

\*\*\*SPECIAL SESSION\*\*\*

September 18, 2013

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

The Attendance Roll Call disclosed five Legislators absent – Mr. Boser, Mr. Klancer, Mr. Murphy, Mr. Padlo and Mr. Sprague. Mr. Sprague arrived at 1:09 pm, Mr. Padlo arrived at 2:30 pm, Mr. Klancer and Mr. Murphy arrived at 3:00 pm.

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MRS. LABUHN moved, seconded by Ms. Edstrom to resolve the Legislature into a Committee of the Whole. Carried.

MR. WELLER moved, seconded by Mr. Edwards to adjourn into Executive Session for the purpose of requesting and receiving legal advice. Carried.

MR. AIELLO moved, seconded by Mr. Teachman to adjourn out of Executive Session and reconvene as a Committee of the Whole. Carried.

The Committee of the Whole viewed a powerpoint presentation and discussed the use of casino funds.

MR. AIELLO moved, seconded by Ms. Edstrom to adjourn into Executive Session for the purpose of discussing the possible sale of land. Carried.

MR. SPRAGUE moved, seconded by Mr. Hale to adjourn out of Executive Session and reconvene as a Committee of the Whole. Carried.

MRS. STOCKMAN moved, seconded by Mr. VanRensselaer to resolve out of the Committee of the Whole and reconvene as a Legislature. Carried.

MR. KOCH moved, seconded by Mr. Klancer to adjourn until September 23, 2013 at 3:00 p.m. Carried.

Meeting adjourned at 4:02 p.m.

Ann M. Giglio  
Journal Clerk

September 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 three Legislators absent – Mr. Felton, Mr. Padlo and Mr. Teachman.

MR. SNYDER, SR., moved, seconded by Mr. Boser that the minutes of the September 11, 2013 session be approved. Carried.

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**APPOINTMENTS:**

**HIPAA Privacy Officer**

*Indefinite term*

Wenona Scott  
Compliance Officer  
303 Court Street  
Little Valley, New York 14755

\* \* \* \* \*

CHAIRMAN MARSH announced this is the time and place called for a public hearing on **Act No. 394-2013**, Local Law Number 4-2013, 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 that anyone wishing to speak for or against this local law, may now do so.

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

CHAIRMAN MARSH called up Act No. 394-2013, as amended on September 11, 2013, and asked that it be read.

CHAIRMAN MARSH requested a Roll Call vote on Act No. 394-2013, Local Law Number 4-2013, as amended, which disclosed as follows:

Ayes: Aiello 0.8673, Boser 1.0267, Edstrom 0.8673, Edwards 0.9684, Hale 1.0655, Klancer 1.1005, Koch 0.8685, Labuhn 0.8685, Lamberson 1.0267, Murphy 1.1005, Snyder, Sr. 0.8673, Snyder, Jr. 1.0655, Sprague 1.0230, Stockman 1.0003, VanRensselaer 1.1278, Vickman 1.0972, Weller 1.0972, Marsh 1.1278 – 18.166.

Nays: none.

Act No. 394-2013, Local Law Number 4-2013, as amended, having received the majority vote of the Legislature was declared Adopted.

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CHAIRMAN MARSH granted Privilege of the Floor to Daniel P. Piccioli, Commissioner of Social Services, who presented the 2012 Annual Report for the Department of Social Services.

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**ACT NO. 401-2013** by Mr. Aiello and Mr. Weller  
and Mr. Lamberson<sup>1</sup>

**BID ACCEPTANCE FOR SECOND FLOOR COURT RENOVATIONS  
(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 2<sup>nd</sup> Floor Little Valley Courthouse Renovations project, according to specifications provided by the Department of Public Works, and

WHEREAS, the lowest bid received meeting specifications for the 2<sup>nd</sup> Floor Little Valley Court Renovations project was the bid of Duggan & Duggan, 85 West Main Street, P.O. Box 5, Allegany, New York 14706, for an amount of \$165,949.00, 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 Duggan & Duggan be, and the same hereby is, accepted for a term commencing upon notice to proceed and terminating January 31, 2014, and be it further

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

No State Bid.

Five sets of specifications were sent out.

Three bids were received.

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

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

Adopted September 23, 2013 by voice vote.

**ACT NO. 402-2013** by Mr. Murphy

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH  
NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES  
FOR HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS GRANT TO  
LOCAL EMERGENCY PLANNING COMMITTEE**

Pursuant to Section 450 of the County Law.

WHEREAS, funding is available through the New York State Division of Homeland Security and Emergency Services for the Hazardous Materials Emergency Preparedness Grant to Local Emergency Planning Committee, and

WHEREAS, the aforementioned grant funding will be used for meeting and training expenses associated with the Local Emergency Planning Committee, and

WHEREAS, it is necessary to apply for the aforementioned grant, and

WHEREAS, this grant 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 Division of Homeland Security and Emergency Services, for the provision of the aforementioned grant funding, for a term commencing October 1, 2012 and terminating September 30, 2013, according to the above-described terms, and be it further

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

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

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

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

Adopted September 23, 2013 by voice vote.

**ACT NO. 403-2013** by Mr. Murphy  
*and Mr. VanRensselaer<sup>1</sup>*

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
NEW YORK STATE EMERGENCY MANAGEMENT OFFICE FOR  
LOCAL EMERGENCY MANAGEMENT ASSISTANCE PROGRAM**

Pursuant to P.L. 81-920 and Section 450 of the County Law.

WHEREAS, Act 114-2013 authorized a contract with the New York State Emergency Management Office, 1220 Washington Street, Building 22, Suite 101, Albany, New York 12226-2251, for

the Local Emergency Management Assistance Program, the term of which expired September 30, 2012, and

WHEREAS, the County participated in the program for federal fiscal year 2013 and should continue to participate, and

WHEREAS, under this agreement, the County will receive approximately \$33,785.00 from the State Emergency Management Office, 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 New York State Emergency Management Office for the above-described program, for a term commencing October 1, 2012 and terminating September 30, 2013, according to the above-described terms, and be it further

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

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

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

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

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

Adopted September 23, 2013 by voice vote.

**ACT NO. 404-2013** by Mr. Murphy  
and Mr. Aiello, Mr. VanRensselaer and Mr. Weller<sup>1</sup>

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH  
NEW YORK STATE OFFICE OF HOMELAND SECURITY AND EMERGENCY SERVICES  
OFFICE OF COUNTER TERRORISM  
FOR TACTICAL TEAM TARGETED FUNDING**

Pursuant to Section 450 of the County Law.

WHEREAS, funding is available through the New York State Office of Homeland Security and Emergency Services Office of Counter Terrorism for the Tactical Team Targeted Funding Program, and

WHEREAS, the purpose of the grant is to help equip, train, exercise, and otherwise support special operations and tactical response operations including SWAT teams, bomb squads and explosive detection canines, and

WHEREAS, the Sheriff's Office is desirous of applying for the aforementioned funding, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Office of Homeland Security and Emergency Services Office of Counter Terrorism, for the provision of the above-described services, according to the above-described terms.

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

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: “Mr. Aiello, Mr. VanRensselaer and Mr. Weller”.

Adopted September 23, 2013 by voice vote.

**ACT NO. 405-2013** by Ms. Vickman

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Nursing Homes)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, the Town of Machias is planning to establish the Lime Lake Sewer District,  
and

WHEREAS, the Department of Nursing Homes is desirous of connecting The Pines Healthcare and Rehabilitation Center – Machias Facility to the aforementioned sewer system, and

WHEREAS, the costs associated with contracted nursing services in the Olean facility were more than budgeted, and

WHEREAS, an account for Waste Disposal has been set up so that the Department of Nursing Homes is able to track costs specific to waste disposal rather than including it in with the Contracted Services account, and

WHEREAS, due to start-up costs associated with the aforementioned sewer system, various appropriation and revenue accounts must be adjusted, now, therefore, be it

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

Decrease Appropriation Accounts:

EF.453.4530.6020.00004.11000	LPN F/T Wages	\$10,000.00
EF.453.4530.6020.00004.13000	LPN O/T Wages	\$10,000.00
EF.453.4530.8220.41610	Contracted Services	\$ 4,000.00
EI.453.4530.8220.41610	Contracted Services	\$ 5,500.00
EI.453.4530.6020.00002.11000	Head Nurse F/T Wages	\$20,000.00

Increase Appropriation Accounts:

EF.453.4530.6020.41220	Contracted Services	\$20,000.00
EF.453.4530.8220.44105	Waste Disposal	\$ 4,000.00
EI.453.4530.8220.44105	Waste Disposal	\$ 5,500.00
EI.453.4530.8220.44104	Water/Sewer	\$20,000.00.

Approved by 7 members of the Finance Committee, 9 members of the Public Works Committee and 7 members of the Senior Services Committee.

Adopted September 23, 2013 by voice vote.

**ACT NO. 406-2013** by Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
OLEAN GENERAL HEALTHCARE SYSTEMS FOR  
DEPARTMENT OF NURSING HOMES RESPIRATORY EQUIPMENT**

Pursuant to 10 NYCRR Section 415.12(k) and  
Section 450 of the County Law.

WHEREAS, Act 346-2010, as amended by Act 293-2013, authorized a contract with Olean General Healthcare Systems, 234 Homer Street, Olean, New York 14760, for the provision of respiratory equipment and related services to the County Department of Nursing Homes, the term of which expires October 1, 2013, and

WHEREAS, the County Department of Nursing Homes is in need of the aforementioned equipment, and

WHEREAS, Olean General Healthcare Systems, 234 Homer Street, Olean, New York 14760, can provide the aforementioned respiratory equipment and related services in accordance with the following rate schedule:

<u>Description</u>	<u>Rate Per Unit</u>
Oxygen Concentrators, 5 liter	\$ 1.60/day
BiPAP-S	\$ 3.00/day
CPAP	\$ 2.35/day
CiPAP-S/T (ventilator)	\$ 6.50/day
Air Compressors (50 psi)	\$ 1.00/day
Miscellaneous Supplies	25% off list
Pulse Oximeter	\$20.00/month
Oxygen Conservers	\$10.00/month
Ventilators BiPAP-S/T	\$295.00/month

Projected Contract Cost – 36 months

Services for a respiratory therapist for clinical support and routine maintenance/calibration of equipment shall be included by the vendor.

In-service training and documentation will also be provided by the vendor.,

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 a contract, on behalf of Cattaraugus County, with Olean General Healthcare Systems, for the provision of the above-described services, for a term commencing October 1, 2013 and terminating

September 30, 2014, with the County's sole option to renew for three (3) one-year renewal periods, at the same rates as listed above, according to the above-described terms.

Approved by 7 members of the Finance Committee and 7 members of the Senior Services Committee.

Adopted September 23, 2013 by voice vote.

**ACT NO. 407-2013** by Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
ABILITY NETWORK, INC. FOR ELECTRONIC BILLING FOR MEDICARE  
(Department of Nursing Homes)**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Department of Nursing Homes is in need of software licenses, product support services and professional services necessary to participate in electronic billing for Medicare, and

WHEREAS, ABILITY Network, Inc., 100 North 6<sup>th</sup> Street, Suite 900A, Minneapolis, Minnesota 55403, can provide for the installation and set-up of the ABILITY software necessary for participation in electronic billing for Medicare, for an amount of \$213.00 per month for the Ability Base Connectivity, and

WHEREAS, any increase in the monthly cost shall be agreed upon between the parties hereto on an annual basis prior to renewal, 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 ABILITY Network, Inc., for the provision of the above-described services, for a term commencing September 1, 2013 and terminating December 31, 2013, with automatic annual renewals, until terminated by either party hereto, according to the above-described terms.

Approved by 7 members of the Finance Committee, 6 members of the County Operations Committee and 7 members of the Senior Services Committee.

Adopted September 23, 2013 by voice vote.

**ACT NO. 408-2013** 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, 2013 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.

Approved by 7 members of the Finance Committee and 7 members of the Senior Services Committee.

Adopted September 23, 2013 by voice vote.

**ACT NO. 409-2013** by Ms. Edstrom and Mrs. Stockman  
*and Mr. Teachman and Mr. Padlo*<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
OLEAN YMCA FOR YMCA MEMBERSHIPS FOR  
FAMILIES WITH CHILDREN AT RISK OF PLACEMENT**

Pursuant to 9 NYCRR Sections 771.6 and 771.7,  
Public Law 104-193 and Section 450 of the County Law.

WHEREAS, Act 417-2012 authorized a contract with the Olean YMCA, 1011 Wayne Street, Olean, New York 14760, for the provision of YMCA memberships for family activities for at-risk youth and families in an effort to reduce at-risk factors and out-of-home placement, the term of which expires September 30, 2013, and

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

WHEREAS, the Olean YMCA has agreed to continue the provision of the above-described services for an amount not to exceed \$16,000.00 to be paid on a monthly basis for memberships provided during the preceding month, 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 Olean YMCA, for the provision of the

above-described services, for a term commencing October 1, 2013 and terminating 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.

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

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

Adopted September 23, 2013 by voice vote.

**ACT NO. 410-2013** by Mrs. Stockman  
and Mr. Aiello, Mr. Teachman, Mr. Weller and Mr. Padlo<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
OLEAN COMMUNITY SCHOOLS FOR MATH AND READING  
TUTORIAL SERVICES FOR DEPARTMENT OF SOCIAL SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 415-2012 authorized a contract with Olean Community Schools, 410 West Sullivan Street, Olean, New York 14760, for the provision of math and reading tutorial services for recipients of services, the term of which expires September 30, 2013, and

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

WHEREAS, Olean Community Schools, through its Adult Education Program, can provide the aforementioned math and reading tutorial services for an amount not to exceed \$10,000.00, to be paid on a monthly basis, as invoiced, and

WHEREAS, the Olean Community Schools shall provide six (6) hours of class per week, three (3) hours of math and three (3) hours of reading tutorial services per week, 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 Olean Community Schools, for the provision of the above-described services, for a term commencing October 1, 2013 and terminating 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.

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

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

Adopted September 23, 2013 by voice vote. Ms. Edstrom abstained from vote.

**ACT NO. 411-2013** by Ms. Edstrom and Mrs. Stockman  
and Mr. Padlo<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
VARIOUS ENTITIES FOR DEPARTMENT OF SOCIAL SERVICES  
FAMILY GROUP CONFERENCING PROGRAM**

Pursuant to 18 NYCRR Parts 405 and 423 and  
Section 450 of the County Law.

WHEREAS, Act 411-2012 authorized contracts with various entities for a family group conferencing program in Cattaraugus County, the terms of which expire September 30, 2013, and

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

WHEREAS, the following various entities have agreed to provide family group conferencing program services, for a total amount not to exceed \$39,000.00, to be paid on a monthly basis, as follows and as invoiced:

<u>Agency</u>	<u>Amount</u>
Cattaraugus Community Action, Inc. 25 Jefferson Street Salamanca, New York 14779	\$26,000.00
Parent Education Program, Inc. 234 North Union Street Olean, New York 14760,	\$13,000.00

and

WHEREAS, a portion of this program is 62% state and 38% County funded, and the other portion is 100% federally 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 the above-listed various entities, for the

provision of the above-described services, for a term commencing October 1, 2013 and terminating 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.

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

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

Adopted September 23, 2013 by voice vote.

**ACT NO. 412-2013** by Ms. Edstrom and Mrs. Stockman  
*and Ms. Vickman and Mr. Padlo<sup>1</sup>*

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
EVERYWOMAN OPPORTUNITY CENTER, INC. FOR DEPARTMENT OF  
SOCIAL SERVICES TANF SERVICES GRANT FUNDING**

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

WHEREAS, Act 412-2012 authorized a contract with Everywoman Opportunity Center, Inc., 132 North Union Street, Suite 107, Olean, New York 14760, for the provision of comprehensive pre-employment related and supportive services to TANF-eligible recipients and 200% TANF-eligible recipients, the term of which expires September 30, 2013, and

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

WHEREAS, Everywoman Opportunity Center, Inc., has agreed to continue the provision of the above-described services for TANF recipients for an amount not to exceed \$15,000.00, to be paid on a monthly basis for services provided during the preceding month, 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 Everywoman Opportunity Center, Inc., for the provision of the above-described services, for a term commencing October 1, 2013 and terminating 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.

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

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

Adopted September 23, 2013 by voice vote.

**ACT NO. 413-2013** by Ms. Edstrom and Mrs. Stockman  
*and Mr. Aiello and Mr. Weller<sup>1</sup>*

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATTARAUGUS COMMUNITY ACTION, INC. FOR  
DEPARTMENT OF SOCIAL SERVICES EMPLOYMENT PROGRAM FOR YOUTH**

Pursuant to Section 158 of the Social Services Law and  
Section 450 of the County Law.

WHEREAS, Act 413-2012 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the provision of an employment program for youth who are between the ages of 16-19, the term of which expires September 30, 2013, and

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

WHEREAS, Cattaraugus Community Action, Inc., shall provide an employment program for youth who are between the ages of 16 and 19, for an amount not to exceed \$112,360.00, to be paid on a monthly basis, as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Cattaraugus Community Action, Inc., for the provision of the above-described services, for a term commencing October 1, 2013 and terminating 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.

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

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

Adopted September 23, 2013 by voice vote.

**ACT NO. 414-2013** by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATTARAUGUS COMMUNITY ACTION, INC. FOR  
DEPARTMENT OF SOCIAL SERVICES TRUANCY PREVENTION PROGRAM**

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

WHEREAS, Act 414-2012 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the implementation of a truancy prevention program in Cattaraugus County, in an attempt to reduce the percentage of poor attendance and chronic absenteeism in area school districts, the term of which expires September 30, 2013, and

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

WHEREAS, Cattaraugus Community Action, Inc., has agreed to provide a truancy prevention program in Cattaraugus County for an amount not to exceed \$136,842.00, to be paid on a monthly basis for services provided during the preceding month, as invoiced, 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 a contract, on behalf of Cattaraugus County, with Cattaraugus Community Action, Inc., for the provision of the above-described services, for a term commencing October 1, 2013 and terminating 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.

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

Adopted September 23, 2013 by voice vote.

**ACT NO. 415-2013** by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATTARAUGUS COMMUNITY ACTION, INC. FOR DEPARTMENT OF  
SOCIAL SERVICES FAMILY ASSESSMENT RESPONSE SERVICES**

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

WHEREAS, Act 409-2012 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the provision of family assessment response services for child protection cases for the Department of Social Services, the term of which expires September 30, 2013, and

WHEREAS, Family Assessment Response (or "FAR") is an alternative to the traditional child protection investigative response, and allows Child Protection Services to differentiate on how they respond to accepted reports of child maltreatment, and

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

WHEREAS, Cattaraugus Community Action, Inc., can provide the aforementioned services for an amount not to exceed \$51,507.00, to be paid in monthly installments as invoiced, and

WHEREAS, this program is 62% state funded 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 a contract, on behalf of Cattaraugus County, with Cattaraugus Community Action, Inc., for the provision of the aforementioned services, for a term commencing October 1, 2013 and terminating 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.

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

Adopted September 23, 2013 by voice vote.

**ACT NO. 416-2013** by Mrs. Stockman  
and Mr. Aiello, Mr. Teachman, Ms. Vickman, Mr. Weller and Mr. Padlo<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
OLEAN COMMUNITY SCHOOLS FOR AFTER SCHOOL AND  
SUMMER PROGRAM FOR AT-RISK YOUTH FOR  
DEPARTMENT OF SOCIAL SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 416-2012 authorized a contract with Olean Community Schools, 410 West Sullivan Street, Olean, New York 14760, for the provision of an after school and summer program for at-risk youth, the term of which expires September 30, 2013, and

WHEREAS, the County Department of Social Services is desirous of continuing the aforementioned after school and summer program for at-risk youth, and

WHEREAS, Olean Community Schools can provide the aforementioned after school and summer program for at-risk youth for an amount not to exceed \$11,000.00, to be paid on a monthly basis as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Olean Community Schools, for the provision of the above-described services, for a term commencing October 1, 2013 and terminating 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.

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

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Mr. Teachman, Ms. Vickman, Mr. Weller and Mr. Padlo".

Adopted September 23, 2013 by voice vote. Ms. Edstrom abstained from vote.

**ACT NO. 417-2013** by Ms. Edstrom and Mrs. Stockman  
and Mr. Teachman, Ms. Vickman, Mr. Lamberson and Mr. Padlo<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH OLEAN GENERAL HOSPITAL  
FOR LABORATORY, RADIOLOGY AND MAMMOGRAPHY SERVICES  
FOR HEALTH DEPARTMENT FAMILY PLANNING CLINIC**

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

WHEREAS, Act 522-2012 authorized a contract with Olean General Hospital, 515 Main Street, Olean, New York 14760, for the provision of laboratory, radiology and mammography services for the County Health Department, the term of which expires December 31, 2013, and

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

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2014 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Olean General Hospital, for the provision of the above-described services, for a term commencing January 1, 2014 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: "Mr. Teachman, Ms. Vickman, Mr. Lamberson and Mr. Padlo".

Adopted September 23, 2013 by voice vote.

**ACT NO. 418-2013** by Ms. Edstrom and Mrs. Stockman  
and Mr. Teachman and Mr. Padlo<sup>1</sup>

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

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

WHEREAS, Act 521-2012 authorized the Chair to execute a contract with Olean General Hospital, 515 Main Street, Olean, New York 14760, for the provision of outpatient physical therapy services for patients in the Health Department's Home Care Program, the term of which expires December 31, 2013, and

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

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

**OUTPATIENT**

Outpatient Physical Therapy	\$48/standard office visit \$21/short office visit (less than 15 min.)
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**HOME VISITS**

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

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

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

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

**CONSULTING SERVICES**

Qualified Medical Record Practitioner	\$68/hour
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**MEETINGS**

Attendance at meetings	\$28/hour,
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and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2014 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Olean General Hospital, for the provision of the above-described services, for a term commencing January 1, 2014 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

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

Adopted September 23, 2013 by voice vote.

**ACT NO. 419-2013** by Ms. Edstrom and Mrs. Stockman  
and Mr. Teachman, Mr. VanRensselaer, Mr. Koch and Mr. Padlo<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
TOTAL SENIOR CARE, INC. FOR  
IN-HOME NURSING AND THERAPY SERVICES**

Pursuant to 10 NYCRR Part 40-1 and Section 450 of the County Law.

WHEREAS, Act 222-2013 authorized a contract with Total Senior Care, Inc., 519 North Union Street, Olean, New York 14760, for the operation of the PACE Program for the Health Department, the term of which expires December 31, 2013, and

WHEREAS, Total Senior Care, Inc., is authorized by New York State Department of Health and the Centers for Medicare and Medicaid Services to operate a Program for All Inclusive Care for the Elderly (PACE Program) as a comprehensive program of services to participants, and

WHEREAS, Total Senior Care, Inc., is desirous of obtaining in-home nursing and therapy services from the County Department of Health for PACE Program participants, and

WHEREAS, the Department of Health has agreed to provide the following in-home nursing and therapy services to PACE Program participants in accordance with the following rates:

	<u>Service</u>	<u>Rate</u>
Nursing/LPN		\$150.00/visit
Physical Therapy		\$130.00/visit
Speech Therapy		\$130.00/visit
Occupational Therapy		\$130.00/visit
Medical Social Service		\$150.00/visit
Nutrition		\$138.00/visit
Home Health Aide		\$40.00/hour
PCA II – Personal Care		\$32.00/hour
PERS Monitor		\$23.96/month
Meals on Wheels		\$6.25 each
Telehealth – Monitoring		\$15.00/day
Telehealth – Installation		\$125.00 each
Electronic Medication Monitoring		\$49.00/month/unit,

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 2014 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Total Senior Care, Inc., for the provision of the above-described in-home nursing and therapy services, for a term commencing January 1, 2014 and terminating December 31, 2014, according to the above-described terms.

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

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: "Mr. Teachman, Mr. VanRensselaer, Mr. Koch and Mr. Padlo".

Adopted September 23, 2013 by voice vote.

**ACT NO. 420-2013** by Mr. VanRensselaer and Mrs. Labuhn

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

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

WHEREAS, Act 656-2012 authorized a contract with the Seneca-Salamanca Area Chamber of Commerce, Inc., 26 Main Street, Salamanca, New York 14779, for the provision of an information center manager for the I-86 (westbound) rest area, the term of which expired June 30, 2013, and

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

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

WHEREAS, the Seneca-Salamanca Area Chamber of Commerce, Inc., 26 Main Street, Salamanca, New York 14779, can provide an information center manager/coordinator for a minimum of 15 hours per week, with six (6) to eight (8) hours on Sundays (mandatory), as well as holiday periods, for an amount of \$11,250.00 for twelve (12) months, to be paid as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Seneca-Salamanca Area Chamber of Commerce, Inc., 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 7 members of the Finance Committee and 6 members of the Development and Agriculture Committee.

Adopted September 23, 2013 by voice vote.

**ACT NO. 421-2013** by Mr. VanRensselaer and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE GRANT APPLICATION AND  
CONTRACT WITH DEFENSE LOGISTICS AGENCY FOR  
PROCUREMENT TECHNICAL ASSISTANCE PROGRAM**

Pursuant to 10 USCS Section 2411, et seq., and  
Section 450 of the County Law.

WHEREAS, Act 377-2012 authorized the Chair to execute a grant application and contract with the Defense Logistics Agency, 8725 John J. Kingman Road, Ft. Belvoir, Virginia 22060-6221, in order to secure funding for the continuation of the Procurement Technical Assistance Program, and

WHEREAS, Cattaraugus County is eligible for funding through the Defense Logistics Agency in order to maintain the Procurement Technical Assistance Program, and

WHEREAS, it is estimated that the project cost will not exceed \$161,367.00, of which Cattaraugus County's cash contribution will not exceed \$23,270.00, plus an in-kind contribution of \$17,072.00, and

WHEREAS, Cattaraugus County will be responsible for the share of any third-party agency which fails to contribute its portion to the program, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a grant application and contract, on behalf of Cattaraugus County, with the Defense Logistics Agency in order to secure funding for the continuation of the Procurement Technical Assistance Program, and be it further

RESOLVED, that the Procurement Technical Assistance Program will commence January 16, 2014 and terminate January 15, 2015, 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 7 members of the Finance Committee and 6 members of the Development and Agriculture Committee.

Adopted September 23, 2013 by voice vote.

**ACT NO. 422-2013** by Mr. VanRensselaer and Mrs. Labuhn  
and Mr. Aiello, Ms. Edstrom, Mr. Teachman and Mr. Weller<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
M. MARK HOWDEN FOR HUD SMALL CITIES COMMUNITY DEVELOPMENT  
BLOCK GRANT AND EMPIRE STATE DEVELOPMENT CORPORATION  
COMMUNITY DEVELOPMENT BLOCK GRANT LEGAL SERVICES**

Pursuant to 42 USCS 5301 and 5303, 24 CFR Part 570 and  
Section 450 of the County Law.

WHEREAS, Act 453-2012 authorized a contract with M. Mark Howden for the HUD Small Cities Community Development Block Grant and the Empire State Development Corporation Community Development Block Grant, the term of which expired July 31, 2013, and

WHEREAS, the Department of Economic Development, Planning and Tourism is desirous of renewing the aforementioned contract, and

WHEREAS, the Law Office of M. Mark Howden, Community Bank Building, Suite 315-316, 201 North Union Street, Olean, New York 14760, has agreed to provide specialized legal services on a limited basis as directly relating to delinquencies and collections, on behalf of Cattaraugus County, for an amount of \$150 per hour, for a total amount not to exceed \$4,000.00 for each program, plus costs and expenses, for legal fees and other legal incidentals, including court filings, court proceedings, court appearances, and all activities involved with garnishment of wages/collections for delinquent accounts of the above-described loan programs, and

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

RESOLVED, that the County Administrator be, and hereby is, authorized to execute a contract, on behalf of Cattaraugus County, with M. Mark Howden, for a term commencing August 1, 2013 and terminating July 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 7 members of the Finance Committee and 8 members of the Development and Agriculture Committee.

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Ms. Edstrom, Mr. Teachman and Mr. Weller".

Adopted September 23, 2013 by voice vote.

**ACT NO. 423-2013** by Mr. VanRensselaer and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
H. SICHERMAN & COMPANY, INC. FOR  
GRANT WRITING TECHNICAL ASSISTANCE**

Pursuant to Title I of the Housing and Community Development Act of 1974, as amended, and Section 450 of the County Law.

WHEREAS, Act 654-2012 authorized a contract with H. Sicherman & Company, Inc., 5852 Forest Creek Drive, East Amherst, New York 14051-2980, for the provision of technical assistance for grant writing for various programs, the term of which expires December 31, 2013, and

WHEREAS, the Department of Economic Development, Planning and Tourism is desirous of continuing the aforementioned grant writing technical assistance services, and

WHEREAS, H. Sicherman & Company, Inc., can continue providing technical assistance for grant writing services for an amount not to exceed \$10,000.00, which will be billed at the following rates and paid as invoiced:

Harry Sicherman	\$159/hour
Richard Rickli	\$125/hour
Richard W. Lippold	\$ 99/hour
Other Professionals	\$ 91/hour
Rate in Travel Status	\$ 64/hour (all personnel),

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 2014 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with H. Sicherman and Company, Inc., for the provision of the above-described services, for a term commencing January 1, 2014 and terminating December 31, 2014, according to the above-described terms.

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

Adopted September 23, 2013 by voice vote.

**ACT NO. 424-2013** by Mr. VanRensselaer and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
H. SICHERMAN & COMPANY, INC. FOR HUD SMALL CITIES COMMUNITY  
DEVELOPMENT BLOCK GRANT ADMINISTRATION SERVICES**

Pursuant to 42 USCS 5303 and Section 450 of the County Law.

WHEREAS, Act 287-2012 authorized a contract with H. Sichernman & Company, Inc., 5852 Forest Creek Drive, East Amherst, New York 14051, for assistance in the administration of the Microenterprise Revolving Loan Fund, the term of which expired December 31, 2012, and

WHEREAS, the County is the recipient of United States Department of Housing and Urban Development (HUD) Small Cities Community Development Block Grant funds and has an existing Microenterprise Revolving Loan Fund portfolio to maintain, and

WHEREAS, the Small Cities Community Development Block Grant was obtained for the purpose of establishing and continuing a Microenterprise Development Revolving Loan Fund, Microenterprise Outreach Program and Microenterprise Business Education Program, and

WHEREAS, the County shall administer the Microenterprise Development Revolving Loan Fund portfolio, and

WHEREAS, H. Sichernman & Company, Inc., shall provide technical assistance on program administration, loan reviews and credit analyses for the loan committee, for the Microenterprise Development Revolving Loan Fund portfolio for an amount not to exceed \$7,000.00 per year, for a total contract amount of \$14,000.00, to be paid as invoiced, and

WHEREAS, unused balances of previous Community Development Block Grant funds, as well as program income from loan repayments, will be used for the Microenterprise Loan Fund for the microenterprises in the County, less administrative expenses identified above, 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 H. Sichernman & Company, Inc., for the administration and management of the above-referenced grant application, for a term commencing January 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 7 members of the Finance Committee and 6 members of the Development and Agriculture Committee.

Adopted September 23, 2013 by voice vote.

**ACT NO. 425-2013** by Mr. VanRensselaer and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
H. SICHERMAN & COMPANY, INC. FOR EMPIRE STATE DEVELOPMENT  
CORPORATION COMMUNITY DEVELOPMENT BLOCK GRANT ADMINISTRATION SERVICES**

Pursuant to 42 USCS 5301, 24 CFR Part 570 and  
Section 450 of the County Law.

WHEREAS, Act 286-2012 authorized a contract with H. Sichernan & Company, Inc., 5852 Forest Creek Drive, East Amherst, New York 14051, for the administration of the Microenterprise Development Revolving Loan Fund, the term of which expired December 31, 2012, and

WHEREAS, the County is the recipient of Empire State Development Corporation Community Development Block Grant Program funds and has an existing Microenterprise Revolving Loan Fund portfolio to maintain, and

WHEREAS, the NYS Small Cities Community Development Block Grant was obtained for the purpose of establishing and continuing a Microenterprise Development Revolving Loan Fund, Microenterprise Outreach Program and Microenterprise Business Education Program, and

WHEREAS, the County shall administer the Microenterprise Development Revolving Loan Fund portfolio, and

WHEREAS, H. Sichernan & Company, Inc., shall provide technical assistance on program administration, loan reviews and credit analyses for the loan committee, for the Microenterprise Development Revolving Loan Fund portfolio for an amount not to exceed \$3,000.00 per year, for a total contract amount of \$6,000.00, to be paid as invoiced, and

WHEREAS, unused balances of previous Community Development Block Grant funds, as well as program income from loan repayments, will be used for the Microenterprise Loan Fund for the microenterprises in the County, less administrative expenses identified above, 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 H. Sichernan & Company, Inc., for the administration and management of the above-referenced grant application, for a term commencing January 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 7 members of the Finance Committee and 6 members of the Development and Agriculture Committee.

Adopted September 23, 2013 by voice vote.

**ACT NO. 426-2013** by Mrs. Stockman

**CLARIFICATION OF POLICY REGARDING REIMBURSEMENT OF  
RELEVIED TAXES AND OTHER CHARGES**

Pursuant to Section 102 of the Real Property Tax Law.

WHEREAS, by Local Law No. 9-1977, entitled "A Local Law to Provide for the Collection of Delinquent Village Taxes by the County of Cattaraugus", adopted November 30, 1977, Cattaraugus County agreed to accept the relevy of the delinquent village taxes, and

WHEREAS, by legislation adopted annually, the Clerk of the Legislature is authorized and directed to relevy all returned City taxes of the City of Olean, and

WHEREAS, the County is obligated by statute to relevy all returned town taxes, and

WHEREAS, statutory and local laws require that the County reimburse towns, villages and the City of Olean for their relevied taxes, and

WHEREAS, the County is also authorized to accept the relevy of and reimburse municipalities for unpaid sewer and water charges and solid waste charges, and

WHEREAS, the City of Olean and towns and villages in the County have in the past relevied various other charges and liens including, without limitation, <sup>1</sup> ambulance service fees, building permit fees, demolition and cleanup charges, lawn mowing, snow removal, rubbish and paving assessments, which may constitute liens against the subject property, but regarding which the County is not required by statute to reimburse to the municipality, and

WHEREAS, it is not in the best interest of the County to reimburse municipal entities for the collection of such other charges, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby determines that the County will continue to guarantee the collection of and reimburse the City of Olean and towns and villages for their relevied taxes and the authorized relevy of sewer, water, *electric*<sup>1</sup> and solid waste charges, and be it further

RESOLVED, that the County will not hereafter reimburse the City of Olean or towns and villages for the charges listed in paragraph VI hereof that are not mandated by State Law, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward copies of this resolution to the Mayor and Clerk of the City of Olean, mayors and clerks of all villages within Cattaraugus County and supervisors and clerks of all towns within Cattaraugus County.

Approved by 7 members of the Finance Committee and 6 members of the County Operations Committee.

MRS. STOCKMAN moved, seconded by Mr. Hale to amend as follows: In the sixth Whereas, delete: "electric charges"; and in the first Resolved, add: ", electric". Carried.

Adopted, as amended, September 23, 2013 by voice vote.

**ACT NO. 427-2013** by Mr. Snyder, Sr.  
who asks immediate consideration

**RE-AUTHORIZING JCC CAPITAL PROJECT  
ACQUISITION OF LAND ADJACENT TO JCC JAMESTOWN CAMPUS**

Pursuant to Section 6310 of the Education Law.

WHEREAS, the Cattaraugus County Legislature, through Act 85-2011, approved a capital project for the acquisition of property adjacent to the Jamestown Campus of Jamestown Community College (JCC), and

WHEREAS, the JCC Regional Board of Trustees has selected and approved the purchase of a parcel located at 2835 Curtis Street Extension in the Town of Ellicott directly across the street from the western boundary of the Jamestown Campus and the northern border of the Roger Tory Peterson Institute premises recently acquired by JCC, and

WHEREAS, acquisition of the subject property provides an opportunity for future campus expansion, enhanced community use similar to the use of the Sheldon House facility, enhanced and expanded program instructional opportunities, and for work-shop space and equipment storage in the barn on the property, and

WHEREAS, the State of New York has matching funds potentially available for one-half of the maximum cost of \$450,000.00 for the acquisition, and JCC has sufficient funds for the remaining one-half of the cost of the acquisition, including a contribution from Chautauqua County previously approved by the Chautauqua County Legislature, 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, the County of Cattaraugus will incur no local share expense related to the acquisition of land described above, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby approves the above-described capital project of JCC on the Jamestown Campus, with no financial commitment on the part of the County of Cattaraugus for the project.

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

Adopted September 23, 2013 by voice vote.

MRS. LABUHN moved, seconded by Mr. Aiello to adjourn until October 9, 2013 at 3:00 p.m. Carried.

Meeting adjourned at 3:57 p.m.

Ann M. Giglio  
Journal Clerk