

April 23, 2014

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

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed three Legislators absent – Hale, McElfresh and Murphy. Mr. McElfresh arrived at 3:20 pm.

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MS. EDSTROM moved, seconded by Mr. Boser that the minutes of the April 9, 2014 session be approved. Carried.

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COMMUNICATIONS:

NYS Department of State: Filing of Local Law 2-2014 (Intro No. 1-2014) on April 8, 2014.

Chenango County Board of Supervisors: Resolution No. 89-14P entitled “Deny Permission for New York State to Use Chenango County Seal and Office Names for Safe Act Correspondence”.

Fulton County Board of Supervisors: Resolution No. 127 entitled “Resolution Urging New York State to Establish a Residency Waiting Period to Qualify for Welfare Benefits”, and Resolution No. 141 entitled “Resolution Opposing Assembly Bill A689-A Mandating Early Voting in New York State”.

Greene County Legislature: Resolution No. 101-14 entitled “Resolution Calling on New York State Legislature to Reject Governor Cuomo’s Plans to Reward Prison Inmates by Providing Them With College Educations at Taxpayer Expense”, and Resolution No. 102-14 entitled “Resolution Offering an Alternative to the Property Tax Freeze That Will Lead to Permanent and Historic Property Tax Reductions by Eliminating the Cost of State Mandated Spending Imposed on County Property Taxpayers”.

Orleans County Legislature: Resolution No. 134-414 entitled “Support of Statewide Indigent Defense Legal System and Settlement of Hurrell-Harring, et al. v. State of New York”.

Schuyler County Legislature: Resolution No. 114 entitled “Resolution in Support of a Statewide Indigent Defense Legal System and Settlement of Hurrell-Harring, et al. v. State of New York”; Resolution No. 119 entitled “Resolution Advocating New York State to Increase Funding for Public Transportation and Allow for Local Distribution of Department of Health Transportation Funds”; Resolution No. 120 entitled “Resolution Supporting the Wilmot Casino in the Town of Tyre, Seneca County”; Resolution No. 138 entitled “Resolution Offering an Alternative to the Property Tax Freeze That Will Lead to Permanent and Historic Property Tax Reductions by Eliminating the Cost of State Mandated Spending Imposed on County Property Taxpayers”.

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APPOINTMENTS:

FLEET MANAGEMENT ADVISORY COMMITTEE*(indefinite term)*

Jeffery Harrison
 Fleet Management Supervisor
 Department of Public Works
 8810 Route 242
 Little Valley, New York 14755
(replacing Kirk Liskow)

CATTARAUGUS COUNTY AGING ADVISORY COUNCIL*(one-year term to expire December 31, 2014)*

Ruth Vincent
 2058 Peavy Road
 Franklinville, New York 14737

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CHAIRMAN MARSH designated May 1, 2014 as **Law Day** in Cattaraugus County.

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CHAIRMAN MARSH announced this is the time and place called for a public hearing on **Act No. 187-2014**, Local Law Number 2-2014, entitled "A Local Law Repealing Local Law Number 23-2003 (Intro No. 25-2003), Entitled "A Local Law Authorizing A Separate Listing In Each Real Property Tax Statement, Showing The Medicaid Portion Or Other New York State Imposed Mandates Affecting County Taxes".

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

CHAIRMAN MARSH announced this is the time and place called for a public hearing on **Act No. 205-2014**, Local Law Number 3-2014, entitled "A Local Law Establishing Salaries For Certain County Officers For The Years 2014 And 2015".

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

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CHAIRMAN MARSH granted Privilege of the Floor to Legislator Teachman who introduced Eagle Scout Cory Nedell. Chairman Marsh presented Cory Nedell with a proclamation recognizing and congratulating Cory on earning the grand honor of becoming Cattaraugus County's newest Eagle Scout.

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CHAIRMAN MARSH called up **Act No. 187-2014** and asked that it be read.

Approved by 9 members of the Finance Committee and 4 members of the County Operations Committee.

CHAIRMAN MARSH requested a Roll Call vote on Act No. 187-2014, Local Law Number 2-2014, which disclosed as follows:

Ayes: Boser 1.0267, Edstrom 0.8673, Edwards 0.9684, Felton 1.0972, Klancer 1.1005, Koch 0.8685, Labuhn 0.8685, Lamberson 1.0267, Marsh 1.1278, McElfresh 0.8673, Snyder, Sr. 0.8673, Snyder, Jr. 1.0655, Sprague 1.0230, Stockman 1.0003, Teachman 0.8673, VanRensselaer 1.1278, Vickman 1.0972, Weller 1.0972 – 17.9645.

Nays: Padlo 0.8673 – 0.8673.

Act No. 187-2014, Local Law Number 2-2014, having received the majority vote of the Legislature, was declared Adopted.

CHAIRMAN MARSH called up **Act No. 205-2014** and asked that it be read.

CHAIRMAN MARSH requested a Roll Call vote on Act No. 205-2014, Local Law Number 3-2014, which disclosed as follows:

Ayes: Boser 1.0267, Edstrom 0.8673, Edwards 0.9684, Felton 1.0972, Klancer 1.1005, Koch 0.8685, Labuhn 0.8685, Lamberson 1.0267, Marsh 1.1278, McElfresh 0.8673, Padlo 0.8673, Snyder, Sr. 0.8673, Snyder, Jr. 1.0655, Sprague 1.0230, Stockman 1.0003, Teachman 0.8673, Vickman 1.0972, Weller 1.0972 – 17.704.

Nays: none.

Mr. VanRensselaer abstained from vote.

Act No. 205-2014, Local Law Number 3-2014, having received the majority vote of the Legislature, was declared Adopted.

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ACT NO. 213-2014 by Mr. Weller and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT
WITH GREENMAN-PEDERSEN, INC. FOR
COUNTY ROAD NO. 13 REHABILITATION PROJECT ENGINEERING SERVICES
(Department of Public Works)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 337-2010 authorized a contract with Abate Associates Engineers & Surveyors, P.C., for the provision of engineering services for County Road No. 13 (Maples Road) Rehabilitation Project in the Town of Mansfield, the term of which expired December 31, 2013, and

WHEREAS, additional services are necessary in order to complete the design process,
and

WHEREAS, Greenman-Pedersen, Inc., (formerly Abate Associates), 4950 Genesee Street, Suite 100, Buffalo, New York 14225, can provide the additional engineering services necessary to complete the design process for the County Road No. 13 (Maples Road) Rehabilitation Project for an amount not to exceed \$106,494.00, to be paid on a percent-of-completion basis, as follows:

Additional Environmental Services	\$52,624.00
Additional Hydraulic Study	\$ 8,455.00
Additional Structure Design	\$32,450.00
Additional Foundation Design	\$ 4,165.00
Additional Row Services	\$ 8,800.00,

and

WHEREAS, an amendment to the contract authorized by Act 337-2010 is necessary, 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 an amended contract, on behalf of Cattaraugus County, with Greenman-Pedersen, Inc., for the provision of the above-described services, for a term commencing January 1, 2014 and terminating December 31, 2015, according to the above-described terms.

Approved by 8 members of the Finance Committee and 7 members of the Public Works Committee.

Adopted April 23, 2014 by voice vote.

ACT NO. 214-2014 by Mr. Weller and Mr. Koch
and Mr. Lamberson and Mr. Sprague¹

**AUTHORIZING CATTARAUGUS COUNTY TO EXECUTE PROGRAM AGREEMENT WITH
MUNICIPAL ELECTRIC AND GAS ALLIANCE (MEGA) FOR PARTICIPATION IN THE PROGRAM
FOR PROCUREMENT OF SERVICES OF COMPANIES FOR DEVELOPMENT OF
SOLAR, MICRO-HYDROELECTRIC, AND FARM WASTE-TO-ENERGY FACILITIES
THAT WILL GENERATE UP TO TWO MEGAWATTS OF ELECTRICITY**

Pursuant to Section 450 of the County Law.

WHEREAS, in 1998, Tompkins County, in partnership with Tioga County, created the Municipal Electric and Gas Alliance (MEGA), and now, along with more than 30 New York State county governments, has collectively shopped through a public bid process for electricity and natural gas supplies, securing savings in energy costs for participating municipalities and other participants, and

WHEREAS, by resolution of one or more county governments, MEGA periodically bids the electricity and natural gas supplies so that participating municipalities, businesses, and residents can obtain the lowest cost, and

WHEREAS, as a part of its commitment to bring clean, renewable energy at a reasonable cost to its customers, MEGA has conceived and is preparing to implement a new program intended to provide municipal and school district customers with a long-term, price-certain supply of electric energy from renewable sources, and

WHEREAS, MEGA's program will establish a remote net metering relationship between its participants and specific solar, micro-hydroelectric, and farm waste-to-energy facilities that have a

generating capacity of two megawatts or less, allowing electricity generated by such facilities to be sold to participants at off-site locations within New York State thereby allowing MEGA participants to address a meaningful portion of their overall electricity needs, and

WHEREAS, the potential outcomes of this initiative include fostering the development of small, renewable energy facilities in New York State, enabling MEGA's many participants to directly purchase electricity produced by such facilities, stabilizing and potentially reducing the cost of electricity for MEGA's participants, putting idle and unproductive land to productive use, and contributing to the reduction of greenhouse gasses, and

WHEREAS, MEGA wishes to issue a draft Request for Proposal (RFP), and subsequently issue a Final RFP, to solicit firms with the capacity to generate renewable energy in New York State, and

WHEREAS, MEGA has asked Tompkins County, as a founding partner and in recognition of the County's commitment to renewable energy development, to serve in the role of the Procuring Municipality, a designation that allows other municipalities to enjoy the same terms and conditions as are provided to the Procuring Municipality, but that does not obligate Tompkins County to enter into any energy purchase agreement unless authorized by the County Legislature, and

WHEREAS, the Cattaraugus County Legislature strongly supports the efforts of MEGA to foster the development of renewable energy and recognizes the widespread benefits of the plan that have been put forward by MEGA, and

WHEREAS, rules regarding the terms by which other political subdivisions and districts participate have been established by MEGA and will be reflected in a program agreement between the companies and MEGA, now, therefore, be it

RESOLVED, that the Chair of the Cattaraugus County Legislature, be, and hereby is, authorized and directed to execute a program agreement, on behalf of Cattaraugus County, with MEGA, for participation in the program for the procurement of services of companies for the development of solar, micro-hydroelectric, and farm waste-to-energy facilities that will generate up to two megawatts of electricity.

Approved by 8 members of the Finance Committee and 7 members of the Public Works Committee.

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

Adopted April 23, 2014 by voice vote. Mr. McElfresh voting No.

ACT NO. 215-2014 by Mr. Teachman

**SALE OF TAX TITLE PROPERTY TO TOWN OF OLEAN AND
WAIVING RULE 40 OF THE RULES OF ORDER**

Pursuant to Section 215 of the County Law, Rule 33 of the Rules of Order of the Cattaraugus County Legislature, and Section 72-h of the General Municipal Law.

WHEREAS, Cattaraugus County has tax title to certain property in the Town of Olean, described as follows:

Parcel 276: being premises located at 1387 Old Rock City Road, Town of Olean, about 260.00' x 145.00', Tax Map No. 103.001-2-40.2,

and

WHEREAS, the Town of Olean is desirous of purchasing the above-described property for an amount of \$551.15, which includes reimbursement for the taxes that the County made whole to the Town and School District, and

WHEREAS, that upon receipt of the aforementioned amount, the property should be conveyed to the Town of Olean, now, therefore, be it

RESOLVED, that the County Treasurer, upon receipt of the amount of \$551.15, is hereby authorized and directed to convey the aforementioned parcel to the Town of Olean, by the issuance of a County Treasurer's Deed, and be it further

RESOLVED, that Rule 40 of the Rules of Order of the Cattaraugus County Legislature is hereby waived for this sale.

Approved by 8 members of the Finance Committee and 5 members of the County Operations Committee.

Adopted April 23, 2014 by voice vote.

ACT NO. 216-2014 by Mr. Snyder, Sr.
*and Mr. Padlo*¹

**RESOLUTION APPROVING THE ISSUANCE OF CERTAIN OBLIGATIONS BY
CATTARAUGUS COUNTY CAPITAL RESOURCE CORPORATION TO FINANCE A
CERTAIN PROJECT FOR ST. BONAVENTURE UNIVERSITY**

Pursuant to Section 153 of the County Law.

WHEREAS, pursuant to Section 1411 of the Not-For-Profit Corporation Law of the State of New York, as amended (the "Enabling Act"), Revenue Ruling 57-187 and Private Letter Ruling 200936012, the County Legislature of Cattaraugus County, New York (the "County") adopted a resolution on May 13, 2009 (the "Sponsor Resolution") (1) authorizing the incorporation of Cattaraugus County Capital Resource Corporation (the "Issuer") under the Enabling Act and (2) appointing the initial members of the board of directors of the Issuer, and

WHEREAS, in August, 2009, a certificate of incorporation was filed with the New York Secretary of State's Office (the "Certificate of Incorporation") creating the Issuer as a public instrumentality of the County, and

WHEREAS, to accomplish its stated purposes, the Issuer is authorized and empowered under the Enabling Act to acquire real and personal property; to borrow money and issue negotiable revenue bonds, notes and other obligations therefore; to lease, sell, mortgage or otherwise dispose of or encumber any of its real or personal property upon such terms as it may determine; and otherwise to carry out its corporate purposes in the territory in which the operations of the Issuer are principally to be conducted, and

WHEREAS, in January, 2014, St. Bonaventure University, a New York not-for-profit education corporation (the "Institution") submitted an application (the "Application") to the Issuer, a copy of which Application is on file at the office of the Issuer, which Application requested that the

Issuer consider undertaking a project (the "Project") for the benefit of the Institution, said Project consisting of the following: (A) the financing of a portion of the costs of (1) the renovation and rehabilitation of portions of existing student residence halls and other improvements (collectively, the "Facility") located on the campus of the Institution generally known as 3261 West State Road in the Town of Allegany, Cattaraugus County, New York (the "Campus"), (2) various other renovations including mechanical replacements, paving, related grounds work, finishes, building envelope repairs and campus infrastructure (collectively, the "Improvements"), and (3) the acquisition and installation on the Campus and/or in the Facility and/or the Improvements of certain machinery and equipment (collectively, the "Equipment") (the Campus, the Facility, the Improvements and the Equipment being collectively referred to as the "Project Facility"), all of the foregoing to constitute the upgrading of an existing educational facility and other directly and indirectly related facilities being used by the Institution; (B) the financing of all or a portion of the costs of the foregoing by the issuance of revenue bonds of the Issuer in one or more issues or series in an aggregate principal amount sufficient to pay the cost of undertaking the Project, together with necessary incidental costs in connection therewith, the maximum aggregate principal amount of which is presently estimated not to exceed \$12,000,000 (the "Obligations"); (C) paying of all or a portion of the costs incidental to the issuance of the Obligations, including issuance costs of the Obligations and any reserve funds as may be necessary to secure the Obligations; and (D) the making of a loan (the "Loan") of the proceeds of the Obligations to the Institution or such other person as may be designated by the Institution and agreed upon by the Issuer, and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6NYCRR Part 617, as amended (the "Regulations" and collectively with the SEQR Act, "SEQRA"), by resolution adopted by the members of the board of directors of the Issuer on March 18, 2014 (the "SEQR Resolution"), the Issuer determined that the Project constituted a "Type II action" (as such quoted term is defined under SEQRA), and therefor that no further action with respect to the Project was required under SEQRA, and

WHEREAS, the Institution has requested that interest on the Obligations be treated by the federal government as excludable from gross income for federal income tax purposes pursuant to Section 103 and Section 145(a) of the Code, and

WHEREAS, the County Legislature of Cattaraugus County, New York (the "County Legislature") has been advised by the Issuer that the Issuer proposes to issue, subsequent to the adoption of this resolution, the Obligations from time to time in a principal amount sufficient to fund all or a portion of the costs of the Project, and

WHEREAS, interest on the Obligations will not be excludable from gross income for federal income tax purposes unless, among other things, pursuant to Section 147(f) of the Code, the issuance of the Obligations is approved by the "applicable elected representative" of Cattaraugus County, New York after the Issuer has held a public hearing on the nature and location of the Project Facility and the issuance of the Obligations, and

WHEREAS, pursuant to the authorization contained in a resolution adopted by the members of the board of directors of the Issuer on February 13, 2014 (the "Public Hearing Resolution"), the Chief Executive Officer of the Issuer (A)(1) caused notice of a public hearing of the Issuer (the "State Public Hearing"), as provided in the Certificate of Incorporation, pursuant to the applicable provisions of Section 859-a and Section 859-b of the General Municipal Law of the State of New York, to hear all persons interested in the Project and the financial assistance being contemplated by the Issuer with respect to the Project, to be published on February 21, 2014 in Olean Times Herald, a newspaper of general circulation available to the residents of the Town of Allegany, New York, (2) caused notice of the

State Public Hearing to be posted on February 19, 2014 on a bulletin board located at the Allegany Town Hall located at 52 West Main Street in the Town of Allegany, Cattaraugus County, New York , (3) caused notice of the State Public Hearing to be mailed on February 19, 2014 to the chief executive officers of the county and of each city, town, village and school district in which the Project Facility is (or will be) located, (4) conducted the State Public Hearing on March 5, 2014 at 10:30 o'clock, a.m., local time at the Allegany Town Hall located at 52 West Main Street in the Town of Allegany, Cattaraugus County, New York, and (5) prepared a report of the State Public Hearing (the "State Public Hearing Report") which fairly summarized the views presented at such State Public Hearing and caused copies of said State Public Hearing Report to be made available to the members of the County Legislature of Cattaraugus County, New York (the "County Legislature"), and (B)(1) caused notice of a second public hearing of the Issuer (the "Federal Public Hearing") pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), to hear all persons interested in the Project and the financial assistance being contemplated by the Issuer with respect to the Project, to be published on March 14, 2014 in the Olean Times Herald, a newspaper of general circulation available to the residents of the Town of Allegany, New York, (2) conducted the Federal Public Hearing on March 31, 2014 at 11:00 o'clock, a.m, local time at the Allegany Town Hall located at 52 West Main Street in the Town of Allegany, Cattaraugus County, New York, and (3) prepared a report of the Federal Public Hearing (the "Federal Public Hearing Report") which fairly summarized the views presented at such Federal Public Hearing and caused copies of said Federal Public Hearing Report to be made available to the members of County Legislature, and

WHEREAS, pursuant to Section 147(f) of the Code, the County Legislature desires to allow the interest on the Obligations to be treated as excludable from gross income for federal income tax purposes, now, therefore, be it

RESOLVED, by the County Legislature of Cattaraugus County, New York, as follows: For the sole purpose of qualifying the interest payable on the Obligations for exclusion from gross income for federal income tax purposes pursuant to the provisions of Section 145(a) of the Code, the County Legislature, as the elected legislative body of Cattaraugus County, New York, hereby approves the issuance by the Issuer of the Obligations, provided that the Obligations, and the premium (if any) and interest thereon, shall be special obligations of the Issuer and shall never be a debt of the State of New York, Cattaraugus County, New York or any political subdivision thereof (other than the Issuer), and neither the State of New York, Cattaraugus County, New York nor any political subdivision thereof (other than the Issuer) shall be liable thereon, and be it further

RESOLVED, this resolution shall take effect immediately.

Approved by 8 members of the Finance Committee.

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

Adopted April 23, 2014 by voice vote.

ACT NO. 217-2014 by Development & Agriculture Committee:
Mr. VanRensselaer, Mrs. Labuhn, Mr. McElfresh, Mr. Murphy,
Mr. Snyder, Sr., Mr. Boser and Mr. Padlo
and Mrs. Stockman and Mr. Teachman
*and Mr. Klancer*¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
THE SENECA TRAIL RESOURCE CONSERVATION AND DEVELOPMENT COUNCIL
FOR ASSISTANCE WITH THE COUNTY'S FORESTS AND
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Department of Economic Development, Planning & Tourism)**

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

WHEREAS, the County Department of Economic Development, Planning & Tourism is responsible for the County's forest lands and desirous of managing them in a more efficient manner, and

WHEREAS, the Seneca Trail Resource Conservation and Development Council, 8 Martha Street, Ellicottville, New York 14731, is a non-profit organization whose goal is the better utilization and protection of the natural resources in a five-county area, which includes Cattaraugus County, and

WHEREAS, the Seneca Trail Resource Conservation and Development Council can provide advice and assistance to the County in regards to new forest economy initiatives, as well as various other services, as needed, for an amount not to exceed \$75,000.00, to be paid as invoiced, and

WHEREAS, the aforementioned services will be paid for out of Casino funds, 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 Trail Resource Conservation and Development Council, for the provision of the above-described services, for a two-year term commencing May 1, 2014 and terminating April 30, 2016, according to the above-described terms, and be it further

RESOLVED, that the County Administrator is hereby directed to appropriate from Fund Balance Committed Economic Development Account No. A.913.0000, and make the following budgetary changes.

Increase Appropriation Account:

A.642.6420.0000.41233	Professional Services	\$37,500.00.
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Approved by 8 members of the Finance Committee and 5 members of the Development and Agriculture Committee.

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

MR. SNYDER, JR., moved, seconded by Mr. Edwards to refer Act No. 217-2014 to the Finance Committee and the Development and Agriculture Committee.

MR. SNYDER, SR., and Mr. Snyder, Jr., requested a Roll Call vote on the Motion, which disclosed as follows:

Ayes: Edstrom 0.8673, Edwards 0.9684, Klancer 1.1005, McElfresh 0.8673, Snyder, Sr. 0.8673, Snyder, Jr. 1.0655, Sprague 1.0230, Stockman 1.0003, Teachman 0.8673, Vickman 1.0972 – 9.7241.

Nays: Boser 1.0267, Felton 1.0972, Koch 0.8685, Labuhn 0.8685, Lamberson 1.0267, Marsh 1.1278, Padlo 0.8673, VanRensselaer 1.1278, Weller 1.0972 – 9.1077.

Motion to refer Act 217-2014 back to committees failed to receive a majority vote of the Legislature and was declared Lost.

MR. SNYDER, SR., and Mr. Snyder, Jr., requested a Roll Call vote on Act No. 217-2014, which disclosed as follows:

Ayes: Boser 1.0267, Felton 1.0972, Klancer 1.1005, Koch 0.8685, Labuhn 0.8685, Lamberson 1.0267, Marsh 1.1278, Padlo 0.8673, Stockman 1.0003, Teachman 0.8673, VanRensselaer 1.1278, Vickman 1.0972, Weller 1.0972 – 13.173.

Nays: Edstrom 0.8673, Edwards 0.9684, McElfresh 0.8673, Snyder, Sr. 0.8673, Snyder, Jr. 1.0655, Sprague 1.0230 – 5.6588.

Act No. 217-2014, having received the majority vote of the Legislature, was declared Adopted.

ACT NO. 218-2014 by Mr. VanRensselaer and Mrs. Labuhn

**ESTABLISHING 2013 ECONOMIC DEVELOPMENT SPENDING PLAN
FOR CASINO REVENUE FUND AND ADJUSTING VARIOUS
APPROPRIATION AND REVENUE ACCOUNTS
(Department of Economic Development, Planning & Tourism)**

Pursuant to Section 99-h of the State Finance Law and
Sections 362, 363 and 366 of the County Law.

WHEREAS, Section 99-h of the New York State Finance Law establishes a tribal-state compact revenue account, which consists of all revenues resulting from tribal-state compacts executed pursuant to Article 2 of the New York State Executive Law, and

WHEREAS, Act 202-2014 authorized a contract with the City of Salamanca for the formula distribution for the minimum of 25% of the negotiated percentage of the net drop from electronic gaming devices the state receives pursuant to the compact, and

WHEREAS, a spending plan for the distribution of these funds to Cattaraugus County has been approved by the Empire State Development Corporation, and

WHEREAS, this fund utilizes a budgetary basis, whereby the original authorization will not lapse, and

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

RESOLVED, that the second half of the 2013 Economic Development Spending Plan for casino revenue fund is also hereby established, and be it further

RESOLVED, that the County Administrator is hereby directed to make the following budgetary changes for the second half of the 2013 Economic Development Spending Plan:

Increase Estimated Revenue Account:
 ED.642.6989.6983.2725.2013 2013 Casino Proceeds \$186,608.00

Increase Appropriation Accounts:
 ED.642.6989.6983.48521 Tax-Economic Development Loan Fund \$180,000.00
 ED.642.6989.6983.48522 Historian & Museum Tourism Marketing \$ 6,608.00.

Approved by 8 members of the Finance Committee and 6 members of the Development and Agriculture Committee.

Adopted April 23, 2014 by voice vote.

ACT NO. 219-2014 by Ms. Edstrom and Mrs. Stockman
and Mr. Lamberson¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
 NEW YORK STATE DEPARTMENT OF HEALTH FOR
 DRINKING WATER SUPPLY PROTECTION PROGRAM**

Pursuant to 10 NYCRR Part 53, 21 NYCRR Part 2604 and
 Section 450 of the County Law.

WHEREAS, Act 288-2013 authorized a contract with the New York State Department of Health for the provision of a drinking water supply protection program, the term of which expired March 31, 2014, and

WHEREAS, there is funding available in the amount of \$132,009.00 through the New York State Department of Health, Center for Environmental Health, Division of Environmental Protection, Bureau of Public Water Supply Protection, Flanigan Square, 547 River Street, Troy, New York 12180-2216, for a drinking water supply protection program, and

WHEREAS, the County Health Department is desirous of providing drinking water supply protection services, and

WHEREAS, a contract is necessary in order to obtain the aforementioned funding, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the New York State Department of Health for the aforementioned grant, for a term commencing April 1, 2014 and terminating March 31, 2015, according to the above-described terms, and be it further

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

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

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

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

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

Adopted April 23, 2014 by voice vote.

ACT NO. 220-2014 by Ms. Edstrom and Mrs. Stockman

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Health Department)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, the Health Department is desirous of purchasing a 2014 Ford Fusion, and
WHEREAS, the aforementioned vehicle is available on New York State bid through
Henderson Ford, 810 Ridge Road, Webster, New York 14580, for an amount of \$17,385.00, and

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

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

Increase Estimated Revenue Account:

A.401.4010.0000.1338	Van Per Diem	\$17,385.00
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Increase Estimated Expense Account:

A.401.4010.0000.20101	Vehicles	\$17,385.00.
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Approved by 8 members of the Finance Committee, 7 members of the Public Works Department and 6 members of the Human Services Committee.

Adopted April 23, 2014 by voice vote.

ACT NO. 221-2014 by Ms. Edstrom and Mrs. Stockman

**AMENDING ACT 147-2014 REGARDING CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR ADOLESCENT
TOBACCO USE PREVENTION ACT ENFORCEMENT PROGRAM
(Department of Health)**

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

WHEREAS, Act 147-2014 authorized a contract with New York State Department of Health for a youth tobacco enforcement and preventive work plan to reduce the use and accessibility of tobacco to youths under 18 years of age, the term of which will expire March 31, 2015, and

WHEREAS, Act 147-2014 should be amended to reflect a change in the amount of funding that is available through the New York State Department of Health under the Center for Environmental Health, Bureau of Community Sanitation and Food Protection, for an Adolescent Tobacco Use Prevention Act Enforcement Program for the 2014-2015 program year, now, therefore, be it

RESOLVED, that Act 147-2014 be, and hereby is, amended as follows: In the 2nd Whereas, delete: "\$30,761.00" and replace with: "\$31,427.00".

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted April 23, 2014 by voice vote. Mr. McElfresh voting No.

ACT NO. 222-2014 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
HEALTHY COMMUNITY ALLIANCE, INC. FOR
COORDINATOR OF PUBLIC HEALTH EMERGENCY PREPAREDNESS &
RESPONSE TO BIOTERRORISM**

Pursuant to Sections 224 (8) and 450 of the County Law.

WHEREAS, Act 208-2013 authorized the Chair to execute a contract with Healthy Community Alliance, Inc., 1 School Street, Suite 100, Gowanda, New York 14070, for the services of a Coordinator of Public Health Emergency Preparedness & Response to Bioterrorism (PHEP Coordinator), the term of which expires June 30, 2014, and

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

WHEREAS, the Coordinator of Public Health Emergency Preparedness & Response to Bioterrorism shall be responsible for ensuring that the County Health Department is prepared to respond and react to environmental and/or health-related disasters which may affect Cattaraugus County, and

WHEREAS, Healthy Community Alliance, Inc., can provide personnel to perform the tasks of PHEP Coordinator, which shall include the investigation and implementation of possible educational services to the County in connection with applicable educational programs associated with the County Health Department, for a total amount of \$57,310.00, 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 Healthy Community Alliance, Inc., for the provision of the above-described services, for a term commencing July 1, 2014 and terminating June 30, 2015, according to the above-described terms, and be it further

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

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

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

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted April 23, 2014 by voice vote.

ACT NO. 223-2014 by Mr. Murphy
and Mr. Koch¹

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
U.S. DEPARTMENT OF JUSTICE FOR
BULLETPROOF VEST PARTNERSHIP INITIATIVE**

Pursuant to Public Law 106-517 and Section 450 of the County Law.

WHEREAS, Act 212-2011 authorized the Chair to apply for funding through the U.S. Department of Justice, for the Bulletproof Vest Partnership Initiative, and

WHEREAS, funding is again available in the amount of \$7,000.00 for the aforementioned initiative, and

WHEREAS, the Bulletproof Vest Partnership Initiative provides critical resources to local jurisdictions for the sole purpose of purchasing body armor for sworn law enforcement officers, and

WHEREAS, the Bulletproof Vest Partnership Initiative reimburses jurisdictions for up to 50% of the cost of each unit of eligible body armor purchased for law enforcement officers, and

WHEREAS, the Sheriff's Office is desirous of participating in the aforementioned initiative, and

WHEREAS, this program is 50% federally reimbursable, 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 U.S. Department of Justice, in order to apply for the aforementioned funding, according to the above-described terms.

Approved by 8 members of the Finance Committee and 5 members of the Public Safety Committee.

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

Adopted April 23, 2014 by voice vote.

ACT NO. 224-2014 by Mr. Murphy
and Mr. Koch¹

**AUTHORIZING THE CHAIR TO EXECUTE GRANT APPLICATION WITH
NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE FOR
SHERIFF'S DEPARTMENT TRAFFIC SAFETY PARTNERSHIP PROGRAM**

Pursuant to Section 1229-c of the Vehicle and
Traffic Law and Section 450 of the County Law.

WHEREAS, Act 141-2013 authorized the Chairman to apply for funding through the New York State Governor's Traffic Safety Committee for a Traffic Safety Enforcement Program for the 2012-2013 program year, and

WHEREAS, funding is again available through the New York State Governor's Traffic Safety Committee for a Traffic Safety Enforcement Program for the 2013-2014 program year, for the following components:

Child Safety Seat Program
Selective Traffic Enforcement Program (STEP)
Traffic Safety Education Program,

and

WHEREAS, the Sheriff's Office is desirous of applying for the aforementioned funding,

and

WHEREAS, this program includes funding from the New York State Governor's Traffic Safety Committee, 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 Governor's Traffic Safety Committee, in order to apply for the aforementioned funding, according to the above-described terms, and be it further

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

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

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

Approved by 8 members of the Finance Committee and 5 members of the Public Safety Committee.

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

Adopted April 23, 2014 by voice vote.

ACT NO. 225-2014 by Mr. Edwards and Mr. Lamberson

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
WCA HOSPITAL FOR AUDIOMETRIC TESTING TO INCLUDE
MEDICAL EXAMINATIONS FOR POLICE OFFICERS**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 133-2014 authorized a contract with WCA Hospital for the provision of audiometric examinations, monitoring and training services for certain County employees, the term of which expires December 31, 2014, and

WHEREAS, the Human Resources Department is required to perform medical examinations on prospective Police Officers and Deputy Sheriffs, and

WHEREAS, the Human Resources Department is desirous of having WCA Hospital perform these medical examinations which must meet the standards prescribed by the New York State Municipal Police Training Council, and

WHEREAS, WCA Hospital has agreed to provide the aforementioned medical examination services, in accordance with the following rate schedule:

Industry History and Physical	\$70.00/exam
Drug Screen Teds PLUS	\$47.00/exam
EKG with interpretation	\$45.00/exam
OH Hearing	\$24.00/exam
Form Fee	\$ 5.00/exam,

and

WHEREAS, it is necessary to amend the current contract to include the above-described medical examinations for police officers, 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 an amended contract with WCA Hospital, for the provision of audiometric examinations and medical examination services, for a term commencing January 1, 2014 and terminating December 31, 2014, according to the above-described terms.

Approved by 8 members of the Finance Committee and 4 members of the Labor Relations Committee.

Adopted April 23, 2014 by voice vote.

ACT NO. 226-2014 by Ms. Edstrom and Mrs. Stockman

**APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY
SERVICES BOARD AND GUSTAVUS ADOLPHUS CHILD AND FAMILY SERVICES, INC. FOR
SKILL BUILDING AND RESPITE SERVICES FOR
DEPARTMENT OF COMMUNITY SERVICES CHILD/ADOLESCENT CLIENTS**

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

WHEREAS, the Cattaraugus County Community Services Board is desirous of contracting for skill building and respite services for Department of Community Services child/adolescent clients, and

WHEREAS, Act 612-2012 authorized a contract with Gustavus Adolphus Child and Family Services, Inc., for the provision of skill-building services and respite services for Department of Community Services child/adolescent clients, the term of which expired December 31, 2013, and

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

WHEREAS, Gustavus Adolphus Child and Family Services, Inc., 1293 Union Road, West Seneca, New York 14224, can provide the aforementioned skill-building and respite services for children and adolescent clients for a total contract amount not to exceed \$37,377.00, to be paid on a monthly basis in accordance with the following breakdown, as invoiced:

Skill Building Services	not to exceed \$20,000.00 based on current rate schedule
DSS Placement Prevention	not to exceed \$6,000.00 based on current rate schedule
OMH Respite	not to exceed \$11,377.00 based on current rate schedule,

and

WHEREAS, sufficient funds are included in the 2014 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract between the Cattaraugus County Community Services Board and Gustavus Adolphus Child and Family Services, Inc., to signify the County's approval, 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 8 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted April 23, 2014 by voice vote.

ACT NO. 227-2014 by Ms. Edstrom and Mrs. Stockman

**APPROVING CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
MENTAL HEALTH ASSOCIATION IN CATTARAUGUS COUNTY, INC. FOR
FAMILY SUPPORT SERVICES**

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

WHEREAS, Act 37-2013 authorized approval of a contract with Mental Health Association in Cattaraugus County, Inc., 121 North Union Street, Olean, New York 14760, for the provision of family support services at the Pioneer Central School, the term of which expired December 31, 2013, and

WHEREAS, the Department of Community Services is desirous of continuing the family support services at the Pioneer Central School for children and youth who are referred for Mental Health services and their families, and

WHEREAS, Mental Health Association in Cattaraugus County, Inc., can provide family support services at the Pioneer Central School for an amount of \$4,000.00, and

WHEREAS, sufficient funds are included in the 2014 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, between the Cattaraugus County Community Services Board with Mental Health Association in Cattaraugus County, Inc., to signify the County's approval, 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 8 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted April 23, 2014 by voice vote.

ACT NO. 228-2014 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT WITH
COUNCIL ON ADDICTION RECOVERY SERVICES, INC. FOR
LEASING OF OFFICE SPACE AT THE STONE HOUSE**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 627-2012 authorized the Chair to execute a lease agreement with the Cattaraugus County Council on Alcoholism & Substance Abuse, Inc., for the leasing of space on the third floor of the Stone House in Machias, the term of which expired December 31, 2013, and

WHEREAS, the County has proposed to renew this lease with the Council on Addiction Recovery Services, Inc., formerly Cattaraugus County Council on Alcoholism & Substance Abuse, Inc., consisting of 420 square feet of office space for an amount of \$4,428.00, which includes utilities, except telephone, and

WHEREAS, the Council on Addiction Recovery Services, Inc., 201 South Union Street, Olean, New York 14760, is desirous of leasing the aforementioned space, and

WHEREAS, the Council on Addiction Recovery Services, Inc., shall provide its own office equipment and office furniture, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease agreement, on behalf of Cattaraugus County, with Council on Addiction Recovery Services, Inc., for lease of the above-described office space, 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 8 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted April 23, 2014 by voice vote.

ACT NO. 229-2014 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT WITH
SOUTHERN TIER ENVIRONMENTS FOR LIVING, INC. FOR
LEASE OF SPACE IN COUNTY PROS FACILITY**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 617-2012 authorized a lease agreement with Southern Tier Environments for Living, Inc., (STEL), 715 Central Avenue, Dunkirk, New York 14048, for the leasing of space in the County's Guidepost Facility, which is now known as the PROS Facility, located at 203 Laurens Street in the City of Olean, the term of which expires December 31, 2013, and

WHEREAS, Southern Tier Environments for Living, Inc., has requested to renew the aforementioned lease, and

WHEREAS, the County shall lease to STEL approximately 120 square feet of office space for a total amount of \$1,920.00 per year, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease agreement, on behalf of Cattaraugus County, with Southern Tier Environments for Living, Inc., to lease the above-described space for a term commencing January 1, 2014 and terminating December 31, 2014, according to the above-described terms.

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted April 23, 2014 by voice vote.

ACT NO. 230-2014 by Mr. Marsh

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, Act 48-2014 authorized approval of a contract with Council on Addiction Recovery Services, Inc., for the provision of a substance abuse program in the County, the term of which expires December 31, 2014, and

WHEREAS, the source of the New York State OASAS funding has changed and it is necessary to adjust various appropriation and revenue accounts, now, therefore, be it

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

Decrease Estimated Revenue Accounts:

A.433.4322.3078.4492.013F	Fed Aid, OASAS Continual 100% Fed Aid	\$ 45,609.00
A.433.4322.3520.3492.013S	State Aid, OASAS Continual 100% State Aid	\$220,110.00

Increase Estimated Revenue Accounts:

A.433.4322.3078.3492.013M	State Aid, OASAS, OASAS MH Local Assistance	\$ 45,609.00
A.433.4322.3520.3492.013M	State Aid, OASAS, OASAS MH Local Assistance	\$220,110.00

Decrease Appropriation Accounts:

A.433.4322.3078.42019.013F	CARES, Inc., OASAS Fed Local Assistance	\$ 45,609.00
A.433.4322.3520.42019.013S	CARES, Inc., OASAS State Local Assistance	\$225,691.00

Increase Appropriation Accounts:

A.433.4322.3078.42019.013M	CARES, Inc., OASAS MH Local Assistance	\$ 45,609.00
A.433.4322.3520.42019.013M	CARES, Inc., OASAS MH Local Assistance	\$225,691.00.

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted April 23, 2014 by voice vote.

ACT NO. 231-2014 by Mr. Weller and Mr. Koch
who ask immediate consideration

**BID ACCEPTANCE FOR REPLACEMENT OF CONEWANGO BRIDGE NO. 8 AND
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and
Sections 363, 366, 408 and 408-a of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the replacement of Conewango Bridge No. 8, located on Cowens Corners Road in the Town of Conewango, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications was the bid of Union Concrete and Construction Corp., P.O. Box 410, 105 Center Street, West Seneca, New York 14224, in the amount of \$759,501.50, to be paid periodically based on a percentage of completion, as invoiced, and

WHEREAS, various appropriation accounts must be adjusted in order to cover the cost of the aforementioned replacement project, now, therefore, be it

RESOLVED, that the bid of Union Concrete and Construction Corp. be, and the same hereby is, accepted, for a term commencing upon notice to proceed, with substantial completion by October 31, 2014, with a contract termination date of December 31, 2014, and be it further

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

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

Decrease Appropriation Account:

H.504.5197.5195.25011.41603 Carrollton Bridge No. 24	\$244,307.14
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Increase Appropriation Account:

H.504.5197.5198.25005.41603 Conewango Bridge No. 8	\$244,307.14.
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No State Bid.

Fifteen sets of specifications were sent out.

Five bids were received meeting specifications.

MS. VICKMAN moved, seconded by Mr. Boser to waive Rule 12. Carried.

Adopted April 23, 2014 by voice vote.

ACT NO. 232-2014 by Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Marsh, Mr. McElfresh, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. Teachman, Mr. VanRensselaer, Ms. Vickman, Mr. Weller, Mr. Boser, Mr. Lamberson and Mr. Padlo who ask immediate consideration

**SALE OF TAX TITLE PROPERTY TO FORMER OWNERS
(Towns of Allegany, Ashford, Carrollton, Dayton, Ischua,
Lyndon, Machias and Randolph and City of Olean)**

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

WHEREAS, Cattaraugus County has tax title to certain property situate in the Towns of Allegany, Ashford, Carrollton, Dayton, Ischua, Lyndon, Machias and Randolph and the City of Olean, and

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

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

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

TOWN OF ALLEGANY

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
50	93.043-2-23	Estate of Marie C. Bump	% Carl Bump 515 W. 12 th St. Newton, NC 28658	\$15,958.07

TOWN OF ASHFORD

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
66	19.004-1-16	Edouard Whelan	7908 Wire Rd. Zephyrhills, FL 33540	\$10,101.87

TOWN OF CARROLLTON

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
69	101.079-2-23	Armand W. Burke Carl P. Zandi	3342 McClure Hollow Rd. Allegany, NY 14706 74 Leonard Ave. Bradford, PA 16701	\$4,545.45

TOWN OF DAYTON

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
108	16.003-1-28	Gregory L. Kruszka, Sr.	9796 Peck Hill Rd. Gowanda, NY 14070	\$11,782.94
115	16.003-2-11	Rosaline Stiles	9547 Coon Rd. Gowanda, NY 14070	\$2,625.93

TOWN OF ISCHUA

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
207	68.001-1-32.1	Eric T. Bartholomew	5191 Hatch Hill Rd. Ischua, NY 14743	\$17,294.19

TOWN OF LYNDON

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
226	40.004-2-1.2	Robert F. Oberst Lorie L. Oberst	1827 Wilson Rd. Franklinville, NY 14737	\$10,673.49

TOWN OF MACHIAS

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
234	39.001-1-15.3	Daniel Territo Catherine Territo	8211 Tug Hill Rd. Machias, NY 14101	\$10,335.41

TOWN OF RANDOLPH

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
321	69.004-1-23.4	Randall L. Brown	12407 Route 394 Randolph, NY 14772	\$5,841.35
328	70.064-1-27.1	Alvin Reynolds	56 Main St. Randolph, NY 14772	\$10,727.10

CITY OF OLEAN

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
6	94.075-4-2	Michael Chaffee	248 Clark St. N. Olean, NY 14760	\$7,424.26
22	94.064-2-18	Homefront Properties, LLC	869 Underwood Rd. Hinsdale, NY 14743	\$7,315.67
26	94.041-4-17	Margaret A. Kenney	1106 River St. P.O. Box 132 Olean, NY 14760	\$12,158.72

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

Adopted April 23, 2014 by voice vote.

ACT NO. 233-2014 by Labor Relations Committee:
Mr. Edwards, Mr. Lamberson, Ms. Edstrom,
Ms. Vickman and Mr. Boser
who ask immediate consideration

**AUTHORIZING THE CHAIR TO ENTER INTO AN AGREEMENT
REGARDING TERMS AND CONDITIONS OF PUBLIC EMPLOYMENT
BETWEEN THE COUNTY OF CATTARAUGUS AND THE
CATTARAUGUS COUNTY EMPLOYEE UNIT OF THE
CIVIL SERVICE EMPLOYEES ASSOCIATION, INC. LOCAL 1000,
AFSCME AFL-CIO FOR THE PERIOD
JANUARY 1, 2015 TO DECEMBER 31, 2017**

Pursuant to Article 14 of the Civil Service Law.

WHEREAS, the Cattaraugus County Employee Unit is the bargaining agent for general unit employees of Cattaraugus County, and

WHEREAS, an agreement has been reached on terms and conditions of employment which provides for a 2.0% wage increase for each year, 2015, 2016 and 2017, and

WHEREAS, the agreement also provides for an increase for employee health premium contributions in the year 2016, and

WHEREAS, the items agreed upon for the Articles of Agreement have heretofore been disclosed to the County Legislature for information, and

WHEREAS, the Cattaraugus County Employee Unit of Civil Service Employees Association, Inc. Local 1000, AFSCME AFL-CIO, has heretofore ratified such agreement, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed, on behalf of the County of Cattaraugus, to execute the Articles of Agreement with the Cattaraugus County Employee Unit.

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

Adopted April 23, 2014 by voice vote.

ACT NO. 234-2014 by Labor Relations Committee:
Mr. Edwards, Mr. Lamberson, Ms. Edstrom,
Ms. Vickman and Mr. Boser
who ask immediate consideration

**AUTHORIZING AMENDMENT OF AGREEMENT REGARDING TERMS AND
CONDITIONS OF PUBLIC EMPLOYMENT BETWEEN THE COUNTY OF CATTARAUGUS
AND THE CATTARAUGUS COUNTY EMPLOYEE UNIT OF THE CIVIL SERVICE EMPLOYEES
ASSOCIATION, INC. LOCAL 1000, AFSCME AFL-CIO FOR THE PERIOD
JANUARY 1, 2013 TO DECEMBER 31, 2014 AND
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS**

Pursuant to Article 14 of the Civil Service Law and
Sections 201, 205, 363 and 366 of the County Law.

WHEREAS, the Cattaraugus County Employee Unit is the bargaining agent for general unit employees of Cattaraugus County, and

WHEREAS, Act 587-2013 authorized an agreement regarding the terms and conditions of public employment with the Cattaraugus County Employee Unit of the Civil Service Employees Association, Inc., Local 1000, AFSCME AFL-CIO for the period January 1, 2013 to December 31, 2014 ("the Agreement"), and

WHEREAS, an agreement has been reached on terms and conditions of employment which include an additional 1.5 % wage increase for employees effective January 1, 2014, and

WHEREAS, it is necessary to amend the Collective Bargaining Agreement between the County and the CSEA dated February 14, 2014 in order to provide for this wage increase, and

WHEREAS, the items agreed upon for the Articles of Agreement have heretofore been disclosed to the County Legislature for information, and

WHEREAS, the Cattaraugus County Employee Unit of Civil Service Employees Association, Inc. Local 1000, AFSCME AFL-CIO, has heretofore ratified such amended agreement, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed, on behalf of the County of Cattaraugus, to execute an agreement or memorandum of understanding amending the Agreement, and be it further

RESOLVED, that the County Administrator is hereby directed to appropriate from Fund Balance Account No. A.909.0000, and make the following budgetary changes:

Increase Appropriation Account:

A.901.9010.0000.40602.4	Provision for Wage Settlements	\$446,897.00.
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MR. SNYDER, SR., moved, seconded by Mr. Lamberson to waive Rule 12. Carried.

Adopted April 23, 2014 by voice vote.

ACT NO. 235-2014 by Labor Relations Committee:
Mr. Edwards, Mr. Lamberson, Ms. Edstrom,
Ms. Vickman and Mr. Boser
who ask immediate consideration

**AUTHORIZING THE CHAIR TO ENTER INTO AN AGREEMENT
REGARDING TERMS AND CONDITIONS OF PUBLIC EMPLOYMENT
BETWEEN THE COUNTY OF CATTARAUGUS AND THE
CATTARAUGUS COUNTY SUPERVISORY UNIT OF THE
CIVIL SERVICE EMPLOYEES ASSOCIATION, INC. LOCAL 1000,
AFSCME AFL-CIO FOR THE PERIOD
JANUARY 1, 2014 TO DECEMBER 31, 2017 AND
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS**

Pursuant to Article 14 of the Civil Service Law and
Sections 201, 205, 363 and 366 of the County Law.

WHEREAS, the Cattaraugus County Supervisory Unit is the bargaining agent for supervisory employees of Cattaraugus County, and

WHEREAS, an agreement has been reached on terms and conditions of employment which include a 2% wage increase for employees for the years 2014, 2015, 2016 and 2017, and a one time lump-sum payment of \$500.00 to be made in 2014, and

WHEREAS, this settlement also provides for the implementation of an increase in healthcare insurance contributions in 2014 and 2016, and

WHEREAS, the items agreed upon for the Articles of Agreement have heretofore been disclosed to the County Legislature for information, and

WHEREAS, the Cattaraugus County Supervisory Unit of Civil Service Employees Association, Inc. Local 1000, AFSCME AFL-CIO has heretofore ratified such agreement, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed, on behalf of the County of Cattaraugus, to execute the Articles of Agreement with the Cattaraugus County Supervisory Unit, and be it further

RESOLVED, that the County Administrator is hereby directed to appropriate from Fund Balance Account No. A.909.0000, and make the following budgetary changes:

Increase Appropriation Account:

A.901.9010.0000.40602.4	Provision for Wage Settlements	\$247,121.00.
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MR. EDWARDS moved, seconded by Mr. Koch to waive Rule 12. Carried.

Adopted April 23, 2014 by voice vote.

ACT NO. 236-2014 by Mr. Murphy
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
DENTRUST DENTAL NEW YORK, P.C. FOR JAIL DENTAL SERVICES**

Pursuant to Sections 217 and 450 of the County Law.

WHEREAS, Act 138-2013 authorized a contract with Dentrust Dental New York, P.C., P.O. Box 458, Warrington, Pennsylvania 18976, for the provision of dental services for inmates in the Cattaraugus County Jail, the term of which expires April 30, 2014, and

WHEREAS, the County Sheriff's Department is desirous of extending the term of the aforementioned contract to April 30, 2015, and

WHEREAS, the County shall reimburse Dentrust Dental New York, P.C., in accordance with its standard fee schedule, an amount not to exceed \$18,000.00 per year, to be paid on a monthly basis, as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract extension, on behalf of Cattaraugus County, with Dentrust Dental New York, P.C., for the provision of the above-described services, for a term commencing May 1, 2014 and terminating April 30, 2015, according to the above-described terms.

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

Adopted April 23, 2014 by voice vote.

ACT NO. 237-2014 by Mr. Sprague
*and Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Klancer, Mr. Marsh, Mr. McElfresh,
Mr. Snyder, Sr., Mr. Snyder, Jr., Mrs. Stockman, Mr. Teachman, Mr. VanRensselaer,
Ms. Vickman, Mr. Weller, Mr. Boser, Mr. Koch, Mrs. Labuhn, Mr. Lamberson and Mr. Padlo¹*
who ask immediate consideration

OPPOSING EXPANSION OF FEDERAL CONTROL UNDER CLEAN WATER ACT

Pursuant to Section 153 of the County Law.

WHEREAS, the U.S. Environmental Protection Agency (EPA) and the Army Corps of Engineers (Corps) have released a 371 page draft regulation for Definition of Waters of the U.S. under the Clean Water Act, and

WHEREAS, both agencies are seeking a rule change to give the federal government more authority by expanding the definition of "navigable waters" in the Clean Water Act, and

WHEREAS, the rule change proposed by the EPA and the Corps would subject almost all physical areas with a connection to downstream navigable waters, including features such as ditches, natural or man-made ponds, and flood plains, to the jurisdiction of the Clean Water Act, and

WHEREAS, the proposed rule change, if adopted, will cause significant harm to local farmers, stall the development of businesses, take control of land use for sustainable food production out of our local providers' hands, and negatively impact County-owned and maintained infrastructure such as roadside ditches and flood-control channels, and

WHEREAS, the cost to our farms, municipalities and taxpayers will be enormous, and

WHEREAS, the New York Farm Bureau opposes the proposed rule change, and

WHEREAS, it is impractical for the federal government to regulate every ditch, pond and rain puddle that may have some tenuous connection, miles away, to a body of water currently defined as "navigable", now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby strongly opposes the EPA and Corps expansion of the Clean Water Act, as proposed, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to Governor Cuomo, the Environmental Protection Agency, the Army Corps of Engineers, the National Association of Counties, Senator Young, Assembly Member Giglio, the New York State Association of Counties, and the Western New York Inter-County Association.

MR. VANRENSELAER moved, seconded by Ms. Edstrom to waive Rule 12. Carried.

¹The following Legislators requested their names be listed as additional sponsors: "Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Klancer, Mr. Marsh, Mr. McElfresh, Mr. Snyder, Sr., Mr. Snyder, Jr., Mrs. Stockman, Mr. Teachman, Mr. VanRensselaer, Ms. Vickman, Mr. Weller, Mr. Boser, Mr. Koch, Mrs. Labuhn, Mr. Lamberson and Mr. Padlo".

Adopted April 23, 2014 by voice vote.

ACT NO. 238-2014 by Mr. Weller and Mr. Koch

and Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Klancer, Mr. Marsh, Mr. McElfresh, Mr. Snyder, Sr., Mr. Snyder, Jr., Mrs. Stockman, Mr. Teachman, Mr. VanRensselaer, Ms. Vickman, Mr. Boser, Mrs. Labuhn, Mr. Lamberson, Mr. Padlo and Mr. Sprague¹
who ask immediate consideration

**DECLARING APRIL 22, 2014 EARTH DAY AND
AUTHORIZING DEPARTMENT OF PUBLIC WORKS TO PROVIDE BAGS TO
APPROVED PARTICIPATING ORGANIZATIONS AND WAIVING TRANSFER STATION FEES**

Pursuant to Section 153 of the County Law.

WHEREAS, Earth Day is celebrated annually to recommit to the goals of a healthy environment and a sustainable world, and

WHEREAS the global community now faces extraordinary challenges, such as global health issues, food and water shortages, and economic struggles, and

WHEREAS it is necessary to broaden and diversify this global movement to achieve maximum success, and

WHEREAS all people, regardless of race, gender, income, or geography, have a moral right to a healthy, sustainable environment with economic growth, and

WHEREAS it is understood that the citizens of the global community must step forward and take action to create a green economy to combat the aforementioned global challenges, and

WHEREAS a green economy can be achieved on the individual level through educational efforts, public policy, and consumer activism campaigns, and

WHEREAS, we acknowledge our collective responsibility for environmental education, stewardship and community sustainability, and

WHEREAS, the Cattaraugus County Legislature hereby:

- 1) encourages its residents, businesses and institutions to use EARTH DAY to celebrate the Earth and commit to building a sustainable and green economy,
- 2) invites and encourages all citizens, businesses, organizations, schools, clubs, congregations, neighborhoods and families to participate in Earth Day Activities and engage in environmentally sound practices every day, and
- 3) promotes the participation of all citizens in the County's recycling program every day,

now, therefore, be it

RESOLVED, the Cattaraugus County Legislature hereby pledges to support green economy initiatives in Cattaraugus County and to encourage others to undertake similar actions, and be it further

RESOLVED, the Department of Public Works is hereby authorized to provide refuse bags to organizations approved by the Commissioner of Public Works, and to further waive the transfer station fees for such approved organizations for the period commencing Wednesday, April 23, 2014 through Saturday, May 3, 2014.

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

¹The following Legislators requested their names be listed as additional sponsors: "Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Klancer, Mr. Marsh, Mr. McElfresh, Mr. Snyder, Sr., Mr. Snyder, Jr., Mrs. Stockman, Mr. Teachman, Mr. VanRensselaer, Ms. Vickman, Mr. Boser, Mrs. Labuhn, Mr. Lamberson, Mr. Padlo and Mr. Sprague".

Adopted April 23, 2014 by voice vote.

MS. EDSTROM moved, seconded by Mr. Lamberson to adjourn until May 14, 2014 at 3:00 p.m. Carried.

Meeting adjourned at 4:20 p.m.

Ann M. Giglio
Journal Clerk