

May 10, 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 - Hastings.

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CHAIRMAN STOCKMAN noted that the minutes of the April 26, 2017 session stand approved as presented.

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COMMUNICATIONS:

NYS Member of Assembly Joseph M. Giglio: Letter regarding 2017-2018 State Budget as it pertains to CHIPS, PAVE-NY, and Extreme Winter Recovery aid distributions.

James J. Snyder, Sr., Chairman, Finance Committee: Apportionment of Mortgage Taxes for the six-month period from October 1, 2016 through March 31, 2017. (see report on page 233)

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PROCLAMATIONS:

CHAIRMAN STOCKMAN proclaimed May 2017 as **Older Americans Month** in Cattaraugus County.

CHAIRMAN STOCKMAN proclaimed May 2017 as **Mental Health Month** in Cattaraugus County.

CHAIRMAN STOCKMAN read a proclamation that she signed along with officials representing the eight Western New York counties designating the week of May 7, 2017 through May 13, 2017 as **Western New York Armed Forces Week** in celebration of its 57th anniversary.

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To: The Chairman and Legislature of Cattaraugus County:							
I, the Chairman of the Finance Committee, which committee has charge of Apportionment of Mortgage Taxes, respectfully report that the amount to be apportioned for the six-month period from October 1, 2016 through March 31, 2017 is \$426,718.48 and recommend that the amounts opposite the names of the cities/towns be paid to the fiscal officers of that city/town, and amounts in the column headed villages, be paid to the treasurers of the respective villages.							
Respectfully submitted,							
James J. Snyder, Chairman Finance Committee							
APPORTIONMENT OF MORTGAGE TAXES							
	ROW 1	ROW 2	ROW 3	ROW 4	ROW 5	ROW 6	ROW 7
	CITY/TOWN	DOUBLE	VILLAGE	VILLAGE	TOTAL AMOUNT		CITY/
	ASSESSED	CITY/TOWN	ASSESSED	PERCENTAGE	MORTGAGE TAX	VILLAGE	TOWN
	VALUATION	VALUATION	VALUATION	SHARE	DISTRIBUTED	SHARE	SHARE
ALLEGANY	321,906,436	643,812,872	69,098,082	0.10732634	115,560.57	12,402.69	103,157.88
ASHFORD	76,184,636	152,369,272		0.00000000	12,482.12	0.00	12,482.12
CARROLLTON	80,149,828	160,299,656		0.00000000	3,613.30	0.00	3,613.30
COLDSPRING	63,383,303	126,766,606		0.00000000	812.19	0.00	812.19
CONEWANGO	33,044,638	66,089,276		0.00000000	2,805.79	0.00	2,805.79
DAYTON	62,001,084	124,002,168	15,104,079	0.12180496	4,463.79	543.71	3,920.08
EAST OTTO	84,248,736	168,497,472		0.00000000	2,391.33	0.00	2,391.33
ELLCOTTVILLE	587,266,605	1,174,533,210	126,792,526	0.10795142	55,553.14	5,997.04	49,556.10
FARMERSVILLE	64,130,107	128,260,214		0.00000000	6,473.87	0.00	6,473.87
FRANKLINVILLE	83,327,510	166,655,020	31,921,026	0.19153954	9,852.37	1,887.12	7,965.25
FREEDOM	117,093,777	234,187,554		0.00000000	9,066.77	0.00	9,066.77
GREAT VALLEY	172,475,996	344,951,992		0.00000000	12,426.43	0.00	12,426.43
HINSDALE	118,258,296	236,516,592		0.00000000	7,257.52	0.00	7,257.52
HUMPHREY	69,335,355	138,670,710		0.00000000	4,249.09	0.00	4,249.09
ISCHUA	40,493,852	80,987,704		0.00000000	839.87	0.00	839.87
LEON	46,437,416	92,874,832		0.00000000	4,836.78	0.00	4,836.78
LITTLE VALLEY	46,638,797	93,277,594	19,068,725	0.20442985	9,808.28	2,005.11	7,803.17
LYNDON	45,984,723	91,969,446		0.00000000	2,518.24	0.00	2,518.24
MACHIAS	139,921,479	279,842,958		0.00000000	19,208.14	0.00	19,208.14
MANSFIELD	116,241,524	232,483,048		0.00000000	10,852.33	0.00	10,852.33
NAPOLI	56,031,209	112,062,418		0.00000000	5,059.08	0.00	5,059.08
NEW ALBION	57,075,749	114,151,498	21,244,170	0.18610505	3,890.64	724.07	3,166.57
OLEAN,CITY	491,222,273	982,444,546		0.00000000	42,151.75	0.00	42,151.75
OLEAN, TOWN	83,787,274	167,574,548		0.00000000	10,477.31	0.00	10,477.31
OTTO	54,449,758	108,899,516		0.00000000	4,123.69	0.00	4,123.69
PERRYSBURG	55,322,630	110,645,260		0.00000000	5,561.16	0.00	5,561.16
PERSIA	57,780,993	115,561,986	40,328,617	0.34897823	8,460.94	2,952.68	5,508.26
PORTVILLE	134,099,176	268,198,352	28,162,603	0.10500662	11,815.85	1,240.74	10,575.11
RANDOLPH	83,381,130	166,762,260		0.00000000	6,040.77	0.00	6,040.77
RED HOUSE	132,211,621	264,423,242		0.00000000	4.61	0.00	4.61
SALAMANCA, CITY	16,035,227	32,070,454		0.00000000	8,626.81	0.00	8,626.81
SALAMANCA, TOWN	27,656,650	55,313,300		0.00000000	1,221.05	0.00	1,221.05
SOUTH VALLEY	30,936,703	61,873,406		0.00000000	2,572.69	0.00	2,572.69
YORKSHIRE	28,955,746	57,911,492	5,944,497	0.10264797	21,640.21	2,221.32	19,418.89
TOTALS	3,677,470,237		357,664,325		426,718.48	29,974.48	396,744.00

ACT NO. 192-2017 by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 2 WITH
NYS DOT ASHFORD BRIDGE NO. 37 FEDERAL-AID REHABILITATION PROJECT
AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Public Works)**

Pursuant to Title 23 U.S. Code and
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 343-2013, as amended by Act 174-2016, authorized the Chairman to execute a contract with NYSDOT and the County of Cattaraugus to participate in the project entitled "Rehabilitation of the County Road No. 12, Edies Road and County Road No. 82, Buffalo Street Bridge over Cattaraugus Creek, BIN 3-32837-0, in the Town of Ashford, Cattaraugus County, and the Town of Concord, Erie County, PIN 5757.31" (the "Project"), and

WHEREAS, additional funding in the amount of \$2,243,000.00 has been awarded in Marchiselli funds for construction of the aforementioned project, and

WHEREAS, a Supplemental Agreement to Contract No. D034200 is necessary in order to include the aforementioned additional funding and to extend the term of the aforementioned contract to December 31, 2020, and

WHEREAS, this project is 65.7% federally (CFDA #20.205), 16% state and 18.3% county funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute Supplemental Agreement No. 2, on behalf of Cattaraugus County, with the NYSDOT, in order to accept additional funding and extend the term of the aforementioned contract to December 31, 2020, according to the above-described terms, and be it further

RESOLVED, that this Resolution shall take effect immediately, and be it further

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

Increase Estimated Revenue Accounts:

H.504.5197.5195.4597.02	Federal Aid	\$1,299,200.00
H.504.5197.5195.3591.01	Marchiselli Funds	\$ 324,800.00

Increase Appropriation Account:

H.504.5197.5195.25020.41603	Ashford Bridge No. 37	\$1,624,000.00.
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Approved by 6 members of the Finance Committee and 5 members of the Public Works Committee.

Adopted May 10, 2017 by voice vote.

ACT NO. 193-2017 by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE SUPPLEMENTAL AGREEMENT WITH
STANTEC CONSULTING SERVICES, INC. FOR ENGINEERING SERVICES FOR
NEW ALBION BRIDGE NO. 35 FEDERAL-AID REPLACEMENT PROJECT**

Pursuant to Section 131-b of the Highway Law and
Section 450 of the County Law.

WHEREAS, Act 95-2007, as amended, authorized a contract with Stantec Consulting Services, Inc., 2250 Brighton-Henrietta Town Line Road, Rochester, New York 14623-2706, for the provision of engineering services for the New Albion Bridge No. 35 Replacement Project located on Tannery Street over Tributary South Branch Cattaraugus Creek, BIN 3-32281-0, in the Town of New Albion, the term of which expires December 31, 2017, and

WHEREAS, engineering services for the preliminary design work are required to complete the final design report, and

WHEREAS, the term of the aforementioned contract should be extended to December 31, 2018, in order to complete the preliminary design work, and

WHEREAS, Stantec Consulting Services, Inc., has agreed to complete the preliminary design work for the aforementioned project for an amount of \$175,148.00, to be paid on a percent-of-completion basis as invoiced and approved by the Department of Public Works, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a supplementary agreement, on behalf of Cattaraugus County, with Stantec Consulting Services, Inc., for the provision of the above-described services and further extending the term of the contract which commenced February 15, 2007 to terminate December 31, 2018, according to the above-described terms.

Approved by 6 members of the Finance Committee and 5 members of the Public Works Committee.

Adopted May 10, 2017 by voice vote.

ACT NO. 194-2017 by Mr. Giardini and Mr. Helmich

**REJECTING CERTAIN BIDS FOR REFUSE CONTAINERS
(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 purchase of refuse containers for the Department of Public Works, according to bid specifications and general information provided by the Public Works Committee, and

WHEREAS, the bids received for the purchase of the following refuse containers, which were opened on April 4, 2017, should be rejected due to budgetary constraints and the need to revise the specifications for rebid:

48 cubic yard closed container without ram
50 cubic yard container with roof,

now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby rejects the bids received for the refuse containers, which were opened on April 4, 2017, for the Cattaraugus County Department of Public Works.

Approved by 6 members of the Finance Committee and 5 members of the Public Works Committee.

Adopted May 10, 2017 by voice vote.

ACT NO. 195-2017 by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
MEDATRITION, LLC FOR PROFESSIONAL DIETICIAN SERVICES FOR
DEPARTMENT OF AGING**

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

WHEREAS, the Department of Aging is in need of dietician services for clients participating in any of the Aging nutrition programs, and

WHEREAS, Medatrition, LLC, 1656 Haskell Road, Olean, New York 14760, can provide professional dietician services at a rate of \$55.00 per hour for an amount not to exceed \$14,960.00 to be paid on a monthly basis, as invoiced, and

WHEREAS, this program is 57% federal (CFDA #93.045), 37% state and 6% county funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Medatrition, LLC, for the provision of the above-described professional dietician services, for a term commencing May 12, 2017 and terminating December 31, 2017, according to the above-described terms, and be it further

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

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

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

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

Adopted May 10, 2017 by voice vote.

ACT NO. 196-2017 by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
ALFA WASSERMANN DIAGNOSTIC TECHNOLOGIES, LLC FOR
HEALTH DEPARTMENT LABORATORY EQUIPMENT SERVICE AGREEMENT**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 257-2014 authorized a contract with Alfa Wassermann Diagnostic Technologies, LLC, 4 Henderson Drive, West Caldwell, New Jersey 07006, for the provision of a service plan for the Health Department's ALERA W/ISE laboratory equipment, the term of which expires May 31, 2017, and

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

WHEREAS, the firm of Alfa Wassermann Diagnostic Technologies, LLC, can provide a three (3) year service plan for an amount of \$6,300.00 per year, for a total amount of \$18,900.00, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Alfa Wassermann Diagnostic Technologies, LLC, for the provision of the above-described service agreement, for a term commencing June 1, 2017 and terminating May 31, 2020, according to the above-described terms.

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

Adopted May 10, 2017 by voice vote.

ACT NO. 197-2017 by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR CHILDREN WITH
SPECIAL HEALTH SERVICES NEEDS (CSHSN)**

Pursuant to Public Law 98-8 and Section 450 of the County Law.

WHEREAS, Act 527-2014 authorized the Chair to execute a contract with the New York State Department of Health and various entities for the Children with Special Health Services Needs Program (CSHSN), the term of which expires September 30, 2017, and

WHEREAS, the New York State Department of Health, Division of Family Health, has approved funding in the amount of \$20,797.00 per year for three (3) years, for a total amount of \$62,391.00, to the County Health Department to continue a system to gather quality information about children with special health care needs in Cattaraugus County, and

WHEREAS, a contract is necessary with the New York State Department of Health in order to obtain the aforementioned funding, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the New York State Department of Health,

in order to obtain the aforementioned funding for the Children with Special Health Care Needs, for a term commencing October 1, 2017 and terminating September 30, 2020, according to the above-described terms, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, further authorized and directed to execute contract amendments, upon notification of award, for the allocation of additional state aid funding or cost of living adjustments (COLAs) for this program, 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 7 members of the Human Services Committee.

Adopted May 10, 2017 by voice vote.

ACT NO. 198-2017 by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH
CATTARAUGUS REGION COMMUNITY FOUNDATION
FOR HEALTH DEPARTMENT FARMER'S MARKET PROJECT GRANT FUNDING**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 283-2016 authorized a contract with the Cattaraugus Region Community Foundation to accept grant funding for the purpose of covering the cost of farm-fresh vegetables and a farmer's market that would be set up adjacent to Olean Housing Authority's low-income complexes, for a term which expired September 30, 2016, and

WHEREAS, funding is again available through the Cattaraugus Region Community Foundation for the continuation of the farmer's market project for the 2017 season, and

WHEREAS, the Department of Health is desirous of applying for a grant in the amount of \$2,000.00 for the purpose of covering the cost of farm-fresh vegetables and a farmer's market that would be set up adjacent to Olean Housing Authority's low-income complexes, and

WHEREAS, this grant is 100% funded through the Cattaraugus Region Community Foundation, 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 Cattaraugus Region Community Foundation, in order to apply for the aforementioned grant funding, for a term commencing June 1, 2017 and terminating September 30, 2017, according to the above-described terms.

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

Adopted May 10, 2017 by voice vote.

ACT NO. 199-2017 by Ms. Vickman and Ms. Hastings

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

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

WHEREAS, Act 217-2016 authorized a contract with the City of Olean for the operation of the O.A.T.S. bus service within the City, the term of which expires May 31, 2017, and

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

WHEREAS, the City of Olean has agreed to provide the O.A.T.S. bus transportation services to DSS-eligible recipients if the County agrees to reimburse the City an amount not to exceed \$14,329.80¹ for transportation services provided to DSS-eligible recipients during the period June 1, 2017 through May 31, 2018, and

WHEREAS, these services are 100% federally funded (CFDA #93-558), now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the City of Olean, for reimbursement for the provision of transportation services to DSS-eligible recipients, for a term commencing June 1, 2017 and terminating May 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 7 members of the Human Services Committee.

¹MS. VICKMAN moved, seconded by Mrs. Labuhn, to amend as follows: In the third Whereas, delete: "\$14,288.00", and replace with: "\$14,329.80". Carried.

Adopted, as amended, May 10, 2017 by voice vote.

ACT NO. 200-2017 by Ms. Vickman and Ms. Hastings
*and Mr. Koch and Mrs. Labuhn*¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COMMUNITY ACTION, INC. FOR ASSISTANCE WITH
FOOD FOR THOUGHT CULINARY ARTS EMPLOYMENT TRAINING PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 260-2016 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the Food for Thought Culinary Arts Employment Training Program, which is an initiative that focuses on job training, job skills development, job placement and retention, and financial and civic literacy, the term of which expired, and

WHEREAS, the Program is operated by Cattaraugus Community Action, Inc. and is 100% funded through the New York State Department of State's Community Services Block Grant discretionary funding program (CFDA #93.558), and

WHEREAS, Cattaraugus Community Action, Inc., is requesting an amount not to exceed \$25,000.00, to be paid as tuition for up to 18 participants at the rate of \$2,700.00 per student for a 15 week cycle which includes ServSafe Certificate, Work Readiness Credential, Financial Literacy Certificate, and the Culinary Arts Certificate, and

WHEREAS, in the event a student drops out within the first four (4) weeks of class (20 classes), consideration will be as follows:

1 to 10 days – charge of \$36.00 per day (up to 10 days)

11 to 20 days – charge of \$1,200 for tuition per student,

and

WHEREAS, the County is desirous of contributing an amount not to exceed \$25,000.00 to support the aforementioned program, which shall be made in monthly installments, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Cattaraugus Community Action, Inc., in order to contribute an amount not to exceed \$25,000.00 towards the cost of the Food for Thought Culinary Arts Employment Training Program, as stated above, for a term commencing June 1, 2017 and terminating May 31, 2018, according to the above-described terms.

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

¹The following Legislators requested their names be listed as additional sponsors: “Mr. Koch and Mrs. Labuhn”.

Adopted May 10, 2017 by voice vote.

ACT NO. 201-2017 by Mr. Klancer and Mr. Neal

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

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

WHEREAS, Act 190-2016 authorized the Chairman to apply for funding through the New York State Governor's Traffic Safety Committee for a Traffic Safety Enforcement Program for the 2016-2017 program year, and

WHEREAS, funding is again available through the New York State Governor's Traffic Safety Committee for Traffic Safety Programs for the 2017-2018 program year, for the following components:

Child Safety Seat Program (for income eligible recipients)
Police Traffic Services
Traffic Safety Education Programs,

and

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

and

WHEREAS, this program includes funding from the New York State Governor's Traffic Safety Committee, and

WHEREAS, the Sheriff's Office shall partner with the County Departments of Social Services and Health for the Child Safety Seat Program, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Governor's Traffic Safety Committee, in order to apply for the aforementioned funding, according to the above-described terms, and be it further

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

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

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

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

Adopted May 10, 2017 by voice vote.

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MR. SNYDER, SR. moved, seconded by Mr. Koch, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 202-2017 through Act No. 207-2017, inclusive. Carried.

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ACT NO. 202-2017 by Labor Relations Committee:
Ms. Vickman, Mr. Breton, Mr. Higgins,
Mr. Neal and Mr. Giardini
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SCHRÖDER JOSEPH & ASSOCIATES, LLP FOR CONTRACT NEGOTIATION SERVICES**

Pursuant to Section 5 of the Rules of Order Appendix and
Section 450 of the County Law.

WHEREAS, the Labor Relations Committee accepted proposals for legal services for the purposes of negotiating the County's various collective bargaining agreements, and

WHEREAS, Schröder Joseph & Associates, LLP, 392 Pearl Street, Suite 301, Buffalo, New York 14202, with a local office at 1676 Rogers Road, Franklinville, New York 14737, can provide labor relations legal services at the following rates:

Senior Partners	\$215-\$235 per hour
Junior Partners	\$190-\$210 per hour
Associates	\$145-\$175 per hour
Paralegals	\$80-\$95 per hour,

and

WHEREAS, sufficient funds are included in the 2017 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 authorize a contract, on behalf of Cattaraugus County, with Schröder Joseph & Associates, LLP, for the provision of the aforementioned legal services, for a term commencing May 11, 2017 and terminating December 31, 2017, according to the above-described terms.

Adopted May 10, 2017 by voice vote.

ACT NO. 203-2017 by Labor Relations Committee:

Ms. Vickman, Mr. Breton, Mr. Higgins,
Mr. Neal and Mr. Giardini
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
GILROY, KERNAN & GILROY, INC. FOR
BENEFITS PLAN MANAGEMENT SERVICES**

Pursuant to Section 92-a of the General Municipal Law and
Section 450 of the County Law.

WHEREAS, Act 348-2016 authorized a contract with Gilroy, Kernan & Gilroy, Inc., 210 Clinton Road, New Hartford, New York 13413, for the provision of benefits plan management services, the term of which expired April 30, 2017, and

WHEREAS, the County is desirous of obtaining ongoing benefits plan management services to analyze the County's current benefits plans and to recommend cost-saving changes to the County's benefits plans, and

WHEREAS, the firm of Gilroy, Kernan & Gilroy, Inc. can provide the following ongoing advisory services to assist the County in managing benefit plan contracts and costs, and monitoring plan performance and claims experience, for an amount of \$5,000.00 per month, 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 Gilroy, Kernan & Gilroy, Inc. for the provision of the above-described services, for a term commencing May 1, 2017 and continuing on a month-to-month basis until terminated by either party hereto, according to the above-described terms.

Adopted May 10, 2017 by voice vote.

ACT NO. 204-2017 by Mr. Helmich, Mr. Neal, Ms. Vickman,
Ms. Hastings and Mrs. Labuhn
who ask immediate consideration

**SUPPORTING ADOPTION OF SENATE BILL S.5209 AND ASSEMBLY BILL A.5096
BY NEW YORK STATE LEGISLATURE REGARDING THE PROHIBITION OF
SMOKING IN VEHICLES WHERE MINORS ARE PASSENGERS**

Pursuant to Section 153 of the County Law.

WHEREAS, Senate Bill S.5209 and Assembly Bill A.5096 have been introduced in the State Legislature to restrict smoking in any type of vehicle where a minor under the age of 14 is a passenger, and

WHEREAS, numerous studies have conclusively demonstrated the effect secondhand smoking has in those who never smoke even one cigarette, and

WHEREAS, these risks include, but are not limited to, heart disease, cancer, emphysema, and various other ailments that contribute to loss of life, loss of quality of life, and increased health care and other costs to individuals and governments, and

WHEREAS, children are particularly vulnerable to the dangers of secondhand smoke and are among those least able to avoid secondhand smoke from adults who smoke around them, and

WHEREAS, there are no regulations restricting smoking in vehicles with children present, and

WHEREAS, even with open windows, children are essentially prisoners to secondhand smoke without the ability to remove themselves from the dangerous situation, and

WHEREAS, the Cattaraugus County Legislature finds that it is necessary to protect and promote the public health, safety and welfare of the children residing in Cattaraugus County, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby supports and requests the adoption of Senate Bill S.5209 and Assembly Bill A.5096, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Governor Cuomo, Senate Majority Leader Flanagan, Assembly Speaker Heastie, Senator Young, Assembly Member Giglio, New York State Association of Counties, and all counties in New York State.

Adopted May 10, 2017 by voice vote.

ACT NO. 205-2017 by Mr. Breton, Mr. Hale, Mr. Higgins, Mr. Klancer, Mr. Neal,
Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, 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, Towns of Allegany, Dayton, Franklinville,
Little Valley, Machias and Portville)**

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 Allegany, Dayton, Franklinville, Little Valley, Machias and Portville, 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
77	94.040-1-14	Estate of Linda L. Shea	1505 North Union Street Olean, NY 14760	\$13,383.18

TOWN OF ALLEGANY

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
103	84.004-3-14	Sheila M. Quinlan	2575 Five Mile Road Allegany, NY 14706	\$16,764.18

TOWN OF DAYTON

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
147	16.003-1-8.2	Brenda S. Cooper	11799 Townline Road Perrysburg, NY 14129	\$8,408.65

TOWN OF FRANKLINVILLE

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
208	58.001-1-10.2	Kevin D. Woodward	4205 Route 242 Machias, NY 14101	\$5,899.56

TOWN OF LITTLE VALLEY

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
257	54.064-1-31	Eric Mulders	PO Box 97 Waterford, Ontario NOE 1Y0	\$17,027.07

TOWN OF MACHIAS

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
275	39.001-1-11	Victor T. Scott Karen Scott	4205 Route 242 PO Box 331 Machias, NY 14101	\$7,434.79

TOWN OF PORTVILLE

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
355	104.001-1-16	Charles Welty Thelma Welty	967 Smith Road Olean, NY 14760	\$1,626.56

Adopted May 10, 2017 by voice vote.

ACT NO. 206-2017 by Mrs. Stockman
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
MATRECIA S. L. JAMES D/B/A MULTILEVEL SUSTAINABLE LEADERSHIP
FOR EFFICIENCY STUDY CONSULTANT SERVICES
AND TRANSFER OF FUNDS
(Contingent Fund – Consultant Services)**

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

WHEREAS, an efficiency study is needed to review job descriptions in the Department of Public Works, and

WHEREAS, Matrecia S. L. James, d/b/a Multilevel Sustainable Leadership, can provide consultant services and conduct the aforementioned efficiency study for a total amount of \$15,000.00, and

WHEREAS, a transfer of funds is necessary to cover the cost of the aforementioned efficiency study, 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 Matrecia S. L. James, d/b/a Multilevel Sustainable Leadership, for the provision of the above-described consultant services, for a term commencing May 29, 2017 and terminating August 18, 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	\$15,000.00
Increase Appropriation Accounts:		
A.990.9901.0000.90502	Transfer to County Road Fund	\$15,000.00
D.502.5010.0000.41611	Consultant Services	\$15,000.00

Increase Estimated Revenue Account:

D.990.9901.0000.5031	Interfund Transfers	\$15,000.00.
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MR. SNYDER, JR. moved, seconded by Mr. Hale, to refer Act No. 206-2017 to the Public Works Committee and the Finance Committee. Carried. Mr. VanRensselaer voting No.

ACT NO. 207-2017 by Ms. Vickman
who asks immediate consideration

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

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, various appropriation accounts must be adjusted in order to transfer Commitment funding, now, therefore, be it

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

Decrease Appropriation Accounts:

A.175.1752.0000.40410.01	Health Claims Medical Claims	\$150,000.00
A.431.4360.0000.40209	Commitment for Developmentally Disabled	\$ 50,000.00

Increase Appropriation Account:

A.431.4360.0000.40205	Commitment for Mentally Ill	\$200,000.00.
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Adopted May 10, 2017 by voice vote.

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MR. KLANCER moved, seconded by Mr. Giardini to adjourn until May 24, 2017 at 4:00 p.m. Carried.

Meeting adjourned at 4:21 p.m.

Ann M. Giglio
Journal Clerk