
| 04/15/2013 | 28,968.75 | | 28,968.75 | | 28,786.30 |
| 08/15/2013 | 391,031.25 | | 391,031.25 | | 386,609.50 |
| 09/01/2013 | 56,037.50 | | 56,037.50 | | 55,366.51 |
| 10/01/2013 | 33,000.00 | 87,850.00 | -54,850.00 | | -54,124.79 |
| 10/15/2013 | 28,968.75 | | 28,968.75 | | 28,568.88 |
| 12/31/2013 | | | | 55,600.56 | |
| 02/15/2014 | 8,062.50 | | 8,062.50 | | 7,911.12 |
| 03/01/2014 | 56,037.50 | | 56,037.50 | | 54,948.33 |
| 04/01/2014 | 33,000.00 | 1,062,850.00 | -1,029,850.00 | | -1,008,558.14 |
| 04/15/2014 | 403,968.75 | | 403,968.75 | | 395,383.59 |
| 08/15/2014 | 383,062.50 | | 383,062.50 | | 373,031.43 |
| 09/01/2014 | 231,037.50 | | 231,037.50 | | 224,835.86 |
| 10/01/2014 | 33,000.00 | 78,100.00 | -45,100.00 | | -43,833.98 |
| 10/15/2014 | 22,031.25 | | 22,031.25 | | 21,400.18 |
| 12/31/2014 | | | | 29,250.00 | |
| 03/01/2015 | 52,975.00 | | 52,975.00 | | 51,163.64 |
| 04/01/2015 | 33,000.00 | 953,100.00 | -920,100.00 | | -887,517.10 |
| 04/15/2015 | 397,031.25 | | 397,031.25 | | 382,745.68 |
| 09/01/2015 | 527,975.00 | | 527,975.00 | | 506,070.71 |
| 10/01/2015 | 33,000.00 | 69,350.00 | -36,350.00 | | -34,797.94 |
| 10/15/2015 | 15,000.00 | | 15,000.00 | | 14,351.07 |
| 12/31/2015 | | | | 36,531.25 | |
| 03/01/2016 | 44,150.00 | | 44,150.00 | | 41,998.71 |
| 04/01/2016 | 308,000.00 | 1,234,350.00 | -926,350.00 | | -880,099.03 |
| 04/15/2016 | 415,000.00 | | 415,000.00 | | 394,047.37 |
| 09/01/2016 | 519,150.00 | | 519,150.00 | | 490,123.39 |
| 10/01/2016 | 27,500.00 | 57,700.00 | -30,200.00 | | -28,475.46 |
| 10/15/2016 | 7,500.00 | | 7,500.00 | | 7,067.55 |
| 12/31/2016 | | | | 29,250.00 | |
| 03/01/2017 | 35,175.00 | | 35,175.00 | | 32,957.48 |
| 04/01/2017 | 302,500.00 | 1,232,700.00 | -930,200.00 | | -870,457.37 |
| 04/15/2017 | 407,500.00 | | 407,500.00 | | 381,103.28 |
| 09/01/2017 | 535,175.00 | | 535,175.00 | | 497,648.99 |
| 10/01/2017 | 22,000.00 | 40,075.00 | -18,075.00 | | -16,786.37 |
| 12/31/2017 | | | | 29,575.00 | |
| 03/01/2018 | 25,475.00 | | 25,475.00 | | 23,509.80 |
| 04/01/2018 | 297,000.00 | 815,075.00 | -518,075.00 | | -477,505.68 |
| 09/01/2018 | 525,475.00 | | 525,475.00 | | 481,275.89 |
| 10/01/2018 | 16,500.00 | 28,450.00 | -11,950.00 | | -10,931.03 |
| 12/31/2018 | | | | 20,925.00 | |
| 03/01/2019 | 15,700.00 | | 15,700.00 | | 14,270.82 |
| 04/01/2019 | 291,500.00 | 798,450.00 | -506,950.00 | | -460,220.29 |
| 09/01/2019 | 515,700.00 | | 515,700.00 | | 465,215.21 |
| 10/01/2019 | 11,000.00 | 16,900.00 | -5,900.00 | | -5,315.69 |
| 12/31/2019 | | | | 18,550.00 | |
| 03/01/2020 | 5,850.00 | | 5,850.00 | | 5,237.45 |
| 04/01/2020 | 286,000.00 | 591,900.00 | -305,900.00 | | -273,523.63 |
| 09/01/2020 | 305,850.00 | | 305,850.00 | | 271,756.53 |

SAVINGS

CATTARAUGUS COUNTY NY
 Refunding GO Bonds 2012
 REFUNDING 2001, 2003, 2004, 2005, 2006 BONDS
 NOT BQ; NON-CALLABLE; INSURED
 A1 UNDERLYING

| Date | Prior Debt Service | Refunding Debt Service | Savings | Annual Savings | Present Value to 11/15/2012 @ 1.5220761% |
|------------|--------------------|------------------------|------------|----------------|--|
| 10/01/2020 | 5,500.00 | 5,400.00 | 100.00 | | 88.74 |
| 12/31/2020 | | | | 5,900.00 | |
| 04/01/2021 | 280,500.00 | 275,400.00 | 5,100.00 | | 4,491.59 |
| 12/31/2021 | | | | 5,100.00 | |
| | 8,077,956.25 | 7,847,274.44 | 230,681.81 | 230,681.81 | 197,618.46 |

Savings Summary

| | |
|-------------------------------|------------|
| PV of savings from cash flow | 197,618.46 |
| Plus: Refunding funds on hand | 546.69 |
| Net PV Savings | 198,165.15 |

Notes:

- REFUNDS 09/15/01 BONDS (08/15/13-14)
- REFUNDS 10/15/03 BONDS (04/15/14-17)
- REFUNDS 09/01/04 BONDS (09/01/14-19)
- REFUNDS 09/01/05 BONDS (09/01/15-20)
- REFUNDS 09/01/06 BONDS (04/01/16-21)

BOND PRICING

CATTARAUGUS COUNTY NY
 Refunding GO Bonds 2012
 REFUNDING 2001, 2003, 2004, 2005, 2006 BONDS
 NOT BQ; NON-CALLABLE; INSURED
 A1 UNDERLYING

| Bond Component | Maturity Date | Amount | Rate | Yield | Price |
|----------------|---------------|-----------|--------|--------|---------|
| Serial Bond: | 04/01/2013 | 430,000 | 2.000% | 0.570% | 100.538 |
| | 04/01/2014 | 975,000 | 2.000% | 0.720% | 101.751 |
| | 04/01/2015 | 875,000 | 2.000% | 0.850% | 102.700 |
| | 04/01/2016 | 1,165,000 | 2.000% | 1.000% | 103.312 |
| | 04/01/2017 | 1,175,000 | 3.000% | 1.250% | 107.431 |
| | 04/01/2018 | 775,000 | 3.000% | 1.540% | 107.506 |
| | 04/01/2019 | 770,000 | 3.000% | 1.870% | 106.762 |
| | 04/01/2020 | 575,000 | 4.000% | 2.100% | 112.921 |
| | 04/01/2021 | 270,000 | 4.000% | 2.320% | 112.722 |
| | | 7,010,000 | | | |

| | | |
|------------------------|--------------|-------------|
| Dated Date | 11/15/2012 | |
| Delivery Date | 11/15/2012 | |
| First Coupon | 04/01/2013 | |
| Par Amount | 7,010,000.00 | |
| Premium | 387,793.74 | |
| Production | 7,397,793.74 | 105.532008% |
| Underwriter's Discount | -42,060.00 | -0.600000% |
| Purchase Price | 7,355,733.74 | 104.932008% |
| Accrued Interest | | |
| Net Proceeds | 7,355,733.74 | |

Notes:

REFUNDS 09/15/01 BONDS (08/15/13-14)
 REFUNDS 10/15/03 BONDS (04/15/14-17)
 REFUNDS 09/01/04 BONDS (09/01/14-19)
 REFUNDS 09/01/05 BONDS (09/01/15-20)
 REFUNDS 09/01/06 BONDS (04/01/16-21)

BOND DEBT SERVICE
 CATTARAUGUS COUNTY NY
 Refunding GO Bonds 2012
 REFUNDING 2001, 2003, 2004, 2005, 2006 BONDS
 NOT BQ; NON-CALLABLE; INSURED
 A1 UNDERLYING

| Period Ending | Principal | Coupon | Interest | Debt Service | Annual Debt Service |
|---------------|-----------|--------|------------|--------------|---------------------|
| 04/01/2013 | 430,000 | 2.000% | 69,624.44 | 499,624.44 | |
| 10/01/2013 | | | 87,850.00 | 87,850.00 | |
| 12/31/2013 | | | | | 587,474.44 |
| 04/01/2014 | 975,000 | 2.000% | 87,850.00 | 1,062,850.00 | |
| 10/01/2014 | | | 78,100.00 | 78,100.00 | |
| 12/31/2014 | | | | | 1,140,950.00 |
| 04/01/2015 | 875,000 | 2.000% | 78,100.00 | 953,100.00 | |
| 10/01/2015 | | | 69,350.00 | 69,350.00 | |
| 12/31/2015 | | | | | 1,022,450.00 |
| 04/01/2016 | 1,165,000 | 2.000% | 69,350.00 | 1,234,350.00 | |
| 10/01/2016 | | | 57,700.00 | 57,700.00 | |
| 12/31/2016 | | | | | 1,292,050.00 |
| 04/01/2017 | 1,175,000 | 3.000% | 57,700.00 | 1,232,700.00 | |
| 10/01/2017 | | | 40,075.00 | 40,075.00 | |
| 12/31/2017 | | | | | 1,272,775.00 |
| 04/01/2018 | 775,000 | 3.000% | 40,075.00 | 815,075.00 | |
| 10/01/2018 | | | 28,450.00 | 28,450.00 | |
| 12/31/2018 | | | | | 843,525.00 |
| 04/01/2019 | 770,000 | 3.000% | 28,450.00 | 798,450.00 | |
| 10/01/2019 | | | 16,900.00 | 16,900.00 | |
| 12/31/2019 | | | | | 815,350.00 |
| 04/01/2020 | 575,000 | 4.000% | 16,900.00 | 591,900.00 | |
| 10/01/2020 | | | 5,400.00 | 5,400.00 | |
| 12/31/2020 | | | | | 597,300.00 |
| 04/01/2021 | 270,000 | 4.000% | 5,400.00 | 275,400.00 | |
| 12/31/2021 | | | | | 275,400.00 |
| | 7,010,000 | | 837,274.44 | 7,847,274.44 | 7,847,274.44 |

Notes:
 REFUNDS 09/15/01 BONDS (08/15/13-14)
 REFUNDS 10/15/03 BONDS (04/15/14-17)
 REFUNDS 09/01/04 BONDS (09/01/14-19)
 REFUNDS 09/01/05 BONDS (09/01/15-20)
 REFUNDS 09/01/06 BONDS (04/01/16-21)

SUMMARY OF BONDS REFUNDED

CATTARAUGUS COUNTY NY
 Refunding GO Bonds 2012
 REFUNDING 2001, 2003, 2004, 2005, 2006 BONDS
 NOT BQ; NON-CALLABLE; INSURED
 A1 UNDERLYING

| Bond | Maturity Date | Interest Rate | Par Amount | Call Date | Call Price |
|---|---------------|---------------|--------------|------------|------------|
| GO 2001 Bonds, 2001: | | | | | |
| SERIAL | 08/15/2013 | 4.250% | 375,000.00 | 02/15/2013 | 100.000 |
| | 08/15/2014 | 4.300% | 375,000.00 | 02/15/2013 | 100.000 |
| | | | 750,000.00 | | |
| GO Public Improvement 2003 Bonds, 2003: | | | | | |
| SERIAL | 04/15/2014 | 3.700% | 375,000.00 | 04/15/2013 | 100.500 |
| | 04/15/2015 | 3.750% | 375,000.00 | 04/15/2013 | 100.500 |
| | 04/15/2016 | 3.750% | 400,000.00 | 04/15/2013 | 100.500 |
| | 04/15/2017 | 3.750% | 400,000.00 | 04/15/2013 | 100.500 |
| | | | 1,550,000.00 | | |
| GO 2004 Bonds, 2004: | | | | | |
| SERIAL | 09/01/2014 | 3.500% | 175,000.00 | 09/01/2013 | 101.000 |
| | 09/01/2015 | 3.600% | 200,000.00 | 09/01/2013 | 101.000 |
| | 09/01/2016 | 3.750% | 200,000.00 | 09/01/2013 | 101.000 |
| | 09/01/2017 | 4.000% | 200,000.00 | 09/01/2013 | 101.000 |
| | 09/01/2018 | 4.000% | 200,000.00 | 09/01/2013 | 101.000 |
| | 09/01/2019 | 4.000% | 200,000.00 | 09/01/2013 | 101.000 |
| | | | 1,175,000.00 | | |
| GO 2005 Bonds, 2005: | | | | | |
| SERIAL | 09/01/2015 | 3.800% | 275,000.00 | 09/01/2014 | 100.000 |
| | 09/01/2016 | 3.800% | 275,000.00 | 09/01/2014 | 100.000 |
| | 09/01/2017 | 3.800% | 300,000.00 | 09/01/2014 | 100.000 |
| | 09/01/2018 | 3.850% | 300,000.00 | 09/01/2014 | 100.000 |
| | 09/01/2019 | 3.900% | 300,000.00 | 09/01/2014 | 100.000 |
| | 09/01/2020 | 3.900% | 300,000.00 | 09/01/2014 | 100.000 |
| | | | 1,750,000.00 | | |
| GO 2006 Bonds, 2006: | | | | | |
| SERIAL | 04/01/2016 | 4.000% | 275,000.00 | 04/01/2015 | 100.000 |
| | 04/01/2017 | 4.000% | 275,000.00 | 04/01/2015 | 100.000 |
| | 04/01/2018 | 4.000% | 275,000.00 | 04/01/2015 | 100.000 |
| | 04/01/2019 | 4.000% | 275,000.00 | 04/01/2015 | 100.000 |
| | 04/01/2020 | 4.000% | 275,000.00 | 04/01/2015 | 100.000 |
| | 04/01/2021 | 4.000% | 275,000.00 | 04/01/2015 | 100.000 |
| | | | 1,650,000.00 | | |
| | | | 6,875,000.00 | | |

Notes:

REFUNDS 09/15/01 BONDS (08/15/13-14)
 REFUNDS 10/15/03 BONDS (04/15/14-17)
 REFUNDS 09/01/04 BONDS (09/01/14-19)
 REFUNDS 09/01/05 BONDS (09/01/15-20)
 REFUNDS 09/01/06 BONDS (04/01/16-21)

 ESCROW REQUIREMENTS

 CATTARAUGUS COUNTY NY
 Refunding GO Bonds 2012
 REFUNDING 2001, 2003, 2004, 2005, 2006 BONDS
 NOT BQ; NON-CALLABLE; INSURED
 A1 UNDERLYING

| Period Ending | Interest | Principal Redeemed | Redemption Premium | Total |
|---------------|------------|--------------------|--------------------|--------------|
| 02/15/2013 | 16,031.25 | 750,000.00 | | 766,031.25 |
| 03/01/2013 | 56,037.50 | | | 56,037.50 |
| 04/01/2013 | 33,000.00 | | | 33,000.00 |
| 04/15/2013 | 28,968.75 | 1,550,000.00 | 7,750.00 | 1,586,718.75 |
| 09/01/2013 | 56,037.50 | 1,175,000.00 | 11,750.00 | 1,242,787.50 |
| 10/01/2013 | 33,000.00 | | | 33,000.00 |
| 03/01/2014 | 33,625.00 | | | 33,625.00 |
| 04/01/2014 | 33,000.00 | | | 33,000.00 |
| 09/01/2014 | 33,625.00 | 1,750,000.00 | | 1,783,625.00 |
| 10/01/2014 | 33,000.00 | | | 33,000.00 |
| 04/01/2015 | 33,000.00 | 1,650,000.00 | | 1,683,000.00 |
| | 389,325.00 | 6,875,000.00 | 19,500.00 | 7,283,825.00 |

Notes:

REFUNDS 09/15/01 BONDS (08/15/13-14)
 REFUNDS 10/15/03 BONDS (04/15/14-17)
 REFUNDS 09/01/04 BONDS (09/01/14-19)
 REFUNDS 09/01/05 BONDS (09/01/15-20)
 REFUNDS 09/01/06 BONDS (04/01/16-21)

 ESCROW DESCRIPTIONS

 CATTARAUGUS COUNTY NY
 Refunding GO Bonds 2012
 REFUNDING 2001, 2003, 2004, 2005, 2006 BONDS
 NOT BQ; NON-CALLABLE; INSURED
 A1 UNDERLYING

| Type of Security | Type of SLGS | Maturity Date | First Int Pmt Date | Par Amount | Rate | Max Rate |
|------------------|--------------|---------------|--------------------|------------|--------|----------|
| Nov 15, 2012: | | | | | | |
| SLGS | Certificate | 02/15/2013 | 02/15/2013 | 765,857 | 0.090% | 0.090% |
| SLGS | Certificate | 03/01/2013 | 03/01/2013 | 54,858 | 0.090% | 0.090% |
| SLGS | Certificate | 04/01/2013 | 04/01/2013 | 31,297 | 0.100% | 0.100% |
| SLGS | Certificate | 04/15/2013 | 04/15/2013 | 1,585,997 | 0.110% | 0.110% |
| SLGS | Certificate | 09/01/2013 | 09/01/2013 | 1,239,421 | 0.140% | 0.140% |
| SLGS | Certificate | 10/01/2013 | 10/01/2013 | 30,716 | 0.140% | 0.140% |
| SLGS | Note | 03/01/2014 | 03/01/2013 | 31,636 | 0.180% | 0.180% |
| SLGS | Note | 04/01/2014 | 04/01/2013 | 30,753 | 0.180% | 0.180% |
| SLGS | Note | 09/01/2014 | 03/01/2013 | 1,781,665 | 0.220% | 0.220% |
| SLGS | Note | 10/01/2014 | 04/01/2013 | 30,782 | 0.220% | 0.220% |
| SLGS | Note | 04/01/2015 | 04/01/2013 | 1,680,814 | 0.260% | 0.260% |
| | | | | 7,263,796 | | |

SLGS Summary

| | |
|------------------------------------|--------------|
| SLGS Rates File | 11SEP12 |
| Total Certificates of Indebtedness | 3,708,146.00 |
| Total Notes | 3,555,650.00 |
| Total original SLGS | 7,263,796.00 |

Notes:

REFUNDS 09/15/01 BONDS (08/15/13-14)
 REFUNDS 10/15/03 BONDS (04/15/14-17)
 REFUNDS 09/01/04 BONDS (09/01/14-19)
 REFUNDS 09/01/05 BONDS (09/01/15-20)
 REFUNDS 09/01/06 BONDS (04/01/16-21)

 ESCROW SUFFICIENCY

 CATTARAUGUS COUNTY NY
 Refunding GO Bonds 2012
 REFUNDING 2001, 2003, 2004, 2005, 2006 BONDS
 NOT BQ; NON-CALLABLE; INSURED
 A1 UNDERLYING

| Date | Escrow Requirement | Net Escrow Receipts | Excess Receipts | Excess Balance |
|------------|--------------------|---------------------|-----------------|----------------|
| 11/15/2012 | | 1.95 | 1.95 | 1.95 |
| 02/15/2013 | 766,031.25 | 766,030.73 | -0.52 | 1.43 |
| 03/01/2013 | 56,037.50 | 56,036.76 | -0.74 | 0.69 |
| 04/01/2013 | 33,000.00 | 32,999.87 | -0.13 | 0.56 |
| 04/15/2013 | 1,586,718.75 | 1,586,718.74 | -0.01 | 0.55 |
| 09/01/2013 | 1,242,787.50 | 1,242,787.94 | 0.44 | 0.99 |
| 10/01/2013 | 33,000.00 | 33,000.30 | 0.30 | 1.29 |
| 03/01/2014 | 33,625.00 | 33,624.30 | -0.70 | 0.59 |
| 04/01/2014 | 33,000.00 | 32,999.60 | -0.40 | 0.19 |
| 09/01/2014 | 1,783,625.00 | 1,783,624.83 | -0.17 | 0.02 |
| 10/01/2014 | 33,000.00 | 33,000.92 | 0.92 | 0.94 |
| 04/01/2015 | 1,683,000.00 | 1,682,999.06 | -0.94 | |
| | 7,283,825.00 | 7,283,825.00 | 0.00 | |

Notes:

REFUNDS 09/15/01 BONDS (08/15/13-14)
 REFUNDS 10/15/03 BONDS (04/15/14-17)
 REFUNDS 09/01/04 BONDS (09/01/14-19)
 REFUNDS 09/01/05 BONDS (09/01/15-20)
 REFUNDS 09/01/06 BONDS (04/01/16-21)

ESCROW STATISTICS

CATTARAUGUS COUNTY NY
 Refunding GO Bonds 2012
 REFUNDING 2001, 2003, 2004, 2005, 2006 BONDS
 NOT BQ; NON-CALLABLE; INSURED
 A1 UNDERLYING

| Escrow | Escrow Cost | Total Escrow Cost | Modified Duration (years) | Yield to Receipt Date | Disbursement Date | Yield to Disbursement Date | Perfect Escrow Cost | Value of Negative Arbitrage | Cost of Dead Time |
|---|--------------|-------------------|---------------------------|-----------------------|-------------------|----------------------------|---------------------|-----------------------------|-------------------|
| Refunding 2001 Bonds, Global Proceeds Escrow: | 765,857.52 | 765,857.52 | 0.250 | 0.090748% | 0.090748% | 0.090748% | 762,922.33 | 2,935.19 | |
| Refunding 2003 Bonds, Global Proceeds Escrow: | 1,585,997.01 | 1,585,997.01 | 0.416 | 0.109222% | 0.109222% | 0.109222% | 1,576,000.50 | 9,996.51 | |
| Refunding 2004 Bonds, Global Proceeds Escrow: | 1,230,225.65 | 1,230,225.65 | 0.785 | 0.139635% | 0.139635% | 0.139635% | 1,215,942.20 | 14,283.44 | 0.01 |
| Refunding 2005 Bonds, Global Proceeds Escrow: | 1,877,355.52 | 1,877,355.52 | 1.739 | 0.218310% | 0.218310% | 0.218310% | 1,831,895.21 | 45,460.29 | 0.02 |
| Refunding 2006 Bonds, Global Proceeds Escrow: | 1,804,362.25 | 1,804,362.25 | 2.284 | 0.257228% | 0.257228% | 0.257228% | 1,748,751.59 | 55,610.64 | 0.02 |
| | | 7,263,797.95 | | | | | 7,135,511.83 | 128,286.07 | 0.05 |

Delivery date: 11/15/2012
 Arbitrage yield: 1.633329%

Notes:
 REFUNDS 09/15/01 BONDS (08/15/13-14)
 REFUNDS 10/15/03 BONDS (04/15/14-17)
 REFUNDS 09/01/04 BONDS (09/01/14-19)
 REFUNDS 09/01/05 BONDS (09/01/15-20)
 REFUNDS 09/01/06 BONDS (04/01/16-21)

PRIOR BOND DEBT SERVICE
 CATTARAUGUS COUNTY NY
 Refunding GO Bonds 2012
 REFUNDING 2001, 2003, 2004, 2005, 2006 BONDS
 NOT BQ; NON-CALLABLE; INSURED
 A1 UNDERLYING

| Period Ending | Principal | Coupon | Interest | Debt Service | Annual Debt Service |
|---------------|-----------|--------|-----------|--------------|---------------------|
| 02/15/2013 | | | 16,031.25 | 16,031.25 | |
| 03/01/2013 | | | 56,037.50 | 56,037.50 | |
| 04/01/2013 | | | 33,000.00 | 33,000.00 | |
| 04/15/2013 | | | 28,968.75 | 28,968.75 | |
| 08/15/2013 | 375,000 | 4.250% | 16,031.25 | 391,031.25 | |
| 09/01/2013 | | | 56,037.50 | 56,037.50 | |
| 10/01/2013 | | | 33,000.00 | 33,000.00 | |
| 10/15/2013 | | | 28,968.75 | 28,968.75 | |
| 12/31/2013 | | | | | 643,075.00 |
| 02/15/2014 | | | 8,062.50 | 8,062.50 | |
| 03/01/2014 | | | 56,037.50 | 56,037.50 | |
| 04/01/2014 | | | 33,000.00 | 33,000.00 | |
| 04/15/2014 | 375,000 | 3.700% | 28,968.75 | 403,968.75 | |
| 08/15/2014 | 375,000 | 4.300% | 8,062.50 | 383,062.50 | |
| 09/01/2014 | 175,000 | 3.500% | 56,037.50 | 231,037.50 | |
| 10/01/2014 | | | 33,000.00 | 33,000.00 | |
| 10/15/2014 | | | 22,031.25 | 22,031.25 | |
| 12/31/2014 | | | | | 1,170,200.00 |
| 03/01/2015 | | | 52,975.00 | 52,975.00 | |
| 04/01/2015 | | | 33,000.00 | 33,000.00 | |
| 04/15/2015 | 375,000 | 3.750% | 22,031.25 | 397,031.25 | |
| 09/01/2015 | 475,000 | ** % | 52,975.00 | 527,975.00 | |
| 10/01/2015 | | | 33,000.00 | 33,000.00 | |
| 10/15/2015 | | | 15,000.00 | 15,000.00 | |
| 12/31/2015 | | | | | 1,058,981.25 |
| 03/01/2016 | | | 44,150.00 | 44,150.00 | |
| 04/01/2016 | 275,000 | 4.000% | 33,000.00 | 308,000.00 | |
| 04/15/2016 | 400,000 | 3.750% | 15,000.00 | 415,000.00 | |
| 09/01/2016 | 475,000 | ** % | 44,150.00 | 519,150.00 | |
| 10/01/2016 | | | 27,500.00 | 27,500.00 | |
| 10/15/2016 | | | 7,500.00 | 7,500.00 | |
| 12/31/2016 | | | | | 1,321,300.00 |
| 03/01/2017 | | | 35,175.00 | 35,175.00 | |
| 04/01/2017 | 275,000 | 4.000% | 27,500.00 | 302,500.00 | |
| 04/15/2017 | 400,000 | 3.750% | 7,500.00 | 407,500.00 | |
| 09/01/2017 | 500,000 | ** % | 35,175.00 | 535,175.00 | |
| 10/01/2017 | | | 22,000.00 | 22,000.00 | |
| 12/31/2017 | | | | | 1,302,350.00 |
| 03/01/2018 | | | 25,475.00 | 25,475.00 | |
| 04/01/2018 | 275,000 | 4.000% | 22,000.00 | 297,000.00 | |
| 09/01/2018 | 500,000 | ** % | 25,475.00 | 525,475.00 | |
| 10/01/2018 | | | 16,500.00 | 16,500.00 | |
| 12/31/2018 | | | | | 864,450.00 |
| 03/01/2019 | | | 15,700.00 | 15,700.00 | |
| 04/01/2019 | 275,000 | 4.000% | 16,500.00 | 291,500.00 | |
| 09/01/2019 | 500,000 | ** % | 15,700.00 | 515,700.00 | |
| 10/01/2019 | | | 11,000.00 | 11,000.00 | |
| 12/31/2019 | | | | | 833,900.00 |
| 03/01/2020 | | | 5,850.00 | 5,850.00 | |
| 04/01/2020 | 275,000 | 4.000% | 11,000.00 | 286,000.00 | |
| 09/01/2020 | 300,000 | 3.900% | 5,850.00 | 305,850.00 | |

PRIOR BOND DEBT SERVICE

CATTARAUGUS COUNTY NY
 Refunding GO Bonds 2012
 REFUNDING 2001, 2003, 2004, 2005, 2006 BONDS
 NOT BQ; NON-CALLABLE; INSURED
 A1 UNDERLYING

| Period Ending | Principal | Coupon | Interest | Debt Service | Annual Debt Service |
|---------------|-----------|--------|--------------|--------------|---------------------|
| 10/01/2020 | | | 5,500.00 | 5,500.00 | |
| 12/31/2020 | | | | | 603,200.00 |
| 04/01/2021 | 275,000 | 4.000% | 5,500.00 | 280,500.00 | |
| 12/31/2021 | | | | | 280,500.00 |
| | 6,875,000 | | 1,202,956.25 | 8,077,956.25 | 8,077,956.25 |

Notes:

REFUNDS 09/15/01 BONDS (08/15/13-14)
 REFUNDS 10/15/03 BONDS (04/15/14-17)
 REFUNDS 09/01/04 BONDS (09/01/14-19)
 REFUNDS 09/01/05 BONDS (09/01/15-20)
 REFUNDS 09/01/06 BONDS (04/01/16-21)

PROOF OF ARBITRAGE YIELD
 CATTARAUGUS COUNTY NY
 Refunding GO Bonds 2012
 REFUNDING 2001, 2003, 2004, 2005, 2006 BONDS
 NOT BQ; NON-CALLABLE; INSURED
 A1 UNDERLYING

| Date | Debt Service | Total | Present Value to 11/15/2012 @ 1.6333291% |
|------------|--------------|--------------|--|
| 04/01/2013 | 499,624.44 | 499,624.44 | 496,563.52 |
| 10/01/2013 | 87,850.00 | 87,850.00 | 86,604.52 |
| 04/01/2014 | 1,062,850.00 | 1,062,850.00 | 1,039,294.09 |
| 10/01/2014 | 78,100.00 | 78,100.00 | 75,750.45 |
| 04/01/2015 | 953,100.00 | 953,100.00 | 916,938.70 |
| 10/01/2015 | 69,350.00 | 69,350.00 | 66,178.36 |
| 04/01/2016 | 1,234,350.00 | 1,234,350.00 | 1,168,356.83 |
| 10/01/2016 | 57,700.00 | 57,700.00 | 54,172.72 |
| 04/01/2017 | 1,232,700.00 | 1,232,700.00 | 1,147,968.39 |
| 10/01/2017 | 40,075.00 | 40,075.00 | 37,018.07 |
| 04/01/2018 | 815,075.00 | 815,075.00 | 746,801.97 |
| 10/01/2018 | 28,450.00 | 28,450.00 | 25,855.79 |
| 04/01/2019 | 798,450.00 | 798,450.00 | 719,765.39 |
| 10/01/2019 | 16,900.00 | 16,900.00 | 15,111.15 |
| 04/01/2020 | 591,900.00 | 591,900.00 | 524,960.86 |
| 10/01/2020 | 5,400.00 | 5,400.00 | 4,750.51 |
| 04/01/2021 | 275,400.00 | 275,400.00 | 240,313.33 |
| | 7,847,274.44 | 7,847,274.44 | 7,366,404.64 |

Proceeds Summary

| | |
|------------------------------|--------------|
| Delivery date | 11/15/2012 |
| Par Value | 7,010,000.00 |
| Premium (Discount) | 387,793.75 |
| Arbitrage expenses | -31,389.10 |
| Target for yield calculation | 7,366,404.65 |

Notes:

REFUNDS 09/15/01 BONDS (08/15/13-14)
 REFUNDS 10/15/03 BONDS (04/15/14-17)
 REFUNDS 09/01/04 BONDS (09/01/14-19)
 REFUNDS 09/01/05 BONDS (09/01/15-20)
 REFUNDS 09/01/06 BONDS (04/01/16-21)

Approved by 9 members of the Finance Committee.

CHAIRMAN MARSH requested a Roll Call Vote on Act No. 470-2012, Local Law Number 11-2012, 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, Murphy 1.1005, Padlo 0.8673, Snyder, Jr. 1.0655, Snyder, Sr. 0.8673, Sprague 1.0230, Stockman 1.0003, Teachman 0.8673, VanRensselaer 1.1278, Vickman 1.0972, Weller 1.0972, Marsh 1.1278 – 20.0294.

Nays:- none.

Act No. 538-2012 having received two-thirds majority vote of the Legislature was declared Adopted.

ACT NO. 539-2012 by Mr. Snyder, Sr.
who asks immediate consideration

SALE OF TAX TITLE PROPERTIES

Pursuant to Section 215 of the County Law and Rule 40 of the Rules of Order of the Cattaraugus County Legislature.

WHEREAS, Cattaraugus County has tax title to certain properties situate in Cattaraugus County, as described below, and

WHEREAS, these properties were exposed to bid at public auction as required by Rule 40 of the Rules of Order of the Cattaraugus County Legislature, and

WHEREAS, the highest bids received for these properties were the bids listed below, now, therefore, be it

RESOLVED, that if the tender by the high bidders of the total purchase price is not made within 30 days after the adoption hereof, then the acceptance of that individual's bid shall thereafter be void and of no further effect, as of course, and the bid deposit shall be forfeited pursuant to Rule 40.8 of the Rules of Order, and be it further

RESOLVED, that the County Treasurer be, and hereby is, authorized and directed to execute County Treasurer's Deeds conveying the property to the following individuals at the bid price listed:

Farmersville

| <u>PARCEL NO.</u> | <u>TAX MAP NO.</u> | <u>HIGH BIDDER</u> | <u>ADDRESS</u> | <u>COUNTY INVOLVEMENT</u> | <u>BID AMOUNT</u> |
|-------------------|--------------------|---|------------------------------|---------------------------|-------------------|
| 2007-80 | 31.004-1-22.2 | Ura E. Hershberger Lizzie M. Hershberger | 970 CR 175 Polk, OH 44866 | 5,099.50 | 89,710 |

Machias

| <u>PARCEL NO.</u> | <u>TAX MAP NO.</u> | <u>HIGH BIDDER</u> | <u>ADDRESS</u> | <u>COUNTY INVOLVEMENT</u> | <u>BID AMOUNT</u> |
|-------------------|--------------------|-------------------------------------|---|---------------------------|-------------------|
| 2011-211 | 22.013-3-34 | Philip M. Murray Ellen B. Murray | 6867 E. Quaker St. Orchard Park, NY 14127 | 868.45 | 1,300 |

Olean City

| <u>PARCEL NO.</u> | <u>TAX MAP NO.</u> | <u>HIGH BIDDER</u> | <u>ADDRESS</u> | <u>COUNTY INVOLVEMENT</u> | <u>BID AMOUNT</u> |
|-------------------|--------------------|------------------------------------|--|---------------------------|-------------------|
| 2011-272 | 94.081-3-6.2 | Catherine Ambuski Mary St. John | 4541 Rte. 219 Great Valley, NY 14171 | 26,396.41 | 31,000 |
| 2009-271 | 94.081-2-7 | Lucinda Parks | 729 S. Union St. Olean, NY 14760 | 8,025.84 | 100 |

Randolph

| <u>PARCEL NO.</u> | <u>TAX MAP NO.</u> | <u>HIGH BIDDER</u> | <u>ADDRESS</u> | <u>COUNTY INVOLVEMENT</u> | <u>BID AMOUNT</u> |
|-------------------|--------------------|--------------------|--------------------------------------|---------------------------|-------------------|
| 2008-310 | 70.003-1-31 | Justin Kinney | 12306 Rte. 394 Randolph, NY 14772 | 559.21 | 100 |

Yorkshire

| <u>PARCEL NO.</u> | <u>TAX MAP NO.</u> | <u>HIGH BIDDER</u> | <u>ADDRESS</u> | <u>COUNTY INVOLVEMENT</u> | <u>BID AMOUNT</u> |
|-------------------|--------------------|---------------------------------|--------------------------------------|---------------------------|-------------------|
| 2011-392 | 12.052-2-9 | Brandon Tatko Patricia Tatko | 27 Delevan Ave. Delevan, NY 14042 | 6,116.59 | 100 |
| Totals | | | | 47,066 | 122,310 |
| Profit | | | | \$75,244.00 | |

MR. AIELLO moved, seconded by Mr. Sprague to waive Rule 12. Carried.

Adopted November 14, 2012 by voice vote.

ACT NO. 540-2012 by Ms. Edstrom
and Mrs. Stockman¹
who asks immediate consideration

**CREATING ONE POSITION OF PHYSICIANS ASSISTANT TO BE
FILLED ON A PART-TIME BASIS, IN THE HEALTH DEPARTMENT AND
ESTABLISHING COMPENSATION FOR SAME**

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

WHEREAS, the Health Department is in need of a qualified individual to perform health assessments in the County run health clinics, and

WHEREAS, the Health Department has not been successful in its many attempts to secure the services of Nurse Practitioners sufficient to provide adequate coverage of its clinics, and

WHEREAS, the Health Department has been able to identify a Physician's Assistant who can provide the same level of care as that of a Nurse Practitioner who is willing to provide coverage on a limited part time basis, and

WHEREAS, the position of Physicians Assistant has not heretofore been created, 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 Physicians Assistant 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 Physicians Assistant in the Health Department to be filled on a part-time basis and compensated at Grade 34, step 6 (\$32.57 per hour 2011 rate), part-time non bargaining unit.

MR. EDWARDS moved, seconded by Mr. Padlo to waive Rule 12. Carried.

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

Adopted November 14, 2012 by voice vote.

ACT NO. 541-2012 by Public Safety Committee:
Mr. Murphy, Mr. Hale, Mr. Felton, Mr. Snyder, Sr.,
Mr. VanRensselaer, Mr. Weller and Mr. Koch
who ask immediate consideration

**CREATING THREE POSITIONS OF EMERGENCY SERVICES DISPATCHER
TO BE FILLED ON A PART-TIME BASIS IN THE SHERIFF'S OFFICE AND
ESTABLISHING COMPENSATION FOR SAME**

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

WHEREAS, the Sheriff's Office is desirous of creating three (3) additional positions of Emergency Services Dispatcher to be filled on a part-time basis, and

WHEREAS, the addition of these positions will assist in controlling costs by relieving overtime, and

WHEREAS, there will be no increase in budget predictions for 2013 by the addition of these three positions and

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

RESOLVED, that effective immediately, there is hereby created three (3) positions of Emergency Services Dispatcher to be compensated at Grade 22 (\$12.16 per hour), Sheriff's Department Employees Unit.

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

Adopted November 14, 2012 by voice vote.

ACT NO. 542-2012 by Public Safety Committee:
Mr. Murphy, Mr. Hale, Mr. Felton, Mr. Snyder, Sr.,
Mr. VanRensselaer, Mr. Weller and Mr. Koch
and Mr. Aiello
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
THE LEGAL AID BUREAU OF BUFFALO, INC. FOR
INDIGENT CRIMINAL APPELLATE DEFENSE SERVICES**

Pursuant to Sections 450 and 722 of the County Law.

WHEREAS, the County Administrator of Assigned Counsel is desirous of contracting with The Legal Aid Bureau of Buffalo, Inc., in an effort to reduce costs involved with the representation of indigent criminals in the Appellate Division, and

WHEREAS, The Legal Aid Bureau of Buffalo, Inc., 237 Main Street, Suite 1602, Buffalo, New York 14203, can provide appellate representation for a maximum of 25 persons convicted of crimes or violations in the courts of Cattaraugus County for an amount of \$22,500.00 per year, for a total contract amount of \$67,500.00, to be paid as invoiced, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned costs, 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 Legal Aid Bureau of Buffalo, Inc., for the provision of the above-described legal services, for a term commencing June 1, 2012 and terminating May 31, 2015, according to the above-described terms.

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

Adopted November 14, 2012 by voice vote.

ACT NO. 543-2012 by Public Safety Committee:
Mr. Murphy, Mr. Hale, Mr. Felton, Mr. Snyder, Sr.,
Mr. VanRensselaer, Mr. Weller and Mr. Koch
who ask immediate consideration

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING WITH
NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES
OFFICE OF PROBATION AND CORRECTIONAL ALTERNATIVES FOR
ALTERNATIVE TO INCARCERATION PROGRAMS FOR JAIL DIVERSION
AND/OR RE-ENTRY IN NEW YORK STATE**

Pursuant to Section 450 of the County Law.

WHEREAS, bridge funding is available for Alternative to Incarceration (ATI) Programs and Adult Re-Entry Employment Programs currently supported under the Byrne Jag American Recovery and Reinvestment Act, and

WHEREAS, it is necessary to apply to the New York State Division of Criminal Justice Services Grants Management System for the aforementioned ATI Program for Jail Diversion and/or Re-Entry funding, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a grant application, on behalf of Cattaraugus County, with the New York State Division of Criminal Justice Services Office of Probation and Correctional Alternatives, in order to apply for the aforementioned grant funding, according to the above-described terms.

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

Adopted November 14, 2012 by voice vote.

ACT NO. 544-2012 by Ms. Edstrom
and Mr. Aiello, Mr. Teachman, Mr. Boser, Mr. Padlo and Mr. Sprague¹
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CITY OF OLEAN FOR OLEAN MUNICIPAL AIRPORT
² AND TRANSFER OF FUNDS
(Contingent Fund - Olean Airport)**

Pursuant to Section 119-s of the General Municipal Law and
Sections 363, 365 and 450 of the County Law.

WHEREAS, the City of Olean has requested funding in an amount not to exceed \$54,416.47² at the Olean Municipal Airport, and

WHEREAS, the City of Olean proposes to use the aforementioned grant funding for the purchase of a 2013 John Deere 5093E Limited Utility Tractor equipped with a MX15 Rotary Cutter mowing deck, from Z & M Ag and Turf, and

WHEREAS, a transfer of funds is necessary in order to cover the cost of the aforementioned purchase, 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 City of Olean, for payment to the City of Olean of an amount not to exceed \$54,416.47, for a term commencing November 1, 2012 and terminating December 31, 2012, according to the above-described terms, 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 | \$54,416.47 |
|-----------------------|-----------------|-------------|

Increase Appropriation Account:

| | | |
|-----------------------|-------------------------|--------------|
| A.561.5610.0000.42002 | Olean Municipal Airport | \$54,416.47. |
|-----------------------|-------------------------|--------------|

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

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

² MS. EDSTROM moved, seconded by Mr. Sprague to amend Act No. 544-2012 as follows: In the title and in the first Whereas, delete: "for Capital Improvements". Carried.

Adopted, as amended, November 14, 2012 by voice vote.

ACT NO. 545-2012 by Mr. Koch and Ms. Labuhn
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SALAMANCA RAIL MUSEUM AND
TRANSFER OF FUNDS
(Contingent Fund – Salamanca Rail Museum)**

Pursuant to Sections 224 (12), 363, 365 and 450 of the County Law.

WHEREAS, Act 20-2011 authorized a contract with the Salamanca Rail Museum to assist with the preservation of the history of railroads in the Southern Tier, the term of which expired December 31, 2011, and

WHEREAS, the 2012 County budget did not provide for assistance to the Salamanca Rail Museum, and

WHEREAS, it is important that the County assist the Salamanca Rail Museum with the preservation of the history of railroads in the Southern Tier, and

WHEREAS, the Salamanca Rail Museum attracts thousands of visitors to Cattaraugus County annually, and

WHEREAS, the County should pay an amount of \$5,500.00 to the Salamanca Rail Museum from Account No. A.298.7450.0000.42010, and

WHEREAS, a transfer of funds is necessary to cover the above, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract for the year 2012 with the Salamanca Rail Museum, to assist with the preservation of the history of railroads in the Southern Tier, for a term commencing January 1, 2012 and terminating December 31, 2012, according to the above-described terms, 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 | \$5,500.00 |
|-----------------------|-----------------|------------|

Increase Appropriation Account:

| | | |
|-----------------------|-----------------------|-------------|
| A.298.7450.0000.42010 | Salamanca Rail Museum | \$5,500.00. |
|-----------------------|-----------------------|-------------|

MR. FELTON moved, seconded by Mr. Snyder, Jr. to waive Rule 12. Carried.

Adopted November 14, 2012 by voice vote.

MRS. STOCKMAN moved, seconded by Mr. Lamberson to adjourn until November 28, 2012 at 3:00 p.m. Carried.

Meeting adjourned at 4:00 p.m.

Ann M. Giglio
Journal Clerk