

September 14, 2016

The meeting was called to order by Chairman Paula J. Stockman.

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed two Legislators absent – Boberg and Vickman. Mr. Boberg arrived at 4:57 p.m.

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CHAIRMAN STOCKMAN noted that the minutes of the August 24, 2016 session stand approved as presented.

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**COMMUNICATIONS:**

New York State Member of Assembly Joseph M. Giglio: Acknowledging receipt of Act No. 384-2016.

Schuyler County Legislature: Resolution No. 283 entitled “Resolution Calling on Governor Andrew M. Cuomo and the State Legislature to Work with New York’s Congressional Delegation to Amend and Improve the Family First Prevention Services Act of 2016 to Ensure Essential Fiscal Resources Are Maintained to Support Families in Need”.

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**APPOINTMENTS:**

**YOUTH BUREAU BOARD OF DIRECTORS**

*Ex-Officio Member*

Susan Labuhn  
 430 Broad Street  
 Salamanca, New York 14779,  
*replacing Matthew J. Keller.*

**ADVISORY COMMITTEE ON FLEET MANAGEMENT**

*Indefinite Term*

Richard F. Helmich  
 11357 VanGilder Road  
 Delevan, New York 14042,  
*replacing Matthew J. Keller.*

**CATTARAUGUS EMPIRE ZONE CORPORATION***One-year term to expire December 31, 2016*

Frank H. Higgins  
1616 Gemini Drive  
Olean, New York 14760,  
*replacing Matthew J. Keller.*

\* \* \* \* \*

CHAIRMAN STOCKMAN announced this is the time and place called for a public hearing on **Act No. 399-2016, Local Law Number 8-2016**, entitled, "A Local Law Raising the Legal Age for the Purchase of Tobacco Products in Cattaraugus County to Twenty-One", and that anyone wishing to speak for or against this local law may now do so.

The following people spoke in favor of Local Law Number 8-2016:

Dr. Gil Witte – County Medical Director  
Marc J. Natale – American Heart Association  
Abby Proctor – West Valley Central School student  
Jonathan Chaffee – Resident and employee of Roswell Park  
Ken Dahlgren – Tobacco Free CCA  
Taylor Shearer – Olean High School student

The following person spoke against Local Law Number 8-2016:

Jim Calvin – President, New York Association of Convenience Stores

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

\* \* \* \* \*

CHAIRMAN STOCKMAN called up **Act No. 399-2016, Local Law Number 8-2016**, and asked that it be read.

Chairman Stockman requested a Roll Call vote on Act No. 399-2016, which disclosed as follows:

Ayes: Boberg, Breton, Giardini, Hastings, Helmich, Higgins, Klancer, Labuhn, Neal, Padlo, Snyder, Jr., Snyder, Sr., Stockman, VanRensselaer - 14.

Nays: Hale, Koch - 2.

Act No. 399-2016, Local Law Number 8-2016, having received a majority vote of the Legislature, was declared Adopted.

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ACT NO. 405-2016 by Mr. Klancer and Mr. Koch

**BID ACCEPTANCE FOR HOT DIP STEEL GALVANIZATION  
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for hot dip steel galvanization, according to specifications and general information provided by the Public Works Committee, and

WHEREAS, the only bid received meeting specifications for hot dip steel galvanization is the bid of Frontier Hot Dip Galvanizing, Inc., 1740 Elmwood Avenue, P.O. Box 199, Buffalo, New York 14207-0199, in an amount as follows:

<u>Job Size</u>	<u>2015 Amount</u>	<u>2016 Amount</u>
Single Dip up to 27 feet in length:		
Less than 1,000 lbs	\$0.45/lb	\$0.45/lb
1,000 – 2,000 lbs	\$0.40/lb	\$0.40/lb
2,000 – 5,000 lbs	\$0.35/lb	\$0.35/lb
5,000 – 10,000 lbs	\$0.30/lb	\$0.30/lb
10,000 lbs & greater	\$0.23/lb	\$0.23/lb
Double Dip up to 40 feet in length:		
Less than 1,000 lbs		\$0.68/lb
1,000 – 2,000 lbs		\$0.60/lb
2,000 – 5,000 lbs		\$0.53/lb
5,000 – 10,000 lbs		\$0.33/lb
10,000 lbs & greater		\$0.26/lb

Additional Charges:

1. Surcharge for double dip - For materials which are longer than tank length and which must be dipped first one end and then the other (double dip), any additional charges are included in the above pricing.	50% surcharge of pound rate listed	Included in above pricing
2. Handrails		
3. Tanks	\$ 0.75/lb	\$ 0.75/lb
4. Additional Venting/Holes	\$ 1.00/lb \$50.00/hr	\$ 1.00/lb \$50.00/hr

In determining the award, the specifications require that mileage at the rate of \$1.50 per mile will be used. Each job (materials to be galvanized) requires two (2) round trips., and

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

RESOLVED, that the aforementioned bid of Frontier Hot Dip Galvanizing, Inc., be, and the same hereby is, accepted, for a term commencing October 1, 2016 and terminating September 30, 2017, and be it further

RESOLVED, that the vouchers accordingly certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

No State Bid.

Six sets of specifications were sent out.

One bid was received.

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

Adopted September 14, 2016 by voice vote.

**ACT NO. 406-2016** by Mr. Klancer and Mr. Koch

**BID ACCEPTANCE FOR PURCHASE OF TRI-AXLE EJECTOR TRAILERS  
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the purchase of two (2), new and unused, Tri-Axle Ejector Trailers, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications for the purchase of two (2), new and unused, Spectec SEC4884102 Tri-Axle Ejector Trailers was the bid of Spector Manufacturing, Inc., P.O. Box 158, Industrial Park Road, St. Clair, Pennsylvania 17970, in the total amount not to exceed \$254,492.00, for two (2) trailers, to be paid as invoiced as determined by the Department of Public Works, and

WHEREAS, the Department of Public Works is also accepting the bid option to buy any additional new and unused Tri-Axle Ejector Trailers, for an amount of \$127,246.00 each, if ordered within 12 months of contract award, and

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

RESOLVED, that the bid of Spector Manufacturing, Inc., be, and the same hereby is, accepted, for a term commencing upon notice of award and terminating September 30, 2017, and be it further

RESOLVED, that the vouchers accordingly certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.  
No State Bid.

Four sets of specifications were sent out.

One bid was received which met specifications.

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

Adopted September 14, 2016 by voice vote.

**ACT NO. 407-2016** by Mr. Klancer and Mr. Koch

**BID ACCEPTANCE FOR SALT AND SAND PREMIX  
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for salt and sand premix for the 2016-2017 season requirements, according to specifications provided by the Public Works Committee, and

WHEREAS, the only bid received meeting specifications for salt and sand premix was the bid of Gernatt Asphalt Products, Inc., 13870 Taylor Hollow Road, Collins, New York 14034 (Benz Drive Plant, Springville, New York) as follows:

Ratio of Sand to Salt Per Ton	2015 Price Per Ton Premixed Material F.O.B. Plant	2016 Price Per Ton Premixed Material F.O.B. Plant
4-1	\$21.70	\$21.70
5-1	\$20.00	\$20.00
6-1	\$18.70	\$18.70
7-1	\$17.80	\$17.80
8-1	\$17.10	\$17.10
9-1	\$16.50	\$16.50
10-1	\$16.00	\$16.00

now, therefore, be it

RESOLVED, that the bid of Gernatt Asphalt Products, Inc., be, and the same hereby is, accepted, for a term commencing September 1, 2016 and terminating April 30, 2017, and be it further

RESOLVED, that the vouchers accordingly certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

No State Bid.

Three sets of specifications were sent out.

Only one bid was received.

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

Adopted September 14, 2016 by voice vote.

**ACT NO. 408-2016** by Mr. Klancer and Mr. Koch  
and Ms. Vickman<sup>1</sup>

**BID ACCEPTANCE FOR 2016 STONE HOUSE IMPROVEMENTS – PART 2  
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the 2016 Stone House Improvements Project - Part 2, which shall include the following, according to specifications provided by the Public Works Committee:

- replacement of front porch concrete deck, foundation and railing,
- exterior window replacements and door replacement,
- stone masonry cleaning and repair
- exterior driveway and parking lighting

- exterior site lighting, and
- concrete sidewalks and curbs,

and

WHEREAS, the only bid received meeting specifications was the bid of Kinley Corp of NY, 3295 Maple Avenue, Allegany, New York 14706, in the amount of \$266,000.00, to be paid by the County periodically on a percent-of-completion basis as invoiced and approved by the Department of Public Works, and

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

RESOLVED, that the bid of Kinley Corp of NY, be, and the same hereby is, accepted, for a term commencing within ten (10) days of the effective date of the contract and terminating December 1, 2016, and be it further

RESOLVED, that the vouchers accordingly certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

No State Bid.

Two sets of specifications were sent out.

One bid was received.

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

<sup>1</sup>The following Legislator requested her name be listed as an additional sponsor: "Ms. Vickman".

Adopted September 14, 2016 by voice vote.

**ACT NO. 409-2016** by Mr. Klancer and Mr. Koch  
and Mr. Breton and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT  
WITH ERDMAN, ANTHONY AND ASSOCIATES, INC.  
FOR ASHFORD BRIDGE NO. 37 ENGINEERING DESIGN SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 106-2015 authorized a contract with Erdman, Anthony and Associates, Inc., 2165 Brighton Henrietta Town Line Road, Rochester, New York 14623-2755, for the provision of engineering design services for the Ashford Bridge No. 37 Rehabilitation Project, located on County Road No. 12 (Edies Road) over Cattaraugus Creek, in the Town of Ashford, the term of which expires December 31, 2016, and

WHEREAS, additional services are necessary to complete the design phase of the aforementioned project due to a change in the scope of the project from a bridge rehabilitation to a superstructure replacement project at the request of the New York State Department of Transportation, and

WHEREAS, Erdman, Anthony and Associates, Inc., can provide the necessary engineering design services for an additional amount of \$69,366.00 for a total contract cost not to exceed \$248,733.00, to be paid on a percent-of-completion basis, as invoiced and approved by the Department of Public Works, and

WHEREAS, this project is 80% federally funded (CFDA# 20.205) and 20% state 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 an amended contract, on behalf of Cattaraugus County, with Erdman, Anthony and Associates, Inc., for the provision of the above-described services, which had an original commencement date of March 11, 2015 to terminate December 31, 2017, according to the above-described terms.

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

Adopted September 14, 2016 by voice vote.

**ACT NO. 410-2016** by Mr. Klancer and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE AGREEMENT WITH  
 NYSDOT AND AUTHORIZING CATTARAUGUS COUNTY TO PARTICIPATE IN  
 THE FEDERAL-AID PROJECT ADMINISTERED BY THE NYSDOT  
 (2011 Flood Damage Repairs)**

Pursuant to Title 23 U.S. Code and  
 Section 450 of the County Law.

WHEREAS, a project, for the Emergency Relief Event NY11-01, April-May 2011 flooding, flood damage repair by Cattaraugus County forces, Cattaraugus County, P.I.N. 5ER1.04 (the "Project"), is eligible for funding under Title 23 U.S. Code, as amended, for Federal Emergency Relief that calls for the apportionment of the costs of such project to be borne at the ratio of 100% Federal funds and 0% non-Federal funds for costs associated with restoring essential highway traffic, minimizing the extent of damage, or protecting the remaining facility incurred within 180 days of the event, and the ratio of 80% Federal funds and 20% non-Federal funds for permanent restoration work and the cost of all repairs incurred more than 180 days after the Emergency Event, and

WHEREAS, the County desires to advance the above project by making a commitment of 100% of the non-Federal share of the costs of the Construction Phase of the Project, P.I.N. 5ER1.04, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby approves the above-described project, and be it further

RESOLVED, that the Cattaraugus County Legislature hereby authorizes the County of Cattaraugus to pay in the first instance 100% of the Federal and non-Federal shares of the cost of the Construction Phase of the Project, or portions thereof, and be it further

RESOLVED, that the sum of \$93,571.00 is hereby appropriated and made available to cover the cost of participation in the above phase of the Project, and be it further

RESOLVED, that in the event the full Federal and non-Federal shares of the cost of the Project exceeds the amount appropriated, the County of Cattaraugus shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute all necessary documents, on behalf of Cattaraugus County, with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project, and be it further

RESOLVED, that this Resolution shall take effect immediately.

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

Adopted September 14, 2016 by voice vote.

**ACT NO. 411-2016** by Mr. Klancer and Mr. Snyder, Jr.

**AUTHORIZING COUNTY ADMINISTRATOR AND COMMISSIONER OF PUBLIC WORKS  
TO SOLICIT TIMBER/FORESTRY CONSULTANT SERVICES AND TO ADVERTISE FOR  
SEALED BIDS FROM QUALIFIED PROVIDERS FOR  
FOREST MANAGEMENT SERVICES**

Pursuant to Section 103 of the General Municipal Law.

WHEREAS, the County owns many acres of forestlands which should be managed effectively, and

WHEREAS, the County Administrator and Commissioner of Public Works should issue a request for proposals (RFP) for the development of a management plan for County-owned forestlands and solicit competitive bids for such consultant services, and

WHEREAS, the Consultant selected through the competitive bid process shall also conduct forestry sales of County-owned forestlands when requested by the County, now, therefore, be it

RESOLVED, that the County Administrator and the Commissioner of Public Works are hereby authorized and directed to solicit RFPs for the development of a management plan for County-owned forestlands and to solicit competitive bids for such consultant services, and be it further

RESOLVED, that the Public Works Committee ("the Committee") shall review such information and determine whether one or more qualified vendors have been identified, and be it further

RESOLVED, in the event that the Committee determines that at least one qualified vendor has been identified, the County Administrator and Commissioner of Public Works are hereby authorized and directed to advertise for sealed bids for the provision of timber/forestry consultant services as described herein and as further defined in specifications to be approved by the Committee.

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

Adopted September 14, 2016 by voice vote.

**ACT NO. 412-2016** by Ms. Vickman and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH JAMESTOWN  
COMMUNITY COLLEGE, NEW YORK STATE DEPARTMENT OF LABOR AND  
CATTARAUGUS-ALLEGANY WORKFORCE INVESTMENT BOARD, INC., FOR  
ONE STOP SYSTEM OPERATOR SERVICES**

Pursuant to P.L. 105-220, 20 USCS 9201, 20 CFR 662.400 and  
Section 450 of the County Law.

WHEREAS, Act 644-2014 authorized a contract with Jamestown Community College (JCC), the New York State Department of Labor Division of Employment Services (NYSDOL) and the Cattaraugus-Allegany Workforce Investment Board, Inc. (WIB), the term of which expired June 30, 2016, and

WHEREAS, the Cattaraugus-Allegany Workforce Investment Board, Inc. (WIB), One Blue Bird Square, Olean, New York 14760, is authorized to designate a One Stop Operator that is a consortium of entities operating three or more of the mandated One Stop Partner programs, and

WHEREAS, the consortium consists of the County Department of Social Services (DSS), Jamestown Community College (JCC), the New York State Department of Labor Division of Employment Services (NYSDOL) and the Cattaraugus-Allegany Workforce Investment Board, Inc. (WIB), and

WHEREAS, the NYSDOL and JCC participate as members of the consortium, with DSS coordinating service providers within the One Stop Center, without compensation, and

WHEREAS, the DSS acts as the primary provider of One Stop System services and is responsible for managing and tracking local WIA revenues and expenditures for Cattaraugus County, and for maintaining records and reports as may be required by federal or state authorities or the local WIB, 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 Jamestown Community College (JCC), the New York State Department of Labor Division of Employment Services (NYSDOL) and the Cattaraugus-Allegany Workforce Investment Board, Inc., for the provision of the above-described services, for a term commencing July 1, 2016 and terminating June 30, 2017, according to the above-described terms.

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

Adopted September 14, 2016 by voice vote. Ms. Hastings and Mr. Snyder, Jr., abstained from vote.

**ACT NO. 413-2016** by Mr. Neal and Mr. Boberg

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES FOR  
INDIGENT LEGAL SERVICES FUNDING  
(2013 – 2016 Grant Round 3)**

Pursuant to Article 30 of the Executive Law, Article 18-B  
and Section 450 of the County Law.

WHEREAS, Act 279-2013, as amended by Act 450-2014, authorized a contract with the New York State Office of Indigent Legal Services to apply for, and accept, a three (3) year Indigent Legal Service Funding grant from the New York State Office of Indigent Legal Services for the purpose of improving the availability and quality of indigent legal services, the term of which commenced June 1, 2013 and terminated May 31, 2016, and

WHEREAS, it is necessary to extend the term of the aforementioned contract and plan for disbursement for a period to terminate May 31, 2017, 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 the New York State Office of Indigent Legal Services, in order to allow for time to use the grant funds as prescribed by such office, extending the term of the original contract which commenced June 1, 2013 to terminate May 31, 2017, according to the above-described terms, and be it further

RESOLVED, that the plan for disbursement of Round 3 grant funds continue until May 31, 2017.

Approved by 6 members of the Finance Committee and 5 members of the County Operations/Public Safety Committee.

Adopted September 14, 2016 by voice vote.

**ACT NO. 414-2016** by Mr. Neal, Mr. Boberg, Ms. Vickman and Mr. Padlo

**ABOLISHING ONE (1) FULL-TIME POSITION OF NETWORK SYSTEMS ADMINISTRATOR,  
CREATING ONE (1) FULL-TIME POSITION OF NETWORK COORDINATOR AND  
ESTABLISHING COMPENSATION FOR THE SAME  
(Information Services)**

Pursuant to Sections 204 and 205 of the County Law and  
Section 22 of the Civil Service Law.

WHEREAS, the position of Network Systems Administrator in the Department of Information Services has been vacant for an extended period of time, and

WHEREAS, the Department of Information Services provides services and oversight to monitor the County Network, and

WHEREAS, the Director of Information Services is in need of the services of a Network Coordinator to perform ongoing updates and maintenance to the County Network systems, and

WHEREAS, a New Position Duties Statement has been submitted to the Cattaraugus County Personnel Officer, who has approved and certified the title of Network Coordinator in accordance with Civil Service Law Section 22, and

WHEREAS, sufficient funds are included in the budget of the Department of Information Services for this position, now, therefore, be it

RESOLVED, that effective immediately, there is hereby abolished one (1) full-time position of Network Systems Administrator in the Department of Information Services, Position No. 168-230-001, and be it further

RESOLVED, that effective immediately, there is hereby created one (1) position of Network Coordinator in the Department of Information Services to be filled on a full-time basis, General Bargaining Unit Salary Schedule, Pay Grade 25 (\$25.04 per hour), Position No. 168-221-001.

Approved by 6 members of the Finance Committee, 4 members of the Labor Relations Committee and 5 members of the County Operations/Public Safety Committee.

Adopted September 14, 2016 by voice vote.

**ACT NO. 415-2016** by Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH  
BMI AUDIT SERVICES, LLC FOR HEALTH BENEFIT CLAIMS AUDIT SERVICES  
(Self-Insured Health Plan)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 501-2015 authorized a contract with BMI Audit Services, LLC, for the provision of audit services for the County's health benefit claims, the term of which expired March 31, 2016, and

WHEREAS, the aforementioned audit has not been completed, and the term of the contract should be extended to December 31, 2016 at no additional 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 extension, on behalf of Cattaraugus County, with BMI Audit Services, LLC, for the provision of the above-described auditing services, which originally commenced October 15, 2015 to terminate December 31, 2016, according to the above-described terms.

Approved by 6 members of the Finance Committee and 4 members of the Labor Relations Committee.

Adopted September 14, 2016 by voice vote.

**ACT NO. 416-2016** by Mrs. Stockman

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

Pursuant to 2 NYCRR Section 315.4.

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

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

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

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

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

<u>Title</u>	<u>Name</u>	<u>Ret. Reg.</u>	<u>Authority</u>	<u>Term</u>	<u>Standard Work Hours per Day</u>	<u>Equivalent Days per Month</u>
Public Defender	Mark S. Williams	34833228	Appointed	1/1/16- 12/31/19	7	21.66
Director Veterans Svs	Steven E. McCord	60023017	Appointed	1/1/16- 12/31/19	7	21.67
Legislator	Matthew J. Keller	50567734	Elected	1/1/16- 12/31/19	6	7.83
Legislator	James J. Snyder, Jr.	50568872	Elected	1/1/16- 12/31/19	6	2.83

and be it further

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

Approved by 6 members of the Finance Committee, 4 members of the Labor Relations Committee, 6 members of the Human Services Committee and 5 members of the County Operations/ Public Safety Committee.

Adopted September 14, 2016 by voice vote.

**ACT NO. 417-2016** by Mr. Neal and Mr. Boberg

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH  
NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE FOR  
SHERIFF'S DEPARTMENT DWI CRACKDOWN GRANT PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, funding is available through the New York State Governor's Traffic Safety Committee for the DWI Crackdown Program for the 2016-2017 program year, and

WHEREAS, the purpose of this grant is to provide funding to cover overtime wages incurred in the continued crackdown enforcement of DWIs, and

WHEREAS, participating agencies shall be responsible for their own fringe benefits, and

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

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute 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.

Approved by 6 members of the Finance Committee and 5 members of the County Operations/  
Public Safety Committee.

Adopted September 14, 2016 by voice vote.

**ACT NO. 418-2016** by Mr. Neal and Mr. Boberg

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

Pursuant to Section 450 of the County Law.

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

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

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

WHEREAS, this program is 100% federally funded (CFDA #97.067), now, therefore, be it RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Division of Homeland Security and Emergency Services, in order to apply for the aforementioned funding, according to the above-described terms.

Approved by 6 members of the Finance Committee and 5 members of the County Operations/  
Public Safety Committee.

Adopted September 14, 2016 by voice vote.

**ACT NO. 419-2016** by Mr. Neal and Mr. Boberg

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION  
WITH COMMUNICATION SERVICES OF WNY & PA, INC.  
D/B/A EAGLE RADIO TECHNOLOGIES FOR RADIO MAINTENANCE**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 331-2015 authorized an amended contract with Communication Services of WNY & PA, Inc., d/b/a Eagle Radio Technologies to include frequency modification, coordination and fees for filing with the FCC, for an amount not to exceed \$50,000.00, for the Departments of Public Works, Health and Emergency Services and the Fire Advisory Board, the term of which expired December 31, 2015, and

WHEREAS, the aforementioned contract, for the amount of \$50,000.00, should be extended to December 31, 2020, to cover the ongoing frequency modifications, coordination and filing fees with the FCC, at no additional cost to the County, and

WHEREAS, Communication Services of WNY & PA, Inc., d/b/a Eagle Radio Technologies, 1367 East Second Street, Jamestown, New York 14701, shall continue to provide the ongoing coordination services for the frequency modifications and the FCC filings under the terms of the aforementioned contract, as extended, 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 extension, on behalf of Cattaraugus County, with Communication Services of WNY & PA, Inc., d/b/a Eagle Radio Technologies, of a contract which commenced January 1, 2015 for the provision of the above-described frequency modification and FCC filings, for a term to terminate December 31, 2020, according to the above-described terms.

Approved by 6 members of the Finance Committee and 5 members of the County Operations/ Public Safety Committee.

Adopted September 14, 2016 by voice vote.

**ACT NO. 420-2016** by Mr. Neal and Mr. Boberg

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH  
NEW YORK STATE OFFICE OF HOMELAND SECURITY AND EMERGENCY SERVICES  
FOR 2016 STATE HOMELAND SECURITY PROGRAM GRANT AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Sheriff's Office)**

Pursuant to Public Law 107-56, Department of Homeland Security  
Appropriations Act of 2005, Public Law 108-334 and  
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 471-2015 authorized the Chairman to execute grant documents with the New York State Office of Homeland Security for a grant in the amount of \$40,000.00 for the fiscal year 2015 State Homeland Security Program, and

WHEREAS, the County has been awarded \$40,000.00 under the fiscal year 2016 State Homeland Security Program that must be allocated as follows:

Cattaraugus County Sheriff's Office – A Law Enforcement Terrorism Prevention Program contract in the amount of \$40,000.00 will be initiated to provide funds for the law enforcement community to support terrorism prevention and preparedness efforts,

and

WHEREAS, this program is 100% federally funded (CFDA #97.067) and various appropriation and revenue accounts must be adjusted in order to accommodate the aforementioned funding, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Office of Homeland Security and Emergency Services, in order to receive the above-described grant funding, for a term commencing September 1, 2016 and terminating August 31, 2018, according to the above-described terms, and be it further

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

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

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

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

Increase Estimated Revenue Account:

A.311.3645.3646.4389.01	Homeland Security 2016 Grant	\$40,000.00
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Increase Appropriation Accounts:

A.311.3645.3646.20006	Computer Equipment	\$22,546.00
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A.311.3645.3646.20207	Homeland Security Equipment	\$14,978.00
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A.311.3645.3646.45401	Small Equipment	\$ 2,476.00.
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Approved by 6 members of the Finance Committee and 5 members of the County Operations/ Public Safety Committee.

Adopted September 14, 2016 by voice vote.

**ACT NO. 421-2016** by Ms. Vickman

**APPROVING AMENDED CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
COUNCIL ON ADDICTION RECOVERY SERVICES, INC. FOR  
SUBSTANCE ABUSE PROGRAM FUNDS AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Community Services)**

Pursuant to Articles 1, 19, 23 and 25 of the Mental Hygiene Law and Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 61-2016 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, 2016, and

WHEREAS, NYS Office of Alcoholism & Substance Abuse Services (NYSOASAS) has awarded additional Federal Aid in the amount of \$1,514.00 for the CARES residential program for the period January 1, 2016 through December 31, 2016, and

WHEREAS, an amended contract with CARES is necessary in order to pass the additional funding on to CARES, and

WHEREAS, this program is 61.3% federally funded (CFDA #93.959), 36.1% state funded (NYSOASAS) and 2.6% County funded, and

WHEREAS, the net County cost for the provision of this program shall not exceed \$26,900.00 in County funds, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract for the year 2016 between the Cattaraugus County Community

Services Board and the Council on Addiction Recovery Services, Inc., to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2016 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:

Increase Estimated Revenue Account:

A.433.4322.3520.3492.013M	State Aid, OASAS MH Local Assistance	\$1,514.00
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Increase Appropriation Account:

A.433.4322.3520.42019.013M	CARes OASAS MH Local Assistance	\$1,514.00.
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Approved by 6 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted September 14, 2016 by voice vote.

**ACT NO. 422-2016** by Mr. VanRensselaer

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

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

WHEREAS, Act 476-2015 authorized the Chair to execute a grant application and contract with the Defense Logistics Agency, 8725 John J. Kingman Road, Ft. Belvoir, Virginia 22060-6221, in order to secure funding for the continuation of the Procurement Technical Assistance Program and such funding was received, and

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

WHEREAS, it is estimated that the project cost will not exceed \$161,367.00, of which Cattaraugus County's cash contribution and in-kind contribution will not exceed \$41,000.00, and

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

WHEREAS, this program is 75% federally funded (CFDA #12.002) and 25% County funded, and sufficient funds are included in the budget to cover the County's 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 grant application and contract, on behalf of Cattaraugus County, with the Defense Logistics Agency in order to secure funding for the continuation of the Procurement Technical Assistance Program, and be it further

RESOLVED, that the Procurement Technical Assistance Program will commence January 16, 2017 and terminate January 15, 2018, and be it further

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

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

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

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

Adopted September 14, 2016 by voice vote.

**ACT NO. 423-2016** by Mr. VanRensselaer

**AUTHORIZING APPLICATION FOR TOURISM PROMOTION AND  
DESIGNATING GRANT ADMINISTRATOR**

Pursuant to Section 164 of the Economic Development Law.

WHEREAS, Act 555-2015 authorized an application for tourism promotion and designated the grant administrator, and

WHEREAS, the New York State Tourist Promotion Act provides that the Commissioner of Economic Development may, upon application, match the funds expended by tourist promotion agencies and provide other assistance to local organizations for the promotion of tourist travel, resorts, and vacation businesses of the State of New York, and

WHEREAS, before an application for matching funds for the promotion of tourism can be submitted, it is required that the Cattaraugus County Legislature designate a tourist promotion agency to make such application and to receive grants for the purposes specified in the law, and

WHEREAS, Cattaraugus County should contribute a local share of \$70,000.00 in Fiscal Year 2016 to leverage additional funds from the New York State I Love New York Matching Funds Program, now, therefore, be it

RESOLVED, that the Cattaraugus County Department of Economic Development, Planning and Tourism, is hereby authorized and directed to submit all the required applications and other documents, on behalf of Cattaraugus County, necessary for the purpose of receiving these funds, and be it further

RESOLVED, that the Cattaraugus County Department of Economic Development, Planning and Tourism, is hereby authorized and directed to receive grants from the State of New York for, and on behalf of, Cattaraugus County for the purposes herein specified, and be it further

RESOLVED, that the Cattaraugus County Department of Economic Development, Planning and Tourism is hereby designated as the administrator of these funds, and be it further

RESOLVED, that the Cattaraugus County Department of Economic Development, Planning and Tourism is authorized to apply for state matching funds up to \$500,000.00 for the program year October 1, 2016 through September 30, 2017, and be it further

RESOLVED, that if the application for such funding is approved, then the Cattaraugus County Department of Economic Development, Planning and Tourism shall submit the grant agreement to the Legislature for approval and appropriation prior to the commencement of any work, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Commissioner of Economic Development of the State of New York and the Marketing Manager, Matching Funds, New York State Department of Economic Development, and be it further

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

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

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

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

Adopted September 14, 2016 by voice vote.

**ACT NO. 424-2016** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS  
WITH APPALACHIAN REGIONAL COMMISSION  
FOR THE COUNTY-WIDE TRAILS SYSTEM PLAN AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Economic Development, Planning & Tourism)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 276-2015 authorized the Chair to apply for funding through the Appalachian Regional Commission for the development of a Comprehensive County-Wide Trails System Plan ("Plan") (ARC Project Number NY-18541) that will integrate the preservation and promotion of the County's cultural heritage, natural and community assets while providing an economic opportunity for outdoor-oriented tourism, and

WHEREAS, the County Department of Economic Development, Planning and Tourism has been awarded a grant in the amount of \$28,000.00 from the Appalachian Regional Commission (CFDA #23.002) to assist with the development of the aforementioned Plan, and

WHEREAS, it is necessary to execute grant documents in order to accept and receive the aforementioned funding, and

WHEREAS, there is a \$28,005.00 County match required, and various appropriation and revenue accounts must be adjusted in order to accommodate the grant, 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 Appalachian Regional Commission, in order to accept and receive the above-described funding, for a term commencing June 1, 2016 and terminating November 30, 2017, according to the above-described terms, and be it further

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

Increase Estimated Revenue Account:

A.642.8020.8022.4989.03	Comprehensive County Trails System Plan	\$28,000.00
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Increase Appropriation Account:

A.642.8020.8022.41603	Contracted Services	\$28,000.00.
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Approved by 6 members of the Finance Committee and 5 members of the Development and Agriculture Committee.

Adopted September 14, 2016 by voice vote.

**ACT NO. 425-2016** by Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH INTERACTIVE HEALTH, INC.  
FOR HEALTH WELLNESS PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, the County provides a health wellness program for its employees that are insured under the Independent Health Medical Plan, and

WHEREAS, Interactive Health, Inc., 1700 East Golf Road, Suite 900, Schaumburg, Illinois 60173, shall continue to provide the following services for County employees for an amount of \$195.00 per completed health evaluation:

- Health Evaluation (including biometric screening),
- Post Evaluation Materials, Tools and Actions,
- Post Evaluation Client reporting,
- Interactive Health Standard Tools and Resources, and
- Healthy Lifestyle Coaching,

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 Interactive Health, Inc., for the provision of the above-described services, for a term commencing January 1, 2016 and terminating December 31, 2017, according to the above-described terms.

Approved by 6 members of the Finance Committee and 4 members of the Labor Relations Committee.

Adopted September 14, 2016 by voice vote.

**ACT NO. 426-2016** by Ms. Vickman and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
OLEAN YMCA, INC. 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 452-2015 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, 2016, 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 (CFDA #93.558), 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, 2016 and terminating September 30, 2017, according to the above-described terms, and be it further

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

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

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

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

Adopted September 14, 2016 by voice vote.

**ACT NO. 427-2016** by Ms. Vickman and Mrs. Labuhn

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

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

WHEREAS, Act 453-2015 authorized contracts with various entities for a family group conferencing program in Cattaraugus County, the terms of which expire September 30, 2016, 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. \$13,000.00  
 234 North Union Street  
 Olean, New York 14760,

and

WHEREAS, a portion of this program is 62% state funded and 38% County funded, and the other portion is 100% federally funded (CFDA #93.558), 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, 2016 and terminating September 30, 2017, according to the above-described terms, and be it further

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

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

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

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

Adopted September 14, 2016 by voice vote.

**ACT NO. 428-2016** by Ms. Vickman and Mrs. Labuhn

**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 454-2015 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, 2016, 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 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 above-described services, for a term commencing October 1, 2016 and terminating September 30, 2017, according to the above-described terms, and be it further

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

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

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

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

Adopted September 14, 2016 by voice vote.

**ACT NO. 429-2016** by Ms. Vickman and Mrs. Labuhn

**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 457-2015 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, 2016, 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, 2016 and terminating September 30, 2017, according to the above-described terms, and be it further

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

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

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

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

Adopted September 14, 2016 by voice vote.

**ACT NO. 430-2016** by Ms. Vickman and Mrs. Labuhn

**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 451-2015 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, 2016, 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 (CFDA #93.558), 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, 2016 and terminating September 30, 2017, according to the above-described terms, and be it further

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

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

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

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

Adopted September 14, 2016 by voice vote.

**ACT NO. 431-2016** by Ms. Vickman and Mrs. Labuhn

**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 456-2015 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, 2016, 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 (CFDA #93.558), 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, 2016 and terminating September 30, 2017, according to the above-described terms, and be it further

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

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

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

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

Adopted September 14, 2016 by voice vote.

**ACT NO. 432-2016** by Ms. Vickman and Mrs. Labuhn

**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 458-2015 authorized a contract with the Olean Community Schools for the provision of high school equivalency (HSE) instruction services and math and reading tutorial

services for the Departments of Social Services and Probation for eligible recipients up to the age of 21, in the Olean and Salamanca areas, the term of which expires September 30, 2016, 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, 2017, 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, 2017, 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, 2017, 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, to be paid as invoiced, and

WHEREAS, this program is 100% federally funded (CFDA #93.558), 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, 2016 and terminating September 30, 2017, according to the above-described terms, and be it further

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

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

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

Approved by 6 members of the Finance Committee, 6 members of the Human Services Committee and 5 members of the County Operations/Public Safety Committee.

Adopted September 14, 2016 by voice vote.

**ACT NO. 433-2016** by Ms. Vickman and Mrs. Labuhn

**AMENDING ACT 393-2016 REGARDING CONTRACT WITH  
CATTARAUGUS COMMUNITY ACTION, INC. FOR WIC NUTRITIONIST  
AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS  
(Health Department)**

Pursuant to Section 3602 of the Public Health Law and  
Sections 363, 366 and 450 of the County Law

WHEREAS, Act 393-2016 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the provision of a full-time qualified nutritionist for the County's WIC Program for an amount of \$46,344.00, to be paid on a monthly basis as invoiced, and

WHEREAS, due to the factors involved with the Cattaraugus Community Action employee who was hired as the full-time qualified nutritionist for the WIC Program, the aforementioned contract should be increased by \$7,038.00<sup>1</sup> to a total contract amount of \$53,382.00<sup>1</sup>, and

WHEREAS, Act 393-2016 should be amended to reflect the increase in the amount and a revised commencement date of September 19, 2016, and

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

RESOLVED, that Act 393-2016 be, and hereby is, amended as follows: In the Second Whereas, delete: "\$46,344.00", and replace with: "\$53,382.00<sup>1</sup>", and be it further

RESOLVED, that in the first Resolved, delete: "October 1, 2016", and replace with: "September 19, 2016", and be it further

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

Decrease Appropriation Account:

A.401.4082.0000.41220	Nursing Services Contracted	\$7,038.00 <sup>1</sup>
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Increase Appropriation Account:

A.401.4082.0000.41225	Dietician/Nutrition Services	\$7,038.00 <sup>1</sup> .
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Approved by 6 members of the Finance Committee and 6 members of the Human Services Committee.

<sup>1</sup>MRS. LABUHN moved, seconded by Ms. Hastings, to amend as follows: In the Second Whereas, delete: "\$880.00", and replace with: "\$7,038.00"; delete: "\$47,224.00", and replace with: "\$53,382.00"; in the First Resolved, delete: "\$47,224.00", and replace with: "\$53,382.00"; and in the Third Resolved, delete: "\$880.00", and replace with: "\$7,038.00". Carried.

Adopted, as amended, September 14, 2016 by voice vote.

#### ACT NO. 434-2016 by Mrs. Stockman

#### APPOINTMENT TO INDUSTRIAL DEVELOPMENT AGENCY BOARD OF DIRECTORS

Pursuant to Section 856 of the General Municipal Law.

WHEREAS, Michael Wimer resigned from the Board in July, 2016 due to a work-related conflict and now wishes to be reappointed as a member of the Board as the conflict no longer exists, now, therefore, be it

RESOLVED, that the following individual is hereby appointed to the Industrial Development Agency Board of Directors:

Michael Wimer

120 Main Street

Little Valley, New York 14755

*(replacing Michael Wimer, who resigned),*

and be it further

RESOLVED, that the Clerk of the Legislature be, and hereby is, directed to forward a certified copy of this resolution to the Cattaraugus County Industrial Development Agency.

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

Adopted September 14, 2016 by voice vote.

**ACT NO. 435-2016** by Mr. Snyder, Jr.

**ESTABLISHING LOCAL BANKING AND INVESTMENT POLICY FOR  
CATTARAUGUS COUNTY FUNDS**

Pursuant to Section 212 of the County Law.

WHEREAS, it is the best practice of local governments to support the local businesses in its service area, and

WHEREAS, Cattaraugus County has significant cash and investments at any given time throughout the year, and

WHEREAS, a local banking and investment policy for Cattaraugus County funds should be established, now, therefore, be it

RESOLVED, this policy shall require that all cash deposits and cash investments made using County funds be kept with institutions that have physical addresses and employees located within Cattaraugus County, and be it further

RESOLVED, that in the event there is a banking and/or investment opportunity significantly better than any available with the institutions located within the County, then the deposit or investment shall be made with an outside entity upon approval of the majority of the Finance Committee prior to committing the funds, and be it further

RESOLVED, that all current investments made with entities outside the County shall stay with such entities until the end of the investment term, and be it further

RESOLVED, that at the end of the investment term for current investments, such funds shall then be reinvested or deposited with an institution within the County, and be it further

RESOLVED, that the Local Banking and Investment Policy for Cattaraugus County Funds be, and hereby is, established as stated above and shall be effective during the term of this Legislature and subject to the annual designation of official depositories and trading partners, and other such banking institutions as required through other County programs or contract.

Held in Finance Committee.

**ACT NO. 436-2016** by Mrs. Labuhn  
*and Mr. Boberg, Mr. Breton, Mr. Helmich, Mr. Higgins,  
Mr. Klancer, Mr. VanRensselaer, Ms. Hastings and Mr. Padlo<sup>1</sup>*

**CALLING FOR AN OFFICIAL INVESTIGATION INTO THE PRICE GOUGING OF EPIPENS**

Pursuant to Section 153 of the County Law.

WHEREAS, Epinephrine is a life-saving drug for those with severe allergies, most commonly distributed in EpiPens produced by the pharmaceutical company Mylan, and

WHEREAS, in 2007, when Mylan took over the sale of the product, the EpiPen cost \$57.00 a shot and has since risen by an astronomical 400%, costing people more than \$600.00 for a pack of two auto injectors, and

WHEREAS, an EpiPen expires after just one year requiring the consumers to buy new doses annually, and with the cost at exorbitant levels, many cannot afford new doses and risk being without Epinephrine during an allergic reaction, and

WHEREAS, when it comes to the health of a child, a family member should not have to choose between making their home payment and the prescription that is so desperately needed in an emergency situation where action must be taken at a moment's notice and without delay, and

WHEREAS, in the United States, our system of Capitalism encourages companies to sell the best product they can at a price which they make a profit, but there comes a time when the incentive to be greedy overruns a company and they engage in a zero-sum situation with consumers who rely on their product, and

WHEREAS, it is clearly unconscionable to put a financial roadblock in front of people by unjustifiably raising the price of a life-saving product such as EpiPen, especially at a time when this drug is becoming more and more understood and embraced by patients, their family members, institutions such as schools and sports facilities, and the general population as a whole, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby condemns the actions of Mylan in raising the price of EpiPen to levels that average consumers simply cannot afford, and be it further

RESOLVED, that the Cattaraugus County Legislature hereby requests the New York State Attorney General conduct a thorough and comprehensive investigation of clear price gouging of the life-saving EpiPen by Mylan, and be it further

RESOLVED, that certified copies of this resolution be sent to New York State Attorney General Schneiderman, Senator Young, Congressman Reed, Assemblymember Giglio, the New York State Association of Counties, Inter-County of Western New York, and any other party deemed necessary and proper.

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

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: "Mr. Boberg, Mr. Breton, Mr. Helmich, Mr. Higgins, Mr. Klancer, Mr. VanRensselaer, Ms. Hastings and Mr. Padlo".

Adopted September 14, 2016 by voice vote.

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MR. HIGGINS moved, seconded by Mr. Hale, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 437-2016 through Act No. 442-2016, inclusive. Carried.

\* \* \* \* \*

**ACT NO. 437-2016** by Mrs. Stockman  
 who asks immediate consideration

**APPOINTMENT TO INDUSTRIAL DEVELOPMENT AGENCY BOARD OF DIRECTORS**

Pursuant to Section 856 of the General Municipal Law.

RESOLVED, that the following individual is hereby appointed to the Industrial Development Agency Board of Directors for an indefinite term:

Vergilio L. Giardini, Jr.  
 4050 Mediterranean Drive  
 Allegany, New York 14706  
*(replacing Matthew J. Keller),*

and be it further

RESOLVED, that the Clerk of the Legislature be, and hereby is, directed to forward a certified copy of this resolution to the Cattaraugus County Industrial Development Agency.

Adopted September 14, 2016 by voice vote.

**ACT NO. 438-2016** by Mrs. Stockman  
 who asks immediate consideration

**SALE OF TAX TITLE PROPERTY TO FORMER OWNER  
 (Town of Dayton)**

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 situated in the Town of Dayton, and

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

WHEREAS, the cost involved for this premises has 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 a County Treasurer's Deed conveying this property to the following individuals:

**TOWN OF DAYTON**

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
122	33.034-3-12	Kristina McCracken Charles McCracken, Jr.	108 Mill Street South Dayton, NY 14138	\$11,933.11

Adopted September 14, 2016 by voice vote.

**ACT NO. 439-2016** by Mrs. Stockman  
who asks immediate consideration

**APPOINTMENT OF SENECA TRAIL RC & D PROJECT MEMBER**

Pursuant to Section 153 of the County Law.

RESOLVED, that the following individual is appointed to the Seneca Trail RC & D Project for a one-year term to expire December 31, 2016:

Susan Labuhn  
County Legislator  
430 Broad Street  
Salamanca, New York 14779,  
(replacing Matthew J. Keller),

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Seneca Trail RC & D Project.

Adopted September 14, 2016 by voice vote.

**ACT NO. 440-2016** by Mrs. Stockman  
who asks immediate consideration

**APPOINTMENT OF CATTARAUGUS COUNTY CAPITAL RESOURCE CORPORATION MEMBER**

Pursuant to Section 153 of the County Law.

RESOLVED, that the following individual is appointed to the Cattaraugus County Capital Resource Corporation in accordance with the terms of Act 259-2009:

Vergilio L. Giardini, Jr.  
4050 Mediterranean Drive  
Allegany, New York 14706  
(replacing Matthew J. Keller),

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Cattaraugus County Capital Resource Corporation.

Adopted September 14, 2016 by voice vote.



WHEREAS, A-Plus Home Health Care Agency, LLC, 7008 Erie Road, Unit CS-14, Derby, New York 14047, can provide the aforementioned personal care aide services for an amount of \$32.50 per hour, 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 A-Plus Home Health Care Agency, LLC, for the provision of the above-described personal care aide services, for a term commencing September 14, 2016 and terminating December 31, 2016, according to the above-described terms.

Adopted September 14, 2016 by voice vote.

\* \* \* \* \*

CHAIRMAN STOCKMAN announced that the Legislature will resolve itself into a Committee of the Whole.

MRS. LABUHN moved, seconded by Ms. Hastings, to adjourn into Executive Session for the purpose of discussing personnel matters. Carried.

MR. HALE moved, seconded by Mr. Helmich, to adjourn out of Executive Session. Carried.

CHAIRMAN STOCKMAN announced that the Legislature will resolve out of a Committee of the Whole and reconvene as a County Legislature.

\* \* \* \* \*

MR. SNYDER, SR. moved, seconded by Ms. Hastings to adjourn until September 28, 2016 at 4:00 p.m. Carried.

Meeting adjourned at 6:25 p.m.

Ann M. Giglio  
Journal Clerk