

March 22, 2017

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

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed one Legislator absent – Klancer.

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CHAIRMAN STOCKMAN noted that the minutes of the March 8, 2017 session stand approved as presented.

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COMMUNICATIONS:

New York State Department of State: Acknowledging receipt of Local Law No. 3-2017 (Intro No. 1-2017) and the filing of the same on March 10, 2017.

Catharine M. Young, NYS Senate: Acknowledging receipt of Act No. 94-2017.

Joseph M. Giglio, NYS Member of Assembly: Acknowledging receipt of Act No. 94-2017.

Chenango County Board of Supervisors: Resolution No. 57-17P entitled “Resolution Urging New York State to Fully Fund All Costs Related to Raising the Age of Criminal Responsibility and Ensure that Any Statutory or Administrative Changes Fully Recognize the Responsibility of Locally Elected District Attorneys to Promote Public Safety, Maintain Victims’ Rights and Ensure Accountability in the Justice System”.

Schuyler County Legislature: Resolution No. 73 entitled “Resolution Urging New York State to Fund Probation Departments and Other Impacted County Departments and Agencies the Full Costs Associated with Raising the Age of Criminal Responsibility to 18 Years of Age”.

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APPOINTMENTS:

CATTARAUGUS COUNTY EQUINE ADVISORY COMMITTEE

Term to expire December 31, 2017

Amanda Dackwosky
10040 Hooker Hill Road
Perrysburg, New York 14129

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ACT NO. 101-2017 by Mrs. Stockman

APPOINTMENT TO CATTARAUGUS COUNTY ETHICS BOARD

Pursuant to Local Law Number 8-1990 of the
Cattaraugus County Legislature.

RESOLVED, that the following individual is hereby appointed to the Cattaraugus County Ethics Board for a term to expire December 31, 2017:

Robert V. Buchhardt
11601 McKinstry Road
Delevan, New York 14042,
to fill the unexpired term of Peter M. Wallen, who resigned.

Approved by 7 members of the Finance Committee.

Adopted March 22, 2017 by voice vote.

ACT NO. 102-2017 by Mr. Giardini and Mr. Helmich

**ACCEPTING MATERIAL BIDS FOR HIGHWAY SIGNS
(Department of Public Works)**

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

RESOLVED, that the Commissioner of Public Works is authorized to contract for the following materials with the bidders recommended by the Public Works Committee for the season May 1, 2017 through April 30, 2018, and be it further

RESOLVED, that any city, village, town, school or fire district in Cattaraugus County may participate in the bid prices by dealing directly with the bidder, and be it further

RESOLVED, that the County of Cattaraugus reserves the right to make purchases of all materials at any time during the season for which the bids are taken, and be it further

RESOLVED, the lowest bid received for materials for highway signs was submitted by Garden State Highway Products, Inc., 1740 East Oak Road, Vineland, New Jersey 08361, as follows:

| Description | Price Per Square Foot | 2017 Rate |
|--|-----------------------|-----------|
| New Domestic 0.080 inch thick 5052-H38 Alodized Aluminum: | | |
| Blank Aluminum | | \$ 2.07 |
| 48" x 96" sheet, blank (no holes) | | \$66.26 |
| Signs: | | |
| Scotchlite Engineers Grade Aluminum 1 side w/Legend 1 color | | \$ 3.19 |
| Scotchlite Engineers Grade Aluminum 1 side w/Legend 2 color | | \$ 3.29 |
| 3M Prismatic High Intensity Grade Aluminum 1 side w/Legend 1 color | | \$ 3.43 |
| 3M Prismatic High Intensity Grade Aluminum 1 side w/Legend 2 color | | \$ 3.60 |

| | |
|---|---------|
| Scotchlite Diamond Grade Aluminum 1 side w/Legend 1 color | \$ 4.92 |
| Scotchlite Diamond Grade Aluminum 1 side w/Legend 2 color | \$ 5.07 |
| Scotchlite Diamond Grade Fluorescent Aluminum 1 side w/Legend 1 color | \$ 4.92 |
| Scotchlite Diamond Grade Fluorescent Aluminum 1 side w/Legend 2 color | \$ 5.07 |
| Scotchlite High Intensity, Pressure Sensitive Pre-Screened, Unmounted Faces w/Legend 1 color | \$1.38 |
| Scotchlite High Intensity, Pressure Sensitive Pre-Screened, Unmounted Faces w/Legend 2 color | \$ 1.45 |
| Delineators-Reflectorized on Aluminum (per sq. in.) | |
| Engineers Grade | \$.06 |
| High Intensity | \$.07 |
| No State Bid. | |
| Twelve sets of specifications were set out. | |
| Four bids were received. | |

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

Adopted March 22, 2017 by voice vote.

ACT NO. 103-2017 by Mr. Giardini and Mr. Helmich

**ACCEPTING MATERIAL BIDS FOR GALVANIZED
SQUARE STEEL TUBING FOR SIGN POSTS
(Department of Public Works)**

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

RESOLVED, that the Commissioner of Public Works is authorized to contract for galvanized square steel tubing for sign posts with the bidders recommended by the Public Works Committee for the season May 1, 2017 through April 30, 2018, and be it further

RESOLVED, that any city, village, town, school or fire district in Cattaraugus County may participate in the bid prices by dealing directly with the bidder, and be it further

RESOLVED, that the County of Cattaraugus reserves the right to make purchases of all materials at any time during the season for which the bids are taken, and be it further

RESOLVED, the only bid received for the galvanized square steel tubing for sign posts was submitted by Unistrut Buffalo, Division of Eberl Iron Works, Inc., 128 Sycamore Street, Buffalo, New York 14204-1492, as follows:

Tubing: price per foot (min. order 600 ft.) F.O.B. Little Valley

| Size | Price | 2017 Rate |
|-----------------------------------|----------|-----------|
| 1½" x 1½" x 24 ft. w/perforations | 12 gauge | \$2.41 |
| 1¾" x 1¾" x 24 ft. w/perforations | 12 gauge | \$2.71 |

| | | |
|-----------------------------------|----------|--------|
| 2" x 2" x 24 ft. w/perforations | 12 gauge | \$2.94 |
| 2¼" x 2¼" x 24 ft. w/perforations | 12 gauge | \$3.21 |

Other Items: price per 100

| Telspar or Description | Units | 2017 Rate |
|---|-------|-----------|
| Equivalent | | |
| TN-31 Tuff Nut 5/16" 18 thread | /100 | \$ 72.50 |
| TLO15 T Bracket, used on 1½", 1¾", 2" & 2¼" | /100 | \$296.00 |
| TLO16 90 Degree Bracket, used on 1½", 1¾", 2" & 2¼" | /100 | \$416.00 |
| TLO18 Straight Bracket, used on 1½", 1¾", 2" & 2¼" | /100 | \$344.00 |
| TLO19 Bracket, used on 1½", 1¾", 2" & 2¼" | /100 | \$321.00 |
| TLO20 Inside Corner Bracket, used on 1½", 1¾", 2" & 2¼" | /100 | \$196.00 |

Corner Bolts – All 5/16"

| | Units | |
|--|-------|----------|
| TLO50 1½" sq., 1¾" sq., 2" sq. | /100 | \$56.00 |
| TLO70 2¼" Sq., 2½" Sq. | /100 | \$52.00 |
| TLO62 Heavy Hex Jam Nut for above Bolts | /100 | \$ 9.00 |
| TLO94EG Gravity Lock Pin | /100 | \$243.00 |
| SB30CCHG 32" Longbrace with 30" Centers | Each | \$ 7.58 |
| TL130 Guard Rail Clamp | Each | \$22.61 |
| TL132 Breakaway Plate | Each | \$ 3.89 |
| HFLW031 Nylon Washer – White | /100 | \$11.00 |
| TL3806 3/8" diameter large head multi-grip drive rivet | /100 | \$71.00* |
| UC11272HG 1.12 lbs/ft U-channel 72" delineator post – galvanized | Each | \$ 6.59 |
| UC11296HG 1.12 lbs/ft U-channel 96" delineator post – galvanized | Each | \$ 8.74 |

* Will give 10% off orders of 5,000 pieces

The State Contract is for Channel Sign Post only, not Square Post.

State Bid does not meet County specifications.

Five sets of specifications were sent out.

One bid was received.

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

Adopted March 22, 2017 by voice vote.

ACT NO. 104-2017 by Mr. Giardini and Mr. Helmich

**BID ACCEPTANCE FOR 2017 SITE IMPROVEMENTS
(The Pines Healthcare and Rehabilitation Center-Olean Campus)**

Pursuant to Section 103 of the General Municipal Law and
Sections 215, 408 and 408-a of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the 2017 Site Improvements at The Pines Healthcare and Rehabilitation Center-Olean Campus, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications for the 2017 Site Improvements at The Pines Healthcare and Rehabilitation Center-Olean Campus, was Highland Acres Landscaping, Inc., P.O. Box 263, Eden, New York 14057, with its place of business at 3754 Eckhardt Road, Hamburg, New York, in the amount of \$393,400.00, and

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

RESOLVED, that the aforementioned bid of Highland Acres Landscaping, Inc., for the 2017 Site Improvements at The Pines Healthcare and Rehabilitation Center-Olean Campus, General Contract be, and the same hereby is, accepted, for a term commencing within ten (10) days of the Notice to Proceed and terminating August 15, 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.

Two sets of specifications were sent out.

Two bids were received.

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

Adopted March 22, 2017 by voice vote.

ACT NO. 105-2017 by Mr. Giardini and Mr. Helmich

**BID ACCEPTANCE FOR COUNTY ROAD NO. 57 AND BENTLEY ROAD
INTERSECTION RECONSTRUCTION PROJECT
(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 County Road No. 57 and Bentley Road intersection reconstruction project, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications was the bid of Milherst Construction, Inc., 10025 County Road, P.O. Box 430, Clarence Center, New York 14032, in the amount of \$459,754.00 to be paid periodically based on a percentage 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 cost of the aforementioned project, now, therefore, be it

RESOLVED, that the bid of Milherst Construction, Inc., be, and the same hereby is, accepted, for a term commencing within ten (10) days of the notice to proceed, with completion on or before September 15, 2017, with a contract termination date of December 31, 2017, and be it further

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

No State Bid.

Eight sets of specifications were sent out.

Eight bids were received meeting specifications.

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

Adopted March 22, 2017 by voice vote.

ACT NO. 106-2017 by Mr. Helmich, Mr. Klancer, Mr. Neal and Mr. Giardini

**EXTENDING TERM OF ONE TEMPORARY POSITION OF
CLERK OF THE WORKS IN DEPARTMENT OF PUBLIC WORKS FOR
SHERIFF'S OFFICE PUBLIC SAFETY COMMUNICATIONS SYSTEM
AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Department of Public Works)**

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

WHEREAS, Act 371-2015 created one (1) temporary position of Clerk of the Works in the Department of Public Works for the Sheriff's Office Public Safety Communications System, which was scheduled to be abolished not later than April 30, 2016, and

WHEREAS, the aforementioned temporary position continues to be necessary for oversight of the Public Safety Communications System, and

WHEREAS, the temporary position of Clerk of the Works should be extended, and

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

RESOLVED, that one (1) temporary position of Clerk of the Works in the Department of Public Works for the Sheriff's Office Public Safety Communications System shall continue until December 31, 2017, unless the project is completed sooner, and be it further

RESOLVED, that the temporary position of Clerk of the Works shall be compensated at a rate of \$27.57 per hour, and be it further

RESOLVED, that upon completion of the project, but not later than December 31, 2017, the position created herein shall be automatically abolished, and be it further

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

| | | |
|----------------------------------|---------------------|-------------|
| Decrease Appropriation Account: | | |
| H.311.3197.0000.21049.41603 | Contracted Services | \$12,000.00 |
| Increase Appropriation Accounts: | | |
| H.311.3197.0000.21049.12000 | Part-Time Wages | \$11,082.00 |
| H.311.3197.0000.21049.81000 | FICA | \$ 918.00. |

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

Adopted March 22, 2017 by voice vote.

ACT NO. 107-2017 by Mr. Helmich, Mr. Klancer, Mrs. Stockman and Mr. Giardini

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
GREENMAN-PEDERSEN, INC. FOR ENGINEERING SERVICES FOR RECONSTRUCTION
OF COUNTY ROAD NO. 57 INTERSECTION WITH BENTLEY ROAD**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 315-2010, as amended by Acts 624-2010, 287-2011, 493-2012, 551-2013, 399-2014 and 574-2015, authorized a contract with Abate Associates Engineers & Surveyors, P.C., now known as Greenman-Pederson, Inc., 4950 Genesee Street, Suite 100, Buffalo, New York 14225, for the provision of engineering services for the reconstruction of County Road No. 57 intersection with Bentley Road in the Town of Dayton, the term of which expired December 31, 2016, and

WHEREAS, an amendment to the aforementioned contract is necessary to provide for additional environmental engineering services and to further extend the term of the contract to December 31, 2017, and

WHEREAS, Greenman-Pederson, Inc., shall provide the environmental engineering services required for an additional amount not to exceed \$125,100.00, for a total new contract amount not to exceed \$314,641.00, as follows:

| <u>Lump Sum Task</u> | <u>Costs</u> |
|--|--------------------------|
| Environmental Re-Evaluation (lump sum) | \$ 9,644.00 |
| Construction Support (cost plus) | \$ 18,734.00 |
| Construction Inspection (cost plus) | <u>\$ 89,035.00</u> |
| | Total Labor |
| | \$117,413.00 |
| | Expenses |
| | \$ 7,687.00 |
| | Supplemental No. 3 Total |
| | \$125,100.00 |
| | Existing Contract Amount |
| | <u>\$189,541.00</u> |
| | New Contract Total |
| | \$314,641.00, |

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Greenman-Pederson, Inc. (formerly Abate Associates Engineers & Surveyors, P.C.) for the provision of the above-described additional services, amending and extending the term of the contract to terminate December 31, 2017, according to the above-described terms.

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

Adopted March 22, 2017 by voice vote.

ACT NO. 108-2017 by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 3
TO FEDERAL-AID AGREEMENT NO. D032188 AND ADJUSTING VARIOUS
APPROPRIATION AND REVENUE ACCOUNTS TO ACCOMMODATE MARCHISELLI FUNDING
FOR COUNTY ROAD NO. 57 & BENTLEY ROAD INTERSECTION IMPROVEMENT PROJECT
(Department of Public Works-Project No. D032188)**

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

WHEREAS, Act 66-2009, as amended by Acts 740-2010, 549-2013, 523-2015 and 57-2015, authorized a contract with the New York State Department of Transportation (NYSDOT) and authorized the County to participate in the Federal-Aid project administered by the NYSDOT known as the County Road No. 57 and Bentley Road Intersection Improvement Project, in the Town of Dayton, Cattaraugus County, PIN 5759.09 (the "Project"), and

WHEREAS, an additional amount of \$5,750.00 has been awarded in Marchiselli funds for the aforementioned project, and

WHEREAS, a supplemental agreement is necessary in order to accept and receive the additional Marchiselli funds, and

WHEREAS, 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 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 be it further

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

Increase Estimated Revenue Account:

| | | |
|-------------------------|-----------------------|------------|
| H.504.5197.5195.3591.01 | State Aid Marchiselli | \$5,750.00 |
|-------------------------|-----------------------|------------|

Increase Appropriation Account:

| | | |
|-----------------------------|---|-------------|
| H.504.5197.5195.27018.41603 | CR#57 & Bentley Rd Intersection Improvement | \$5,750.00. |
|-----------------------------|---|-------------|

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

Adopted March 22, 2017 by voice vote.

ACT NO. 109-2017 by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 3
TO FEDERAL-AID AGREEMENT NO. D031710 AND ADJUSTING VARIOUS
APPROPRIATION AND REVENUE ACCOUNTS TO ACCOMMODATE
MARCHISELLI FUNDING FOR LEON BRIDGE NO. 18 REPLACEMENT PROJECT
(Department of Public Works-Project No. D031710)**

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

WHEREAS, Act 526-2015 authorized a contract with the New York State Department of Transportation (NYSDOT) and authorized the County to participate in the Federal-Aid project administered by the NYSDOT, for the replacement of the County Road No. 5 Bridge over Conewango Creek, BIN 3-32217-0, in the Town of Leon, Cattaraugus County, (Leon Bridge No. 18), PIN 5758.46 (the "Project"), and

WHEREAS, an additional amount of \$15,000.00 has been awarded in Marchiselli funds for the aforementioned project, and

WHEREAS, a supplemental agreement is necessary in order to accept and receive the additional Marchiselli funds, and

WHEREAS, 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 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 be it further

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

Increase Estimated Revenue Account:

| | | |
|-------------------------|-----------------------|-------------|
| H.504.5197.5195.3591.01 | State Aid Marchiselli | \$15,000.00 |
|-------------------------|-----------------------|-------------|

Increase Appropriation Account:

| | | |
|-----------------------------|--------------------|--------------|
| H.504.5197.5195.25025.41603 | Leon Bridge No. 18 | \$15,000.00. |
|-----------------------------|--------------------|--------------|

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

Adopted March 22, 2017 by voice vote.

ACT NO. 110-2017 by Mr. Helmich, Mr. Neal, Mr. VanRensselaer and Mr. Giardini

**AUTHORIZING THE CHAIR TO EXECUTE NO-COST TIME EXTENSION WITH
NYSDOT FOR COUNTY ROAD NO. 6 BRIDGE OVER MUD CREEK
FEDERAL-AID REPLACEMENT PROJECT**

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

WHEREAS, Act 421-2008, as amended by Acts 162-2013 and 215-2015, authorized a contract with New York State Department of Transportation (NYSDOT) for the replacement of the County Road No. 6 Bridge over Mud Creek, BIN 3-32211-0, in the Town of Leon, Cattaraugus County, PIN 5758.49 (the "Project"), the term of which expired December 31, 2016, and

WHEREAS, the aforementioned Project and its Preliminary Engineering (Design I-VI) and Right-of-Way Incidentals Phases have had ongoing delays and are currently scheduled to be completed in 2018, and

WHEREAS, a no-cost time extension is needed to extend the term of Federal Aid Project Agreement No. D031712 to December 31, 2018, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a no-cost time extension, on behalf of Cattaraugus County, with the NYSDOT, in order to

extend the term of the aforementioned contract to December 31, 2018, according to the above-described terms.

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

Adopted March 22, 2017 by voice vote.

ACT NO. 111-2017 by Mr. Helmich, Mr. Giardini, Mr. Koch and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE NO-COST TIME EXTENSION WITH
NYSDOT FOR GREAT VALLEY BRIDGE NO. 9
(Martin Road Bridge over Forks Creek)**

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

WHEREAS, Act 422-2008, as amended by Acts 428-2012 and 524-2015, authorized a contract with the New York State Department of Transportation (NYSDOT) for the replacement of Great Valley Bridge No. 9 (Martin Road Bridge over Forks Creek), BIN 3-32173-0, in the Town of Great Valley, Cattaraugus County, PIN 5758.47 (the "Project"), the term of which expired December 31, 2016, and

WHEREAS, the aforementioned Project and its Preliminary Engineering (Design I-VI) and Right-of-Way Incidentals Phases have had ongoing delays and are currently scheduled to be completed in 2018, and

WHEREAS, a no-cost time extension is needed to extend the term of Federal Aid Project Agreement No. D031711 to December 31, 2018, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a no-cost time extension, on behalf of Cattaraugus County, with the NYSDOT, in order to extend the term of the aforementioned contract to December 31, 2018, according to the above-described terms.

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

Adopted March 22, 2017 by voice vote.

ACT NO. 112-2017 by Mr. Klancer and Mr. Neal

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
LINSTAR, INC. FOR ON-SITE SERVICE AND MAINTENANCE OF
ACCESS CONTROL AND ID SYSTEMS AND VIDEO SURVEILLANCE SYSTEM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 124-2016 authorized a contract with Linstar, Inc., for the provision of on-site service and maintenance services for the County-wide Linstar proximity and security camera equipment at the Sheriff's Office, and on-site service and maintenance for the access control and ID

systems and video surveillance system at the various County locations, the term of which expires March 31, 2017, and

WHEREAS, the Department of Information Services is desirous of continuing the aforementioned service and maintenance, and

WHEREAS, Linstar, Inc., can provide on-site support services for equipment and software, which includes remote support, emergency labor, replacement parts and all travel required for each of the locations below, for an amount as follows:

| <u>Location</u> | <u>Price</u> |
|---|------------------|
| <u>Access Control & ID Systems</u> | |
| Board of Elections – Access Control | \$ 115.00 |
| DA – Access Control | \$ 239.68 |
| DPW – Access Control | \$ 392.30 |
| EMS – ID System | \$ 1,763.76 |
| Health – Access Control | \$ 414.23 |
| Info Services Little Valley – Access Control & ID System | \$10,376.19 |
| Info Services Olean – Access Control | \$ 4,396.00 |
| Probation – Access Control | \$ 173.55 |
| Pines-Olean Campus – Access Control & ID System | \$ 2,854.58 |
| Pines-Machias Campus – Access Control & ID System | \$ 3,541.19 |
| Stone House Museum – Video Surveillance System (2.5 months pro-rated addition) | <u>\$ 55.65</u> |
| **Catt. Co. Access Control & ID Systems (2017-2018) 1-year service contract total | \$24,266.57 |
| <u>Video Surveillance System</u> | |
| Little Valley – Video Surveillance System | \$ 6,644.39 |
| Olean – Video Surveillance System | \$ 7,978.25 |
| Stone House Museum | <u>\$ 330.87</u> |
| **Catt. Co. Video Surveillance System (2017-2018) 1-year service contract total | \$14,953.51 |

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 Linstar, Inc., for the provision of the above-described support services, for a term commencing April 1, 2017 and terminating March 31, 2018, according to the above-described terms.

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

Adopted March 22, 2017 by voice vote.

ACT NO. 113-2017 by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS REHABILITATION CENTER, INC. FOR SENIOR NUTRITION
PROGRAM MEALS AT LINWOOD SOCIAL ADULT DAY PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 143-2016 authorized a contract with Cattaraugus Rehabilitation Center, Inc., 1439 Buffalo Street, Olean, New York 14760, for the provision of meals for the participants of the Linwood Social Adult Day Program who are participating in the County's congregate nutrition day program, the term of which expires March 31, 2017, and

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

WHEREAS, the Department of Aging sponsors Senior Nutrition Program Meals, in the federally funded Nutrition Program for the elderly which provides meals and other approved services related to the provision of meals for residents of Cattaraugus County aged 60 and over and/or their spouses regardless of their age, and

WHEREAS, social day care, transportation, and congregate meal services qualify as additional services provided under Federal waiver to address other currently unmet social, nutritional and environmental needs of residents, and

WHEREAS, Cattaraugus Rehabilitation Center, Inc., is desirous of purchasing meals from the County Department of Aging Senior Nutrition Program for the participants of the Linwood Social Adult Day Program who are participating in the County's congregate nutrition day program, and

WHEREAS, the Department of Aging has agreed to provide the aforementioned meals, through its Senior Nutrition Program, to the Linwood Social Adult Day Program participants in accordance with the following rates:

- Congregate Meal for Breakfast \$3.00 per meal, with current Child and Adult Care Food Program reimbursement rates
- Congregate Meal for Lunch \$5.00 per meal, with current Child and Adult Care Food Program reimbursement rates
- Congregate Meal \$5.00 per meal for a guest,

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 Rehabilitation Center, Inc., for the provision of the above-described meals, for a term commencing April 1, 2017 and terminating March 31, 2018, according to the above-described terms.

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

Adopted March 22, 2017 by voice vote. Mrs. Labuhn abstained from vote.

ACT NO. 114-2017 by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS REHABILITATION CENTER, INC., FOR MANAGEMENT,
OPERATION AND CONTROL OF LINWOOD CENTER ADULT DAY SERVICES**

Pursuant to Older Americans Act Title III-E and
Section 450 of the County Law.

WHEREAS, Act 144-2016 authorized a contract with Cattaraugus Rehabilitation Center, Inc., for the management, operation and control of the Linwood Center, the term of which expires March 31, 2017, and

WHEREAS, the Department of Aging is desirous of renewing the aforementioned contract, and

WHEREAS, Cattaraugus Rehabilitation Center, Inc., 1439 Buffalo Street, Olean, New York 14760, shall provide for the management, operation and control of the Linwood Center Adult Day Services Program for an amount of \$70,050.00, to be paid monthly as invoiced and approved by the Department of Aging, and

WHEREAS, this program is 27% federal (CFDA# 93.052), 57% state and 16% county funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Cattaraugus Rehabilitation Center, Inc., for the management, operation and control of the Linwood Center, for a term commencing April 1, 2017 and terminating March 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.

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

Adopted March 22, 2017 by voice vote. Mrs. Labuhn abstained from vote.

ACT NO. 115-2017 by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
HEALTHY COMMUNITY ALLIANCE, INC. FOR
HEALTH INSURANCE AND LONG-TERM CARE INFORMATION AND COUNSELING**

Pursuant to Article 2, Title 3 of the Elder Law and
Section 450 of the County Law.

WHEREAS, Act 141-2016 authorized a contract with Healthy Community Alliance, Inc., One School Street, Suite 100, Gowanda, New York 14070, for the provision of information, counseling and workshops to Cattaraugus County residents in order to help them better understand health insurance and long term care services, the term of which expires March 31, 2017, and

WHEREAS, the Department of Aging is desirous of continuing the aforementioned program, and

WHEREAS, Healthy Community Alliance, Inc., can provide staff persons to the Department of Aging who will provide information, counseling and workshops to Cattaraugus County residents in order to help them better understand health insurance, Medicare benefits, EPIC and other long-term care services, for an amount of \$60,510.00 for staffing, training and travel-related expenses, to be paid on a quarterly basis, as invoiced, and

WHEREAS, this program is 71% federal (CFDA# 93.779 & 93.071), 2% local and 27% county funded, and

WHEREAS, sufficient funds are included in the 2017 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Healthy Community Alliance, Inc., for the provision of the above-described services, for a term commencing April 1, 2017 and terminating March 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.

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

Adopted March 22, 2017 by voice vote. Ms. Hastings abstained from vote.

ACT NO. 116-2017 by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
THE CENTER FOR ELDER LAW AND JUSTICE FOR LEGAL
SERVICES FOR ELDERLY RESIDENTS OF CATTARAUGUS COUNTY**

Pursuant to 45 CFR 1321 and Section 450 of the County Law.

WHEREAS, Act 142-2016 authorized a contract with Legal Services for the Elderly, Disabled or Disadvantaged of Western New York, Inc., for the provision of legal services for elderly residents of Cattaraugus County in accordance with Title III of the Older Americans Act of 1965, as amended, the term of which expires March 31, 2017, and

WHEREAS, the Department of Aging is desirous of renewing the aforementioned contract, and

WHEREAS, The Center for Elder Law and Justice, 438 Main Street, Suite 1200, Buffalo, New York 14202, formerly Legal Services for the Elderly, Disabled or Disadvantaged of Western New York, Inc., is desirous of continuing the aforementioned services for an annual amount not to exceed \$28,000.00, to be paid on a monthly basis, as invoiced, and

WHEREAS, these services are 90% federal (CFDA #93.044) and 10% state funded, and

WHEREAS, sufficient funds are included in the 2017 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with The Center for Elder Law and Justice, for the provision of the above-described services, for a term commencing April 1, 2017 and terminating March 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.

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

Adopted March 22, 2017 by voice vote.

ACT NO. 117-2017 by Mr. Neal and Mr. VanRensselaer

**SALE OF TAX TITLE PROPERTY TO TOWN OF RANDOLPH AND
WAIVING RULE 40 OF THE RULES OF ORDER
(Town of Randolph)**

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

WHEREAS, Cattaraugus County has tax title to certain properties located in the Town of Randolph, described as follows:

Parcel 361: being about 30.00' x 120.00', TM #70.072-2-12,
141 Main Street, Randolph, and

Parcel 362: being about 19.00' x 67.00', TM #70.072-2-13,
135 Main Street, Randolph,

and

WHEREAS, the Town of Randolph has offered to purchase the above-described properties for \$1.00 each, and

WHEREAS, the amount has been tendered by the Town of Randolph to the County Treasurer, and

WHEREAS, the properties should be conveyed to the Town of Randolph, now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to convey the aforementioned parcels to the Town of Randolph, by the issuance of a County Treasurer's Deed, and be it further

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

Approved by 7 members of the Finance Committee.

CHAIRMAN STOCKMAN requested a Roll Call vote on Act No. 117-2017, which disclosed as follows:

Ayes: Boberg, Breton, Giardini, Hale, Hastings, Helmich, Higgins, Koch, Labuhn, Neal, Padlo, Snyder, Sr., Snyder, Jr., Stockman, VanRensselaer, Vickman - 16.

Nays: none.

Act No. 117-2017, having received a unanimous vote of the Legislature, was declared Adopted.

ACT NO. 118-2017 by Ms. Vickman and Ms. Hastings

**AUTHORIZING PUBLIC HEARING ON SMALL CITIES
COMMUNITY DEVELOPMENT BLOCK GRANT**

Pursuant to Section 10 of the Municipal Home Rule Law.

WHEREAS, the County Health Department has been awarded federal funding in the amount of \$350,000.00 through the CDBG Program for the replacement of unsafe and unsanitary wells and septic systems on a county-wide basis (the "Project"), and

WHEREAS, a public hearing was held on October 11, 2016 to consider citizen comments regarding the CDBG Program and the Project, and

WHEREAS, the County is required to hold a second public hearing to provide a summary of the CDBG program including eligible activities, available funding, past grants, eligible beneficiaries, the benefit to persons of low or moderate income, and to receive comments regarding potential projects, now, therefore, be it

RESOLVED, that a public hearing shall be held by this County Legislature on the New York State Office of Homes and Community Renewal for Community Development Block Grant funding to replace unsafe and unsanitary wells and septic systems on a county-wide basis, on the 30th day of March, 2017, at 3:00 p.m. in the Cattaraugus County Health Department Conference Room, One Leo Moss Drive, Olean, New York, and that at least five (5) 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted March 22, 2017 by voice vote.

ACT NO. 119-2017 by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE A SOFTWARE LICENSE AGREEMENT
WITH CLINICAL DRUG INFORMATION, LLC FOR
HEALTH DEPARTMENT DRUG SOFTWARE**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 188-2013, as amended by Act 275-2014, authorized a software license agreement with Wolters Kluwer Health, Inc., for the provision of drug software for the Health Department, the term of which expires May 31, 2017, and

WHEREAS, the corporation known as Wolters Kluwer Health, Inc., has reorganized and is now known as Clinical Drug Information, LLC, and

WHEREAS, the County Health Department is desirous of renewing the aforementioned license agreement, and

WHEREAS, Clinical Drug Information, LLC, 8425 Woodfield Crossing Boulevard, Suite 490, Indianapolis, Indiana 46240-2495, can provide Medi-Span Electronic Drug File (Med-File) software, the Drug Therapy Monitoring System (DTMS) and the Patient Drug Education Database (PDED) for an amount not to exceed \$4,318.00 per year, in U.S. funds, to be paid as invoiced, for software licenses, which are more fully described as follows:

- Medi-Span Electronic Drug File (Med-File) provides fully embedded electronic drug data and clinical information to healthcare professionals;
- Drug Therapy Monitoring System™ (DTMS) provides authoritative, clinically relevant drug interaction information on prescription and over-the-counter (OTC) drugs for the healthcare professional, and patient interaction information for the consumer;
- Patient Drug Education (PDE) Database™ provides accurate, timely patient-oriented information about drug products available for prescription and over-the-counter (OTC) use,

and

WHEREAS, the aforementioned software works in conjunction with the MISYS software package, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a software license agreement, on behalf of Cattaraugus County, with Clinical Drug Information, LLC, (formerly Wolters Kluwer Health, Inc.), for the provision of the above-described software, for a three (3) year term commencing June 1, 2017 and terminating May 31, 2020, with automatic renewals for successive three (3) year terms until terminated by the parties hereto, under the same rates, terms and conditions, according to the above-described terms.

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

Adopted March 22, 2017 by voice vote.

ACT NO. 120-2017 by Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACTS WITH
VARIOUS ENTITIES FOR DEPARTMENT OF NURSING HOMES ANCILLARY SERVICES**

Pursuant to Section 4405 of the Public Health Law and
Section 450 of the County Law.

WHEREAS, Act 722-2009, as amended by various resolutions, including Act 94-2016, authorized contracts for reimbursement for Department of Nursing Homes skilled nursing services for individuals enrolled with Independent Health Association, Inc., and each of its subsidiaries and affiliates, and

WHEREAS, Independent Health Association, Inc., 511 Farber Lakes Drive, Buffalo, New York 14221, and each of its subsidiaries and affiliates, effective April 1, 2017, has increased its reimbursement rates at The Pines Healthcare and Rehabilitation Centers, as follows:

- Skilled Nursing Facility Services reimbursement \$278.00 per diem
- Subacute Services reimbursement (Machias only) \$338.00 per diem
- Antibiotic Infusion Pharmacy Services ASP + 15%,

and

WHEREAS, contract amendments are necessary with Independent Health Association, Inc., and each of its subsidiaries and affiliates, for the aforementioned reimbursement to The Pines Healthcare and Rehabilitation Centers, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute amended contracts, on behalf of Cattaraugus County, with Independent Health Association, Inc., and each of its subsidiaries and affiliates, for the provision of the above-described services to The Pines Healthcare and Rehabilitation Centers, for a term commencing April 1, 2017 to continue in full force and effect at the same rates until terminated by either party, according to the above-described terms.

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

Adopted March 22, 2017 by voice vote.

ACT NO. 121-2017 by Mr. Breton, Mr. Neal, Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH LEADINGAGE NEW YORK PROCARE, LLC
FOR DEPARTMENT OF NURSING HOMES CONSULTANT SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 529-2016 authorized a contract with LeadingAge New York ProCare, LLC, 13 British American Boulevard, Suite 2, Latham, New York 12110-1431, for the provision of three (3) mock surveys to monitor the current systems and processes related to clinical and quality of life areas in the Department of Nursing Homes, which have been completed, and

WHEREAS, the County Department of Nursing Homes would like the consultant to conduct an additional six (6) mock surveys to monitor the current systems and processes in the Department of Nursing Homes, and

WHEREAS, LeadingAge New York ProCare, LLC, 13 British American Boulevard, Suite 2, Latham, New York 12110-1431, can provide the services necessary to conduct six (6) mock surveys to monitor the current systems and processes related to clinical and quality of life areas in the Department of Nursing Homes for an amount of \$10,560.00, plus out-of-pocket expenses to include travel, lodging and meals, as follows:

Four (4) surveys to be conducted at the Olean Campus – each survey will take two days

Two (2) surveys to be conducted at the Machias Campus – each survey will take two days, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned consultant 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 LeadingAge New York ProCare, LLC, for the provision of the above-described consultant services, for a term commencing March 1, 2017 and terminating December 31, 2017, according to the above-described terms.

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

Adopted March 22, 2017 by voice vote.

ACT NO. 122-2017 by Mr. Klancer and Mr. Neal
and Mr. VanRensselaer¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
RANDOLPH CENTRAL SCHOOL DISTRICT
FOR SCHOOL RESOURCE OFFICER PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 455-2016 authorized a contract with the Randolph Central School District in order to participate in the School Resource Officer ("SRO") Program by having a school resource officer placed in its District, the term of which expires June 30, 2017, and

WHEREAS, an SRO has not yet been placed in the School District, and

WHEREAS, it is necessary to extend the term of the aforementioned contract to June 30, 2018, under the same terms and conditions, with 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 extension, on behalf of Cattaraugus County, with the Randolph Central School District, for participation in the School Resource Officer Program, to extend the term of the contract to terminate June 30, 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.

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

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

Adopted March 22, 2017 by voice vote.

ACT NO. 123-2017 by Mr. Klancer and Mr. Neal

AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH

**GOWANDA CENTRAL SCHOOL DISTRICT
FOR SCHOOL RESOURCE OFFICER PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 456-2016 authorized a contract with the Gowanda Central School District in order to participate in the School Resource Officer ("SRO") Program by having a school resource officer placed in its District, the term of which expires June 30, 2017, and

WHEREAS, an SRO has not yet been placed in the School District, and

WHEREAS, it is necessary to extend the term of the aforementioned contract to June 30, 2018, under the same terms and conditions, with 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 extension, on behalf of Cattaraugus County, with the Gowanda Central School District, for participation in the School Resource Officer Program, to extend the term of the contract to terminate June 30, 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.

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

Adopted March 22, 2017 by voice vote.

ACT NO. 124-2017 by Mr. VanRensselaer and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE SUB-RECIPIENT AGREEMENT
WITH CATTARAUGUS COMMUNITY ACTION, INC. FOR
ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
(Economic Development Manufactured Home Replacement
Project No. 199MH344-16)**

Pursuant to 24 CFR Section 570.482(e) and Section 450 of the County Law.

WHEREAS, the County Department of Economic Development, Planning and Tourism has been awarded funding through the New York State Division of Homes and Community Renewal Community Development Block Grant (CDBG) Program for the replacement of eight to ten dilapidated owner-occupied manufactured homes and to address septic and well issues serving those properties within Cattaraugus County, and

WHEREAS, Act 36-2017 authorized a contract with the New York State Division of Homes and Community Renewal in order to accept and receive the aforementioned funding, and

WHEREAS, Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, shall administer and implement the CDBG Program for the replacement of eight to ten

dilapidated owner-occupied manufactured homes on behalf of Cattaraugus County, for an amount of \$491,500.00, as follows:

| | |
|---|---------------|
| Administration of Grant | \$ 66,500.00 |
| Services Provided for Implementation of Program | \$425,000.00, |

and

WHEREAS, the County Department of Economic Development, Planning and Tourism shall retain the amount of \$8,500.00 for the administration of the County's portion of the program, and

WHEREAS, this program is 100% federally funded (CFDA #14-228), 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 Sub-Recipient Agreement, on behalf of Cattaraugus County, with Cattaraugus Community Action, Inc., for the provision of the above-described services, for a term commencing March 1, 2017 and terminating December 14, 2018, according to the above-described terms.

Approved by 7 members of the Finance Committee and 7 members of the Development and Agriculture Committee.

Adopted March 22, 2017 by voice vote.

ACT NO. 125-2017 by Mr. VanRensselaer and Mr. Padlo
and Ms. Hastings¹

**AUTHORIZING THE CHAIR TO EXECUTE LOAN DOCUMENTS
WITH AIMEE PINCOSKI D/B/A HELLO GORGEOUS SALON
FOR RELOCATION AND EXPANSION PROJECT**

Pursuant to Section 99-h of the State Finance Law
and Section 450 of the County Law.

WHEREAS, Cattaraugus County has designated casino funds for economic development in the approved spending plan to address projects such as business retention and expansion by providing incentives to companies that retain and expand employment within Cattaraugus County, and

WHEREAS, the County is desirous of retaining and expanding employment in Cattaraugus County, and

WHEREAS, Aimee Pincoski d/b/a Hello Gorgeous Salon, currently located at 213 North Union Street, Olean, New York 14760, is a full service hair salon, and

WHEREAS, Aimee Pincoski d/b/a Hello Gorgeous Salon, proposes a relocation and expansion project that creates a need for working capital to acquire and renovate property located at 79 Main Street, Allegany, New York, and relocate operations to the same, and

WHEREAS, Aimee Pincoski d/b/a Hello Gorgeous Salon, is in need of \$30,000.00 to help defray costs associated with the aforementioned relocation and expansion project, and

WHEREAS, the County has \$30,000.00 in its economic development project, using casino funds for economic development projects in the County, and

WHEREAS, it is proposed that the County loan to Aimee Pincoski d/b/a Hello Gorgeous Salon, the amount of \$30,000.00, at a 5% fixed interest rate per annum, to be repaid in monthly installments over a seven (7) year period, and

WHEREAS, sufficient funds are included in the economic development fund from casino proceeds for this project, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute loan documents, on behalf of Cattaraugus County, with Aimee Pincoski d/b/a Hello Gorgeous Salon, for a term commencing upon signing of the loan documents and terminating seven (7) years thereafter, according to the above-described terms.

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

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

Adopted March 22, 2017 by voice vote. Mr. Padlo voting No.

ACT NO. 126-2017 by Mr. Neal and Mr. VanRensselaer

**DIRECTING COUNTY TREASURER TO ISSUE
CERTIFICATE OF RESTORATION
(Town of Little Valley)**

Pursuant to Sections 1138 (4)(a) and 1138 (6)(d) of the
Real Property Tax Law.

WHEREAS, certain parcels were withdrawn from the 2013 in rem tax foreclosure proceeding because of certain environmental issues affecting the property, and

WHEREAS, Act 595-2013 directed the County Treasurer to issue a Certificate of Prospective Cancellation on property located in the Town of Little Valley, bearing Tax Map Numbers 54.071-4-24, 54.071-4-25, 54.071-4-26, 54.071-4-22, and owned by H2K Ventures, LLC, and

WHEREAS, it has been determined that the above parcels should be reinstated and restored to the taxable portion of the assessment roll, now, therefore, be it

RESOLVED, that the County Treasurer be, and hereby is, authorized and directed to reinstate the aforementioned parcels and issue a Certificate of Reinstatement with the Assessor and County Director of Real Property Tax Services, and be it further

RESOLVED, that the County Treasurer be, and hereby is, authorized and directed to file a Certificate of Restoration with the Assessor and County Director of Real Property Tax Services, and be it further

RESOLVED, that, upon the filing of the aforementioned Certificates of Reinstatement and Restoration, the above-described parcels shall be reinstated and restored to the taxable portion of the assessment roll.

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

Adopted March 22, 2017 by voice vote.

ACT NO. 127-2017 by Mr. Boberg, Mr. Breton, Mr. Hale, Mr. Helmich, Mr. Higgins, Mr. Klancer, Mr. Neal, Mr. Snyder, Sr., Mr. Snyder, Jr., Mrs. Stockman, Mr. VanRensselaer and Ms. Vickman *and Mr. Koch*¹

**SUPPORTING S.879C, A.6140 and S.3382 REGARDING REPEAL OF
NEW YORK SAFE ACT FOR UPSTATE NEW YORK**

Pursuant to Section 153 of the County Law.

WHEREAS, Senate Bill S.879C and Assembly Bill A.6140 propose to limit the application of the SAFE Act for the counties of Kings, Queens, Richmond, New York and the Bronx, thereby repealing it for the remainder of the State, and

WHEREAS, Senate Bill S.3382 also proposes the same limitations to the SAFE Act for the New York City counties and repeals the SAFE Act for the remainder of the State, while including the following provisions:

- proposes to remove restrictions on the transfer of guns to family members due to the gun owner's death; and
- proposes to remove the background check requirement for purchase of ammunition,

and

WHEREAS, the right to keep and bear arms to defend life, liberty and property is guaranteed by the Second Amendment to the United States Constitution, and the lawful use and possession of firearms is a valued right with a long standing history in Cattaraugus County, and

WHEREAS, in the past four years, the SAFE Act has not proven effective in reducing crime and violent acts associated with firearms, and it is deemed necessary to remove such burdens from citizens residing in counties outside of New York City, and

WHEREAS, the SAFE Act is viewed by many citizens of the State of New York as an infringement upon the rights guaranteed to them by the Second Amendment of the United States Constitution, and the vast majority of the citizens of Cattaraugus County oppose the SAFE Act, and

WHEREAS, the proposed repeal of the SAFE Act for those counties outside of New York City will allow counties to more effectively allocate and use resources in delivering services to citizens, where such resources will not be needed to process permits and perform other administrative tasks associated with the SAFE Act in its current form, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby requests Governor Cuomo and the State Legislature to adopt S.879C and A.6140, limiting the applicability of the SAFE Act to the counties of Kings, Queens, Richmond, New York and the Bronx, where such are boroughs of New York City, and be it further

RESOLVED, that the Cattaraugus County Legislature hereby further requests Governor Cuomo and the State Legislature to adopt S.3382, limiting the applicability of the SAFE Act to the counties of Kings, Queens, Richmond, New York and the Bronx, where such are boroughs of New York City, removing restrictions on the transfer of guns to family members due to the gun owner's death and the removal of the background check requirement for purchase of ammunition, and be it further

RESOLVED, that the Cattaraugus County Legislature urges that the SAFE Act be repealed for upstate New York, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward copies of this resolution to Governor Cuomo, Senate Majority Leader Flanagan, Assembly Speaker Heastie, Senator Young, Assembly Member Giglio, members of the New York State Legislature, the New York State Association of Counties, the Inter-County Association of Western New York and each New York State County.

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

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

MR. SNYDER, JR. and MR. SNYDER, SR. requested a Roll Call vote on Act No. 127-2017, which disclosed as follows:

Ayes: Boberg, Breton, Giardini, Hale, Hastings, Helmich, Higgins, Koch, Neal, Snyder, Sr., Snyder, Jr., Stockman, VanRensselaer, Vickman - 14.

Nays: Labuhn, Padlo - 2.

Act No. 127-2017, having received a majority vote of the Legislature, was declared Adopted.

* * * * *

MR. BOBERG moved, seconded by Mr. Higgins, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 128-2017 through Act No. 131-2017, inclusive. Carried.

* * * * *

ACT NO. 128-2017 by Mr. Boberg, Mr. Breton, Mr. Helmich, Mr. Higgins, Mr. Neal, Mr. Snyder, Sr., Mr. VanRensselaer, Ms. Vickman, Mr. Giardini, Ms. Hastings and Mr. Padlo who ask immediate consideration

**SALE OF TAX TITLE PROPERTY TO FORMER OWNERS
(City of Olean and Towns of Carrollton, Farmersville, Randolph and Yorkshire)**

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 properties situate in the City of Olean and the Towns of Carrollton, Farmersville, Randolph and Yorkshire, and

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

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

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

CITY OF OLEAN

| PARCEL | TAX MAP NO. | FORMER OWNER(S) | ADDRESS | COUNTY INVOLVEMENT |
|--------|---------------|-----------------------------------|-------------------------------------|--------------------|
| 46 | 94.050-3-32.2 | David C. Lasky Pamela A. Lasky | 930 Crown Street Olean, NY 14760 | \$10,537.27 |
| 47 | 94.067-1-22 | David C. Lasky Pamela A. Lasky | 930 Crown Street Olean, NY 14760 | \$2,662.37 |
| 48 | 94.067-1-20 | David C. Lasky Pamela A. Lasky | 930 Crown Street Olean, NY 14760 | \$1,487.56 |
| 49 | 94.067-1-19 | David C. Lasky Pamela A. Lasky | 930 Crown Street Olean, NY 14760 | \$6,828.77 |
| 50 | 94.067-1-21 | David C. Lasky Pamela A. Lasky | 930 Crown Street Olean, NY 14760 | \$2,439.58 |

TOWN OF CARROLLTON

| PARCEL | TAX MAP NO. | FORMER OWNER(S) | ADDRESS | COUNTY INVOLVEMENT |
|--------|--------------|----------------------|--|--------------------|
| 133 | 92.004-1-3.2 | Michael J. McCaffery | 1875 Chipmonk Road Allegany, NY 14706 | \$4,736.55 |

TOWN OF FARMERSVILLE

| PARCEL | TAX MAP NO. | FORMER OWNER(S) | ADDRESS | COUNTY INVOLVEMENT |
|--------|-------------|---------------------------------|---|--------------------|
| 184 | 23.004-1-14 | Karl D. Neamon Laurie Neamon | 9828 Huyck Road Farmersville Station, NY 14060 | \$3,035.72 |

TOWN OF RANDOLPH

| PARCEL | TAX MAP NO. | FORMER OWNER(S) | ADDRESS | COUNTY INVOLVEMENT |
|--------|-------------|---|---|--------------------|
| 360 | 70.071-6-16 | Gary Holdridge Loretta C. Holdridge Wayne Holdridge | 5 E. Crowley Street Randolph, NY 14772 | \$5,730.80 |

TOWN OF YORKSHIRE

| PARCEL | TAX MAP NO. | FORMER OWNER(S) | ADDRESS | COUNTY INVOLVEMENT |
|--------|-------------|------------------------------------|--------------------------------------|--------------------|
| 375 | 4.004-1-7 | Richard A. Babcock Anna Babcock | 3832 Forks Road Chaffee, NY 14030 | \$6,952.69 |

Adopted March 22, 2017 by unanimous voice vote.

ACT NO. 129-2017 by Mr. Boberg, Mr. Breton, Mr. Hale, Mr. Helmich, Mr. Higgins, Mr. Klancer, Mr. Neal, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. VanRensselaer, Ms. Vickman, Mr. Giardini, Ms. Hastings, Mr. Koch, Mrs. Labuhn and Mr. Padlo who ask immediate consideration

CONGRATULATING RANDOLPH CARDINALS BOYS BASKETBALL TEAM FOR WINNING 2017 NEW YORK STATE SECTION VI CLASS C-2 CHAMPIONSHIP

Pursuant to Section 153 of the County Law.

WHEREAS, the Randolph High School Cardinals boys basketball team won the 2017 New York State Section VI Class C-2 basketball championship on Friday, March 3, 2017 at Jamestown Community College by defeating Buffalo East High School Panthers, and

WHEREAS, the Randolph Cardinals won the title by defeating Buffalo East Panthers by a score of 51-42, and

WHEREAS, this is the Cardinals' second title in the last four years, and

WHEREAS, on February 28, 2017 at JCC, the Cardinals defeated the Frewsburg Bears by a score of 51-37 to win the Section VI Class C-2 semifinals, and

WHEREAS, the team and coach should be commended for their hard work and dedication, which led to this successful season, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby congratulates Coach Kevin Hind and the Randolph High School Cardinals Boys Basketball Team on the team's 2017 New York State Section VI Class C-2 basketball championship, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Superintendent of Schools Kaine Kelly and Coach Kevin Hind.

Adopted March 22, 2017 by voice vote.

ACT NO. 130-2017 Mr. Boberg, Mr. Breton, Mr. Hale, Mr. Helmich, Mr. Higgins, Mr. Klancer, Mr. Neal, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. VanRensselaer, Ms. Vickman, Mr. Giardini, Ms. Hastings, Mr. Koch, Mrs. Labuhn and Mr. Padlo who ask immediate consideration

CONGRATULATING FRANKLINVILLE PANTHERS BOYS BASKETBALL TEAM FOR

**WINNING 2017 NEW YORK STATE SECTION VI CLASS D CHAMPIONSHIP
AND FAR WEST REGIONAL CHAMPIONSHIP**

Pursuant to Section 153 of the County Law.

WHEREAS, the Franklinville High School Panthers boys basketball team won the 2017 New York State Section VI Class D basketball championship on March 3, 2017 at Jamestown Community College by defeating the Sherman High School Wildcats, and

WHEREAS, the Franklinville Panthers won the title by defeating the Sherman Wildcats by a score of 59-48, and

WHEREAS, the Panthers moved on to win the Far West Regional Championship on March 11, 2017 at Genesee Community College by defeating the C.G. Finney Vikings by a score of 63-40, and

WHEREAS, this was the Panthers' first state final four appearance since 1978, and

WHEREAS, the team and coach should be commended for their hard work and dedication, which led to this successful season, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby congratulates Coach Jeff Haskell and the Franklinville High School Panthers Boys Basketball Team on the team's 2017 New York State Section VI Class D basketball championship and Far West Regional Championship, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Superintendent of Schools Michelle Spasiano and Coach Jeff Haskell.

Adopted March 22, 2017 by voice vote.

ACT NO. 131-2017 by Mr. Boberg and Mr. Helmich
who ask immediate consideration

**URGING ADOPTION OF CANCER PRESUMPTIVE BILL FOR
VOLUNTEER FIREFIGHTERS
(Senate Bill S.1411 and Assembly Bill A.711)**

Pursuant to Section 153 of the County Law.

WHEREAS, it has been firmly established that firefighters are exposed to many known and suspected carcinogens every time they respond to a fire scene, and

WHEREAS, the levels of chemical carcinogens at structural and vehicle fires, as well as from the personal protective clothing of firefighters, have been determined to be hazardous and measured to be well in excess of permissible workplace levels, and

WHEREAS, these carcinogens include polycyclic aromatic hydrocarbons (PAHs) in soot and tars; benzene; formaldehyde; 1,4-butadiene; arsenic; polychlorinated biphenyls (PCBs); dioxins; asbestos; and diesel engine exhaust, and

WHEREAS, the uncontrolled environmental conditions that occur during the knockdown and overhaul phases at fire scenes guarantee that firefighters are routinely exposed to these toxic chemicals, and

WHEREAS, the evidence is strongest for an increased risk of brain, digestive tract (colorectal, stomach), genitourinary tract (bladder, kidney, testicles, prostate), lympho-hematopoietic (leukemia, Non-Hodgkin's lymphoma, multiple myeloma), skin (melanoma) and lung cancers among volunteer firefighters, and

WHEREAS, the current Presumptive Cancer Bill covering career firefighters was built on the results of these studies, and

WHEREAS, Presumptive Cancer legislation is at the top of the legislative agenda for New York's volunteer firefighters, and

WHEREAS, the volunteer fire service districts of Cattaraugus County urge Governor Cuomo and the State Legislature to support and adopt this Bill, and

WHEREAS, volunteer firefighters do not volunteer to get cancer, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby urges Governor Cuomo and the State Legislature to adopt Senate Bill S.1411 and Assembly Bill A.711, and pass the Cancer Presumptive Bill that would extend the existing Volunteer Firefighters' Benefit Law to cover all instances of melanoma, as well as the cancers described above, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward copies of this resolution to Governor Cuomo, Senate Majority Leader Flanagan, Assembly Speaker Heastie, Senator Young, Assembly Member Giglio, members of the New York State Legislature, the New York State Association of Counties, the Inter-County Association of Western New York, each New York State County, and the Firemen's Association of the State of New York.

Adopted March 22, 2017 by voice vote.

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PRIVILEGE OF THE FLOOR:

CHAIRMAN STOCKMAN granted Privilege of the Floor to Jack Searles, County Administrator, who updated the Legislature on the proposed President's Federal Budget and the proposed Health Care Reform. This amendment provides that the local share of Medicaid cannot be passed on to counties by the state.

* * * * *

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

MRS. LABUHN moved, seconded by Ms. Vickman, to adjourn into Executive Session for the purpose of discussing proposed, pending or current litigation pursuant to Article 7 of the Open Meetings Law Section 105.1.d. Carried by majority vote.

MRS. LABUHN moved, seconded by Mr. Neal, 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. HALE moved, seconded by Ms. Vickman to adjourn until April 12, 2017 at 4:00 p.m. Carried.

Meeting adjourned at 5:11 p.m.

Ann M. Giglio
Journal Clerk