

September 11, 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 three Legislators absent – Mr. Klancer, Mr. Teachman and Ms. Vickman.

MR. SNYDER, SR., moved, seconded by Mrs. Labuhn that the minutes of the August 28, 2013 session be approved. Carried.

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ACT NO. 389-2013 by Mr. VanRensselaer, Mr. Boser and Mrs. Labuhn
and Mr. Felton and Mr. Koch¹

APPOINTMENT OF DIRECTOR OF ECONOMIC DEVELOPMENT, PLANNING AND TOURISM

Pursuant to Sections 204 and 205 of the County Law.

RESOLVED, that Crystal J. Abers, 9822 Mosher Road, South Dayton, New York 14138, be, and hereby is, appointed Director Of Economic Development, Planning and Tourism for a four (4) year term commencing January 6, 2014 and terminating January 5, 2018, at such salary as may hereinafter be established.

Approved by 9 members of the Finance Committee, 6 members of the Development and Agriculture Committee and 5 members of the Labor Relations Committee.

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

Adopted September 11, 2013 by voice vote.

ACT NO. 390-2013 by Mr. Snyder, Sr.

AMENDING COUNTY PURCHASING CARD POLICY

Pursuant to Section 153 of the County Law.

WHEREAS, Act 433-2002 established the County Purchasing Card Policy, and
WHEREAS, the County Treasurer is desirous of amending the Purchasing Card Policy as follows:

- In Section 2.1 Unauthorized Purchases, delete the list of prohibited purchases, and replace with the following:
 - Alcoholic Beverages
 - Maid or Valet Services

- Laundry or Dry Cleaning
- Repairs to Privately-Owned Vehicles
- Personal Expenses
- Tips for taxi rides in excess of 20% of the bill
- Any transaction exceeding your single transaction limit
- Cash
- Entertainment
- Gasoline
- Meals (unless out of county requiring overnight travel)*
- Tips for meals in excess of 18% of the bill; however, a greater percentage may be allowed, if that percentage gratuity is added to the bill as part of the standard policy of the restaurant.*

*All meals purchased on card require out-of-town travel authorization and a properly authorized maintenance form filed with the purchase card administrator in advance, listing the dates on which meals will be required.,

and

WHEREAS, in Section 4.0 Common Questions and Concerns, under the question: "*Who in the County may I talk to if I have questions about the program?*", delete: "Kelly Reed-Extension 2270, Joseph G. Keller-Extension 2286 and Robert Earley-Extension 2273", and replace with:

"Rachel Kent – Extension 2288
Kayleigh Ellis – Extension 2269",

now, therefore, be it

RESOLVED, that Act 433-2002 be, and hereby is, amended as stated above.

Approved by 9 members of the Finance Committee.

Adopted September 11, 2013 by voice vote.

ACT NO. 391-2013 by Mr. Aiello, Mr. Felton, Mr. Hale, Mr. Marsh, Mr. Snyder, Jr., Mr. VanRensselaer, Ms. Vickman, Mr. Weller, Mr. Koch and Mrs. Labuhn
and Mr. Lamberson¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
HUNT ENGINEERS ARCHITECTS & LAND SURVEYORS, P.C. FOR
FEDERAL-AID 2014 BRIDGE MAINTENANCE PROGRAM
OPEN STEEL GRATE DECK REPLACEMENTS**

Pursuant to Section 117 of the Highway Law and
Section 450 of the County Law.

WHEREAS, engineering design services are needed for the 2014 bridge open steel grate deck replacement program, and

WHEREAS, Hunt Engineers Architects & Land Surveyors, P.C., Airport Corporate Park, 100 Hunt Center, Horseheads, New York 14845, can provide the necessary engineering design services for the County's 2014 bridge open steel grate deck replacement program for an amount not to exceed \$70,000.00, to be paid 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 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 Hunt Engineers Architects & Land Surveyors, P.C., for the provision of the above-described engineering design services, for a term commencing September 12, 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 9 members of the Finance Committee and 9 members of the Public Works Committee.

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

Adopted September 11, 2013 by voice vote.

ACT NO. 392-2013 by Mr. Aiello and Mr. Weller

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
MICHAEL JIMERSON, D/B/A TRIBAL PETROLEUM SUPPLIERS FOR
PROPANE GAS FOR ONOVILLE MARINA AND MARKHAMS HIGHWAY BARN**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 394-2012 authorized a contract with Michael A. Jimerson, d/b/a Tribal Petroleum Suppliers, for the provision of propane gas for heating at the Department of Public Works-Highway Division at Markhams and the Onoville Marina, the term of which expires September 30, 2013, and

WHEREAS, the County Department of Public Works has solicited proposals from five (5) companies for the provision of propane gas for the aforementioned facilities, and

WHEREAS, the only proposal was received from Michael A. Jimerson, d/b/a Tribal Petroleum Suppliers, P.O. Box 287, 1828 Route 20, Silver Creek, New York 14136, as follows: Method #2 - fixed price of \$1.349 per gallon, 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 Michael A. Jimerson, d/b/a Tribal Petroleum Suppliers, for the provision of propane gas, for a term commencing October 1, 2013 and terminating September 30, 2014, according to the above-described terms.

State bid for propane gas at this time is for pricing that varies according to the market. At this time, the State price is \$1.84 per gallon.

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

Adopted September 11, 2013 by voice vote.

ACT NO. 393-2013 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
WALKER BUSINESS & STAFFING SERVICES, INC. FOR
TEMPORARY CLERICAL SERVICES FOR
DEPARTMENT OF SOCIAL SERVICES CHILD PROTECTIVE UNIT**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 334-2012 authorized a contract with Walker Business & Staffing Services, Inc., 201 North Union Street, Olean, New York 14760, for the provision of temporary clerical services for the County Department of Social Services Child Protective Unit, the term of which expired March 31, 2013, and

WHEREAS, the Department of Social Services is in need of the aforementioned services, and

WHEREAS, Walker Business & Staffing Services, Inc., can provide the aforementioned temporary clerical services for an amount not to exceed \$30,000.00, to be paid as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Walker Business & Staffing Services, Inc., for the provision of the above-described services, for a term commencing September 15, 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 9 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted September 11, 2013 by voice vote.

ACT NO. 394-2013 by Mr. Teachman

**LOCAL LAW NUMBER 4 - 2013
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW REPEALING ACT NUMBER 437-2004 ENTITLED
“A LOCAL LAW ESTABLISHING FEE SCHEDULE FOR
ELECTRONIC GEOGRAPHIC INFORMATION SYSTEM DATA AND
REPEALING LOCAL LAW NUMBER 27-2000 (INTRO NUMBER 31-2000)
FEES FOR CATTARAUGUS COUNTY
REAL PROPERTY TAX SERVICE AGENCY SERVICES”**

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

SECTION 1. Legislative Intent. It is the intent of this Local Law to repeal Local Law Number 8-2004 (Intro Number 7-2004) since Act No. 593-2010¹, Local Law Number 2-2010 (Intro Number 17-2010) established the fee schedule currently in use for certain services provided by the Cattaraugus County Department of Real Property Tax Services.

SECTION 2. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the particular provision directly involved in the controversy in which such judgment shall have been rendered.

SECTION 3. Statutory Repeal. Effective immediately, Act No. 437-2004, Local Law Number 8-2004 (Intro Number 7-2004) entitled “A Local Law Establishing Fee Schedule for Electronic Geographic Information System Data and Repealing Local Law Number 27-2000 (Intro Number 31-2000) Fees for Cattaraugus County Real Property Tax Service Agency Services” is hereby repealed.

SECTION 4. Effective Date. This Local Law shall take effect immediately.

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

¹MR. PADLO moved, seconded by Mr. Hale, to amend as follows: In Section 1., delete: “293-2010”, and replace with: “593-2010”. Carried.

No further Action was taken on Act No. 394-2013 at this time.

ACT NO. 395-2013 by Mr. Teachman
and Mrs. Stockman¹

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 4-2013

Pursuant to Section 10 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on September 11, 2013, a proposed Local Law entitled, "A Local Law Repealing Act Number 437-2004 Entitled 'A Local Law Establishing Fee Schedule For Electronic Geographic Information System Data and Repealing Local Law Number 27-2000 (Intro Number 31-2000) Fees for Cattaraugus County Real Property Tax Service Agency Services'", and

WHEREAS, no local law shall be adopted until a public hearing thereon has been had by the Cattaraugus County Legislature upon at least five days' notice, now, therefore, be it

RESOLVED, that a public hearing shall be held on the proposed local law by this County Legislature on the 23rd day of September, 2013, at 3:01 p.m. at the Legislature's Chambers, County Center, 303 Court Street, Little Valley, New York, and that at least five days' notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

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

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

Adopted September 11, 2013 by voice vote.

ACT NO. 396-2013 by Mr. Murphy
and Mr. Aiello, Mr. Edwards, Mr. Hale, Mr. Klancer, Mrs. Stockman,
Mr. VanRensselaer, Ms. Vickman, Mr. Weller, Mr. Koch and Mrs. Labuhn¹

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS FOR
SHERIFF'S OFFICE NEW WORLD SYSTEMS COMPUTER AIDED DISPATCH SOFTWARE UPGRADE
(Sheriff's Office)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, Act 202-2012 authorized a contract with New World Systems, 888 West Big Beaver Road, Suite 600, Troy, Michigan 48084, for the provision of maintenance support services for the Sheriff's Office New World Systems Aegis Computer Aided Dispatch software (CAD), and

WHEREAS, the aforementioned contract contains an option to upgrade the New World System's Aegis iSeries (AS/400) Licensed Standard Software to New World's Aegis MSP Licensed Standard Software, and

WHEREAS, the Sheriff's Office is desirous of exercising its option to upgrade the New World CAD software, and

WHEREAS, the New World Systems upgrade component completes the Licensed Standard Software upgrade to Aegis MSP for a one-time implementation cost not to exceed \$325,000.00, and

WHEREAS, the total project, including the aforementioned software upgrade, plus the cost of upgraded equipment, is an amount not to exceed \$425,050.00, and

WHEREAS, the County has funds in the appropriated fund balance which can be used for various projects, and

WHEREAS, the County should designate a portion of the appropriated fund balance for the Sheriff's Office New World Systems computer aided dispatch software upgrade project, and²

WHEREAS, various appropriation and revenue accounts must be adjusted in order to cover the cost of the aforementioned project², now, therefore, be it

RESOLVED, that the Sheriff's Office is hereby authorized to exercise its option to upgrade the New World CAD software at a total project cost not to exceed \$425,050.00, and be it further²

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

Increase Estimated Revenue Accounts:

H.311.3197.0000.21031.4389.02	PSAP E911 Software Upgrade Grant	\$199,918.00 ²
H.990.9950.0000.5031	Interfund Transfers	\$225,132.00

Increase Appropriation Accounts:

H.311.3197.0000.21031.41603	E911 CAD System Software Upgrade	\$425,050.00
A.990.9950.0000.90504	Transfer to Capital Projects Fund	\$225,132.00,

and be it further

RESOLVED, that upon the County's receipt, on or after the date of the adoption of this resolution, of any payment from the State of New York representing the County's share of slot proceeds paid by the Seneca Nation of Indians, the County Administrator is hereby authorized and directed to transfer the amount of \$225,132.00 from such funds so received to the appropriate account for this project².

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

¹The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Mr. Edwards, Mr. Hale, Mr. Klancer, Mrs. Stockman, Mr. VanRensselaer, Ms. Vickman, Mr. Weller, Mr. Koch and Mrs. Labuhn".

²MR. MURPHY moved, seconded by Mr. Snyder, Sr., to amend as follows: delete the Fourth Whereas, and replace with: "IV. WHEREAS, the New World Systems upgrade component completes the Licensed Standard Software upgrade to Aegis MSP for a one-time implementation cost not to exceed \$325,000.00, and"; add: "V. WHEREAS, the total project, including the aforementioned software upgrade, plus the cost of upgraded equipment, is an amount not to exceed \$425,050.00, and VI. WHEREAS, the County has funds in the appropriated fund balance which can be used for various projects, and VII. WHEREAS, the County should designate a portion of the appropriated fund balance for the Sheriff's Office New World Systems computer aided dispatch software upgrade project, and"; renumber the old Fifth Whereas, delete: "V. WHEREAS", and replace with: "VIII. WHEREAS"; in the new Eighth Whereas, delete: "upgrade", and replace with: "project"; after the Eighth Whereas, renumber

the First Resolved to "II. RESOLVED" and add: "I. RESOLVED, that the Sheriff's Office is hereby authorized to exercise its option to upgrade the New World CAD software at a total project cost not to exceed \$425,050.00, and be it further"; in the Second Resolved, delete: "A.901.0000.0000.2725.1 Tribal Compact Monies Tax Immune Proceeds \$225,132.00"; after the Second Resolved, add: "and be it further III. RESOLVED, that upon the County's receipt, on or after the date of the adoption of this resolution, of any payment from the State of New York representing the County's share of slot proceeds paid by the Seneca Nation of Indians, the County Administrator is hereby authorized and directed to transfer the amount of \$225,132.00 from such funds so received to the appropriate account for this project". Carried.

Adopted, as amended, September 11, 2013 by voice vote.

ACT NO. 397-2013 by Ms. Edstrom, Mr. Snyder, Jr.,
Mr. Snyder, Sr., Mrs. Labuhn and Mr. Padlo
*and Mr. Aiello, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Klancer, Mr. Marsh, Mr. Murphy,
Mrs. Stockman, Mr. VanRensselaer, Mr. Weller, Mr. Boser, Mr. Koch and Mr. Lamberson¹*

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH JAMESTOWN COMMUNITY COLLEGE AND APPROVING JCC CAPITAL PROJECT
AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Cattaraugus County Campus)**

Pursuant to Sections 363 and 366 of the County Law and
Section 6310 of the Education Law.

WHEREAS, Jamestown Community College (JCC) desires to provide programs and courses on the Cattaraugus County Campus in Olean that are similar to the courses offered in the Manufacturing Technology Institute Building on the Chautauqua County Campus in Jamestown, and

WHEREAS, the Knights of Columbus facility located on a parcel of land immediately adjacent to the Cattaraugus County Campus, located at 129 Hamilton Street, Olean, New York, is available for purchase, and JCC officials and representatives of an architectural firm have viewed the facility and determined that it is a highly desirable venue for educational programming related to manufacturing and technology, and

WHEREAS, the JCC Regional Board of Trustees has approved the project with a capital budget not to exceed \$2,200,000.00, and

WHEREAS, after use of matching funds from the State of New York and additional resources to be contributed by JCC, there remains \$500,000.00 needed from Cattaraugus County for the project, and

WHEREAS, a contract with JCC is necessary to accomplish the purpose of this resolution, and

WHEREAS, Section 6310 (10) of the Education Law requires that all proposals for the acquisition of college facilities adopted by a community college regional board of trustees be approved by the legislative body of all local governments appointing members to such board of trustees, and

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

RESOLVED, that the Cattaraugus County Legislature hereby approves the aforementioned JCC capital project for JCC's Cattaraugus County Campus, and be it further

RESOLVED, that the County of Cattaraugus hereby commits the amount of \$500,000.00 for this project, payment of which shall be made on a percent of completion basis subject to the approval of the County Attorney, and be it further

RESOLVED, that the Chair of the Cattaraugus County Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Jamestown Community College, 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.901.0000.0000.2725.1	Tribal Compact Monies Tax Immune Proceeds	\$500,000.00
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Increase Appropriation Account:

A.298.2495.0000.42039	Jamestown Community College	\$500,000.00.
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Approved by 8 members of the Finance Committee.

¹The following Legislators requested their names be listed as additional sponsors: “Mr. Aiello, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Klancer, Mr. Marsh, Mr. Murphy, Mrs. Stockman, Mr. VanRensselaer, Mr. Weller, Mr. Boser, Mr. Koch and Mr. Lamberson”.

Adopted September 11, 2013 by voice vote. Mr. Snyder, Jr., abstained from vote.

ACT NO. 398-2013 by Ms. Vickman, Mr. Weller and Mr. Sprague

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH ELLICOTTVILLE CHAMBER OF COMMERCE
FOR ESTABLISHMENT OF TOURIST CENTER AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Economic Development, Planning & Tourism)**

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

WHEREAS, an important component of the economic development of Cattaraugus County is the further development of the tourism market, and

WHEREAS, a tourist center is needed at which tourists can access information regarding the many assets Cattaraugus County has to offer, and

WHEREAS, the Village of Ellicottville is a significant hub of tourist activity in the County, and

WHEREAS, it would be in the best interest of businesses and citizens of Cattaraugus County for a tourist center to be established in the Ellicottville area, and

WHEREAS, the Chamber of Commerce has committed funds and obtained other financing to assist it in the establishment of such a tourist center in Ellicottville, and

WHEREAS, the Ellicottville Chamber of Commerce has requested a contribution in the amount of \$40,000.00 per year for a period of ten (10) years from Cattaraugus County to assist it in the establishment of such a tourist center in Ellicottville, and

WHEREAS, the County has agreed to provide an amount of \$40,000.00 per year for a period of ten (10) years to the Ellicottville Chamber of Commerce for the establishment of the aforementioned tourist center, and

WHEREAS, various appropriation accounts must be adjusted in order to cover the cost of the above, 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 Ellicottville Chamber of Commerce, for the establishment of a tourist center, for a term commencing October 1, 2013 and terminating September 30, 2023, 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.901.0000.0000.2725.1	Tribal Compact Monies Tax Immune Proceeds	\$40,000.00
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Increase Appropriation Account:

A.645.6410.0000.42101.01	Ellicottville Chamber of Commerce Welcome Center Operating Subsidy	\$40,000.00.
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Held in the Finance Committee and the Development and Agriculture Committee.

ACT NO. 399-2013 by Public Works Committee:

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

by Senior Services Committee:

Ms. Vickman, Mr. Felton, Ms. Edstrom, Mr. Hale,
Mr. Snyder, Jr., Mr. Koch and Mrs. Labuhn
who ask immediate consideration

**BID ACCEPTANCE FOR PURCHASE OF WHEELCHAIR BUS
(Department of Public Works – Department of Nursing Homes)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the purchase of one (1) new and unused, 2013 or newer, passenger bus with wheelchair lift, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications was the bid of Gorman Enterprises, d/b/a W.N.Y. Bus Parts, Inc., 691 Bullis Road, Elma, New York 14059, for the purchase of one (1) 2013 Ford F-450 Wheelchair Bus, for an amount of \$55,500.00, less trade-in amount of \$8,000.00, for a total amount of \$47,500.00, and

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

RESOLVED, that the bid of Gorman Enterprises be, and the same hereby is, accepted, for a term commencing Upon Notice of Award, with delivery being made within 60-75 days after receipt of order, 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.

Five sets of specifications were sent out.

Four bids were received.

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

Adopted September 11, 2013 by voice vote.

ACT NO. 400-2013 by Mr. Murphy
who asks immediate consideration

**AMENDING ACT 361-2013 REGARDING CONTRACT WITH
CHAUTAUQUA COUNTY HUMANE SOCIETY FOR
SHERIFF'S OFFICE CRUELTY TO ANIMALS INVESTIGATION SUPPORT SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 361-2013 authorized a contract with the Chautauqua County Humane Society for the provision of cruelty to animals investigation support services for the Sheriff's Office, and

WHEREAS, Act 361-2013 should be amended to include fees which were inadvertently left out, now, therefore, be it

RESOLVED, that Act 361-2013 be, and hereby is, amended as follows: At the end of the 6th Whereas, add the following:

Hourly Fees:

- Humane Society will only respond as requested
- Monday through Friday 6:00 a.m. – 7:00 p.m. billable hours are charged at a rate of \$30.00 per hour
- Monday through Friday from 7:00 p.m. through 6:00 a.m. billable hours are charged at a rate of \$37.50 per hour
- Saturdays and Sundays are charged at a rate of \$37.50 per hour

Mileage:

- The Humane Society will charge Cattaraugus County the current IRS mileage reimbursement rate for all Humane Society vehicles used for the provision of services covered under this contract.

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

Adopted September 11, 2013 by voice vote.

CHAIRMAN MARSH granted Privilege of the Floor to Legislator Snyder, Sr., who introduced Dr. Corey Duckworth, President of Jamestown Community College. President Duckworth thanked the Legislature for their support of JCC's newest capital project.

CHAIRMAN MARSH read the following statement:

On this date in 2001, we had three County employees in New York City on County business – Jack Searles, Joe Keller and Tom Livak. Luckily, they were not hurt and returned safely. Twelve years ago on this date, almost 3000 innocent Americans were killed in the worst ever terrorist attack on American soil. Some say they were terrorists, but I still consider them cold-hearted, cowardly killers. Afraid to confront us face-to-face, they chose to take the lives of people they did not even know or care about. Their plan to weaken and demoralize the American people failed miserably. Instead, we truly became the United States of America. Our resolve to fight terrorism became stronger than ever.

Every year on this date, we must remind ourselves of our commitment to fight terrorism to protect the innocent people they seek to destroy. We must show that we have not forgotten what happened on September 11, 2001.

To honor those individuals who gave their lives, I ask that we observe a moment of silence.

CHAIRMAN MARSH moved, seconded by the rest of the Legislature to adjourn until September 23, 2013 at 3:00 p.m. in memory of those individuals who lost their lives on September 11, 2001. Carried.

Meeting adjourned at 3:38 p.m.

Ann M. Giglio
Journal Clerk