

June 12, 2013

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

The invocation was given by Rev. Kay.

The Attendance Roll Call disclosed one Legislator absent – Ms. Vickman.

MR. AIELLO moved, seconded by Mr. Sprague that the minutes of the May 22, 2013 session be approved. Carried.

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**COMMUNICATIONS:**

Brian Kolb, Minority Leader, New York State Assembly: Letter acknowledging receipt of Act No. 211-2013.

Delaware County Board of Supervisors: Resolution No. 81 entitled, "Resolution Declaring 'Mayday for Mandate Relief' and Urging the State to Adopt Laws That Do Not Impose Further Fiscal Stress on Local Governments and Taxpayers and Build Upon Recent Efforts to Reform Costly Unfunded Mandates" and Resolution No. 85 entitled, "Resolution Calling for the Governor and State Legislature to Permit Counties to Re-Establish the Office of Coroner After Having Abolished the Office".

Sullivan County Legislature: Resolution No. 220-13 entitled, "Declaring 'Mayday for Mandate Relief' and Urging the State to Adopt Laws That Do Not Impose Further Fiscal Stress on Local Governments and Taxpayers and Build Upon Recent Efforts to Reform Costly Unfunded Mandates" and Resolution No. 223-13 entitled, "Opposing A6550/2013 – Additional Notice of Claim Legislation".

Yates County Legislature: Resolution No. 213-13 entitled, "Resolution Supporting the Prevention of Introduction and Movement of Aquatic Invasive Species and Urging the State to Adopt Laws that Support Local Governments in Preventing Introduction and Movement of Aquatic Invasive Species".

**APPOINTMENTS:**

**CATTARAUGUS COUNTY PLANNING BOARD**

*Three-Year Term to expire July 31, 2016*

Florence J. Fuller  
5617 Windfall Road  
Kill Buck, New York 14748

Richard P. Fuller  
18 Regan Street  
Delevan, New York 14042

Robert C. Keis  
7621 California Hill Road  
Little Valley, New York 14755

Michael Zaprowski  
317 Front Avenue  
Salamanca, New York 14779

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CHAIRMAN MARSH granted Privilege of the Floor to Jack Searles, County Administrator, who introduced Mike McCarthy of McCarthy & Conlon LLP, who presented the 2012 Financial Audit of the County Nursing Homes.

\* \* \* \* \*

CHAIRMAN MARSH called up **ACT NO. 224-2013**, Approving Contract between Cattaraugus County Community Services Board and Accumedic Computer Systems, Inc. for Department of Community Services AccuMed Software System and Adjusting Various Appropriation Accounts (Department of Community Services), and asked that it be read.

Approved by 6 members of the Finance Committee, 6 members of the County Operations Committee and 6 members of the Human Services Committee.

Adopted June 12, 2013 by voice vote.

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**ACT NO. 240-2013** by Mr. Marsh  
and Mr. Padlo<sup>1</sup>

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

Pursuant to Section 41.11 of the Mental Hygiene Law.

RESOLVED, that the following individual is appointed to the Community Services Board People with Developmental Disabilities Subcommittee with a term to expire December 31, 2015:

Gail F. Hammond  
2337 Five Mile Road  
Allegany, New York 14706.

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

<sup>1</sup>The following Legislator requested his named be listed as an additional sponsor: "Mr. Padlo".

Adopted June 12, 2013 by voice vote.

**ACT NO. 241-2013** by Mr. Teachman  
and Mr. Aiello, Ms. Edstrom, Mr. Edwards, Mr. Murphy, Mrs. Stockman,  
Mr. Koch, Mr. Lamberson and Mr. Padlo<sup>1</sup>

**APPOINTMENT OF DIRECTOR OF REAL PROPERTY TAX SERVICES**

Pursuant to Section 201 of the County Law and  
Section 1530 of the Real Property Tax Law.

RESOLVED, that Daniel T. Martonis, 10095 Route 242, Little Valley, New York 14755, be, and hereby is, appointed Director of Real Property Tax Services for a six-year term commencing October 1, 2013 and terminating September 30, 2019, at such salary which has heretofore been, or may hereafter be, established.

Approved by 6 members of the Finance Committee, 6 members of the County Operations Committee and 3 members of the Labor Relations Committee.

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Ms. Edstrom, Mr. Edwards, Mr. Murphy, Mrs. Stockman, Mr. Koch, Mr. Lamberson and Mr. Padlo".

Adopted June 12, 2013 by voice vote.

**ACT NO. 242-2013** by Mr. Aiello, Mr. Klancer, Mr. Murphy and Mr. Weller

**BID ACCEPTANCE FOR REPLACEMENT OF EAST OTTO BRIDGE NO. 15  
(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 replacement of East Otto Bridge No. 15 in the Town of East Otto, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications was the bid of Union Concrete, 105 Center Street, West Seneca, New York 14224, in the amount of \$269,906.25, to be paid periodically based on a percentage of completion, as invoiced, 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 bid of Union Concrete, be, and the same hereby is, accepted, for a term commencing upon notice to proceed, with substantial completion by August 30, 2013, and a contract termination date of December 31, 2013, and be it further

RESOLVED, that vouchers submitted in accordance with the provisions of the General Municipal Law §106-b and certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

No State Bid.

Sixteen sets of specifications were sent out.

Seven bids were received.

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

Adopted June 12, 2013 by voice vote.

**ACT NO. 243-2013** by Mr. Aiello and Mr. Weller

**BID ACCEPTANCE FOR COLD STORAGE BUILDING PROJECTS AT DPW FACILITY  
FOUNDATION PROJECT AND FIRE PROTECTION SYSTEM  
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the foundation project and the fire protection system for the cold storage building located at the DPW Facility in Little Valley, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications for the foundation project for the aforementioned cold storage building, was the bid of STC Construction, Inc., P.O. Box 459, Springville, New York 14141, for an amount of \$249,340.00, to be paid on a percent-of-completion basis, as invoiced and approved by the Department of Public Works, and

WHEREAS, the lowest responsible bid received meeting specifications for the fire protection system for the aforementioned cold storage building, was the bid of Davis Fire Protection & Services, 203 Fisher Road, West Seneca, New York 14218, for an amount of \$43,680.00, 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 bid of STC Construction, Inc., be, and the same hereby is, accepted, for a term commencing upon Notice to Proceed and with completion by October 31, 2013, and a contract termination date of December 31, 2013, and be it further

RESOLVED, that the bid of Davis Fire Protection & Services., be, and the same hereby is, accepted, for a term commencing upon Notice to Proceed and with completion by October 31, 2013, and a contract termination date of December 31, 2013, 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.

Fifteen sets of specifications were sent out.

Eight bids were received.

Approved by 6 members of the Finance Committee and 6 members of the Public Works Committee.

MR. SPRAGUE and Mr. EDWARDS requested a Roll Call vote on Act No. 243-2013, which disclosed as follows:

Ayes: Aiello 0.8673, Boser 1.0267, Edstrom 0.8673, Felton 1.0972, Koch 0.8685, Padlo 0.8673, Snyder Sr. 0.8673, Stockman 1.0003, Teachman 0.8673, VanRensselaer 1.1278, Weller 1.0972, Marsh 1.1278 – 11.682.

Nays: Edwards 0.9684, Hale 1.0655, Klancer 1.1005, Labuhn 0.8685, Lamberson 1.0267, Murphy 1.1005, Snyder Jr. 1.0655, Sprague 1.0230 – 8.2186.

Act No. 243-2013, having received the majority vote of the Legislature was declared Adopted.

**ACT NO. 244-2013** by Mr. Aiello and Mr. Weller

**AUTHORIZING THE CHAIR TO EXECUTE LEASE DOCUMENTS  
WITH JAMES B. SCHWAB CO., INC.  
FOR DEPARTMENT OF PUBLIC WORKS  
WIDE FORMAT IMAGING SYSTEM**

Pursuant to Section 450 of the County Law.

WHEREAS, the wide format imaging system currently used by the Department of Public Works is outdated and in need of replacement, and

WHEREAS, the Department of Public Works solicited proposals from thirteen companies, and

WHEREAS, James B. Schwab Co., Inc., 223 West Main Street, Falconer, New York 14733, can provide a Wide Format Imaging System, with all options, with "no trade-in", for an amount, as follows, for a term of three (3) years commencing June 1, 2013 and terminating May 31, 2016, with the option of a one-year extension at the same rates at the County's sole option:

	<u>Quantity Per Month</u>	<u>Rate Per Square Foot</u>
Ricoh Aficio MPW3601 Wide Format Copy/Print/Scan (415432)	0 to 2,000 square feet	\$0.25682
	Greater than 2,000 square feet	\$0.03,

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute lease documents, on behalf of Cattaraugus County, with James B. Schwab Co., Inc., for the provision of the above-described imaging system, for a term commencing June 1, 2013 and terminating May 31, 2016, with the option of a one-year extension at the same rates at the County's sole option, according to the above-described terms.

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

Adopted June 12, 2013 by voice vote.

**ACT NO. 245-2013** by Mr. Aiello and Mr. Weller

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
AUDUBON ARCHITECTURE, ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.  
A/K/A WENDEL DUCHSCHERER FOR ENGINEERING CONSULTANT SERVICES FOR  
LITTLE VALLEY COUNTY CENTER SECOND FLOOR COURT RENOVATIONS PROJECT**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 229-2013 authorized a contract with the New York State Unified Court System for reimbursement for the proposed court space renovation project, and

WHEREAS, engineering consultant services are needed for the second floor court renovations, and

WHEREAS, Audubon Architecture, Engineering, Surveying & Landscape Architecture, P.C., (a/k/a Wendel Duchscherer), 140 John James Audubon Parkway, Suite 201, Buffalo, New York 14228, can provide the necessary engineering consultant services for an amount not to exceed \$48,300.00, plus reimbursable expenses not to exceed \$6,100.00, to be paid on a percent-of-completion basis, as invoiced, and

WHEREAS, sufficient funds are included in the 2013 budget to cover 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 & Landscape Architecture, P.C., (a/k/a Wendel Duchscherer), for the provision of the above-described engineering consultant services, for a term commencing January 1, 2013 and terminating December 31, 2014, according to the above-described terms.

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

Adopted June 12, 2013 by voice vote.

**ACT NO. 246-2013** by Mr. Aiello, Mr. Felton, Ms. Vickman and Mr. Weller

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH DAVIS-ULMER SPRINKLER COMPANY, INC.  
FOR FIRE PROTECTION IMPROVEMENTS AT  
THE PINES HEALTHCARE AND REHABILITATION CENTER – MACHIAS CAMPUS**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, the fire protection system at the Pines Healthcare and Rehabilitation Center – Machias Campus is in need of improvements in order to comply with revised Building Codes, and

WHEREAS, Davis-Ulmer Sprinkler Company, Inc., One Commerce Drive, Amherst, New York 14228-2395, can install sprinkler protection under the front entrance canopy and awning, under the ground floor canopy outside of the maintenance shop, and in the unheated porches in the middle of the Cypress-A, Cypress-B, Evergreen, Juniper, Spruce and Cedar wings, for an amount of \$21,550.00, 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 project, 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 Davis-Ulmer Sprinkler Company, Inc., for the provision of the above-described services, for a term commencing June 12, 2013 and terminating December 31, 2013, according to the above-described terms.

Approved by 6 members of the Finance Committee, 9 members of the Public Works Committee and 4 members of the Senior Services Committee.

Adopted June 12, 2013 by voice vote.

**ACT NO. 247-2013** by Mr. Aiello, Mr. Felton, Ms. Vickman and Mr. Weller

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH ALLIED FIRE PROTECTION SYSTEMS, INC.  
FOR SPRINKLER IMPROVEMENT PROJECT AT  
THE PINES HEALTHCARE AND REHABILITATION CENTER – OLEAN CAMPUS**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, the sprinkler system at the Pines Healthcare and Rehabilitation Center – Olean Campus is in need of improvements in order to comply with recent Fire Protection Code revisions, and

WHEREAS, Allied Fire Protection Systems, Inc., 1885 Lyndon Boulevard, Falconer, New York 14733, can provide tools, labor and equipment necessary to install 24 chrome extended coverage dry sidewall sprinklers to properly protect below the existing two (2) canopy and ten (10) overhang sprinklers for an amount of \$20,770.00, 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 project, 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 Allied Fire Protection Systems, Inc., for the provision of the above-described services, for a term commencing June 12, 2013 and terminating December 31, 2013, according to the above-described terms.

Approved by 6 members of the Finance Committee, 9 members of the Public Works Committee and 4 members of the Senior Services Committee.

Adopted June 12, 2013 by voice vote.

**ACT NO. 248-2013** by Mr. Marsh

**ESTABLISHING STANDARD WORK DAY FOR CERTAIN  
ELECTED AND APPOINTED OFFICIALS FOR REPORTING PURPOSES  
TO NEW YORK STATE RETIREMENT SYSTEM**

Pursuant to 2 NYCRR Section 315.4.

WHEREAS, 2 NYCRR Section 315.4, effective August 12, 2009, requires that all newly elected or appointed officials participating in the New York State Retirement System maintain a record of activities for a period of three months within 150 days of appointment or the start of a term of office, for purposes of establishing a standard work day, and

WHEREAS, 2 NYCRR Section 315.4 requires that the governing board shall establish, by resolution, a standard work day for each elected or appointed position, and

WHEREAS, certain newly elected and appointed officials have submitted their three-month record of activities, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby establishes the following as standard work days for appointed officials and will report the following days worked to the New York

State and Local Employees Retirement System, based on the record of activities maintained and submitted by these officials to the Clerk of the Legislature:

<u>Title</u>	<u>Name</u>	<u>Ret. Reg.</u>	<u>Authority</u>	<u>Term</u>	<u>Standard Work Hrs/Day</u>	<u>Days/ Month</u>
Election Commissioner	Sue A. Fries	33971979	Appointed	1/01/2013- 12/31/2016	7	21.67
County Treasurer	Joseph Keller	31758592	Elected	1/01/2013- 12/31/2016	7	21.67
Deputy County Treasurer	Kelly J. Reed	39316476	Appointed	1/01/2013- 12/31/2016	7	21.67

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to post conspicuously, on the bulletin board in the front lobby of the Little Valley County Center, for a period on thirty days, a copy of this adopted resolution and thereafter forward a certified copy of this resolution, along with a certification of such public posting, to the New York State and Local Employees Retirement System in accordance with 2 NYCRR Section 315.4.

Approved by 6 members of the Finance Committee, 6 members of the County Operations Committee and 3 members of the Labor Relations Committee.

Adopted June 12, 2013 by voice vote.

**ACT NO. 249-2013** by Mr. Snyder, Sr., Mr. Snyder, Jr. and Mr. Padlo

**ADJUSTING COMPENSATION FOR POSITIONS OF CIVIL SERVICE COMMISSIONERS AND  
CIVIL SERVICE COMMISSION CHAIRMAN**

Pursuant to Section 205 of the County Law.

WHEREAS, the established salary for the Civil Service Commissioners has recently come under scrutiny, and

WHEREAS, there is substantial legislative interest in adjusting compensation paid to the Civil Service Commissioners to reflect a more reasonable salary structure, and

WHEREAS, salaries of the Civil Service Commissioners cannot be adjusted downward within a current term of appointment, and

WHEREAS, the terms of appointment of the three member board are staggered with one appointment (re-appointment) occurring in 2014, one appointment (re-appointment) occurring in 2016 and one appointment (re-appointment) occurring in 2018, now, therefore be it

RESOLVED, that effective with the appointment, or re-appointment, of the Civil Service Commissioner in 2014 the associated salary for the term of appointment shall be established at an amount of \$92.00 bi-weekly, and be it further

RESOLVED, that effective with the appointment, or re-appointment, of the Civil Service Commissioner in 2016 the associated salary for the term of appointment shall be established at an amount of \$92.00 bi-weekly, and be it further

RESOLVED, that effective with the appointment, or re-appointment, of the Civil Service Commissioner in 2018 the associated salary for the term of appointment shall be established at an amount of \$92.00 bi-weekly, and be it further

RESOLVED, that upon re-appointment of the current Civil Service Commissioner so designated as "Chairman", or at the time as another Civil Service Commissioner is so designated as "Chairman" the set salary for the Commissioner so designated as "Chairman" shall be established at the bi-weekly rate of \$138.00, which amount shall be inclusive of the salary set forth in paragraphs I, II or III hereof.

Referred to the Finance Committee and the Labor Relations Committee.

**ACT NO. 250-2013** by Mr. VanRensselaer  
and Mr. Sprague and Mr. Weller<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
FITZPATRICK & WELLER, INC. FOR  
FORESTRY CONSULTANT SERVICES**

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

WHEREAS, the County solicited proposals for forestry consultant services in order to manage the County's Reforestation properties in a more efficient manner, and

WHEREAS, Fitzpatrick & Weller, Inc., 12 Mill Street, P.O. Box 490, Ellicottville, New York 14731, can provide forestry consultant services in accordance with the following:

- |    |  |                   |
|----|--|-------------------|
| a) | Inventory & Value Analysis of Total Property | \$3,260.00        |
| b) | Execution of Timber Sale                     | 10% of Sale Price |
| c) | Hourly Rate if Timber Sale is not Executed   | \$50.00,          |

and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned expenses, 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 Fitzpatrick & Weller, Inc., for the provision of the above-described consultant services, for a term commencing June 1, 2013 to continue in full force and effect until terminated by either party hereto, according to the above-described term.

Approved by 6 members of the Finance Committee and 5 members of the Development & Agriculture Committee.

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: "Mr. Sprague and Mr. Weller".

Adopted June 12, 2013 by voice vote. Mr. Snyder Jr. abstained from vote.

**ACT NO. 251-2013** by Mr. Murphy

**ADJUSTING VARIOUS APPROPRIATION ACCOUNTS  
FOR PURCHASE OF 2013 FORD EXPEDITION  
(Sheriff's Office)**

Pursuant to Section 103 of the General Municipal Law and  
Sections 363 and 366 of the County Law.

WHEREAS, the Sheriff's Office is purchasing a 2013 Ford Expedition off State Bid through Van Bortel Ford, 71 Marsh Road, East Rochester, New York 14445, for an amount of \$28,194.07, and

WHEREAS, a transfer of funds from the E-911 Reserve Fund is necessary in order to cover the purchase of the aforementioned vehicle, now, therefore, be it

RESOLVED, that the bid of Van Bortel Ford, be, and the same hereby is, accepted, for a term commencing Upon Notice of Award and terminating upon delivery thereof, and be it further

RESOLVED, that the vouchers accordingly certified by the Sheriff of the Cattaraugus County Sheriff's Office be audited by the Auditor and paid by the County Treasurer, and be it further

RESOLVED, that the County Administrator is hereby directed to appropriate \$28,194.07 from the E-911 Reserve Account for the purchase of the aforementioned vehicle, and be it further

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

Increase Appropriation Account:

A.302.3020.0000.20101	Vehicles	\$28,194.07.
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Referred to the Finance Committee, the Public Works Committee and the Public Safety Committee.

**ACT NO. 252-201** by Mr. Murphy

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH  
NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES  
FOR EXPLOSIVE DETECTION CANINE TEAM GRANT AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
FOR PURCHASE OF 2013 FORD EXPEDITION  
(Sheriff's Office)**

Pursuant to Section 103 of the General Municipal Law and  
Sections 363 and 366 of the County Law.

WHEREAS, the Sheriff's Office is purchasing a 2013 Ford Expedition off State Bid through Van Bortel Ford, 71 Marsh Road, East Rochester, New York 14445, for an amount of \$28,194.07, and

WHEREAS, funding in the amount of \$15,000.00 is available through the New York State Division of Homeland Security and Emergency Services for the 2012 Explosive Detection Canine Team Grant to assist with the purchase of the aforementioned vehicle, and

WHEREAS, funding in the amount of \$13,194.07 is available through the Trust and Agency account for the purchase of the aforementioned vehicle, and

WHEREAS, grant documents are necessary in order to receive the aforementioned grant, and

WHEREAS, various appropriation and revenue accounts must be adjusted to cover the purchase of the aforementioned vehicle, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Division of Homeland Security and Emergency Services, for acceptance and receipt of the aforementioned grant, for a term commencing June 1, 2013 and terminating May 31, 2014, according to the above-described terms, and be it further

RESOLVED, that the bid of Van Bortel Ford, be, and the same hereby is, accepted, for a term commencing Upon Notice of Award and terminating upon delivery thereof, and be it further

RESOLVED, that the vouchers accordingly certified by the Sheriff of the Cattaraugus County Sheriff's Office be audited by the Auditor and paid by the County Treasurer, and be it further

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

Increase Estimated Revenue Account:

A.311.3645.3642.4389.01	FY2012 Homeland Security Revenue	\$15,000.00
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Increase Appropriation Account:

A.311.3645.3642.20101	Vehicles	\$15,000.00.
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Referred to the Finance Committee and the Public Safety Committee.

**ACT NO. 253-2013** by Mr. Murphy  
and Mr. VanRensselaer<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CHANGE ORDER AND CONTRACT EXTENSION  
WITH MOTOROLA SOLUTIONS, INC. FOR  
NARROW BAND COMPLIANT DIGITAL P25 VHF  
CONVENTIONAL SIMULCAST RADIO SYSTEM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 469-2011, as amended by Act 559-2012, authorized a contract with Motorola Solutions, Inc., 5 Paragon Drive, Suite 200, Montvale, New Jersey 07645, for the provision of the labor and materials necessary to deliver a 1 Channel P25 VHF Digital Conventional Simulcast System to comply with narrow band width regulations promulgated by the Federal Communications Commission, the term of which expires June 30, 2013, and

WHEREAS, Motorola Solutions, Inc., has requested a change order to the aforementioned contract to include additional grounding enhancement at the Oldro RF site at an additional cost of \$44,139.36, and

WHEREAS, due to the required grounding enhancement at the Oldro RF site, and approvals for the Allegany State Park taking longer than expected, it is necessary to extend the final acceptance date from June 30, 2013 to December 31, 2013, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a change order and contract extension, on behalf of Cattaraugus County, with Motorola Solutions, Inc., for the provision of the above-described services, for a term commencing June 30, 2013 and terminating December 31, 2013, according to the above-described terms.

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

<sup>1</sup>The following Legislator requested his name be listed as an additional sponsor: "Mr. VanRensselaer".

Adopted June 12, 2013 by voice vote.

**ACT NO. 254-2013** by Mr. Murphy

**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 531-2012 authorized a contract with the New York State Division of Criminal Justice Services for funding for the Aid to Prosecution Program, for the period April 1, 2012 to March 31, 2013, 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, 2013 to March 31, 2014, 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, 2013 and terminating March 31, 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.

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

Adopted June12, 2013 by voice vote.

**ACT NO. 255-2013** by Ms. Edstrom and Mrs. Stockman  
*and Mr. Koch*<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
HEALTHY COMMUNITY ALLIANCE, INC. FOR DEPARTMENT OF SOCIAL SERVICES  
PARENTING CLASSES FOR DSS CLIENTS**

Pursuant to 18 NYCRR Parts 405 and 423.4(f),  
92 LCM 33 and Section 450 of the County Law.

WHEREAS, the County Department of Social Services is desirous of providing the parenting classes for its clients, and

WHEREAS, Healthy Community Alliance, Inc., One School Street, Suite 100, Gowanda, New York 14070, can provide parenting classes for clients of the Department of Social Services for an amount not to exceed \$3,200.00, to be paid on a monthly basis, as invoiced, and

WHEREAS, this program is 62% state and 38% county funded, 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 Healthy Community Alliance, Inc., for the provision of the above-described parenting classes, for a term commencing June 1, 2013 and terminating December 31, 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.

Approved by 6 members of the Finance Committee and 5 members of the Human Services Committee.

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

Adopted June12, 2013 by voice vote.

**ACT NO. 256-2013** by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH  
VARIOUS ENTITIES FOR RESIDENTIAL INSTITUTIONAL FOSTER CARE**

Pursuant to 18 NYCRR Part 405 and  
Section 450 of the County Law.

WHEREAS, Act 228-2012 authorized contracts with various residential foster care institutions throughout New York State for the provision of residential-therapeutic foster care services in accordance with a New York State approved fee schedule for the approved listing of residential institutions throughout New York State, the terms of which expire June 30, 2013, and

WHEREAS, the County Department of Social Services has the responsibility of placing children at risk into foster care, and

WHEREAS, the County Department of Social Services is desirous of renewing the aforementioned contracts with various residential foster care institutions in accordance with a New York State fee schedule for the approved listing of residential institutions throughout New York State, and

WHEREAS, this program is 62% state and 38% county funded, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned 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 residential foster care institutions for the provision of the above-described services for a term commencing July 1, 2013 and terminating June 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.

Approved by 6 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted June 12, 2013 by voice vote.

ACT NO. 257-2013 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH  
VARIOUS ENTITIES FOR DEPARTMENT OF SOCIAL SERVICES  
PSYCHOLOGICAL EVALUATIONS AND ASSESSMENTS**

Pursuant to Section 251 of the Family Court Act and  
Section 450 of the County Law.

WHEREAS, Act 226-2012 authorized contracts with various entities for psychological evaluation and assessment services, which consist of interviews with clients, consultation with other care providers and case managers and preparation of reports, including recommendations for placement, treatment or custody/visitation, the terms of which expire June 30, 2013, and

WHEREAS, contracts are needed with various entities for the provision of the above-described services, with a maximum rate based on the current highest acceptable rate within the service area which are as follows:

<u>Position</u>	<u>Rate</u>
Doctor of Psychiatry	Not to Exceed \$185 per session
Doctor of Psychology	Not to Exceed \$175 per session
Licensed Mental Health Counselor	Not to Exceed \$125 per session
Family Counseling	Not to Exceed \$100 per session
Preparation & Court Testimony	Not to Exceed \$175 per hour
Testing	Not to Exceed \$180 per hour,

and

WHEREAS, this program is 62% state and 38% county funded, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned expenses, 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 entities, for the provision of the aforementioned court-ordered psychological assessments and evaluations, for a term commencing July 1, 2013 and terminating June 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.

Approved by 6 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted June 12, 2013 by voice vote.

ACT NO. 258-2013 by Ms. Edstrom and Mrs. Stockman

**APPROVING CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
NEW YORK CARE COORDINATION PROGRAM, INC. FOR  
DEPARTMENT OF COMMUNITY SERVICES BILLING AND ACCOUNTS  
RECEIVABLE MANAGEMENT SERVICES AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Community Services)**

Pursuant to Section 41.07 of the Mental Hygiene Law,  
Section 2703 of the Patient Protection and Affordable Care Act of 2010 and  
Sections 363, 366 and 450 of the County Law.

WHEREAS, Section 2703 of the Patient Protection and Affordable Care Act of 2010 allows for the provision of "Health Homes" to enrollees with chronic conditions, including mental health conditions and substance abuse disorders, and

WHEREAS, Health Homes are an initiative resulting from the New York State Medicaid Redesign Team, the goal of which is to manage the high need population with co-occurring chronic physical health as well as behavioral health issues with the least restrictive services possible, and

WHEREAS, this population currently is the highest utilizer of Medicaid dollars with the poorest outcomes, and

WHEREAS, the New York State Office of Mental Hygiene is requiring Traditional Case Managers to convert to Care Coordinators under the Health Homes to ensure continuation of funding for these services, and

WHEREAS, a Health Home is a care management service model whereby all of an individual's caregivers communicate with one another electronically in real time so that all of a patient's needs are addressed in a comprehensive manner, primarily through a "care coordinator", and

WHEREAS, Health Home services are provided through a network of organizations – providers, health plans and community-based organizations, and

WHEREAS, New York Care Coordination Program, Inc., 1099 Jay Street, Building J, Rochester, New York 14611-1153, d/b/a Health Homes of Upstate New York, is the lead organization for Cattaraugus County, at no cost to the County, and

WHEREAS, the County Department of Community Services is desirous of contracting with the New York Care Coordination Program, Inc., d/b/a Health Homes of Upstate New York, in order to bill for case management services provided within the Health Home network in Cattaraugus County, and

WHEREAS, New York Care Coordination Program, Inc. will be paid an administrative fee of 3% of the monthly rate paid by the Department of Health for each of the individuals served by the Department of Community Services in LEGACY TCM slots, and 6% of the monthly rate paid by the Department of Health for each of the individuals served by the Department of Community Services in new Care Management slots, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, between the Cattaraugus County Community Services Board and the New York Care Coordination Program, Inc., to signify the County's approval, for the participation in the above-

described Health Home program, for a term commencing July 1, 2013 and terminating December 31, 2014, 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.431.4394.0000.41231	Interpreter Service	\$2,100.00
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Increase Appropriation Account:

A.431.4352.1810.41430	Contracted Billing Services	\$2,100.00.
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Approved by 6 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted June 12, 2013 by voice vote.

**ACT NO. 259-2013** by Ms. Edstrom and Mrs. Stockman

**APPROVING CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
MENTAL HEALTH ASSOCIATION IN CATTARAUGUS COUNTY, INC. FOR  
SUICIDE AWARENESS AND PREVENTION MINI-GRANT AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Community Services)**

Pursuant to Section 41.07 of the Mental Hygiene Law and  
Sections 363, 366 and 450 of the County Law.

WHEREAS, the Department of Community Services is desirous of applying and accepting a mini-grant to cover the costs related to increasing suicide awareness, education, prevention and aftercare services for citizens of Cattaraugus County, especially focusing on adolescents/young adults, veterans and Native Americans, and

WHEREAS, funding in the amount of \$7,000.00 is available through Mental Health Association in New York State, Inc., 194 Washington Avenue, Suite 415, Albany, New York 12210-0439, for the provision of the aforementioned services, and

WHEREAS, this program is 100% funded through the Mental Health Association in New York State, Inc., with no cost to the County, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, between the Cattaraugus County Community Services Board and Mental Health Association in New York State, Inc., to signify the County's approval, in order to accept the aforementioned funding, for a term commencing May 14, 2013 and terminating May 31, 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 the County Administrator is hereby directed to make the following budgetary changes:

Increase Estimated Revenue Account:

A.431.4331.1590.2705	Early Recognition: Gifts and Donations	\$ 7,000.00
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Increase Appropriation Accounts:

A.431.4331.1590.41606	Contracted Services	\$ 1,500.00
A.431.4331.1590.47006	Early Recognition: Operating Supplies	\$ 5,000.00
A.431.4331.1590.47007	Early Recognition: Printing	\$ 500.00.

Approved by 6 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted June 12, 2013 by voice vote.

**ACT NO. 260-2013** by Ms. Edstrom and Mrs. Stockman

**APPROVING CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
NEW YORK eHEALTH COLLABORATIVE, INC. FOR  
ELECTRONIC HEALTH RECORD PROJECT**

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

WHEREAS, the Department of Community Services is desirous of receiving technical assistance in the development of, and funding for the costs associated with, the Electronic Health Record Project, and

WHEREAS, the Department of Community Services shall be considered both a full-service participant and a self-service participant for the aforementioned project, and

WHEREAS, New York eHealth Collaborative, Inc., 40 Worth Street, 5<sup>th</sup> Floor, New York, New York 10013, can provide technical assistance and funding to the Department of Community Services in the approximate amount of \$50,000.00 for Phase I and \$20,000.00 for Phase II of the aforementioned Electronic Health Record Project, and

WHEREAS, this program is 100% funded with no 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, between the Cattaraugus County Community Services Board and New York eHealth Collaborative, Inc., to signify the County's approval, for the provision of the above-described

services, for a term commencing June 12, 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 6 members of the Finance Committee, 6 members of the County Operations Committee and 5 members of the Human Services Committee.

Adopted June 12, 2013 by voice vote.

**ACT NO. 261-2013** by Ms. Edstrom and Mrs. Stockman

**APPROVING CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
CATTARAUGUS COMMUNITY ACTION, INC. FOR SENIOR THERAPIST FOR  
DEPARTMENT OF COMMUNITY SERVICES PROS PROGRAM AND  
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS  
(Department of Community Services)**

Pursuant to Section 41.07 of the Mental Hygiene Law and  
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 618-2012 authorized a contract with Southern Tier Environments for Living, Inc. (STEL) for the provision of a social worker/mental health therapist for the PROS Program, the term of which expires December 31, 2013, and

WHEREAS, effective May 28, 2013, STEL has terminated the aforementioned contract,  
and

WHEREAS, due to the termination of the aforementioned contract, the Department of Community Services is in need of a Senior Therapist for the PROS Program, and

WHEREAS, Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, can provide a clinician to perform in the capacity of a Senior Therapist for the PROS Program for a total amount not to exceed \$38,242.00 to be paid on a monthly basis, as invoiced, and

WHEREAS, various appropriation accounts must be adjusted in order to cover the cost 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, between the Cattaraugus County Community Services Board and Cattaraugus Community Action, Inc., to signify the County's approval, for the provision of the above-described services, for a term commencing June 12, 2013 and terminating December 31, 2013, 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.431.4340.6340.44203      PROS: Office Rental      \$3,149.00

## Increase Appropriation Account:

A.431.4340.6340.41229      PROS: Social Worker Contracted      \$3,149.00.

Approved by 6 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted June 12, 2013 by voice vote.

**ACT NO. 262-2013** by Mr. Aiello, Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Marsh, Mr. Snyder, Sr., Mr. Snyder, Jr., Mr. Teachman, Ms. Vickman, Mr. VanRensselaer, Mr. Weller and Mr. Padlo who ask immediate consideration

**SALE OF TAX TITLE PROPERTY TO FORMER OWNERS  
(City of Olean, Towns of Ashford, Carrollton, Conewango, Great Valley,  
Humphrey, Lyndon, Napoli and Randolph)**

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 property situate in the City of Olean and Towns of Ashford, Carrollton, Conewango, Great Valley, Humphrey, Lyndon, Napoli and Randolph, and

WHEREAS, the former owners of the properties have offered to purchase the same at a cost which will cover the County's financial involvement in these premises, and

WHEREAS, the costs involved for these premises have been tendered to the County Treasurer's Office, now, therefore, be it

RESOLVED, that the County Treasurer be, and hereby is, authorized and directed, on behalf of Cattaraugus County, to execute County Treasurer's Deeds conveying these properties to the following individuals:

**CITY OF OLEAN**

<b>PARCEL TAX MAP NO.</b>	<b>FORMER OWNER(S)</b>	<b>ADDRESS</b>	<b>COUNTY INVOLVEMENT</b>
17      94.056-2-42	John Elliott, Jr.	403 N. 11 <sup>th</sup> St. Olean, NY 14760	\$5,234.08
28      94.065-7-17	Homefront Properties, LLC	% Kelly Chaffee 209 E. State St. Olean, NY 14760	\$2,814.40

38	94.064-3-44	Gary Miller Estate	% Susan Miller 611 W. Henley St., Upper Olean, NY 14760	\$16,821.70
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**TOWN OF ASHFORD**

<b>PARCEL TAX MAP NO.</b>	<b>FORMER OWNER(S)</b>	<b>ADDRESS</b>	<b>COUNTY INVOLVEMENT</b>
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83	20.001-1-3.4	Denise Mitchell	% Rodney Mitchell 448 Woodland Dr. Orchard Park, NY 14127	\$17,273.83
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**TOWN OF CARROLLTON**

<b>PARCEL TAX MAP NO.</b>	<b>FORMER OWNER(S)</b>	<b>ADDRESS</b>	<b>COUNTY INVOLVEMENT</b>
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90	92.004-2-7.1	Valerie Ackley	1648 Chipmonk Rd. Allegany, NY 14706	\$3,884.24
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**TOWN OF CONEWANGO**

<b>PARCEL TAX MAP NO.</b>	<b>FORMER OWNER(S)</b>	<b>ADDRESS</b>	<b>COUNTY INVOLVEMENT</b>
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108	51.004-2-13	Suzanne B. Howig David Sena	39 E. Virginia Blvd. Jamestown, NY 14701	\$4,719.52
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**TOWN OF GREAT VALLEY**

<b>PARCEL TAX MAP NO.</b>	<b>FORMER OWNER(S)</b>	<b>ADDRESS</b>	<b>COUNTY INVOLVEMENT</b>
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192	65.003-1-6.4	Phoenix Entertainment, Inc.	% Scott Kilby P.O. Box 265 Great Valley, NY 14741	\$23,447.03
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**TOWN OF HUMPHREY**

<b>PARCEL TAX MAP NO.</b>	<b>FORMER OWNER(S)</b>	<b>ADDRESS</b>	<b>COUNTY INVOLVEMENT</b>
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220	66.002-1-27.5	Jonathan J. Sanfilippo	3770 Cooper Hill Road Great Valley, NY 14741	\$4,238.87
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TOWN OF LYNDON

PARCEL TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
254 59.001-1-61	William Friend	1479 East Hill Rd. Franklinville, NY 14737	\$24,333.00

TOWN OF NAPOLI

PARCEL TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
275 62.003-1-35.1	Mark Kline Pamela Kline	% Lester Homan 4566 Allegany Rd. Little Valley, NY 14755	\$3,486.10

TOWN OF RANDOLPH

PARCEL TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
358 79.002-1-6.1	Marian G. Pike	5205 Kempton Dr. Orlando, FL 32812.	\$4,708.20

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

Adopted June 12, 2013 by voice vote.

**ACT NO. 263-2013** by Mr. Murphy  
who asks immediate consideration

**ADJUSTING VARIOUS APPROPRIATION ACCOUNTS  
FOR PURCHASE OF 2013 CHEVROLET TAHOE  
(Sheriff's Office)**

Pursuant to Section 103 of the General Municipal Law and  
Sections 363 and 366 of the County Law.

WHEREAS, the Sheriff's Office is purchasing a 2013 Chevrolet Tahoe 4WD SSV off State Bid through Hoselton Chevrolet, 909 Fairport Road, East Rochester, New York 14445, for an amount of \$28,692.20, and

WHEREAS, a transfer of funds from the E-911 Reserve Fund is necessary in order to cover the purchase of the aforementioned vehicle, now, therefore, be it

RESOLVED, that the County Administrator is hereby directed to appropriate \$28,692.20 from the E-911 Reserve Account for the purchase of the aforementioned vehicle, and be it further

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

Increase Appropriation Account:

A.302.3020.0000.20101	Vehicles	\$28,692.20.
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MR. TEACHMAN moved, seconded by Mr. Lamberson to waive Rule 12. Carried.

Adopted June 12, 2013 by voice vote.

**ACT NO. 264-2013** by Mr. Murphy  
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH  
NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES  
FOR EXPLOSIVE DETECTION CANINE TEAM GRANT AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
FOR PURCHASE OF 2013 CHEVROLET TAHOE  
(Sheriff's Office)**

Pursuant to Section 103 of the General Municipal Law and  
Sections 363 and 366 of the County Law.

WHEREAS, the Sheriff's Office is purchasing a 2013 Chevrolet Tahoe 4WD SSV off State Bid through Hoselton Chevrolet, 909 Fairport Road, East Rochester, New York 14445, for an amount of \$28,692.20, and

WHEREAS, funding in the amount of \$15,000.00 is available through the New York State Division of Homeland Security and Emergency Services for the 2012 Explosive Detection Canine Team Grant to assist with the purchase of the aforementioned vehicle, and

WHEREAS, funding in the amount of \$13,692.20 is available through the Trust and Agency account for the purchase of the aforementioned vehicle, and

WHEREAS, grant documents are necessary in order to receive the aforementioned grant, and

WHEREAS, various appropriation and revenue accounts must be adjusted to cover the purchase of the aforementioned vehicle, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Division of Homeland Security and Emergency Services, for acceptance and receipt of the aforementioned grant, for a term commencing June 1, 2013 and terminating May 31, 2014, 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 Account:

A.311.3645.3642.4389.01	FY2012 Homeland Security Revenue	\$15,000.00
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RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting.

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

Adopted June 12, 2013 by voice vote.

**ACT NO. 266-2013** by Mr. Murphy  
*and Mr. Aiello, Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Klancer, Mr. Marsh,  
Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. Teachman, Mr. VanRensselaer,  
Mr. Weller, Mr. Boser, Mr. Koch, Mrs. Labuhn, Mr. Lamberson, Mr. Padlo and Mr. Sprague<sup>1</sup>*  
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH  
NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR  
SHERIFF'S OFFICE VIOLENCE AGAINST WOMEN GRANT PROGRAM  
AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Sheriff's Office)**

Pursuant to 28 CFR Part 66 and  
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 433-2011 authorized the Chair to execute grant documents to accept funding through the Violence Against Women Grant Program for the 2012 program year, and

WHEREAS, \$25,300.00 in federal funding is available for the 2013 program year through the New York State Division of Criminal Justice Services for the continuation of the Violence Against Women Grant Program, and

WHEREAS, the purpose of the aforementioned grant funding is to assist the Criminal Bureau with domestic violence investigation issues, and

WHEREAS, a contract is necessary in order to obtain the aforementioned funding, 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 grant documents, on behalf of Cattaraugus County, with the New York State Division of Criminal Justice Services, in order to apply for and receive the above-described 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, and be it further

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

Increase Estimated Revenue Account:

A.311.3650.0000.4320.08	Domestic Violence Officers Grant	\$25,300.00
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Increase Appropriation Accounts:

A.311.3650.0000.11000	Full-Time	\$ 8,000.00
A.311.3650.0000.12000	Part-Time (retired detective)	\$13,000.00
A.311.3650.0000.81000	FICA	\$ 1,607.00
A.311.3650.0000.82000	Retirement (full-time only)	\$ 2,693.00.

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

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: “Mr. Aiello, Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Klancer, Mr. Marsh, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. Teachman, Mr. VanRensselaer, Mr. Weller, Mr. Boser, Mr. Koch, Mrs. Labuhn, Mr. Lamberson, Mr. Padlo and Mr. Sprague”.

Adopted June 12, 2013 by voice vote.

**ACT NO. 267-2013** by Mr. Hale and Mr. Murphy  
who ask immediate consideration

**OPPOSING NEW YORK STATE S.4489 AND A.7553 REGARDING  
RAISING THE AGE OF CRIMINAL RESPONSIBILITY**

Pursuant to Section 153 of the County Law.

WHEREAS, Senate Bill S.4489 and Assembly Bill A.7553 propose to raise the age of criminal responsibility in New York State from 16 years to 18 years, and

WHEREAS, the aforementioned legislation proposes to create a Youth Division of the Superior Court in each County to handle non-violent criminal cases against 16 and 17 year olds, and

WHEREAS, under the proposal, 16 and 17 year olds charged with non-violent crimes would be eligible to have their case diverted from criminal court to the local probation office, which is what currently happens for children under 16, and

WHEREAS, the passage of the aforementioned proposed legislation will have a severe impact on the Cattaraugus County Probation Department, due to the fact that it will be responsible for “adjusting” each case that comes in, and currently does not have enough staff to handle the additional caseload, and

WHEREAS, more programs will be needed to ensure that the 16-17 year olds are receiving the needed services without impacting current services provided for the juvenile delinquent (JD) population, and

WHEREAS, the proposed legislation, if adopted, will potentially increase costs associated with the District Attorney's Office, the Probation Department and the Youth Bureau, and

WHEREAS, Section 849-L, Paragraph 2, cites the establishment of a “Juvenile Probation Assistance Program” to fund “Probation Services” in each “Political Subdivision”; however, funding for

Local Probation Departments appears to be only one component of these "Probation Services", and is not sufficiently clarified, and

WHEREAS, the creation of the proposed Youth Division of Superior Court will have a huge impact on the already under-staffed Local Probation Departments, and

WHEREAS, New York State's fiscal commitment to Local Probation Departments was once nearly 50%; now it's about 10%, and

WHEREAS, many Local Probation Departments will not have the resources available to service the Youth Division, without sacrificing other services already being provided, which will have a negative impact on services provided to the Youth Division, and

WHEREAS, unless the impact on Local Probation Departments is sufficiently clarified and the "Juvenile Probation Assistance Program" provides aid to localities at a reimbursement rate that will enable the hiring of more Probation Officers, this proposed legislation will likely be an unfunded mandate, and

WHEREAS, since Public Safety may be compromised unless Local Probation Departments are provided the necessary resources to adequately service the proposed Youth Division, the Cattaraugus County Legislature is opposed to the passage of Senate Bill S.4489 and Assembly Bill A. 7553, as they are presently written, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby strongly opposes the passage of Senate Bill S.4489 and Assembly Bill A.7553 which raise the age of criminal responsibility from 16 to 18 years, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to Governor Cuomo, the New York State Office of Court Administration, Senator Young, Assembly Member Giglio, the New York State Association of Counties and the Western New York Inter-County Association.

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

Adopted June 12, 2013 by voice vote.

MR. SNYDER, SR. moved, seconded by Mr. Hale to adjourn until June 26, 2013 at 3:00 p.m. Carried.

Meeting adjourned at 3:58 p.m.

Ann M. Giglio  
Journal Clerk