

April 26, 2017

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

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed all Legislators present.

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CHAIRMAN STOCKMAN noted that the minutes of the April 12, 2017 session stand approved as presented.

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COMMUNICATIONS:

Greene County Legislature: Resolution No. 144-17, entitled "Urging Adoption of Cancer Presumptive Bill for Volunteer Firefighters (Senate Bill S.1411 and Assembly Bill A.711)" and Resolution No. 145-17, entitled "Supporting S.879C, A.6140 and S.3382 Regarding Repeal of New York SAFE Act for Upstate New York".

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APPOINTMENTS:

CATTARAUGUS COUNTY TRAFFIC SAFETY BOARD

Term to expire December 31, 2018

Melanie A. Churakos
Administrative Lieutenant
Sheriff's Office
301 Court Street
Little Valley, New York 14755
to fill the unexpired term of Robert Buchhardt, who resigned.

STOP-DWI COORDINATOR

Pursuant to VTL 1197 §2

Lt. Brandon Walters
Cattaraugus County Sheriff's Office
301 Court Street
Little Valley, New York 14755

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PRIVILEGE OF THE FLOOR:

CHAIRMAN STOCKMAN granted Privilege of the Floor to Eagle Scout Garrett Martin who gave a presentation on his Eagle Scout Project and his tenure in scouts.

ACT NO. 168-2017 by Mr. VanRensselaer and Mr. Padlo

APPOINTMENT OF DIRECTOR OF ECONOMIC DEVELOPMENT, PLANNING AND TOURISM

Pursuant to Sections 204 and 205 of the County Law.

RESOLVED, that Crystal J. Abers, 9822 Mosher Road, South Dayton, New York 14138, be, and hereby is, appointed Director of Economic Development, Planning and Tourism for a four (4) year term commencing January 6, 2018 and terminating January 5, 2022, at such salary as may hereinafter be established.

Held in the Finance Committee and the Development and Agriculture Committee.

ACT NO. 169-2017 by Mr. Giardini and Mr. Helmich

**BID ACCEPTANCE FOR COUNTY ROAD NO. 13 IMPROVEMENTS
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and
Section 215 of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the County Road No. 13 Improvement Project (Maples Road), including Mansfield Bridge No. 58, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications was the bid of J. D. Northrup Construction, Inc., 5767 Route 219, P.O. Box 669, Ellicottville, New York 14731, for an amount of \$2,638,769.50, to be paid on a percent-of-completion basis, as invoiced and approved by the Commissioner of 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 J. D. Northrup 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 October 31, 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.

Five bids were received meeting specifications.

Approved by 7 members of the Finance Committee and 6 members of the Public Works Committee.

Adopted April 26, 2017 by voice vote.

ACT NO. 170-2017 by Ms. Vickman

**BID ACCEPTANCE FOR MEDICAL OXYGEN CYLINDERS
(Department of Nursing Homes)**

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

WHEREAS, Act 108-2013 authorized a contract with Abbott Welding Supply Co., Inc., for the provision of medical oxygen and oxygen cylinder rental for The Pines Healthcare & Rehabilitation Center-Olean and Machias Campuses, the term of which expires April 30, 2017, and

WHEREAS, Abbott Welding Supply Co., Inc., was assigned to Airgas USA, LLC on November 13, 2014, and

WHEREAS, the Department of Nursing Homes is in need of medical oxygen and oxygen cylinder rentals for The Pines Healthcare and Rehabilitation Centers, and

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of medical oxygen and oxygen cylinder rentals for The Pines Healthcare & Rehabilitation Center-Olean and Machias Campuses, according to specifications provided by the Senior Services Committee, and

WHEREAS, the lowest responsible bid received meeting specifications for the provision of medical oxygen and oxygen cylinder rentals for The Pines Healthcare & Rehabilitation Center-Olean and Machias Campuses, was the bid of Airgas USA, LLC, 509 North First Street, Olean, New York 14760, for an amount of \$36,939.60, as follows:

A. Estimated Annual Usage to Furnish and Deliver Medical Grade Oxygen in Cylinders

<u>Facility</u>	<u>Estimated Annual Usage</u>	<u>Unit Cost</u>	<u>Total Price</u>
Pines-Olean ("E" [23CF] with integrated valve)	7,500	\$1.99	\$14,925.00
Pines-Machias ("E" [23CF] with integrated valve)	7,500	\$1.99	\$14,925.00

B. Estimated Monthly Equipment (cylinder tank) Rental

<u>Facility</u>	<u>Estimated Equipment in Building</u>	<u>Monthly Rental Rate Per Unit</u>	<u>Annual Cost for Cylinder Type</u>
Pines-Olean ("E" [23CF] with integrated valve)	125	\$1.20 x 12	\$1,800.00
Pines-Machias ("E" [23CF] with integrated valve)	220	\$1.20 x 12	\$3,168.00

Delivery Charge (per delivery) – Olean	\$8.45/delivery x 156 deliveries/year	\$1,318.20
Delivery Charge (per delivery) – Machias	\$15.45/delivery x 52 deliveries/year	\$ 803.40

and

WHEREAS, the bid prices shall be adjusted during the term of the contract to reflect only an increase or decrease in the Contractor's wholesale price, but at no time shall the contract pricing change be raised in excess of the Consumer Price Index or Producer Price Index as calculated by the County, 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 Airgas USA, LLC, for the provision of the above-described oxygen and cylinder rental, for a term commencing May 1, 2017 and terminating April

30, 2018, with the option to renew for three (3) separate one (1) year terms, at the same rates, according to the above-described terms.

No State Bid.

8 sets of specifications were sent out

4 bids were received meeting specifications

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

MS. VICKMAN moved, seconded by Mr. Snyder, Jr., to refer Act No. 170-2017 to the Human Services Committee. Carried.

ACT NO. 171-2017 by Mr. Neal and Mr. VanRensselaer

**CANCELING UNENFORCEABLE LIENS
(Town of Randolph)**

Pursuant to Section 558 of the Real Property Tax Law.

WHEREAS, certain properties located in Cattaraugus County were transferred to the Town of Randolph for the sum of \$1.00 each, and

WHEREAS, it is necessary and prudent for the Cattaraugus County Legislature to cancel the unpaid taxes, and

WHEREAS, Act 117-2017 authorized the sale of the properties listed below to the Town of Randolph, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby cancels the lien of taxes for the properties below:

<u>Town</u>	<u>Owner</u>	<u>Tax Map No.</u>	<u>Amount</u>
Randolph	Mary Joyce	70.072-2-12	\$15,749.26
Randolph	Mary Joyce	70.072-2-13	\$13,065.50

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

Adopted April 26, 2017 by voice vote.

ACT NO. 172-2017 by Mr. Snyder, Sr.

**CANCELING UNENFORCEABLE LIENS
(Towns of Allegany, Carrollton and New Albion)**

Pursuant to Sections 404 and 448 of the Real Property Tax Law.

WHEREAS, there are certain properties located in Cattaraugus County containing vacated oil and gas wells which are no longer producing, or have been capped, and are no longer on the tax rolls, and

WHEREAS, it is necessary and prudent for the Cattaraugus County Legislature to cancel the unpaid taxes where the lien of such taxes is unenforceable, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby cancels the lien of taxes for the properties below, as being unenforceable:

<u>Town</u>	<u>Owner</u>	<u>Tax Map No.</u>	<u>Amount</u>
Allegany	Knox Oil Co.	111.002-1-28.3/4	\$ 264.58
Carrollton	David Flaherty	110.001-2-1.1/2	\$ 205.61
New Albion	Envirogas, Inc.	43.004-2-10./1	\$3,863.21

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

Adopted April 26, 2017 by voice vote.

ACT NO. 173-2017 by Mr. Snyder, Sr.

**LOCAL LAW NUMBER 2 - 2017
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law,
Section 1202-u of the Tax Law and Chapter 563 of the Laws of 2003.

**A LOCAL LAW AMENDING LOCAL LAW NO. 20-2003 (INTRO NUMBER 21-2003)
REGARDING THE CATTARAUGUS COUNTY HOTEL AND MOTEL TAX**

BE IT ENACTED by the County Legislature of the County of Cattaraugus, as follows:

SECTION 1. Legislative Intent. Local Law 20-2003 (Intro Number 21-2003), as continued by Local Law Number 9-2015 (Intro Number 10-2015), imposed a tax on facilities providing lodging on an overnight basis and provided for the collection thereof in order to make funds available for tourism and economic development.

SECTION 2. Amendment of Section 2. Definitions. Replace Section (d) with the following:

"(d) Hotel or Motel. Any facility providing lodging on an overnight basis, including, but not limited to, "bed and breakfast", inns, cabins, condominiums, cottages, campgrounds, lodges, town houses, URTS, AIRBNB's, VRBO's (Vacation Rental by Owner), tourist homes and convention centers. The term condominium shall mean and include those units rented or leased directly by the owner or through a real estate agency or rental management agency. The provisions of this section relating to campgrounds, shall only apply to those leases and rentals in which the campground provides overnight shelter or lodging, and shall not apply to the provision of services by a campground when the customer provides his or her own shelter or lodging."

SECTION 3. Amendment of Section 15. Disposition of Revenues. Replace Section 15 with the following:

"All revenues resulting from the imposition of the tax under this local law shall be paid into the Treasury of Cattaraugus County and shall be credited to, and deposited in, the general fund of the County and shall be available thereafter for the purposes of tourism and economic development and that the costs of administering such tax will be calculated in accordance with the chart below. The revenue derived from the tax, after deducting the amount provided for administering such tax, as so authorized by local law, shall be allocated to enhance the general economy of Cattaraugus County, its

cities, town and villages, through promotion of tourist activities, conventions, trade shows, special events, and other directly related supporting activities.

<u>From</u>	<u>To</u>	<u>Administration %</u>
\$0	\$850,000	5.00%
\$850,001	\$950,000	10.00%
\$950,001	\$1,250,000	15.00%
\$1,250,001	\$9,999,999	20.00%".

SECTION 4. Effective Date. This Local Law shall take effect immediately.

Held in the Finance Committee and the Development and Agriculture Committee.

ACT NO. 174-2017 by Mr. Snyder, Sr.

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 2 - 2017

Pursuant to Section 10 of the Municipal Home Rule Law, Section 1202-u of the Tax Law and Chapter 563 of the Laws of 2003.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on April 26, 2017, a proposed Local Law entitled "A Local Law Amending Local Law No. 20-2003 (Intro Number 21-2003) Regarding the Cattaraugus County Hotel and Motel Tax", and

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

RESOLVED, that a public hearing shall be held on the proposed local law by this County Legislature on the 10th day of May, 2017, at 4:01 p.m. at the Legislature's Chambers, County Office Building, 303 Court Street, Little Valley, New York, and that at least five days' notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Held in the Finance Committee and the Development and Agriculture Committee.

ACT NO. 175-2017 by Mr. VanRensselaer and Mr. Padlo

ADOPTION OF THE COUNTYWIDE ARTS, CULTURE AND HERITAGE PLAN FOR CATTARAUGUS COUNTY

Pursuant to Section 450 of the County Law.

WHEREAS, the County Department of Economic Development, Planning and Tourism has been awarded funding in the amount of \$49,500.00 through the New York Empire State Council on the Arts for Arts, Culture and Heritage New Initiatives – Planning Round 5 grant, and

WHEREAS, Act 291-2016 authorized the Chairman to execute a contract with MDB Insight for the development of the Countywide Arts, Culture and Heritage Plan, and

WHEREAS, the Plan must now be adopted by the Cattaraugus County Legislature, now, therefore, be it

RESOLVED, that the Countywide Arts, Culture and Heritage Plan for Cattaraugus County is hereby adopted.

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

Adopted April 26, 2017 by voice vote.

ACT NO. 176-2017 by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE TEMPORARY ACCESS AGREEMENT
GRANTING CATTARAUGUS/CHAUTAUQUA CHAPTER OF THE
NEW YORK STATE HORSE COUNCIL ACCESS OVER
COUNTY-OWNED PROPERTY**

Pursuant to Sections 219 and 450 of the County Law.

WHEREAS, the Cattaraugus/Chautauqua Chapter of the New York State Horse Council has requested permission to cross a 2.45 acre parcel located on Bone Run Road in the Town of South Valley, identified as Tax Map No. 97.001-1-12, for the purposes of establishing and maintaining a horse trail across such property and onto adjacent parcels of property, and

WHEREAS, access should be granted to the Cattaraugus/Chautauqua Chapter of the New York State Horse Council to cross the aforementioned parcel of land as part of the Pine Hill/South Valley Trail System for the limited purpose of equestrian riding and trail maintenance, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a temporary access agreement, on behalf of Cattaraugus County, with the Cattaraugus/Chautauqua Chapter of the New York State Horse Council, for the above-described use.

Approved by 7 members of the Finance Committee and 6 members of the Public Works Committee.

Adopted April 26, 2017 by voice vote.

ACT NO. 177-2017 by Mr. VanRensselaer and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE LOAN DOCUMENTS
WITH STILLHOUSE OF BUFFALO, LLC, FOR THE
RENOVATION AND PURCHASE OF MACHINERY AND EQUIPMENT
FOR TASTING ROOM AND TAP ROOM**

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, Stillhouse of Buffalo, LLC, 6600 Route 219, Ellicottville, New York 14731, has plans to complete an expansion of the building and purchase of equipment for the creation of a new tasting room and tap room, and

WHEREAS, Stillhouse of Buffalo, LLC, projects that six (6) full time equivalent positions will be created as a result of this project, and

WHEREAS, the County administers its economic development loan program, using casino funds for economic development projects in the County, and

WHEREAS, it is proposed that the County loan to Stillhouse of Buffalo, LLC, the sum of \$75,000.00, at a 5% fixed interest rate per annum, to be repaid in monthly installments over a seven (7) year period, with the following conditions:

- Payments for months 1(one) through 84 (eight-four) shall be principal and interest;
- Upon the County's receipt of acceptable documentation verifying the creation of at least six (6) full-time equivalent positions (FTE), Stillhouse of Buffalo, LLC, is eligible for loan principal forgiveness of up to \$25,000.00 (calculated at \$4,166 per one (1) FTE);
- Stillhouse of Buffalo, LLC, shall provide job creation documentation once per year, and such loan principal forgiveness will be pro-rated for the preceding 12 month period, and
- To maintain eligibility for loan principal forgiveness, loan repayments must be made on time,

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 Stillhouse of Buffalo, LLC, for a term commencing upon signing of the loan documents and terminating seven (7) years thereafter, according to the above-described terms.

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

Adopted April 26, 2017 by voice vote.

ACT NO. 178-2017 by Mr. VanRensselaer and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE LOAN DOCUMENTS
WITH MANSFIELD ARMS & AMMO FOR
DEVELOPMENT AND CONSTRUCTION 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, Mansfield Arms & Ammo, 7654 Hinman Hollow, Little Valley, New York 14755, a retail sales and gunsmith business established in 2015 will operate at the same address, and

WHEREAS, Mansfield Arms & Ammo proposes a development and expansion project to include the manufacturing of ammunition, and

WHEREAS, Mansfield Arms & Ammo proposes owner equity and the creation of one (1) full-time position and one (1) part-time position, and

WHEREAS, Mansfield Arms & Ammo is in need of \$50,000.00 to help defray costs of renovation and equipment acquisition for the project, and

WHEREAS, the County has \$50,000.00 in its economic development revolving loan fund program, using casino funds for economic development projects in the County, and

WHEREAS, it is proposed that the County loan to Mansfield Arms & Ammo the sum of \$50,000.00, at a 5% fixed interest rate per annum, to be repaid in monthly installments over a seven (7) year period, with the following conditions:

- Payments for months 1(one) through 84 (eight-four) shall be principal and interest, 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 Mansfield Arms & Ammo, for a term commencing upon signing of the loan documents and terminating seven (7) years thereafter, according to the above-described terms.

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

Adopted April 26, 2017 by voice vote.

ACT NO. 179-2017 by Mr. Klancer

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

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

WHEREAS, Act 530-2016 authorized the Chairman to apply for funding through the New York State Division of Homeland Security and Emergency Services for the Statewide Interoperable Communications grant, and

WHEREAS, the Sheriff's Office has been awarded funding through the New York State Division of Homeland Security and Emergency Services in the amount of \$663,916.00, and

WHEREAS, the 2016 Statewide Interoperable Communications Grant-Formula Program will focus on further minimizing gaps in interoperable communication by aligning technology acquisitions with operational use by first responders, which provides the foundation necessary to accomplish a high level of interoperability, and

WHEREAS, this program is 100% State funded through NYS Object Code #2016 SICG-Formula Program, 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 grant documents, on behalf of Cattaraugus County, with the New York State Division of Homeland Security and Emergency Services, in order to accept and receive the aforementioned grant funding, for a term commencing January 1, 2017 and terminating December 31, 2018, 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:

H.311.3197.0000.21074.3397.04	State Aid, Public Safety Capital Projects SICG	\$663,916.00
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Increase Appropriation Account:

H.311.3197.0000.21074.41603	E911 Backup Microwave System contracted	\$663,916.00.
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Approved by 7 members of the Finance Committee and 6 members of the County Operations/Public Safety Committee.

Adopted April 26, 2017 by voice vote.

ACT NO. 180-2017 by Ms. Vickman and Mr. Breton

**AUTHORIZING THE CHAIR TO EXECUTE RENTAL DOCUMENTS WITH
BI INCORPORATED FOR YOUTH BUREAU YOUTH PLACEMENT
PREVENTION ELECTRONIC MONITORING PROGRAM**

Pursuant to Section 65.10 of the Penal Law and
Section 450 of the County Law.

WHEREAS, Act 170-2015 authorized the Chair to execute rental documents for the provision of electronic monitoring devices for the Youth Bureau Youth Placement Prevention Electronic Monitoring Program, the term of which expired March 31, 2017, and

WHEREAS, the Youth Bureau is desirous of continuing the aforementioned electronic monitoring services, and

WHEREAS, BI Incorporated, 6400 Lookout Road, Boulder, Colorado 80301, has agreed to provide the following monitoring equipment and services for a total amount not to exceed \$25,000.00 per year, as follows:

1. HomeGuard 200 Unit Charges:

- HomeGuard 200 Unit Rental Charge	\$1.27 per day per Unit provided from BI Inventory
- HomeGuard 200 Monitoring Service Charge	\$1.10 per Unit per active day
Total HomeGuard 200 Unit Charge	\$2.37 per Unit per day

Additional Services:

- 20% HomeGuard 200 Unit No-charge Spares	Each month, the YB is entitled to keep a quantity of HomeGuard 200 Units equal to 20% of that month's average number of active HomeGuard 200 Units per day in its possession at no charge. For any inactive HomeGuard 200 Units in excess of the 20% allowance, the YB will incur a \$1.27 charge per unit per day.
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Replacement Cost (after exceeding annual 5% allowance) HomeGuard 200 Receiver - \$1,320.00 each
HomeGuard 200 Transmitter - \$575.00 each

2. HomeGuard 206 Unit Terms & Charges:

- HG206 HomeGuard Digital Cell Unit Rental Charge \$3.18 per day per Unit provided from BI Inventory
 - HG206 HomeGuard Digital Cell Monitoring Service Charge \$1.10 per Unit per active day
- Total HG206 HomeGuard Digital Cell Unit Charge \$4.28 per Unit per day

Additional Services:

- 10% HG206 HomeGuard Digital Cell Unit No-charge Spares Each month, the YB is entitled to keep a quantity of inactive HG206 HomeGuard Digital Cell Units equal to 10% of that month's average number of active Units per day in its possession at no charge. For any inactive HG206 HomeGuard Digital Cell Units in excess of the 10% spares allowance, the YB will incur a \$3.18 charge per unit per day.

Replacement Cost HG206 HomeGuard Digital Cell Receiver - \$1,620.00 each
HG206 HomeGuard Digital Cell Transmitter - \$575.00 each

3. ExacuTrack One Charges:

- Exacutrack One Tracker Component Rental \$3.95 per day per Unit provided from BI Inventory

ExacuTrack One with 1.30.A0 ZX Service:

- ExacuTrack One 1.30.A0 ZX Service \$1.59 per day per Unit provided from BI Inventory
- ExacuTrack One 1.30.A0 ZX Total \$5.54 total of ExacuTrack One Components & ExacuTrack One 1.30.A0 ZX Service charges

ExacuTrack One with 1.720.A0 ZX Service:

- ExacuTrack One 1.720.A0 ZX Service \$0.68 per day per Unit provided from BI Inventory
- ExacuTrack One 1.720.A0 ZX Total \$4.63 total of ExacuTrack One Components & ExacuTrack One 1.720.A0 ZX Service charges

Additional Services:

- 10% ExacuTrack One Unit No-charge Spares Each month, the YB is entitled to keep a quantity of ExacuTrack One Tracking Units equal to 10% of that month's average number of active Units per day in its possession at no charge. For any inactive ExacuTrack One Units in excess of the 10% allowance, the YB will incur a \$3.95 charge per unit per day.

Replacement Cost ExacuTrack One Beacon - \$250.00 each
ExacuTrack One Tracking Unit - \$1,740.00 each
ExacuTrack One Fiber Optic Strap - \$60.00 each
ExacuTrack One Wallcharger - \$60.00 each,

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute rental documents, on behalf of Cattaraugus County, with BI Incorporated, for the provision of the above-described services, for a term commencing April 1, 2017 and terminating March 31, 2019,

with automatic one-year renewals, at the sole option of the County, at the same rates as listed above, according to the above-described terms.

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

Adopted April 26, 2017 by voice vote.

ACT NO. 181-2017 by Ms. Vickman and Mr. Breton

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
VARIOUS HANDICAPPED EDUCATION PROVIDERS FOR
YOUTH BUREAU CHILDREN WITH SPECIAL NEEDS PROGRAM**

Pursuant to Section 236 of the Family Court Act and
Section 450 of the County Law.

WHEREAS, Act 276-2016 authorized contracts with various handicapped education providers for the provision of educational and evaluation services for various County preschool-aged children with special needs, the terms of which expire June 30, 2017, and

WHEREAS, the Family Court Act mandates that the County provide payment for the educational and evaluation services which are approved by the Court, and

WHEREAS, contracts are necessary with education providers, related-service providers, and evaluators which are accredited by the New York State Education Department, and

WHEREAS, payments to the education providers, related-service providers, and evaluators will be in accordance with the budgetary tuition rate approved by the County and/or the State, and

WHEREAS, these services are 59.5% State funded and 40.5% County funded, 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 various education providers, related-service providers, and evaluators for the provision of the above-described services, for a term commencing July 1, 2017 and terminating 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 Human Services Committee.

Adopted April 26, 2017 by voice vote.

ACT NO. 182-2017 by Ms. Vickman and Mr. Breton

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH ERIE 1 BOCES TECHNOLOGY SERVICES
FOR CLEARTRACK COUNTY MEDICAID MODULE**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 275-2016 authorized a contract with Erie 1 BOCES Technology Services, 355 Harlem Road, West Seneca, New York 14224, for the access to the ClearTrack County Medicaid Module for the Special Needs Pre-K Program for the 2016-2017 school year, and

WHEREAS, Erie 1 BOCES can provide access to the ClearTrack County Medicaid Module, for an amount not to exceed \$4,660.08 for the 2017-2018 school year, to be paid as invoiced, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned module, 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 Erie 1 BOCES Technology Services for the provision of the above-described services, for a term commencing July 1, 2017 and terminating June 30, 2018, according to the above-described terms.

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

Adopted April 26, 2017 by voice vote.

ACT NO. 183-2017 by Ms. Vickman and Mr. Breton

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Youth Bureau-Member Item Funding)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, Act 378-2016 authorized the Chairman to execute grant documents with the New York State Office of Children and Family Services, in order to receive up to \$200,000.00 in grant-in-aid funding, to offset costs related to youth services including, but not limited to, operational, capital project(s) and/or program administration costs to help provide services, opportunities and supports that are designed to improve youth and the community, and

WHEREAS, the Youth Bureau has been awarded grant-in-aid funding in the amount of \$200,000.00, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to accommodate the aforementioned grant-in-aid funding, now, therefore, be it

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

Increase Estimated Revenue Account:

A.731.7310.7312.3820.03	State Aid, Youth Programs Youth Member Item	\$200,000.00
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Increase Appropriation Accounts:

A.731.7310.7312.20006	Computer Equipment/Software	\$ 608.00
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A.731.7310.7312.40807	Youth Service Contracts	\$180,000.00
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A.731.7310.7312.41239	Speaker Fees	\$ 4,000.00
A.731.7310.7312.44204	Room Rental	\$ 2,300.00
A.731.7310.7312.45401	Small Equipment/Tools	\$ 596.00
A.731.7310.7312.46108	Cellular Phone Charges	\$ 496.00
A.731.7310.7312.47001	Postage	\$ 150.00
A.731.7310.7312.47006	Operating Supplies	\$ 2,510.00
A.731.7310.7312.48003	Meeting Expenses	\$ 9,340.00.

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

Adopted April 26, 2017 by voice vote.

ACT NO. 184-2017 by Ms. Vickman and Ms. Hastings

APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND HEALTHNOW NEW YORK, INC. D/B/A BLUE CROSS & BLUE SHIELD OF WESTERN NEW YORK FOR MENTAL HEALTH SERVICES

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

WHEREAS, HealthNow New York, Inc., d/b/a Blue Cross & Blue Shield of Western New York, Inc., has requested the County Department of Community Services to become a provider of mental health services to participating members of its Provider Network, and

WHEREAS, the Cattaraugus County Community Services Board is desirous of becoming a participating provider with HealthNow New York, Inc., d/b/a Blue Cross & Blue Shield of Western New York, Inc., for the provision of mental health services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, between the Cattaraugus County Community Services Board and HealthNow New York, Inc., d/b/a Blue Cross & Blue Shield of Western New York, Inc., to signify the County's approval for the Department of Community Services to become a participating provider of mental health services to participating members of the Blue Cross & Blue Shield of Western New York, Inc., Provider Network, for a term commencing upon the effective date of the contract and continuing in full force and effect until terminated or otherwise amended thereto, according to the above-described terms.

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

Adopted April 26, 2017 by voice vote.

ACT NO. 185-2017 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

REQUESTING NEW YORK STATE DEDICATE THE NEW ROUTE 219 BRIDGE IN HONOR OF GERARD "JESS" FITZPATRICK

Pursuant to Section 153 of the County Law.

WHEREAS, for almost thirty years, Gerard "Jess" Fitzpatrick led efforts towards upgrading U.S. Route 219 to a four-lane expressway between Springville and Salamanca, and

WHEREAS, he was the Co-Chairman of the Cattaraugus County Route 219 Development Committee since its creation in 1994, and

WHEREAS, Jess advocated for projects along the Route 219 Corridor that would bring projected economic benefits to the region, and

WHEREAS, Gerard "Jess" Fitzpatrick should be honored for his dedication to the Route 219 Corridor project and his many years of service to the County of Cattaraugus, now, therefore, be it

RESOLVED, that Cattaraugus County Legislature hereby requests New York State to dedicate and name the new Route 219 Bridge, as the Gerard "Jess" Fitzpatrick Bridge, in his honor, and be it further

RESOLVED, that an appropriate plaque be placed on the site, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to Senator Catharine M. Young and Member of Assembly Joseph M. Giglio.

Approved by 7 members of the Finance Committee.

ACT NO. 186-2017 by Mr. Hale, Mr. Snyder, Sr. and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH PANAMERICAN ENVIRONMENTAL, INC.
FOR PHASE II ASSESSMENTS ON TAX TITLE PROPERTIES
AND TRANSFER OF FUNDS
(Treasurer's Office)¹**

Pursuant to Sections 363, 365 and¹ 450 of the County Law.

WHEREAS, the County is contemplating foreclosing on the following properties:

<u>Name & Address</u>	<u>Tax Map No.</u>	<u>Parcel Size</u>
Buffalo Turbine Agricultural Equipment Co. Industrial Place Gowanda, New York 14070	16.028-1-1.3 16.027-2-12	158x188
J & B Capital Partners, Inc. 24 Rockwell Avenue Ellicottville, New York 14731	55.043-1-33.1	3.86 acres
<i>Kraig Munzert</i> <i>28 Elm Street</i> <i>Franklinville, New York 14737¹,</i> and	<i>40.062-2-15</i>	<i>3.52 acres</i>

WHEREAS, a Phase II environmental site assessment should be conducted on each of the above-described properties to determine the environmental status of the properties, and

WHEREAS, Panamerican Environmental, Inc., 2390 Clinton Street, Buffalo, New York 14227, has proposed to perform the Phase II environmental site assessment on each of the above-described properties for a total amount of \$40,750.00¹, as follows:

Buffalo Turbine Agricultural Equipment Co.	\$14,500.00 ¹
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J & B Capital Partners, Inc.	\$16,000.00 ¹
Kraig Munzert	\$10,250.00 ¹ ,

and

WHEREAS, *a transfer of funds is necessary*¹ 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 Panamerican Environmental, Inc., for the provision of the above-described services, for a term commencing May 1, 2017 and terminating December 31, 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:

Decrease Appropriation Account:

A.901.1990.0000.40601	Contingent Fund	\$40,750.00
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Increase Appropriation Account:

A.132.1364.0000.44401	Building Repair/Maintenance	\$40,750.00 ¹ .
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Approved by 7 members of the Finance Committee and 7 members of the Development and Agriculture Committee.

¹MR. SNYDER, JR. moved, seconded by Ms. Vickman, to amend as follows: In the Title, add: "AND TRANSFER OF FUNDS (Treasurer's Office); In the Pursuant section, add: "s, 363, 365 and"; In the first Whereas, add: "Kraig Munzert, 28 Elm Street, Franklinville, New York 14737, 40.062-2-15, 3.52 acres"; In the third Whereas, delete: "\$34,000.00", and replace with: "\$40,750.00", delete: "\$15,000.00", and replace with: "\$14,500.00", delete: "\$19,000.00", and replace with: "\$16,000.00", add: "Kraig Munzert \$10,250.00"; In the fourth Whereas, delete: "sufficient funds are included in the economic Development fund", and replace with: "a transfer of funds is necessary"; In the first Resolved, add: ", and be it further"; Add a second Resolved: "RESOLVED, that the County Administrator is hereby directed to make the following budgetary changes: Decrease Appropriation Account: A.901.1990.0000.40601 Contingent Fund \$40,750.00, Increase Appropriation Account: A.132.1364.0000.44401 Building Repair/Maintenance \$40,750.00". Carried.

Adopted, as amended, April 26, 2017 by voice vote.

ACT NO. 187-2017 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 and Mr. Giardini
*and Ms. Hastings*¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH OLEAN BUSINESS DEVELOPMENT CORPORATION
FOR CATTARAUGUS COUNTY YOUTH BASEBALL PROJECT AND
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Department of Economic Development, Planning & Tourism)**

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

WHEREAS, several youth baseball fields in Cattaraugus County are in dire need of repair, maintenance and upgrades, and

WHEREAS, it is proposed that tournaments for youth baseball travel teams be held in Cattaraugus County, and

WHEREAS, this project would bring up to 72 teams per tournament into Cattaraugus County once the fields are completed, and

WHEREAS, it is estimated that approximately 850 to 1000 families would visit communities in Cattaraugus County for each tournament resulting in a vital boost in economic activity for local businesses and sales tax revenues to local municipalities, and

WHEREAS, the youth baseball fields in Cattaraugus County must be updated to national safety standards and improved to meet functional standards suitable for such events, and

WHEREAS, the County should provide assistance with the repair, maintenance and upgrades of the youth baseball fields *located within the County of Cattaraugus*², and

WHEREAS, the Olean Business Development Corporation is a 501(c)(3) non-profit organization duly existing and authorized to do business in the State of New York, and

WHEREAS, the Olean Business Development Corporation has agreed to administer the disbursement of funds for the repairs upon completion of said repairs, and

WHEREAS, the Olean Business Development Corporation has agreed to provide said administrative duties free of charge, and

WHEREAS, the County has surplus funds from the 2016 budget closeout, and

WHEREAS, it is proposed that the County grant the sum of \$600,000.00 to the Olean Business Development Corporation to administer the disbursements for repairs, maintenance and upgrades of the youth baseball fields, and

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

RESOLVED, that Cattaraugus County grants to the Olean Business Development Corporation, pursuant to the terms hereof, the sum of \$600,000.00 to be allocated and administered by said corporation as follows:

- a) the sum of \$550,000.00 for the repair, maintenance and upgrade of youth baseball fields in the Towns of Allegany, Ellicottville, Franklinville and Portville and the Cities of Olean and Salamanca, designated for tournament play, and*
- b) the sum of \$50,000.00 for the repair, maintenance and upgrade of other youth baseball fields located within the County of Cattaraugus,*

*and be it further*³

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 Business Development Corporation, to assist with the repair, maintenance and upgrades of such³ youth baseball fields located within the County of Cattaraugus², and be it further

RESOLVED, to be eligible for funding, any youth baseball organization located within the County of Cattaraugus will submit a written request to the Olean Business Development Corporation and the Clerk of the Cattaraugus County Legislature that must include a description of the project and the scope of work, approximate cost, contact information of the applicant, and a statement affirming that funds were utilized exclusively for the repair, maintenance and upgrade of field or complex, and be it further

RESOLVED, an application for funding must include an affirmation of agreement from the owner of the real property upon which the field or complex is situated, or if the field or complex is municipally owned, a resolution adopted by the governing board of the municipality authorizing said project, and be it further

RESOLVED, prior to any disbursement of funds to the Olean Business Development Corporation, all applications for funding will be approved by the Development and Agriculture Committee and the Finance Committee of the Cattaraugus County Legislature, and be it further

RESOLVED, that the County of Cattaraugus will only disburse funding to the Olean Business Development Corporation upon the receipt and approval of requests for funding for eligible projects, and be it further²

RESOLVED, that the County Administrator is hereby directed to appropriate \$600,000.00 from Undesignated Fund Balance Account A.909.0000 and make the following budgetary adjustments:

Increasing Appropriation Account:

A.298.6420.0000.42050 Contract Agencies-ED-Olean Business Development Corp. \$600,000.00.

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

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

²MR. VANRENSELAER moved, seconded by Mr. Higgins, to amend as follows: In the sixth Whereas and the first Resolved, delete: "in the Towns of Allegany, Ellicottville, Franklinville, Portville, and the Cities of Olean and Salamanca", and replace with: "located within the County of Cattaraugus"; After the first Resolved, add: "RESOLVED, to be eligible for funding, any youth baseball organization located within the County of Cattaraugus will submit a written request to the Olean Business Development Corporation and the Clerk of the Cattaraugus County Legislature that must include a description of the project and the scope of work, approximate cost, contact information of the applicant, and a statement affirming that funds were utilized exclusively for the repair, maintenance and upgrade of field or complex, and be it further RESOLVED, an application for funding must include an affirmation of agreement from the owner of the real property upon which the field or complex is situated, or if the field or complex is municipally owned, a resolution adopted by the governing board of the municipality authorizing said project, and be it further RESOLVED, prior to any disbursement of funds to the Olean Business Development Corporation, all applications for funding will be approved by the Development and Agriculture Committee and the Finance Committee of the Cattaraugus County Legislature, and be it further RESOLVED, that the County of Cattaraugus will only disburse funding to the Olean Business Development Corporation upon the receipt and approval of requests for funding for eligible projects, and be it further". Carried.

³MR. HALE moved, seconded by Mr. Klancer, to amend as follows: Add a new first Resolved: "RESOLVED, that Cattaraugus County grants to the Olean Business Development Corporation, pursuant to the terms hereof, the sum of \$600,000.00 to be allocated and administered by said corporation as follows: a) the sum of \$550,000.00 for the repair, maintenance and upgrade of youth baseball fields in the Towns of Allegany, Ellicottville, Franklinville and Portville and the Cities of Olean and Salamanca, designated for tournament play, and b) the sum of \$50,000.00 for the repair, maintenance and upgrade of other youth baseball fields located within the County of Cattaraugus, and be it further"; Renumber the remaining Resolved paragraphs; in the second Resolved after "of", add: "such". Carried.

CHAIRMAN STOCKMAN granted Privilege of the Floor to Mayor Norman L. Marsh, Village of Little Valley, who spoke against the resolution.

MR. PADLO moved, seconded by Mrs. Labuhn to refer Act No. 187-2017 to the County Operations Committee. Mr. Snyder, Jr. and Ms. Vickman requested, and Chairman Stockman granted, a Roll Call Vote which disclosed as follows:

Ayes: Labuhn, Padlo – 2.

Nays: Boberg, Breton, Giardini, Hale, Hastings, Helmich, Higgins, Klancer, Koch, Neal, Snyder, Sr., Snyder, Jr., Stockman, VanRensselaer, Vickman – 15.

The Motion having failed to receive a majority vote of the Legislature was declared Failed.

MR. SNYDER, JR. and Ms. Vickman requested, and Chairman Stockman granted, a Roll Call Vote on Act No. 187-2017 as amended, which disclosed as follows:

Ayes: Boberg, Breton, Giardini, Hale, Hastings, Helmich, Higgins, Klancer, Koch, Neal, Snyder, Sr., Snyder, Jr., Stockman, VanRensselaer, Vickman – 15.

Nays: Labuhn, Padlo – 2.

Adopted, as amended, April 26, 2017 by majority vote.

* * * * *

MR. HIGGINS moved, seconded by Mr. Koch, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 188-2017 through Act No. 191-2017, inclusive. Carried.

* * * * *

ACT NO. 188-2017 by Mr. Breton, Mr. Higgins, Mr. Neal, Mr. Snyder, Sr., Mrs. Stockman, Ms. Vickman, Mr. Giardini, Ms. Hastings and Mrs. Labuhn who ask immediate consideration

**CREATING ONE (1) PART-TIME POSITION OF DEPUTY COUNTY ADMINISTRATOR
IN THE COUNTY ADMINISTRATOR’S OFFICE AND
ESTABLISHING COMPENSATION FOR THE SAME
(County Administrator’s Office)**

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

WHEREAS, the County Administrator is desirous of facilitating and efficiently administering County business, and

WHEREAS, it is the intent to have as a resource the knowledge and expertise of uniquely qualified personnel in the position of Deputy County Administrator, and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Civil Service Personnel Officer, who has approved and certified the title as Deputy County Administrator in accordance with Section 22 of the Civil Service Law, now, therefore, be it

RESOLVED, that effective immediately, there is hereby created one (1) position of Deputy County Administrator in the County Administrator’s Office to be filled on a part-time basis, Managerial and Confidential Officers and Employees, to be compensated at \$46.93 per hour, Position Number 123-093-002.

Adopted April 26, 2017 by voice vote.

ACT NO. 189-2017 by Mr. Breton, Mr. Helmich, Mr. Neal, Ms. Vickman,
Ms. Hastings and Mrs. Labuhn
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
TOTAL SENIOR CARE, INC. FOR
SKILLED NURSING FACILITY SERVICES
(PACE Program)**

Pursuant to Section 95-a of the General Municipal Law and
Section 450 of the County Law.

WHEREAS, Act 360-2013 authorized a contract with Total Senior Care, Inc., 519 North Union Street, Olean, New York 14760, for the provision of skilled nursing facility services under the PACE Program, and

WHEREAS, Total Senior Care, Inc., and the County have agreed to revise the rates to reflect 110% of the Medicaid benchmark rate for long-term care for Total Senior Care participants, and

WHEREAS, it is necessary that the County enter into a new contract with Total Senior Care, Inc., to obtain the new rate, 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 Total Senior Care, Inc., for the provision of the above-described skilled nursing facility services, for a term commencing April 26, 2017 to continue in full force and effect until terminated by either party hereto, according to the above-described terms.

Adopted April 26, 2017 by voice vote. Mr. Padlo abstained from vote.

ACT NO. 190-2017 by Mr. Giardini and Mr. Helmich
who ask immediate consideration

**REJECTING CERTAIN BIDS FOR ALLEGANY SAND/SALT STORAGE BUILDING – CONTRACT B
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law.

WHEREAS, the Department of Public Works advertised for sealed bids for the Allegany Sand/Salt Storage Building – Contract B for the Cattaraugus County Department of Public Works, according to bid specifications and general information provided by the Public Works Committee, and

WHEREAS, the bids received for the aforementioned project, which were opened on April 5, 2017, should be rejected due to budgetary constraints, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby rejects the bids received for the Allegany Sand/Salt Storage Building – Contract B, which were opened on April 5, 2017, for the Cattaraugus County Department of Public Works.

Adopted April 26, 2017 by voice vote.

ACT NO. 191-2017 by Mr. Giardini and Mr. Helmich
who ask immediate consideration

**REJECTING CERTAIN BIDS FOR MEDICAL OXYGEN CYLINDERS
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law.

WHEREAS, the Department of Public Works advertised for sealed bids for the provision of medical oxygen and oxygen cylinder rental for The Pines Healthcare and Rehabilitation Center-Olean and Machias Campuses, according to bid specifications and general information provided by the Public Works Committee, and

WHEREAS, the specifications which were prepared for the medical oxygen cylinders incorrectly described the type of valve to be used, and

WHEREAS, the bids received for the aforementioned materials and services should be rejected due to the need for revision of the specifications, and should be rebid, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby rejects the bids received for the medical oxygen cylinders for The Pines Healthcare and Rehabilitation Center-Olean and Machias Campuses.

Adopted April 26, 2017 by voice vote.

* * * * *

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

MR. KLANCER moved, seconded by Mr. Hale, to adjourn into Executive Session for the purpose of discussing collective negotiations pursuant to article fourteen of the civil service law pursuant to Article 7 of the Open Meetings Law Section 105.1.e. Carried by majority vote.

MR. HALE moved, seconded by Mr. Giardini, 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. NEAL moved, seconded by Mr. Helmich to adjourn until May 10, 2017 at 4:00 p.m. Carried.

Meeting adjourned at 5:20 p.m.

Ann M. Giglio
Journal Clerk