

September 23, 2015

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

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed one Legislator absent – Boser.

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MR. WELLER moved, seconded by Mr. Lamberson that the minutes of the September 9, 2015 session be approved. Carried.

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**COMMUNICATIONS:**

New York State Department of State: Acknowledging receipt of Local Law No. 6-2015 (Intro No. 7-2015) and the filing of the same on September 3, 2015.

State Senator Catharine M. Young: Acknowledging receipt of the following Act Numbers: 75-2015, 117-2015, 118-2015, 123-2015, 148-2015, 241-2015, 242-2015, 267-2015, and 368-2015.

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**APPOINTMENTS:**

**CATTARAUGUS COUNTY HIPAA/HITECH COMMITTEE**

*Indefinite Terms*

Lt. Amy George  
Cattaraugus County Sheriff's Office,  
*to fill the position formerly held by Daniel French*

Mary O'Leary, Director  
Community Services Department,  
*to fill the position formerly held by Dawn Colburn*

Marjorie Walsh  
Director of Nursing Services  
Department of Nursing Homes,  
*to fill the position formerly held by Carol Torrey.*

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**ACT NO. 443-2015** by Mr. Weller and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
GREENMAN-PEDERSEN, INC. FOR  
ENGINEERING CONSULTANT SERVICES FOR  
2014 BRIDGE PAINTING PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 603-2013, as amended by Act 628-2014, authorized a contract with Greenman-Pedersen, Inc., 4950 Genesee Street, Buffalo, New York 14225, for the provision of engineering consultant services for the 2014 Bridge Painting Program, the term of which expires December 31, 2015, and

WHEREAS, an amendment of the aforementioned contract is necessary to include construction support, construction inspection and reimbursable expenses that are required to complete the program, and

WHEREAS, Greenman-Pedersen, Inc., can provide the aforementioned additional engineering services for an amount not to exceed \$17,205.33, for a total contract amount of \$87,205.33, to be paid periodically on a percent-of-completion basis as determined by the Department of Public Works, 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 an amended contract, on behalf of Cattaraugus County, with Greenman-Pedersen, Inc., for the provision of the above-described services, for an original contract 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 8 members of the Public Works Committee.

Adopted September 23, 2015 by voice vote.

**ACT NO. 444-2015** by Mr. Weller and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
CATTARAUGUS COUNTY SOIL & WATER CONSERVATION DISTRICT**

Pursuant to Sections 224 (3) and 450 of the County Law.

WHEREAS, Act 16-2015 authorized a contract with the Cattaraugus County Soil & Water Conservation District for the provision of conservation of the soil and water resources of the County through prevention of soil erosion and prevention of flood water and sediment damages, the term of which expires December 31, 2015, and

WHEREAS, storm flooding caused significant streambank damage to previously installed rip rap at the following four (4) sites: East Otto Bridge No. 9, East Otto Bridge No. 15, East Otto Bridge No. 20 and East Otto Culvert No. 11, and

WHEREAS, the aforementioned contract with the Cattaraugus County Soil & Water Conservation District should be amended to include an additional amount of \$5,740.00 for the administration of these additional projects, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with the Cattaraugus County Soil & Water Conservation District, for the provision of additional administration services, for a term commencing September 23, 2015 and terminating December 31, 2015, according to the above-described terms.

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

Adopted September 23, 2015 by voice vote.

**ACT NO. 445-2015** by Mr. Weller and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
WENDEL WD, ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.  
FOR ENGINEERING SERVICES FOR MAKEUP AIR UNITS AND  
FABRICATION SHOP AIR EXTRACTION PROJECTS AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Public Works)**

Pursuant to Sections 215, 363, 366 and 450 of the County Law.

WHEREAS, the existing rooftop makeup air units serving the Sign Shop (MAU-1), Fabrication Shop (MAU-3), Carpenter Shop (MAU-4) and Wash Bay (MAU-10) are failing and are close to the end of their useful life, and

WHEREAS, the Fabrication Shop's extraction exhaust and ventilation system are original to the building's construction and do not currently meet the County's needs, and

WHEREAS, Wendel WD, Engineering, Surveying & Landscape Architecture, P.C., Centerpointe Corporate Park, 375 Essjay Road, Suite 200, Williamsville, New York 14221, can provide the engineering services necessary to evaluate the existing rooftop makeup air units and the extraction exhaust and ventilation system at the Fabrication Shop for an amount of \$51,250.00, to be paid on a percent-of-completion basis, as invoiced and approved by the Department of Public Works, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Wendel WD, Engineering, Surveying & Landscape Architecture, P.C., for the provision of the above-described services, for a term commencing September 23, 2015 and terminating December 31, 2016, according to the above-described terms, and be it further

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

Decrease Appropriation Account:		
H.504.5142.0000.21024.41603	LV Salt Storage Shed	\$44,734.84
Increase Appropriation Account:		
H.504.1627.0000.21059.41603	Air Extraction Fab Shop	\$44,734.84.

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

Adopted September 23, 2015 by voice vote.

**ACT NO. 446-2015** by Mr. Weller and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATTARAUGUS-LITTLE VALLEY CENTRAL SCHOOL DISTRICT  
FOR WORK-BASED LEARNING PROGRAM**

Pursuant to Individuals with Disabilities Act of 2004  
and Section 450 of the County Law.

WHEREAS, the Individuals with Disabilities Act of 2004 requires schools to prepare disabled students for further education, employment and independent living, and

WHEREAS, the Cattaraugus-Little Central School District (School) is desirous of contracting with the County Department of Public Works for a work-based learning program for students with disabilities, and

WHEREAS, a work-based learning program provides a focused and meaningful opportunity grounded in the real world of work for students with disabilities, and

WHEREAS, a student participating in the work-based learning program will be able to earn a New York State Career Development and Occupational Studies Commencement Credential, which will recognize the individual student's preparation and skills for post-school employment, and

WHEREAS, the County Department of Public Works (DPW) has agreed to cooperate with the School in providing a work-based learning program for students placed by the School at a DPW facility, at no cost to the County, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Cattaraugus-Little Valley Central School District, for the provision of the above-described services, for a term commencing September 23, 2015 and terminating June 30, 2016, according to the above-described terms.

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

Adopted September 23, 2015 by voice vote.

**ACT NO. 447-2015** by Mr. Weller and Mr. Koch  
and Mr. Teachman<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
NEW YORK STATE INDUSTRIES FOR THE DISABLED FOR  
OLEAN OFFICE FACILITY JANITORIAL SERVICES TO REFLECT  
PREVAILING WAGE RATE INCREASE**

Pursuant to Section 162 of the State Finance Law and Sections 215 and 450 of the County Law.

WHEREAS, Act 555-2013 authorized a contract with New York State Industries for the Disabled, 155 Washington Avenue, Suite 400, Albany, New York 12210, through SubCon Industries, Inc., for the provision of janitorial services for the Olean Office Facility, the term of which expires December 31, 2015, and

WHEREAS, the New York State Industries for the Disabled, through SubCon Industries, Inc., has notified the County Department of Public Works that due to an increase in the prevailing wage rate schedule published in July of 2015 for the aforementioned services, the cost for the aforementioned services has also increased, and

WHEREAS, a contract amendment is necessary due to the aforementioned rate increase, and

WHEREAS, the New York State Industries for the Disabled, through SubCon Industries, Inc., has agreed to perform the aforementioned janitorial services for an amount of \$14,660.11 per month, for the period July 1, 2015 through December 31, 2015, to be paid on a monthly basis as invoiced, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with the New York State Industries for the Disabled, Inc., through SubCon Industries, Inc., for the provision of the above-described services, for a term commencing July 1, 2015 and terminating December 31, 2015, according to the above-described terms.

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

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

Adopted September 23, 2015 by voice vote. Mrs. Labuhn and Mr. Padlo abstained from vote.

**ACT NO. 448-2015** by Ms. Edstrom and Mrs. Stockman

**APPROVING AMENDED CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
NEW YORK STATE INDUSTRIES FOR THE DISABLED, INC. FOR  
JANITORIAL SERVICES FOR DEPARTMENT OF COMMUNITY SERVICES  
PROS AND CASE MANAGEMENT OFFICES**

Pursuant to Section 162 of the Finance Law and Sections 215 and 450 of the County Law.

WHEREAS, Act 571-2013 authorized a contract with the New York State Industries for the Disabled, Inc., for the provision of janitorial services for the PROS Facility and Case Management Offices located at 203 Laurens Street, Olean, New York 14760, the term of which expires December 31, 2015, and

WHEREAS, the New York State Industries for the Disabled, through SubCon Industries, Inc., has notified the County Department of Community Services that due to an increase in the prevailing wage rate schedule published in July of 2015 for the aforementioned services, the cost for the aforementioned services has also increased, and

WHEREAS, a contract amendment is necessary due to the aforementioned rate increase, and

WHEREAS, the New York State Industries for the Disabled, through SubCon Industries, Inc., has agreed to perform the aforementioned janitorial services for the PROS Facility and Case Management Offices located at 203 Laurens Street, Olean, New York 14760, for an amount of \$1,297.34 per month, for the period July 1, 2015 through December 31, 2015, to be paid on a monthly basis as invoiced, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract between the Cattaraugus County Community Services Board and the New York State Industries for the Disabled, Inc., to signify the County's approval, for the provision of the above-described services, for a term commencing July 1, 2015 and terminating December 31, 2015, according to the above-described terms.

Approved by 6 members of the Finance Committee and 4 members of the Human Services Committee.

Adopted September 23, 2015 by voice vote. Mrs. Labuhn and Mr. Padlo abstained from vote.

**ACT NO. 449-2015** by Mr. Teachman and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH MERIDIAN IT, INC. FOR  
TELEPHONE SYSTEM MAINTENANCE SERVICES**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 272-2005 authorized a contract with MAC Source Communications, Inc., for the provision of maintenance services on the following telephone systems: Definity G351 and Definity Audix for offices located at 303 Court Street in Little Valley, One Leo Moss Drive in Olean and 2245 West State Street in Olean, and

WHEREAS, MAC Source Communications, Inc., has merged with its affiliate Meridian IT, Inc., and

WHEREAS, it is necessary to execute a contract with Meridian IT, Inc., P.O. Box 71426, Chicago, Illinois 60694-1426, for the provision of maintenance services on the aforementioned telephone systems for an amount of \$37,233.00, to be paid as invoiced, 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 Meridian IT, Inc., for the provision of the

above-described services, for a term commencing September 23, 2015 and terminating September 22, 2016, with automatic renewals for successive one year terms at the same rate, unless terminated by either party hereto, according to the above-described terms.

Approved by 8 members of the Finance Committee and 7 members of the County Operations Committee.

Adopted September 23, 2015 by voice vote.

**ACT NO. 450-2015** by Mr. Marsh  
and Mr. Hale, Mrs. Stockman, Mr. Teachman and Mr. VanRensselaer<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CORNELL COOPERATIVE EXTENSION ASSOCIATION OF CATTARAUGUS COUNTY  
AND TRANSFER OF FUNDS  
(Contingent Fund – Cooperative Extension)**

Pursuant to Sections 224 (8), 363, 365 and 450 of the County Law.

WHEREAS, the Cornell Cooperative Extension Association of Cattaraugus County has been organized and will be effective October 1, 2015, for the provision of a variety of services to the youth, farmers, and general public of Cattaraugus County, and

WHEREAS, the County Legislature is desirous of assisting the newly formed Cooperative Extension by providing the amount of \$35,000.00 for the provision of services, which includes the 4-H program, and

WHEREAS, a transfer of funds is necessary in order to cover the cost of the aforementioned program, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract for the year 2015 with the Cornell Cooperative Extension Association of Cattaraugus County for a term commencing October 1, 2015 and terminating December 31, 2015, according to the above-described terms, and be it further

RESOLVED, that payment of the aforementioned amount be made to the Cornell Cooperative Extension Association of Cattaraugus County upon submission of a voucher for payment certified by the Chair of the Legislature, audited by the County Administrator 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:		
A.901.1990.0000.40601	Contingent Fund	\$35,000.00
Increase Appropriation Account:		
A.298.2980.0000.42003	Cornell Cooperative Extension	\$35,000.00.

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

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

Adopted September 23, 2015 by voice vote.

**ACT NO. 451-2015** by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATHOLIC CHARITIES OF WESTERN NEW YORK, INC., FOR  
DEPARTMENT OF SOCIAL SERVICES KINSHIP PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 445-2014 authorized a contract with Catholic Charities of Western New York, Inc., 520 West State Street, Olean, New York 14760, for the provision of a Kinship Program for grandparents or other relatives who obtain custody of children, the term of which expires September 30, 2015, and

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

WHEREAS, the Kinship Program will serve approximately 55 participants and is for those children who are placed with relatives in lieu of foster care, and

WHEREAS, Catholic Charities of Western New York, Inc., can provide the aforementioned Kinship Program for a total amount not to exceed \$65,000.00, to be paid 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 Catholic Charities of Western New York, Inc., for the provision of the above-described services, for a term commencing October 1, 2015 and terminating September 30, 2016, 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 Human Services Committee.

Adopted September 23, 2015 by voice vote.

**ACT NO. 452-2015** by Ms. Edstrom and Mrs. Stockman  
and Mr. Teachman<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 482-2014 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, 2015, 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, 2015 and terminating September 30, 2016, 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 Human Services Committee.

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

Adopted September 23, 2015 by voice vote.

**ACT NO. 453-2015** by Ms. Edstrom and Mrs. Stockman

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

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

WHEREAS, Act 506-2014 authorized contracts with various entities for a family group conferencing program in Cattaraugus County, the terms of which expire September 30, 2015, 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, 2015 and terminating September 30, 2016, 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 Human Services Committee.

Adopted September 23, 2015 by voice vote.

**ACT NO. 454-2015** 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 504-2014 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, 2015, 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, 2015 and terminating September 30, 2016, 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 Human Services Committee.

Adopted September 23, 2015 by voice vote.

**ACT NO. 455-2015** by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
UNITED WAY OF CATTARAUGUS COUNTY FOR  
EARNED INCOME TAX CREDIT PROGRAM COORDINATOR**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 410-2014 authorized a contract with the United Way of Cattaraugus County for the provision of a volunteer coordinator for the Earned Income Tax Credit program, the term of which expires September 30, 2015, and

WHEREAS, the County Department of Social Services is desirous of providing services of a volunteer coordinator for the Earned Income Tax Credit program, and

WHEREAS, the United Way of Cattaraugus County, 807 West State Street, Olean, New York 14760, can provide a volunteer coordinator for the Earned Income Tax Credit program for an amount not to exceed \$14,000.00, to be paid 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 United Way of Cattaraugus County, for

the provision of the above-described services, for a term commencing October 1, 2015 and terminating September 30, 2016, 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 Human Services Committee.

Adopted September 23, 2015 by voice vote.

**ACT NO. 456-2015** by Mrs. Stockman  
and Mr. Teachman 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 507-2014 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, 2015, 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, 2015 and terminating September 30, 2016, 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 4 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, 2015 by voice vote. Ms. Edstrom abstained from vote.

**ACT NO. 457-2015** by Ms. Edstrom and Mrs. Stockman

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

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

WHEREAS, Act 177-2015 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the provision of child abuse prevention services for the Department of Social Services, the term of which expires September 30, 2015, and

WHEREAS, the Department of Social Services is also desirous of contracting for the provision of family assessment response services, and

WHEREAS, Cattaraugus Community Action, Inc., can provide the aforementioned child abuse prevention services and the family assessment response services for an amount not to exceed \$101,719.75, 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 child abuse prevention services and family assessment response services, for a term commencing October 1, 2015 and terminating September 30, 2016, 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 Human Services Committee.

Adopted September 23, 2015 by voice vote.

**ACT NO. 458-2015** by Mrs. Stockman  
and Mr. Teachman and Mr. Padlo<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
OLEAN COMMUNITY SCHOOLS FOR HIGH SCHOOL EQUIVALENCY INSTRUCTION  
AND MATH AND READING TUTORIAL SERVICES  
(Departments of Social Services and Probation)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 301-2015 authorized a contract with the Olean Community Schools for the provision of high school equivalency (HSE) instruction services for eligible recipients<sup>2</sup>, in the Olean area, referred by the Department of Social Services, the term of which expires December 31, 2015, and

WHEREAS, Act 508-2014 authorized a contract with Olean Community Schools for the provision of math and reading tutorial services for recipients of services, the term of which expires September 30, 2015, and

WHEREAS, the County Department of Social Services is desirous of continuing the aforementioned HSE instruction services in the Olean area for a period to terminate September 30, 2016, and

WHEREAS, the County Probation Department is also in need of HSE instruction services in the Salamanca area for a period to terminate September 30, 2016, and

WHEREAS, the County Department of Social Services is also desirous of continuing the aforementioned math and reading tutorial services for a period to terminate September 30, 2016, and

WHEREAS, Olean Community Schools, 410 West Sullivan Street, Olean, New York 14760, through its Adult Education Program, can provide the aforementioned HSE instruction services and math and reading tutorial services for the Departments of Social Services and Probation for a total amount not to exceed \$32,000.00<sup>2</sup>, to be paid 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, 2015 and terminating September 30, 2016, 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, 4 members of the Human Services Committee and 6 members of the Public Safety Committee.

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

<sup>2</sup>MRS. STOCKMAN moved, seconded by Mrs. Labuhn, to amend as follows: In the first Whereas, delete: "up to the age of 21"; in the sixth Whereas, delete: "\$22,000", and replace with: "\$32,000". Carried.

Adopted, as amended, September 23, 2015 by voice vote. Ms. Edstrom abstained from vote.

**ACT NO. 459-2015** by Ms. Edstrom and Mrs. Stockman

**APPROVING 804 AGREEMENT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND WESTERN NEW YORK CHILDREN'S PSYCHIATRIC CENTER FOR FOLLOW-UP MENTAL HEALTH SERVICES AND MONITORING**

Pursuant to Chapter 804 of the Laws of 1975 and Section 450 of the County Law.

WHEREAS, Act 529-2007 authorized the County Administrator to enter into an 804 Agreement with the Western New York Children's Psychiatric Center in order to ensure that mental health patients receive the appropriate follow-up mental health services and monitoring following discharge or conditional release, the term of which has expired, and

WHEREAS, the Cattaraugus County Community Services Board is desirous of renewing the 804 Agreement with the Western New York Children's Psychiatric Center, and

WHEREAS, the Western New York Children's Psychiatric Center, 1010 East & West Road, West Seneca, New York 14224, has agreed to enter into the above-referenced 804 Agreement at no cost to the County, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an 804 agreement between the Cattaraugus County Community Services Board and the Western New York Children's Psychiatric Center, to signify the County's approval, for the provision of the above-described services, for a term commencing September 1, 2015 and terminating August 31, 2018, according to the above-described terms.

Approved by 8 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted September 23, 2015 by voice vote.

**ACT NO. 460-2015** by Ms. Edstrom and Mrs. Stockman

**APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND NEW YORK STATE OFFICE OF MENTAL HEALTH FOR DEPARTMENT OF COMMUNITY SERVICES EARLY RECOGNITION SERVICES**

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

WHEREAS, Act 549-2014 authorized a contract with the New York State Office of Mental Health in order to accept funding in the amount of \$110,404.00 for the Department of Community

Services Early Recognition Specialist and related supervision and administrative costs for the 2015 program year, and

WHEREAS, funding in the amount of \$112,468.00 has been awarded to the Department of Community Services to cover the cost of an Early Recognition Specialist and related supervision, administrative and operating costs for the 2016 program year, and

WHEREAS, a contract is necessary with the New York State Office of Mental Health in order to accept the aforementioned grant funding, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract between the Cattaraugus County Community Services Board and the New York State Office of Mental Health, to signify the County's approval, contingent upon and subject to the inclusion in the 2016 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, in order to accept the aforementioned funding, for a term commencing January 1, 2016 and terminating December 31, 2016, 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 Human Services Committee.

Adopted September 23, 2015 by voice vote.

**ACT NO. 461-2015** by Ms. Edstrom and Mrs. Stockman  
and Mr. Padlo<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CITY OF OLEAN FOR  
REIMBURSEMENT FOR OATS BUS SERVICE**

Pursuant to Public Law 104-1993, Section 119-o of the  
General Municipal Law and Section 450 of the County Law.

WHEREAS, Act 449-2014 authorized a contract with the City of Olean for the operation of the O.A.T.S. bus service within the City, the term of which expired May 31, 2015, and

WHEREAS, the County Department of Social Services is desirous of continuing the aforementioned bus service within the City of Olean, and

WHEREAS, the County is desirous of reimbursing the City of Olean a lump sum amount of \$13,814.92 for transportation services provided to DSS-eligible recipients during the period June 1, 2015 through May 31, 2016, and

WHEREAS, the City of Olean has agreed to provide the O.A.T.S. bus transportation services to DSS-eligible recipients, and

WHEREAS, these services are 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 City of Olean, for reimbursement for the provision of transportation services to DSS-eligible recipients, for a term commencing June 1, 2015 and terminating May 31, 2016, 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 Human Services Committee.

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

Adopted September 23, 2015 by voice vote.

**ACT NO. 462-2015** by Labor Relations Committee:

Mr. Edwards, Mr. Lamberson, Ms. Edstrom,  
Ms. Vickman and Mr. Boser  
and Mr. Marsh

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
AON RISK SERVICES CENTRAL, INC. FOR BROKER OF RECORD SERVICES  
FOR COUNTY INSURANCE PROGRAM**

Pursuant to Sections 52 and 78 of the General Municipal Law and  
Sections 215 and 450 of the County Law.

WHEREAS, Act 38-2015 authorized a contract with Marsh USA, Inc., 300 South State Street, Suite 300, Syracuse, New York 13202, to serve as Insurance Broker of Record for the County's Commercial Property, Boiler & Machinery, Commercial Crime, and Excess Workers' Compensation & Employer's Liability, Excess Public Entity Liability 1<sup>st</sup> Layer and Excess Public Entity Liability 2<sup>nd</sup> Layer, the term of which expires December 31, 2015, and

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

WHEREAS, Aon Risk Services Central, Inc., 200 East Randolph Street, Chicago, Illinois 60601, with a local office at One Liberty Place, Suite 1000, 1650 Market Street, Philadelphia, Pennsylvania 19103, has agreed to provide brokerage services for the County's Commercial Property, Boiler & Machinery, Commercial Crime, and Excess Workers' Compensation & Employer's Liability,

Excess Public Entity Liability 1<sup>st</sup> Layer and Excess Public Entity Liability 2<sup>nd</sup> Layer, for an annual amount of \$90,000.00, to be paid as invoiced, 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, contingent upon and subject to the inclusion in the 2016 budget of sufficient funds to cover the costs of the aforementioned services, with Aon Risk Services Central, Inc., for the provision of the above-described brokerage services, for a term commencing January 1, 2016 and terminating December 31, 2016, according to the above-described terms.

Approved by 8 members of the Finance Committee.

Adopted September 23, 2015 by voice vote.

**ACT NO. 463-2015** by Mr. Sprague  
and Mrs. Labuhn  
*and Mrs. Stockman, Ms. Vickman and Mr. Padlo*<sup>1</sup>

**LOCAL LAW NUMBER 9 - 2015**  
**COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW PROHIBITING THE SALE OF PERSONAL CARE<sup>2</sup> PRODUCTS  
CONTAINING MICROBEADS IN CATTARAUGUS COUNTY**

**SECTION 1.** Legislative Findings and Intent. The Legislature hereby makes the following findings and determinations:

1.1 The Legislature hereby finds and determines that microbeads, a synthetic alternative ingredient to such natural materials as ground almonds, oatmeal and pumice, found in over one hundred personal *care*<sup>2</sup> products, including facial cleansers, shampoos and toothpastes, pose a serious threat to Cattaraugus County's environment.

1.2 Microbeads have been documented to collect harmful pollutants, already present in the environment, and harm fish and other aquatic organisms that form the base of the aquatic food chain.

1.3 Microbeads have been found in high quantity in New York State's water bodies.

1.4 Research has indicated that the majority of these microbeads are entering bodies of water through disposal down household drains following the use of such personal *care*<sup>2</sup> products. Without significant and costly improvements to Cattaraugus County's sewage treatment facilities, *and the many private and municipal sewage treatment facilities throughout Cattaraugus County,*<sup>2</sup> microbeads contained in personal *care*<sup>2</sup> products have the potential to pollute the water bodies and waterways located within Cattaraugus County.

1.5 It is the intent of the Legislature to protect and preserve the waterways located within Cattaraugus County, which are vital to the health and wellbeing of the public, as well as the protection and preservation of wildlife. The waterways within Cattaraugus County include, *without limitation,*<sup>2</sup> the following:

Allegheny River	Dodge Creek	Lime Lake Outlet	Red House Lake
Allen Brook	Drakes Run	Limestone Brook	Rice Brook
Bailey Brook	Dry Brook Creek	Linlyco Lake	Robinson Run
Barker Run	Dry Creek	Little Bone Run	Saunders Creek

Battle Creek	Dublin Creek	Little Conewango Creek	Sawmill Run
Bay State Brook	East Branch Bucktooth Run	Little Indian Creek	Science Lake
Bear Creek	East Otto Creek	Little Valley Creek	Scott Branch
Beaver Lake	Elk Creek	Louds Creek	Skim Lake
Beaver Meadow Creek	Elkins Brook	Mansfield Creek	Slab City Creek
Beehunter Creek a/k/a			
Beeline Creek	Elm Creek	Maples Club Pond	Snow Brook
Big Indian Creek	Elton Creek	McIntosh Creek	South Branch Cattaraugus Creek
Birch Run	English Creek	McKinstry Creek	South Branch Sawmill Run
Birch Run Pond #1	Fay Hollow Brook	McMurray Creek	South Branch State Line Run
Blaisdell Creek	Five Mile Creek	Meetinghouse Run	State Line Run
Bolivar Brook	Flatstone Creek	Mill Creek	Stephens Lake
Bone Run	Fly Creek	Mill Run Brook	Stoddard Creek
Bova Creek	Forks Creek	Mud Creek	Stony Creek
Boyce Run	Four Mile Creek	Moores Pond	Storrs Creek
Breeds Run	France Brook	Murray Brook	Sucker Pond
Browns Run	Franklinville Retention Pond	New Albion Lake	Sunfish Run
Allegheny Reservoir	Frog Pond	Newton Run	Ten Mile Creek
Bryant Hill Creek	Gates Creek	Nichols Run	Thatcher Brook
Buttermilk Creek	Godfrey Hollow Branch	Nigh Creek	Timber Lake
Butternut Brook	Goodell Creek	Nine Mile Creek	Titus Run
Cabic Pond	Gooseneck Creek	North Branch Conewango Creek	Tunungwant Creek
Caneadea Creek	Great Valley Creek	North Branch Indian Creek	Two Mile Creek
Carrollton Run	Guernsey Run	North Branch Mill Creek	Union Valley Creek
Case Lake	Gulf Brook	North Branch Sawmill Run	Utley Brook
Cass Run	Gulf Creek	Oil Creek	Vee Pond
Cattaraugus Creek	Haines Creek	Olean Creek	Waterman Brook
Cherry Creek	Harwood Lake	Oswayo Creek	Wayman Branch
Chipmunk Creek	Haskell Creek	Paisley Park Pond	West Branch Bucktooth Run
Clear Creek	Hidden Creek	Perrysburg Conservation Club Pond	West Branch Conewango Creek
Cold Spring Creek	Holts Run	Peters Creek	West Branch Creek
Conewango Creek	Honey Brook	Phillips Brook	West Branch Four Mile Creek
Connoisarauley Creek	Hotchkiss Run	Pickup Lake	Wheeler Brook
Coon Branch	Indian Creek	Pierce Run	Whig Street Creek
Coon Creek	Irish Brook	Plum Brook	Willis Creek
County Pond A	Ischua Creek	Plum Creek	Willoughby Creek
County Pond B	Johnson Brook	Point Peter Brook	Windfall Creek
Crandall Pond	Johnson Creek	Porter Creek	Wolf Run Creek
Cricks Run	King Brook	Pratts Brook	Wrights Creek
Crystal Lake	Kings Brook	Quaker Lake	Yeager Brook
Cuba Lake Outlet	Lake Flavia	Quaker Run	
Davis Brook	Leonard Brook	Rainbow Lake	
Deer Creek	Lillibridge Creek	Rawson Creek	
Devereaux Branch	Lime Lake	Red House Brook	

**SECTION 2. Definitions.** As used in this Local Law, the following terms shall have the meanings indicated:

2.1 "Microbead" shall mean any intentionally added plastic particle measured to be five millimeters or less in size used to exfoliate or cleanse in a personal care product.

2.2 "Personal care product" shall mean any (a) article intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance, including but not limited to soap, exfoliates, shampoos, toothpastes and scrubs, and (b) article intended for use as a component of any such article. The term "personal care<sup>2</sup> product" shall not include any product for which a prescription is required for distribution or dispensation as provided in Section 281 of New York State Public Health Law or Section 6810 of New York State Education Law.

SECTION 3. Restrictions on the Sale of Microbeads in Cattaraugus County. It shall be unlawful for any person, firm, corporation, or any other entity no matter how constructed to sell, offer or expose for sale, give or furnish any personal *care*<sup>2</sup> product which contains microbeads as defined herein.

SECTION 4. Enforcement.

4.1 The County of Cattaraugus through its Department of Health ("the Department") shall have sole jurisdiction to enforce the provisions of this local law.

4.2 Any person, firm, corporation, or other entity who/which violates Section 3 of this local law shall be liable for a civil penalty not to exceed two thousand five hundred dollars for each day during which such violation continues, and in addition thereto, such person, firm, corporation, or other entity may be enjoined from continuing such violation. For a second violation, such person, firm, corporation, or other entity shall be liable for a civil penalty not to exceed five thousand dollars for each day during which such violation continues, and in addition thereto, such person, firm, corporation, or other entity may be enjoined from continuing such violation.

4.3 The Cattaraugus County Attorney may bring actions in the name of Cattaraugus County to recover the civil penalty provided by this local law and to enjoin violations of such law in any court of competent jurisdiction.

SECTION 5. Reverse Preemption. This local law shall be null and void on the day that state-wide or federal legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this law, or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by the County of Cattaraugus. The Cattaraugus County Legislature shall determine by resolution whether or not identical or substantially similar state-wide legislation has been enacted for purposes of triggering the provisions of this section.

SECTION 6. Severability. If any clause, sentence, paragraph, subdivision, section or part of this law or the application thereof to any person, individual, corporation, firm, partnership, or business shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its specific application.

SECTION 7. Effective Date. This local law shall become effective 180 days after filing with the Secretary of State.

Approved by 8 members of the Finance Committee and 5 members of the Human Services Committee.

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

<sup>2</sup>MRS. LABUHN moved, seconded by Mr. Sprague, to amend as follows: Throughout the local law including the title, delete: "cosmetic", and replace with: "care"; in Section 1.4 after "facilities," add: "and the many private and municipal sewage treatment facilities throughout Cattaraugus County,"; in Section 1.5, delete: "the Allegheny River and", and replace with: ", without limitation,". Carried.

No further action taken at this time.

**ACT NO. 464-2015** by Mr. Sprague  
and Mrs. Labuhn

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 9 - 2015**

Pursuant to Section 10 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on September 23, 2015, a proposed Local Law entitled, "A Local Law Prohibiting the Sale of Personal Cosmetic Products Containing Microbeads in Cattaraugus County", and

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

RESOLVED, that a public hearing shall be held on the proposed local law by this County Legislature on the 14<sup>th</sup> day of October, 2015, at 3:01 p.m. at the Legislature's Chambers, County Center, 303 Court Street, Little Valley, New York, and that at least five days' notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Approved by 8 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted September 23, 2015 by voice vote.

**ACT NO. 465-2015** by Mr. Weller and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH LABELLA ASSOCIATES, D.P.C.  
FOR THIRD FLOOR COURT RENOVATION STUDY**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, the Department of Public Works is desirous of upgrading the existing third floor courtroom, and

WHEREAS, LaBella Associates, D.P.C., 300 State Street, Suite 201, Rochester, New York 14614, can develop a concept design and budget to upgrade the existing third floor County courtroom for an amount not to exceed \$7,000.00, to be paid on a percent-of-completion basis, 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 LaBella Associates, D.P.C., for the provision of the above-described services, for a term commencing September 23, 2015 and terminating December 31, 2015, according to the above-described terms.

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

Adopted September 23, 2015 by voice vote.

**ACT NO. 466-2015** by Mr. Weller and Mr. Koch  
who ask immediate consideration

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Public Works)**

Pursuant to Sections 363 and 365 of the County Law.

WHEREAS, a transfer of funds from the County Road No. 12 Project to the County Road No. 18 Project is necessary so that paving work can be done prior to the end of this year's paving season, now, therefore, be it

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

Decrease Appropriation Accounts:

H.504.5197.5198.27039.41603	CR#12 Bonded	\$534,394.17
H.504.5197.5197.27039.41603	CR#12 CHIPS	\$388,540.37
H.504.5197.5198.27056.41603	CR#6 Flood	\$377,065.46

Increase Appropriation Accounts:

H.504.5197.5198.27051.41603	CR#18 Bonded	\$911,459.63
H.504.5197.5197.27051.41603	CR#18 CHIPS	\$388,540.37

MS. VICKMAN moved, seconded by Mrs. Labuhn to waive Rule 12. Carried.

Adopted September 23, 2015 by voice vote.

**ACT NO. 467-2015** by Ms. Edstrom, Mrs. Stockman, Mr. VanRensselaer and Ms. Vickman  
who ask immediate consideration

**TRANSFER OF FUNDS  
(Contingent Fund - Children with Special Needs Program)**

Pursuant to Sections 363 and 365 of the County Law.

WHEREAS, the Randolph Central School District has just received its retroactive reimbursement rate for the 2012-2013 school year from the State, and

WHEREAS, a transfer of funds is necessary in order to cover the reimbursement owed to the school, now, therefore, be it

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

Decrease Appropriation Account:

A.901.1990.0000.40601	Contingent Fund	\$34,074.00
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Increase Estimated Revenue Account:

A.296.2961.0000.3277.01	State Aid, Education of Handicapped Children	\$50,059.00
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Increase Appropriation Account:

A.296.2961.2962.40408	Tuition	\$84,133.00.
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MR. TEACHMAN moved, seconded by Mr. Sprague to waive Rule 12. Carried.

Adopted September 23, 2015 by voice vote.

**ACT NO. 468-2015** by Ms. Edstrom and Mrs. Stockman  
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
CATTARAUGUS COMMUNITY ACTION, INC. FOR  
WIC LICENSED PRACTICAL NURSING SERVICES**

Pursuant to Section 3602 of the Public Health Law and  
Section 450 of the County Law.

WHEREAS, Act 483-2014 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, P.O. Box 308, Salamanca, New York 14779, for the provision of licensed practical nursing (LPN) services for the Health Department WIC Program, the term of which expires September 30, 2015, and

WHEREAS, additional services were provided which must be covered, and

WHEREAS, it is necessary to amend the aforementioned contract to include the additional amount of \$1,642.00 to cover the cost of the additional services which were provided, 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 Cattaraugus Community Action, Inc., for the provision of the above-described services, for a term commencing October 1, 2014 and terminating September 30, 2015.

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

Adopted September 23, 2015 by voice vote.

MR. TEACHMAN moved, seconded by Ms. Edstrom to adjourn until October 14, 2015 at 3:00 p.m. Carried.

Meeting adjourned at 4:29 p.m.

Ann M. Giglio  
Journal Clerk