

January 23, 2013

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

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed two Legislators absent – Mrs. Stockman and Mr. Weller.

MS. EDSTROM moved, seconded by Mr. Boser that the minutes of the January 2, 2013 session be approved. Carried.

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COMMUNICATIONS:

Greene County Legislature: Copy of Resolution No. 403-12 entitled: “Urging United States Senators Charles E. Schumer and Kirsten Gillibrand to Recognize and Include Victims of Hurricane Irene in Tax Credit Legislation for Hurricane Sandy Victims”.

Tioga County Legislature: Copy of Resolution No. 16-13 entitled: “Resolution Calling for the Governor and State Legislature to Compensate Counties for State-Mandated District Attorney’s Salaries”.

APPOINTMENTS:

SOUTHERN TIER WEST
REGIONAL PLANNING & DEVELOPMENT BOARD
Three-year terms to expire December 31, 2015

Charles Couture
 5790 Fox Valley Road
 West Valley, New York 14171

Joseph K. Eade
 604 West Sullivan Street
 Olean, New York 14760

William King
 5360 Felton Hill Road
 West Valley, New York 14171

LONG-TERM CARE ADVISORY COUNCIL
Indefinite terms – Ex-Officio Members

Norman L. Marsh, Chairman
 County Legislature
 303 Court Street
 Little Valley, New York 14755

Donna Vickman, Chair
 Senior Services Committee
 971 Back Street
 Farmersville Station, New York 14060

Linda Edstrom, Chair
 Human Services Committee
 408 Laurens Street
 Olean, New York 14760

John R. Searles
 County Administrator
 303 Court Street
 Little Valley, New York 14755

CATTARAUGUS COUNTY ARSON TASK FORCE*Four-year term to expire December 31, 2015*

Rick Miller
 Olean Times Herald
 8139 Jennings Road
 Eden, New York 14057

CATTARAUGUS COUNTY TRAFFIC SAFETY BOARD*One-year term to expire December 31, 2013*

Sergeant Rob Gerstenzang
 New York State Police
 9761 Route 16
 Machias, New York 14101

Three-year terms to expire December 31, 2015

Captain Robert Buchhardt
 Sheriff's Office
 301 Court Street
 Little Valley, New York 14755

Allan Ormond
 8937 Dutch Hill Road
 Little Valley, New York 14755

Chief Terry Schnell
 Olean Police Department
 Municipal Building
 Olean, New York 14760

Sergeant Ronald Swartz
 New York State Police
 9761 Route 16
 Machias, New York 14101

Raymond Wilson
 Salamanca Public Works Department
 241 Rochester Street
 Salamanca, New York 14779

YOUTH BUREAU ADVISORY BOARD*Indefinite terms*

Eric M. Firkel, Esq.
 757 East State Street
 Olean, New York 14760

Amy Swalcy
 7379 Watson Road
 Ellicottville, New York 14731

THATCHER BROOK TASK FORCE*Three-year term to expire December 31, 2015*

Donald Offhaus
 130 Walnut Street
 Gowanda, New York 14070
as Gowanda's "General Public Member"

CATTARAUGUS COUNTY ROUTE 219 CORRIDOR DEVELOPMENT COMMITTEE*Three-year terms to expire December 31, 2015*

John Sheehan, Executive Director
 Salamanca Chamber of Commerce
 26 West Main Street
 Salamanca, New York 14779

Rick Pecora, Councilman
 Town of Carrollton
 543 Spittler Lane
 Limestone, New York 14753

Luke Stewart, Councilman
 City of Salamanca
 240 Highland Avenue
 Salamanca, New York 14779

John A. Burrell, Supervisor
 Town of Ellicottville
 PO Box 610
 Ellicottville, New York 14731

CATTARAUGUS EMPIRE ZONE CORPORATION*One-year terms to expire December 31, 2013*

Michael Fischer, Dean
 School of Business
 St. Bonaventure University
 St. Bonaventure, New York 14778

James Snyder
 Snyder Manufacturing, Inc.
 270 Rochester Street
 Salamanca, New York 14779

Edward Giardini
 Laborers Local #621
 1521 North Union Street
 Olean, New York 14760

James J. Snyder
 County Legislator
 PO Box 1
 Olean, New York 14760

Raymond Jonak
 3408 Fortune Drive
 Allegany, New York 14706

Gail Speedy, Director
 Universal Primary Care
 500 Main Street
 Olean, New York 14760

Michael Higgins
 Abbott Welding
 509 North First Street
 Olean, New York 14760

Edward Wilber, Vice-President/Manufacturing
 Dresser-Rand Turbo
 PO Box 560
 Olean, New York 14760

John Hare, Supervisor
 Town of Allegany
 3678 Karl Road
 Allegany, New York 14706

Mary George
 City of Olean
 Municipal Building
 Olean, New York 14760

James W. Kirkpatrick
 200 Jefferson Avenue
 Allegany, New York 14706

Norman L. Marsh, Chairman
 303 Court Street
 Little Valley, New York 14755

Mark Saglimben
 3660 Five Mile Road
 Allegany, New York 14706

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2013 Standing Committees Appointed By Chairman* *Chair*** *Vice Chair***Finance:** *Snyder, Sr., **Boser, Aiello, Murphy, Vickman, Stockman, Hale, Labuhn, Sprague**Public Works:** *Aiello, **Weller, Edstrom, Teachman, Klancer, Snyder, Jr., Lamberson, Sprague, Koch**Development & Agriculture:** *VanRensselaer, **Labuhn, Murphy, Snyder, Sr., Teachman, Padlo, Boser**Senior Services:** *Vickman, **Felton, Edstrom, Snyder, Jr., Hale, Labuhn, Koch**Strategic Planning:** *Stockman, **Sprague, Felton, Aiello, Edwards, Klancer, Labuhn**Public Safety:** *Murphy, **Hale, Snyder, Sr., Weller, VanRensselaer, Felton, Koch**County Operations:** *Teachman, **Padlo, Stockman, Klancer, Snyder, Jr., Weller, Sprague**Human Services:** *Edstrom, **Stockman, Vickman, VanRensselaer, Edwards, Lamberson, Padlo**Labor Relations:** *Aiello, **Lamberson, Vickman, Edwards, Boser**Legislative Representatives****Agriculture & Farmland Protection Board:** Boser**Community Services Board:** Edstrom**Criminal Justice Advisory:** Edwards, Aiello, Murphy**Empire Zone:** Marsh**Extension Service:** Sprague**Federated Sportsmen's Association:** Weller, VanRensselaer**Fire Advisory Board:** Murphy, Koch**Fleet Management:** Marsh, Aiello, Teachman, Edstrom, Sprague**Friends of the Nursing Home:** Boser**Health Board:** Snyder, Sr.**Nursing Home Quality Assurance:** Vickman, Labuhn**Region 9 Fish & Wildlife Management Board:** Snyder, Jr., Lamberson (Alternate)**Seneca Trail RC&D:** Labuhn**Soil Conservation:** Vickman, Lamberson

Town Supervisors Association: Koch, Edwards

Village Officials Association: Marsh, Stockman

Youth Board: Aiello

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ACT NO. 43-2013 by Mr. Marsh

APPOINTMENT OF CORNELL COOPERATIVE EXTENSION BOARD MEMBER

Pursuant to Section 153 of the County Law.

RESOLVED, that the following individual is appointed to the Cornell Cooperative Extension Board of Directors with a term to expire December 31, 2013:

William Sprague
3222 Taylor Road, PO Box 659
Yorkshire, New York 14173,

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Cornell Cooperative Extension.

Adopted January 23, 2013 by voice vote.

ACT NO. 44-2013 by Mr. Marsh

**APPOINTMENT OF SOIL & WATER CONSERVATION
DISTRICT BOARD MEMBER**

Pursuant to Section 153 of the County Law.

RESOLVED, that the following individual is appointed to the Cattaraugus County Soil & Water Conservation District Board of Directors with a term to expire December 31, 2015:

Mark Alianello
At-Large
7320 Pepperdine Hill Road
Cattaraugus, New York 14719,

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Cattaraugus County Soil & Water Conservation District.

Adopted January 23, 2013 by voice vote.

ACT NO. 45-2013 by Mr. Marsh

APPOINTMENT TO FIRE INVESTIGATION TEAM

Pursuant to Act 216-1979 of the Cattaraugus County Legislature.

RESOLVED, that the Cattaraugus County Legislature, upon the recommendation of the Fire Advisory Board, hereby appoints the following individual to the County Fire Investigation Team to replace Brandon Walters:

Mark Crosson
Sheriff's Office
301 Court Street
Little Valley, New York 14755.

Adopted January 23, 2013 by voice vote.

ACT NO. 46-2013 by Mr. Marsh

APPOINTMENTS OF SENECA TRAIL RC & D PROJECT MEMBERS

Pursuant to Section 153 of the County Law.

RESOLVED, that the following individual is appointed to the Seneca Trail RC & D Project with a term to expire December 31, 2015:

Carl George, Jr.
Alternate Representative
10365 Maple Grove Road
Delevan, New York 14042,

and be it further

RESOLVED, that the following individual is appointed to the Seneca Trail RC & D Project with a term to expire December 31, 2013:

Susan Labuhn
County Legislator
430 Broad Street
Salamanca, New York 14779,

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Seneca Trail RC & D Project.

Adopted January 23, 2013 by voice vote.

ACT NO. 47-2013 by Mr. Marsh

**APPOINTMENT OF MEMBER TO THE CHAUTAUQUA, CATTARAUGUS,
ALLEGANY AND STEUBEN SOUTHERN TIER EXTENSION RAILROAD AUTHORITY**

Pursuant to Section 2642-C(4) of the Public Authorities Law.

RESOLVED, that the following individual shall be a Cattaraugus County voting member on the Chautauqua, Cattaraugus, Allegany and Steuben Southern Tier Extension Railroad Authority:

Terry Everetts, Traffic Manager
Dresser-Rand
1666 Haskell Road
Olean, New York 14760
(term expires 9/12/2015),

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Chautauqua, Cattaraugus, Allegany and Steuben Southern Tier Extension Railroad Authority.

Adopted January 23, 2013 by voice vote.

ACT NO. 48-2013 by Mr. Marsh and Mr. Murphy

APPOINTMENTS TO CATTARAUGUS COUNTY FIRE ADVISORY BOARD

Pursuant to Section 225-a of the County Law.

RESOLVED, that the following individuals are appointed to the Cattaraugus County Fire Advisory Board for one-year terms to expire December 31, 2013:

Dale Carlson
1129 Lyndon Road
Franklinville, New York 14737

Brian Herman
7396 Smith Road
South Dayton, New York 14138

Mark Hebner
368 Palmer Street
Gowanda, New York 14070,

and be it further

RESOLVED, that the following individuals are appointed to the Cattaraugus County Fire Advisory Board for two-year terms to expire December 31, 2014:

Robert Barber
9739 Forty Road
Cattaraugus, New York 14719

Angela Kula
3538 Buffalo Road
Allegany, New York 14706

William Pratt
8872 Dake Hill Road
Cattaraugus, New York 14719

Gary Wuethrich
1602 Olean-Portville Road
Olean, New York 14760,

and be it further

RESOLVED, that the following individuals are appointed to the Cattaraugus County Fire Advisory Board for three-year terms to expire December 31, 2015:

Robert Hilliman
9210 Dutch Hill Road
Little Valley, New York 14755

Edward Jennings
1518 North Union Street
Olean, New York 14760

Charles Lindberg
10471 Lebanon Road
Randolph, New York 14772,

and be it further

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

Adopted January 23, 2013 by voice vote.

ACT NO. 49-2013 by Mr. Marsh

**AMENDING PURCHASING POLICY
(Establishing Exceptions)**

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, 290-2011 and 532-2012, and

WHEREAS, in order to streamline the County's purchasing process to become more efficient, it is necessary to define exceptions to the policy, and

WHEREAS, it is in the best interest of Cattaraugus County that the County's Purchasing Policy be amended in order to permit certain exceptions, 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, 290-2011 and 532-2012 is further amended by adding a new section 3.13 entitled "Exceptions", as follows:

"3.13 Exceptions.

3.13.1 The following are exceptions from the terms "purchase" and "contract for public work" and are not subject to the contract execution provisions of this Purchasing Policy, nor shall approval of the County Attorney or County Administrator be required, as long as the cost for such expense is budgeted:

- a. Maintenance repairs and parts up to \$5,000.00,
- b. Maintenance and service contracts up to \$5,000.00."

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.

MR. KOCH moved, seconded by Mr. Sprague to refer Act No. 49-2013 to the Finance Committee and the Public Works Committee. Carried.

ACT NO. 50-2013 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
VARIOUS ENTITIES FOR DEAF INTERPRETER SERVICES**

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

WHEREAS, the County is in need of interpreter services for deaf clients for various County Departments on an as-needed basis, and

WHEREAS, contracts are needed with various entities for the provision of the above-described interpreter services, for an amount not to exceed \$50.00 per hour, with not more than a two (2) hour minimum, plus an amount not to exceed \$50.00 per hour for travel time, on an as-needed basis, and

WHEREAS, sufficient funds are included in the 2013 budget to cover the cost of the aforementioned interpreter services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with various deaf interpreters for the provision of the above-described services, for a term commencing January 1, 2013 to continue in full force and effect until terminated by either party hereto, according to the above-described terms.

Adopted January 23, 2013 by voice vote.

ACT NO. 51-2013 by Mr. Felton and Ms. Vickman

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH
THE NEW YORK STATE OFFICE FOR THE AGING FOR
SYSTEMS INTEGRATION GRANT THROUGH NY CONNECTS PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, funding in the amount of \$36,800.00 is available through the New York State Office for the Aging for the Systems Integration Grant through the NY Connects Program, and

WHEREAS, the County Department of the Aging is desirous of applying for the aforementioned funding, and

WHEREAS, the NY Connects 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, on behalf of Cattaraugus County, with the New York State Office for the Aging, to apply for the aforementioned program funding, for the program year April 1, 2012 through September 30, 2014, 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.

Adopted January 23, 2013 by voice vote.

ACT NO. 52-2013 by Mr. Felton and Ms. Vickman

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH
THE NEW YORK STATE OFFICE FOR THE AGING FOR
NY CONNECTS PROGRAM FUNDING**

Pursuant to Section 450 of the County Law.

WHEREAS, funding in the amount of \$48,177.00 is available through the New York State Office for the Aging for the 2013 NY Connects Program, and

WHEREAS, the County Department of the Aging is desirous of applying for the aforementioned funding, and

WHEREAS, the NY Connects 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, on behalf of Cattaraugus County, with the New York State Office for the Aging, to apply for the aforementioned program funding, for the program year October 1, 2012 through 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.

Adopted January 23, 2013 by voice vote.

ACT NO. 53-2013 by Mr. Felton and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
NEW YORK STATE OFFICE FOR THE AGING FOR FUNDING UNDER
VARIOUS TITLES OF THE OLDER AMERICANS ACT OF 1965, AS AMENDED**

Pursuant to Titles III-B, III-C1, III-C2, III-D and III-E of the Older Americans Act of 1965,
as amended, Section 541 of the Executive Law and
Section 95-a of the General Municipal Law.

WHEREAS, Act 535-2011 authorized the Chair to apply for funding through the New York State Office for the Aging for the 2012 program year, and

WHEREAS, federal funding is again available through the New York State Office for the Aging under Titles III-B, III-C1, III-C2, III-D and III-E of the Older Americans Act of 1965, as amended, for the 2013 program year, for the following programs:

- Title III-B - direct services to the senior citizens of Cattaraugus County,
- Title III-C - congregate and home delivered services and other related services to the senior citizens of Cattaraugus County,
- Title III-D - preventative services to senior citizens of Cattaraugus County, and
- Title III-E - family caregiver support program,

and

WHEREAS, it is necessary to file grant applications with the New York State Office for the Aging to obtain this funding, and

WHEREAS, the above-described programs are funded as follows:

Title III-B	- 90% federally funded	\$ 87,776.00
Title III-C1	- 90% federally funded	\$111,043.00
Title III-C2	- 90% federally funded	\$ 50,925.00
Title III-D	- 90% federally funded	\$ 5,465.00
Title III-E	- 75% federally funded	\$ 40,406.00,

now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute the necessary grant applications, 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 for the Aging in order to apply for, and accept, funding under Titles III-B, III-C1, III-C2, III-D and III-E for the 2013 program year, 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.

Adopted January 23, 2013 by voice vote.

ACT NO. 54-2013 by Mr. Felton and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
NEW YORK STATE OFFICE FOR THE AGING FOR VARIOUS PROGRAMS FOR
DEPARTMENT OF AGING**

Pursuant to Title III of the Older Americans Act of 1965,
as amended, Section 541 of the Executive Law and
Section 95-a of the General Municipal Law.

WHEREAS, Act 532-2011 authorized the Chair to apply for, and accept, funding through the New York State Office for the Aging for the 2012 program year for various programs, and

WHEREAS, funding is available for various programs through the New York State Office for the Aging for the 2013 program year, and

WHEREAS, the County Department of Aging is desirous of applying for the following program funding:

Community Services for the Elderly (CSEP)	\$ 97,518.00
Expanded In-Home Services for the Elderly	\$221,701.00
Congregate Services Initiative (CSI)	\$ 1,722.00
Caregiver Resource Center (CRC)	\$ 19,611.00
Supplemental Nutrition Assistance Program (SNAP)	\$212,678.00
Transportation	\$ 4,605.00
HIICAP	\$ 33,602.00,

and

WHEREAS, a contract is necessary with the New York State Office for the Aging in order to accept the aforementioned funds, and

WHEREAS, four of the aforementioned programs are 100% state funded and three of the aforementioned programs are 75% state funded 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 the New York State Office for the Aging, in order to apply for, and accept, the aforementioned funds, for a term commencing April 1, 2013 and terminating March 31, 2014, 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.

Adopted January 23, 2013 by voice vote.

ACT NO. 55-2013 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR
FAMILY PLANNING PROGRAMS AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Health)**

Pursuant to 10 NYCRR Part 40-1 and
Sections, 363, 366 and 450 of the County Law.

WHEREAS, Act 189-2012 authorized a contract with the New York State Department of Health, Division of Family & Local Health, Corning Tower, Empire State Plaza, Room 878, Albany, New York 12237-0675, for the provision of a Family Planning Program in the County's Health Department, the term of which expired March 31, 2012, and

WHEREAS, the Cattaraugus County Health Department has been awarded a cost-of-living adjustment (COLA) in the amount of \$21,920.00 for the period April 1, 2012 to March 31, 2013, and

WHEREAS, an amended contract is necessary with the New York State Department of Health in order to obtain reimbursement through the above-referenced program, 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, on behalf of Cattaraugus County, with the New York State Department of Health for the provision of a Family Planning program in Cattaraugus County, 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, and be it further

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

Increase Estimated Revenue Account:

A.401.4017.4035.3450.10	State Aid Public Health Other Family Planning	\$21,920.00
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Increase Appropriation Account:

A.401.4017.4035.47006	Operating Supplies	\$21,920.00.
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Adopted January 23, 2013 by voice vote.

ACT NO. 56-2013 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR
RABIES PROGRAM REIMBURSEMENT**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 373-2008 authorized a contract with the New York State Department of Health for the rabies program reimbursement, the term of which expired March 31, 2012, and

WHEREAS, Cattaraugus County has expended funds on rabies surveillance and rabies treatment, and

WHEREAS, the New York State Department of Health, through the Zoonoses Program, Corning Tower – Empire State Plaza, Room 651, Albany, New York 12237, is providing pre-set reimbursement rates for human rabies treatment, animal specimens prepared and shipped, and for pet vaccination clinics that are conducted, and

WHEREAS, the New York State Department of Health has authorized an amount of \$34,007.55 per year for the five-year period April 1, 2012 through March 31, 2017, and

WHEREAS, the Cattaraugus County Health Department is desirous of contracting with the New York State Department of Health in order to receive the aforementioned funding, 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 receive the aforementioned rabies reimbursement, for a term commencing April 1, 2012 and terminating March 31, 2017, according to the above-described terms.

Adopted January 23, 2013 by voice vote.

ACT NO. 57-2013 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR ADOLESCENT TOBACCO
USE PREVENTION ACT ENFORCEMENT PROGRAM**

Pursuant to Article 13-F of the Public Health Law and
Section 450 of the County Law.

WHEREAS, Act 214-2012 authorized a contract with New York State Department of Health for a youth tobacco enforcement and preventive work plan to reduce the use and accessibility of tobacco to youths under 18 years of age, the term of which expires March 31, 2013, and

WHEREAS, the New York State Department of Health has authorized a cost-of-living adjustment (COLA) in the amount of \$2,441.00 for the period April 1, 2012 through March 31, 2013, and

WHEREAS, a contract amendment is necessary in order to obtain the aforementioned COLA 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 an amended contract, on behalf of Cattaraugus County, with the New York State Department of Health, in order to receive the aforementioned COLA for the Adolescent Tobacco Use Prevention Act

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.

Adopted January 23, 2013 by voice vote.

ACT NO. 58-2013 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR CHILDREN WITH
SPECIAL HEALTH SERVICES NEEDS (CSHSN)**

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

WHEREAS, Act 188-2012 authorized the Chair to execute a contract with the New York State Department of Health and various entities for the Children with Special Health Services Needs Program (CSHSN), the term of which expired March 31, 2012, and

WHEREAS, the Cattaraugus County Health Department has been awarded a cost-of-living adjustment (COLA) in the amount of \$1,615.00 for the period April 1, 2012 to March 31, 2013, and

WHEREAS, an amended contract is necessary with the New York State Department of Health in order to obtain reimbursement through the above-referenced program, 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 an amended contract, on behalf of Cattaraugus County, with the New York State Department of Health in order to obtain reimbursement through the above-referenced 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.

Adopted January 23, 2013 by voice vote.

ACT NO. 59-2013 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT AMENDMENT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR
IMMUNIZATION CONSORTIUM REIMBURSEMENT**

Pursuant to 10 NYCRR Section 40-1.52 and
Section 450 of the County Law.

WHEREAS, Act 165-2012 authorized a contract with the New York State Department of Health for the administration of the Western Region Immunization Consortium for the period April 1, 2012 through March 31, 2013, and

WHEREAS, the New York State Department of Health has authorized a cost-of-living adjustment (COLA) in the amount of \$3,289.00, for the period April 1, 2012 through March 31, 2013, and

WHEREAS, a contract amendment is necessary in order to obtain the aforementioned COLA funding, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with the New York State Department of Health, in order to receive the aforementioned COLA for the immunization program, for a term commencing April 1, 2012 and terminating March 31, 2013, according to the above-described terms.

Adopted January 23, 2013 by voice vote.

ACT NO. 60-2013 by Mr. Murphy

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

Pursuant to Section 450 of the County Law.

WHEREAS, Act 207-2010 authorized a contract with Communication Services of WNY & PA, Inc., d/b/a Eagle Radio Technologies for the provision of maintenance of two-way radio communications equipment for the Department of Public Works, Health Department, Office of Emergency Services and Fire Advisory Board systems, the term of which expired December 31, 2012, and

WHEREAS, a contract extension is necessary in order to allow for time to rebid the aforementioned services, which will be done upon completion of system upgrades, and

WHEREAS, Communication Services of WNY & PA, Inc., d/b/a Eagle Radio Technologies, has agreed to extend the term of the aforementioned contract to June 30, 2013, under the same rates, term and conditions, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract extension, on behalf of Cattaraugus County, with Communication Services of WNY & PA, Inc., d/b/a Eagle Radio Technologies, for the provision of the above-described services, for a term commencing January 1, 2013 and terminating June 30, 2013, according to the above-described terms.

Adopted January 23, 2013 by voice vote.

ACT NO. 61-2013 by Mr. Snyder, Sr., Mr. Teachman and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
NEW WORLD SYSTEMS FOR ADDITIONAL COMPONENTS OF
INTEGRATED FINANCIAL MANAGEMENT SOFTWARE
(Check Print Interface/Tax Receipt Import)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 417-2009, as amended by Act 196-2012, authorized a contract with New World Systems, 888 West Big Beaver Road, Suite 600, Troy, Michigan 48084, for the provision and implementation of the Commercial Off The Shelf Integrated Financial Management, Payroll/Human Resources and eSuite financial management software and maintenance support services, the term of which expires December 31, 2019, and

WHEREAS, the County is desirous of adding additional components to include Check Print Interface for printing of the County's accounts payable checks and Tax Receipt Import for the County's Systems East financial program, and

WHEREAS, New World Systems can provide the aforementioned additional components for an amount of \$10,200.00, which includes programming, quality testing, electronic delivery and set up assistance, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with New World Systems, for the provision of the above-described components and services, for a term commencing October 12, 2012 and terminating December 31, 2019, according to the above-described terms.

Adopted January 23, 2013 by voice vote.

ACT NO. 62-2013 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COUNTY ARTS COUNCIL FOR AMERICORPS START PROGRAM AND
RESCINDING ACT 635-2012**

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

WHEREAS, Act 674-2011 authorized a contract with the Cattaraugus County Arts Council, P.O. Box 406, Olean, New York 14760, for the continuation of the AmeriCorps START Program, the term of which expired December 26, 2012, and

WHEREAS, the Youth Bureau is desirous of renewing the aforementioned contract, and

WHEREAS, the Cattaraugus County Arts Council has agreed to provide services for the AmeriCorps START Program by contributing an amount of \$5,000.00 for one full-time member, and

WHEREAS, this program is 100% federally funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Cattaraugus County Arts Council, for

the continuation of the AmeriCorps START Program, for a term commencing December 31, 2012 and terminating December 30, 2014, according to the above-described terms, and be it further

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

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

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

RESOLVED, that Act 635-2012 is hereby rescinded.

Adopted January 23, 2013 by voice vote.

ACT NO. 63-2013 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
ENRIQUE BARRERA FOR SPANISH INTERPRETER SERVICES**

Pursuant to 14 NYCRR Section 527.4 (a),(b) and (c) and
Section 450 of the County Law.

WHEREAS, Act 616-2011 authorized a contract with Enrique Barrera for Spanish interpreter services for various County departments, the term of which expired December 31, 2012, and

WHEREAS, County departments are desirous of continuing the aforementioned services, and

WHEREAS, Enrique Barrera, 6750 Poverty Hill Road, Ellicottville, New York 14731, shall provide Spanish interpreter services at a rate not to exceed \$36.00 per hour, plus mileage at the County rate in effect at the time services are rendered, and

WHEREAS, this service may be paid through various funding streams ranging from 100% federal funds, down to 30% federal funds, 29% state funds, 36% county funds and 5% local funds, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Enrique Barrera, for the provision of the above-described Spanish interpreter 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.

Adopted January 23, 2013 by voice vote.

ACT NO. 64-2013 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS-ALLEGANY WORKFORCE INVESTMENT BOARD, INC. FOR
OPERATION OF WIA ONE-STOP PROGRAM AND RESCINDING ACT 292-2012**

Pursuant to P.L. 105-220, Workforce Investment Act of 1998,
20 USC 9201 and Section 450 of the County Law.

WHEREAS, Act 93-2012 authorized a contract with the Cattaraugus-Allegany Workforce Investment Board, Inc., for the operation of the aforementioned WIA One-Stop program, the term of which expired June 30, 2012, and

WHEREAS, the County Department of Social Services is desirous of continuing the One Stop Operator delivery system services, and

WHEREAS, the WIB will pay the County for the administration of the above-described program the sum of \$519,345.00 for the program year July 1, 2012 through June 30, 2013, 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, on behalf of Cattaraugus County, with the Cattaraugus-Allegany Workforce Investment Board, Inc., for the provision of the above-described services, for a term commencing July 1, 2012 and terminating June 30, 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, and be it further

RESOLVED, that Act 292-2012 be, and hereby is, rescinded.

Adopted January 23, 2013 by voice vote.

ACT NO. 65-2013 by Mr. Hale and Mr. Murphy

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

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

WHEREAS, Act 543-2012 authorized the Chairman to apply for funding through the New York State Division of Criminal Justice Services Grants Management System for the Alternatives to Incarceration (ATI) Programs and Adult Re-Entry Employment Programs currently supported under the Byrne Jag American Recovery and Reinvestment Act, and

WHEREAS, the County Probation Department has been awarded a grant in the amount of \$33,525.00 to support the Alternatives to Incarceration program through April 30, 2013, and

WHEREAS, the aforementioned grant award is supported with both Byrne Jag American Recovery and Reinvestment Act (ARRA) funds in the amount of \$15,581.00 and New York State general funds in the amount of \$17,944.00, which was appropriated in the 2012-2013 State budget, and

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

WHEREAS, various appropriation and revenue accounts must be adjusted in order to accept the aforementioned grant funds, now, therefore, be it

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

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

Increase Estimated Revenue Accounts:

A.314.3144.0000.4310.03	Federal Aid - ARRA (Re-entry)	\$15,581.00
A.314.3144.0000.3310.11	State Aid - Re-entry ATI Bridge Funding	\$17,944.00

Increase Appropriation Accounts:

A.314.3144.0000.11000	Re-entry Wages	\$ 3,126.00
A.314.3144.0000.81000	Re-entry FICA	\$ 265.00
A.314.3144.0000.82000	Re-entry Retirement	\$ 520.00
A.314.3144.0000.83000	Re-entry Health Insurance	\$ 433.00
A.314.3144.0000.84000	Dental Insurance	\$ 11.00
A.314.3144.0000.40405	Job Training	\$ 4,580.00
A.314.3144.0000.41412	Drug Testing	\$ 100.00
A.314.3144.0000.48306	DSS Contracted Svcs	\$24,490.00.

Adopted January 23, 2013 by voice vote.

ACT NO. 66-2013 by Mr. Aiello and Mr. Weller

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
LABELLA ASSOCIATES, P.C. FOR ENGINEERING SERVICES FOR
JAIL SECURITY AND LOCK SYSTEM**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 154-2010, as amended by Act 160-2011 authorized a contract with Labella Associates, P.C., 300 State Street, Suite 201, Rochester, New York 14614, for the provision of

architectural and engineering services required for upgrading the lock and camera security systems at the County Jail, the term of which expired December 31, 2012, and

WHEREAS, it is necessary to extend the term of the aforementioned contract to April 30, 2013, in order to allow more time to complete 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 an amended contract, on behalf of Cattaraugus County, with Labella Associates, P.C., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating April 30, 2013, according to the above-described terms.

Adopted January 23, 2013 by voice vote.

ACT NO. 67-2013 by Ms. Edstrom and Mrs. Stockman

**AMENDING ACT 38-2013 REGARDING CONTRACT WITH
HOUSING OPTIONS MADE EASY, INC. FOR VARIOUS SERVICES, AND
SERVING AS THE LEAD AGENCY FOR RECOVERY CENTER SERVICES AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

Pursuant to Sections 41.47 and 41.55 of the Mental Hygiene Law and
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 38-2013 authorized approval of a contract with Housing Options Made Easy, Inc., 75 Jamestown Street, Gowanda, New York 14070, for supported housing for mentally ill people and the homeless, the provision of a consumer operated client systems advocacy service, and the operation of a telephone "warm" line, as well as serving as the lead agency for Recovery Center Services, the term of which expires December 31, 2013, and

WHEREAS, the provision of innovative vocational services is necessary, and

WHEREAS, Act 38-2013 should be amended to include the provision of vocational services, and

WHEREAS, Housing Options Made Easy, Inc., can provide innovative vocational services for the Department of Community Services for an amount not to exceed \$104,396.00, for a total contract amount not to exceed \$974,975.00, to be paid in quarterly installments, as invoiced, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to cover the cost of the aforementioned additional services, and

WHEREAS, the above programs are funded through 100% state funds with a net County cost of zero, now, therefore, be it

RESOLVED, that Act 38-2013 be, and hereby is, amended as follows:

- In the Third Whereas, after: "consumer-operated client systems advocacy service", add: "innovation vocational services", and
- In the Third Whereas, delete: "\$870,579.00", and replace with: "\$974,975.00",

and be it further

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

Decrease Appropriation Accounts:

A.431.4310.1320.41606.03	Contracted Services, Comm Svcs Innov Voc	\$ 94,713.00
A.431.4310.1320.11000	Full Time Wages	\$ 6,882.00
A.431.4310.1320.14000	Pay In Lieu of Benefit Hours	\$ 179.00
A.431.4310.1320.81000	FICA	\$ 541.00
A.431.4310.1320.82000	Retirement	\$ 1,396.00
A.431.4310.1320.83000	Health Insurance	\$ 864.00
A.431.4310.1320.84000	Dental Insurance	\$ 14.00
A.431.4310.1320.85000	Worker's Compensation	\$ 71.00

Increase Estimated Revenue Accounts:

A.431.4310.0890.4490.01*	Federal Aid, MH, OMH Federal Salary Sharing	\$ 9,683.00
A.437.4322.1320.3490.046L	State Aid, OMH, C&F Community Support Prog	\$104,396.00

Increase Appropriation Accounts:

A.437.4322.1320.42023.046L	Housing Options Made Ease, C&F Comm Sup Prog	\$104,396.00
A.431.4310.0890.11000	Full Time Wages	\$ 6,882.00
A.431.4310.0890.14000	Pay In Lieu of Benefit Hours	\$ 179.00
A.431.4310.0890.81000	FICA	\$ 541.00
A.431.4310.0890.82000	Retirement	\$ 1,396.00
A.431.4310.0890.83000	Health Insurance	\$ 864.00
A.431.4310.0890.84000	Dental Insurance	\$ 14.00
A.431.4310.0890.85000	Worker's Compensation	\$ 71.00

Decrease Estimated Revenue Account:

A.431.4310.1320.3490.046L	State Aid, OMH, C&F Community Support Prog	\$104,396.00.
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Adopted January 23, 2013 by voice vote.

ACT NO. 68-2013 by Mr. Felton, Ms. Vickman and Mr. Weller

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION FOR
CASE LAKE PARK REHABILITATION AND ENHANCEMENT**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 150-2007, as amended by Act 415-2010, authorized a contract with the New York State Office of Parks, Recreation and Historic Preservation for the acceptance of grant funds in the amount of \$93,000.00 for improvements at the Case Lake Recreational Area, the term of which expired December 31, 2011, and

WHEREAS, Cattaraugus County owns Case Lake in the Town of Franklinville, and

WHEREAS, the Town of Franklinville used only \$69,745.00 of the aforementioned grant, and

WHEREAS, an amendment of the aforementioned contract reducing the grant award from \$93,000.00 to \$69,745.00 is necessary in order to close out the grant, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with the New York Office of Parks,

Recreation and Historic Preservation, for the above-described Case Lake Park Rehabilitation and Enhancement Project, for a term commencing October 20, 2006 and terminating December 31, 2011, according to the above-described terms.

Adopted January 23, 2013 by voice vote.

ACT NO. 69-2013 by Ms. Edstrom and Mrs. Stockman

**EXPRESSING GRATITUDE TO OVID DEAN KNIGHT, MD FOR
42 YEARS OF SERVICE TO CATTARAUGUS COUNTY
COMMUNITY SERVICES BOARD AND PUBLIC SERVICE TO THE DEVELOPMENTALLY
DISABLED AND MENTALLY DISABLED OF CATTARAUGUS COUNTY**

Pursuant to Section 153 of the County Law.

WHEREAS, Ovid Dean Knight, MD, is a charter member and past Chairman of the Cattaraugus County Community Services Board, and

WHEREAS, he served as Chairman of the Community Services Board from 1976 to 2010, and has provided leadership to the community, the County Legislature, County Administration and numerous Directors of the Department of Community Services, and

WHEREAS, Dr. Knight has served the developmentally disabled of Cattaraugus County for over four decades, and

WHEREAS, Dr. Knight is one of the original advocates for the establishment of The ReHAbilitation Center, and

WHEREAS, he has served as a model to other Community Service Board members by his practically flawless attendance record and has recruited new members when vacancies have occurred, and

WHEREAS, Dr. Knight continually makes himself available to solve concerns and resolve issues when changes and challenges arise, such as developmental disabilities crises, alcohol and substance abuse situations or to meet with New York State and/or local government officials, and

WHEREAS, he is a tireless advocate for people with disabilities in our community, and

WHEREAS, Dr. Knight has earned the highest regard and esteem of his fellow colleagues, employees, peers and citizens of Cattaraugus County, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature, on behalf of the County and its Community Services Board, hereby offers its sincerest thanks to Ovid Dean Knight for his dedicated 42 years of public service to the developmentally and mentally disabled citizens of Cattaraugus County, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a copy of this resolution to Dr. Knight.

Adopted January 23, 2013 by voice vote.

ACT NO. 70-2013 by Mr. Aiello and Mr. Lamberson

**AUTHORIZING COUNTY ADMINISTRATOR TO TRANSFER FUNDS FOR
PAYMENT OF WORKERS COMPENSATION EXCESS INSURANCE PREMIUM**

Pursuant to Sections 363 and 365 of the County Law.

WHEREAS, the 2013 adopted budget included the estimated amount for the Workers Compensation Excess Insurance premium to be \$118,000.00, and

WHEREAS, the actual amount invoiced to the County for the 2013 Workers Compensation Excess Insurance premium was \$148,793.00 an increase of \$30,793.00, and

WHEREAS, additional funds to cover the increase in cost will be required, and

WHEREAS, a transfer of funds from Workers Compensation Administration and Workers Compensation Benefits and Awards to Workers Compensation Excess Insurance will be needed to accommodate the increase in costs, now, therefore, be it

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

Decrease Appropriation Accounts:

A.171.1710.0000.41006	Workers Compensation Administration	\$13,290.00
A.171.1720.0000.40412	Workers Compensation Benefits and Awards	\$17,503.00

Increase Appropriation Account:

A.171.1722.0000.40609	Workers Comp. Excess Ins. Premium	\$30,793.00.
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Adopted January 23, 2013 by voice vote.

**MOTION TO ADJOURN IN MEMORY OF
WENDY H. BOURGEOIS**

WHEREAS, Wendy H. Bourgeois, 68, of Hinsdale, passed away on January 14, 2013, and
WHEREAS, Ms. Bourgeois served as Commissioner of Social Services from June 3, 1996, to October 29, 2012, and

WHEREAS, during her career with the Cattaraugus County Social Services Department she achieved many accomplishments including, but not limited to:

- Development of the One Stop Career Center;
- Support and implementation of the New York Connects statewide initiative in Cattaraugus County, designed to link people who need long term care with resources and agencies that can assist them;
- Initiate and procurement of a grant for the OATS bus using CST funding until 2008;
- Collaboration with St. Bonaventure and United Way on the VITA (Volunteer Income Tax Assistance) Program since 2003;
- Development of the DSS Management Team to institute policies and procedures followed by the department; and many more,

and

WHEREAS, Commissioner Bourgeois set a standard of excellence in leadership and innovation that positively impacted all with whom she came in contact, including the Legislature, her employees, the County's administration, Department Heads, and the public generally, and

WHEREAS, her career was also highlighted by her high level of care and concern for others and her untiring efforts to make life better for the clients of her department, and

WHEREAS, Ms. Bourgeois' education included a Bachelor of Arts in Education from the University of Massachusetts at Amherst in 1965 and a Master of Arts in Administration and Leadership in 1993 from SUNY Plattsburg, and

WHEREAS, Ms. Bourgeois was also a Peace Corps volunteer and served in Bahia, Brazil from 1965 to 1967, and

WHEREAS, previous to her employment with Cattaraugus County, Ms. Bourgeois had over 20 years social services administration experience with Clinton County, New York, and

WHEREAS, Ms. Bourgeois was active in her community by serving on many boards and committees, including, but not limited to:

- United Way (Board of Directors and Treasurer)
- Community Services Board
- Workforce Investment Board
- Criminal Justice Advisory Council
- Child Advocacy Center-Multi-Disciplinary Team Council
- Long Term Care Council
- Western Region Commissioners
- Board of Directors of the New York Public Welfare Association,

and

WHEREAS, Ms. Bourgeois is survived by four children: Donald Boyd of Williamsville, New York; Tania Blow of Queensbury, New York; Diana DeNitto of Wolfeboro, New Hampshire; and Renee Beebe of Corvallis, Montana; seven grandchildren; two sisters, Carol Hall-Jordan of Lanesboro, Massachusetts; and Nancy Armstrong of Verona, Virginia; as well as several nieces and nephews, and

WHEREAS, the loss of her presence will be sadly felt by her many friends and colleagues in Cattaraugus County, now, therefore, Legislator Marsh hereby

MOVES, that the Cattaraugus County Legislature hereby adjourns, and stands adjourned, in memory of Wendy H. Bourgeois, and this Motion be seconded by the rest of the Legislature, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby adjourns, and stands adjourned, until its next meeting, unless specially convened, in memory of Wendy H. Bourgeois, and be it further

RESOLVED, that the Clerk of the Legislature be, and hereby is, directed to forward a certified copy of this Motion to her children.

MR. LAMBERSON moved, seconded by Mr. Hale to adjourn until February 13, 2013 at 3:00 p.m. Carried.

Meeting adjourned at 4:10 p.m.

Ann M. Giglio
Journal Clerk