

August 23, 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 – Snyder, Jr.

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

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COMMUNICATIONS:

NYS Member of Assembly Joseph M. Giglio: Acknowledging receipt of Act No. 322-2017.

Tioga County Legislature: Resolution No. 185-17, Resolution Urging Governor Cuomo and the New York State Legislature to Advance Funding and Expedite Completion of the “Daniel Patrick Moynihan” Interstate 86 Projects in Broome, Delaware, Sullivan, Tioga and Orange Counties.

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APPOINTMENTS:

CATTARAUGUS COUNTY EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL

Term to expire December 31, 2017

Communications Captain Jordan Haines
Cattaraugus County Sheriff's Office
301 Court Street
Little Valley, New York 14755,
to fill the position previously held by Undersheriff Eric Butler.

CATTARAUGUS COUNTY PLANNING BOARD

Terms to expire July 31, 2020

Tina J. Abrams
3543 West Loop Road
Salamanca, New York 14779

Al Ormond
8937 Dutch Hill Road
Little Valley, New York 14755

Mark Smith
9931 Nashville Road
South Dayton, New York 14138

James Valent
5 Fancher Avenue
Salamanca, New York 14779.

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PRIVILEGE OF THE FLOOR:

CHAIRMAN STOCKMAN granted Privilege of the Floor to Legislator Vergilio Giardini who shared highlights of the Allegany/Franklinville Senior Baseball League Team's winning season.

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ACT NO. 323-2017 by Mr. Giardini and Mr. Helmich

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

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for salt and sand premix for the 2017-2018 season requirements, according to specifications provided by the Public Works Committee, and

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

Ratio of Sand to Salt <u>Per Ton</u>	2016-2017 Price Per Ton Premixed Material <u>F.O.B. Plant</u>	2017-2018 Price Per Ton Premixed Material <u>F.O.B. Plant</u>
4-1	\$21.70	\$19.60
5-1	\$20.00	\$18.20
6-1	\$18.70	\$17.20
7-1	\$17.80	\$16.50
8-1	\$17.10	\$16.00
9-1	\$16.50	\$15.50
10-1	\$16.00	\$15.10

now, therefore, be it

RESOLVED, that the bid of Gernatt Asphalt Products, Inc., be, and the same hereby is, accepted, for a term commencing September 1, 2017 and terminating April 30, 2018, and be it further

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

No State Bid.

Three sets of specifications were sent out.

Only one bid was received.

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

Adopted August 23, 2017 by voice vote.

ACT NO. 324-2017 by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
TWIN TIERS OVERHEAD DOORS, INC. FOR OVERHEAD DOOR REPAIR,
REPLACEMENT, INSTALLATION AND PREVENTIVE MAINTENANCE**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Department of Public Works has solicited proposals for overhead door repair, replacement, installation and preventive maintenance, and

WHEREAS, Twin Tiers Overhead Doors, Inc., 1997 Four Mile Road, Allegany, New York 14706, can provide the aforementioned services in accordance with the following rate schedule, on an as-needed basis:

<u>Labor Charges</u>	<u>Rates</u>
<i>Monday – Friday Business Hours</i>	
<i>Regular Hourly Rate</i>	
1 Overhead Door Mechanic	\$ 75.00/hour/man
1 Overhead Door Mechanic Plus 1 Apprentice	\$ 75.00/hour/man
<i>Emergency</i>	
1 Overhead Door Mechanic	\$112.50/hour/man
1 Overhead Door Mechanic Plus 1 Apprentice	\$112.50/hour/man
<i>Evening, Saturday and Sunday Work</i>	
<i>Regular Hourly Rate</i>	
1 Overhead Door Mechanic	\$112.50/hour/man
1 Overhead Door Mechanic Plus 1 Apprentice	\$112.50/hour/man
<i>Emergency</i>	
1 Overhead Door Mechanic	\$112.50/hour/man
1 Overhead Door Mechanic Plus 1 Apprentice	\$112.50/hour/man
<i>Holiday Work</i>	
<i>Regular Hourly Rate</i>	
1 Overhead Door Mechanic	\$112.50/hour/man
1 Overhead Door Mechanic Plus 1 Apprentice	\$112.50/hour/man
<i>Emergency</i>	
1 Overhead Door Mechanic	\$130.00/hour/man
1 Overhead Door Mechanic Plus 1 Apprentice	\$130.00/hour/man

Maximum Response Time required to arrive on-site after receiving service call:	8 hours
Service Charge	Per Visit \$150.00
Materials and Parts (not included in Preventive Maintenance)	% Markup 35% - 45%
Rental Equipment	% Markup 35%
Scissor Lift Use	\$200.00/trip
	Mileage \$0.56 per mile

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 Twin Tiers Overhead Doors, Inc., for the provision of the above-described services, for a term commencing September 1, 2017 and terminating August 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 August 23, 2017 by voice vote.

ACT NO. 325-2017 by Mr. Giardini and Mr. Helmich
and Mrs. Labuhn¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
OCCUPATIONAL HEALTH SERVICES, PLLC
FOR DRUG AND ALCOHOL TESTING FOR
COMMERCIAL MOTOR VEHICLE DRIVERS
(Public Works and Sheriff's Office Employees)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 402-2014 authorized a contract with Occupational Health Services, PLLC, 167 Front Avenue, Salamanca, New York 14779, for the provision of drug and alcohol testing services for commercial motor vehicle drivers, the term of which expires August 31, 2017, and

WHEREAS, the County Department of Public Works has solicited proposals from eleven (11) companies for the provision of drug and alcohol testing for commercial motor vehicle drivers for the Department of Public Works, the Sheriff's Office (including deputies and correction officers), and also the Towns and Villages of Cattaraugus County, and

WHEREAS, the lowest proposal was received from Occupational Health Services, PLLC, as follows:

Setup Fee	\$150.00 per year
Random Drug Testing (including pre-employment)	\$ 52.00 per test
Random Alcohol Testing (including pre-employment)	\$ 26.00 per test
Mileage (on-site testing)	\$ 0.50/mile/site visit,

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 Occupational Health Services, PLLC, for the provision of the above-described services, for a term commencing September 1, 2017 and terminating August 31, 2020, according to the above-described terms.

No State Contract.

Eleven sets of specifications were sent out.

Four proposals were received.

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

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

Adopted August 23, 2017 by voice vote.

ACT NO. 326-2017 by Mr. Neal and Mr. VanRensselaer

**SALE OF TAX TITLE PROPERTY
(Town of Napoli)**

Pursuant to Section 215 of the County Law and Rule 40 of the Rules of Order of the Cattaraugus County Legislature.

WHEREAS, Cattaraugus County has tax title to certain property situated in Cattaraugus County, as described below, and

WHEREAS, the property has been exposed to bid at public auctions in 2016 and 2017 as required by Rule 40 of the Rules of Order of the Cattaraugus County Legislature, and

WHEREAS, neither of the highest bidders nor the second highest bidders completed the purchase within thirty (30) days, and

WHEREAS, pursuant to Rule 40.15 of the Rules of Order, the County Treasurer has accepted sealed bids for the purchase of the property described below and determined the highest bid received for the property as listed below, and

WHEREAS, tender by the high bidder of the total purchase price has been received by the County Treasurer, now, therefore, be it

RESOLVED, that the County Treasurer be, and hereby is, authorized and directed to execute a County Treasurer's Deed conveying the property to the following individual at the bid price listed:

TOWN OF NAPOLI

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
300A	62.062-1-30	Gary Learn	4047 Erie Street Salamanca, NY 14779.	\$468.52	\$125.00

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

Adopted August 23, 2017 by voice vote.

ACT NO. 327-2017 by Mr. Giardini and Ms. Hastings

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

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, the property located in the Town of Carrollton, known as Tax Map Number 101.071-2-35, owned by Barbara Rae Backer ("Property"), appears on the County's 2015 in rem tax foreclosure list, and

WHEREAS, the Property is subject to in rem foreclosure, and

WHEREAS, the building on the Property is in deplorable, uninhabitable condition and the Town of Carrollton has agreed to demolish the building and return said parcel to the tax rolls, and

WHEREAS, the County Treasurer proposes to designate the Town of Carrollton to take title to the Property, and

WHEREAS, the County Treasurer shall request that the County Court of Cattaraugus County enter judgment directing that the Property be conveyed to the Town of Carrollton, now, therefore, be it

RESOLVED, that upon the entry of judgment as aforesaid, the County Treasurer is hereby directed to waive all delinquent taxes, fees, penalties and interest due to the County upon conveyance of the Property to the Town of Carrollton for consideration in the amount of \$1.00, 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 and 7 members of the County Operations/Public Safety Committee.

Adopted August 23, 2017 by voice vote.

ACT NO. 328-2017 by Mr. Klancer, Mr. Neal and Mrs. Stockman

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH
NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES FOR
SECOND UPSTATE QUALITY IMPROVEMENT AND CASELOAD REDUCTION GRANT**

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

WHEREAS, Act 431-2013 authorized the Chairman to apply for funding through the New York State Indigent Legal Services Board (ILS) for the First Upstate Quality Improvement and Caseload Reduction Grant, and

WHEREAS, the New York State Indigent Legal Services Board has authorized the availability of funds for counties to continue and improve effective programs funded under the ILS first Upstate Quality Improvement and Caseload Reduction Grant and develop new, innovative programs or practices to improve the delivery of indigent defense services, including reduced attorney caseloads and improved supervision of attorneys and staff, and

WHEREAS, this funding will provide upstate attorneys and their clients relief from excessive workloads, which is essential to improving the quality of indigent legal services in upstate New York, and

WHEREAS, the intent of the aforementioned grant is to support local initiatives which address the quality of representation, including reduced attorney caseloads and improved supervision of attorneys and staff in indigent legal service provider programs, and

WHEREAS, it is in the best interests of Cattaraugus County to apply for the aforementioned funding, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a grant application, on behalf of Cattaraugus County, to apply for the above-described Second Upstate Quality Improvement and Caseload Reduction Grant through the New York State Office of Indigent Legal Services.

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

Adopted August 23, 2017 by voice vote.

ACT NO. 329-2017 by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT AND
RELATED FINANCING DOCUMENTS WITH ECOLAB, INC. FOR
DEPARTMENT OF AGING DISHWASHER**

Pursuant to the Older Americans Act Title III C-1, Wellness in Nutrition
and Sections 215 and 450 of the County Law.

WHEREAS, the Department of Aging is desirous of replacing the dishwasher at the Senior Wellness and Nutrition site in Olean, and

WHEREAS, Ecolab, Inc., Ecolab Center, St. Paul, Minnesota 55102, has agreed to lease a Jackson ES-2000 dishwasher, for an amount as follows:

Base Rate	\$ 84.82/month
Ecolab Institutional Foodservice Chemical Products,	\$100.00/month minimum

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease agreement and related financing documents, on behalf of Cattaraugus County, with Ecolab, Inc., for the provision of the above-described equipment, with the option to continue from year-to-year at the same rates, according to the above-described terms.

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

Adopted August 23, 2017 by voice vote.

ACT NO. 330-2017 by Mr. Breton and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
LEAGUE FOR THE HANDICAPPED FOR
PEDIATRIC SKILLED NURSING SERVICES**

Pursuant to 450 of the County Law.

WHEREAS, the Youth Bureau is desirous of providing pediatric skilled nursing services for one preschool child during transport to and from school in the Gowanda Central School District, and

WHEREAS, the League for the Handicapped, 393 North Street, Springville, New York 14141, has personnel who can provide the aforementioned services for an amount of \$45 per one way trip, and

WHEREAS, the aforementioned pediatric skilled nursing services will be provided on an as-needed basis, and

WHEREAS, the League for the Handicapped shall also provide periodic medical evaluations/reviews to determine whether the pediatric skilled nursing services are still necessary during transport to and from school in the Gowanda Central School District, 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 the League for the Handicapped, for the provision of the above-described services, for a term commencing April 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 August 23, 2017 by voice vote.

ACT NO. 331-2017 by Ms. Vickman and Ms. Hastings

**AMENDING ACT 295-2017 REGARDING CONTRACT WITH
FIELDS RESEARCH, INC. FOR
DEPARTMENT OF HEALTH HH-CAHPS SURVEY**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 295-2017 authorized a contract with Fields Research, Inc., 3814 West Street, Cincinnati, Ohio 45227, for the provision of mandated patient satisfaction surveys, the term of which expires July 31, 2018, and

WHEREAS, Fields Research, Inc., has increased their monthly rate from \$300.00 per month to \$500.00 per month for 300 HH-CAHPS surveys, and

WHEREAS, Act 295-2017 should be amended to reflect the increased monthly rate, and

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

RESOLVED, that Act 295-2017 be, and hereby is, amended as follows: In the Fifth Whereas, delete: "\$300.00", and replace with: "\$500.00".

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

Adopted August 23, 2017 by voice vote.

ACT NO. 332-2017 by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH LEVANT WESLEYAN CHURCH
FOR FATHERS SUPPORT/PARENTING GROUP**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 392-2016 authorized a contract with the Levant Wesleyan Church for the provision of a weekly support/parenting group for fathers who are currently working with or under the supervision of the Department of Social Services to focus on family, child and service engagement, the term of which expires August 31, 2017, and

WHEREAS, the County Department of Social Services is desirous of renewing the aforementioned contract, and

WHEREAS, the purpose of the aforementioned program is to reduce re-involvement with Child Protective Services, the Support Collection Unit and Family Court, and

WHEREAS, the Levant Wesleyan Church, 1670 Lundquist Drive, Falconer, New York 14733, can provide a weekly two-hour support/parenting group for male residents of Cattaraugus County who are involved with the Department of Social Services through Child Protective Services, the Child Welfare Unit, Adult Protection Unit, Support Collection Unit, and as parents to youth involved in the juvenile justice/probation system by providing education, parenting services and support, and

WHEREAS, the Levant Wesleyan Church can provide the aforementioned services for a total amount not to exceed \$18,000.00, to be paid on a monthly basis, as invoiced, and

WHEREAS, this program is 100% federally funded (CFDA #93.558), now, therefore, be it
RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Levant Wesleyan Church, for the provision of the above-described services, for a term commencing September 1, 2017 and terminating August 31, 2018, according to the above-described terms, and be it further

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

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

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

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

Adopted August 23, 2017 by voice vote.

ACT NO. 333-2017 by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COMMUNITY ACTION, INC. FOR WIC NUTRITIONIST**

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

WHEREAS, Act 393-2016 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the provision of a qualified nutritionist for the County's WIC Program, the term of which expires September 30, 2017, and

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

WHEREAS, Cattaraugus Community Action, Inc., has agreed to provide a full-time qualified nutritionist for the County's WIC Program for an amount of \$54,737.00¹, to be paid on a monthly basis as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Cattaraugus Community Action, Inc., for the provision of the above-described services, for a term commencing October 1, 2017 and terminating September 30, 2018, and be it further

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

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

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

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

¹MS. VICKMAN moved, seconded by Mr. Neal, to amend as follows: In the Third Whereas, delete: "\$53,237.00", and replace with: "\$54,737.00". Carried.

Adopted, as amended, August 23, 2017 by voice vote.

ACT NO. 334-2017 by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
INSTITUTE FOR HEALTHCARE IMPROVEMENT FOR SCALE INITIATIVE
FUNDED THROUGH ROBERT WOOD JOHNSON FOUNDATION
AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Health Department)**

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

WHEREAS, funding is available through the Institute for Healthcare Improvement for the 100 Million Healthier Lives SCALE Program (Spreading Community *Accelerators*¹ through Learning and Evaluation), and

WHEREAS, the purpose of the SCALE program is to provide an opportunity for communities to substantially accelerate their health improvement by equipping communities with skills and resources to unlock their potential and achieve significant results, and

WHEREAS, the County Health Department was awarded a grant in the amount of \$14,000.00 for the 100 Million Healthier Lives SCALE Program Communities: Regions of Solution Planning Grant for Phase I, and

WHEREAS, this program is 100% funded through the aforementioned grant, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to accept the aforementioned grant 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 Cattaugus County, with the Institute for Healthcare Improvement, in order to apply for, and accept, the aforementioned grant funding which was provided through the Robert Wood Johnson Foundation, for a term commencing July 1, 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, and be it further

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

Increase Estimated Revenue Account:

A.401.4015.4020.2705.29	SCALE	\$14,000.00
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Increase Appropriation Accounts:

A.401.4015.4020.41603	Contracted Services	\$ 10,918.00
A.401.4015.4020.48003	Meeting Expense	\$ 998.00
A.401.4015.4020.46101	Employee Meal Reimbursement	\$ 100.00
A.401.4015.4020.46103	Employee Other Travel	\$ 1,984.00.

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

¹MS. HASTINGS moved, seconded by Ms. Vickman, to amend as follows: In the first Whereas, delete: "Adaptation", and replace with: "Accelerators". Carried.

Adopted, as amended, August 23, 2017 by voice vote.

ACT NO. 335-2017 by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
KATHLEEN E. EBERSOLE D/B/A KEE CONCEPTS CONSULTING FOR
HEALTH DEPARTMENT SCALE INITIATIVE CONSULTANT SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 318-2015, as amended by Act 62-2017, authorized the Chairman to execute grant documents with the Institute for Healthcare Improvement funded through the Robert Wood Johnson Foundation for the SCALE Program (Spreading Community Accelerators through Learning and Evaluation), the term of which expired April 14, 2017, and

WHEREAS, the purpose of the SCALE program is to provide an opportunity for communities to substantially accelerate their health improvement by equipping communities with skills and resources to unlock their potential and achieve significant results, and

WHEREAS, the County Health Department was awarded a grant for the 100 Million Healthier Lives SCALE Program Communities: Regions of Solution Planning Grant for Phase I, and

WHEREAS, the Health Department is in need of consultant services to manage the SCALE Program for the County, and

WHEREAS, Kathleen Ebersole, d/b/a KEE Concepts Consulting, 4877 Kortwright Road, Ashville, New York 14710, as Community Improvement Advisor, can provide the following activities, in conjunction with the SCALE Leadership Team, the local Community Improvement Champion and the Cattaraugus County Healthy Livable Communities Consortium:

- Take a leadership role in all SCALE activities including development of the SCALE Aim statement, measurable metrics and change ideas;
- Conduct a readiness assessment and incorporate this information with a needs and assets community assessment;
- Oversee the implementation of change ideas through testing and measuring of possible change ideas using rapid cycle PDSA and other testing methodologies to determine long term solutions to meet agreed upon community improvement metrics;
- Work with Leadership Team and the Consortium to identify and coach/mentor local community leaders to learn community improvement methods and to build plans for long-term sustainability of all change ideas developed and tested during the SCALE Initiative time period;
- Develop and implement reporting methods and oversee monthly reporting and sharing of data;
- Participate in evaluation activities; and
- Participate in all SCALE learning activities including CHILA events, peer mentoring sessions, monthly peer group calls, monthly individual coaching calls and any visits to "Bright Spot" communities,

and

WHEREAS, Kathleen Ebersole, d/b/a KEE Concepts Consulting, shall provide the aforementioned consultant services for an amount of \$1,600.00 per month, for a total amount not to exceed \$8,000.00, which includes travel costs, to be paid as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Kathleen Ebersole, d/b/a KEE Concepts Consulting, for the provision of the above-described consulting services, for a term commencing August 1, 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 7 members of the Finance Committee and 7 members of Human Services Committee.

Adopted August 23, 2017 by voice vote.

ACT NO. 336-2017 by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR
EARLY INTERVENTION PROGRAM ADMINISTRATION (EIP)**

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

WHEREAS, the New York State Department of Health, Bureau of Child and Adolescent Health, has approved funding for a five-year contract term in the amount of \$166,885.00 to cover the period October 1, 2016 through September 30, 2021, and

WHEREAS, Act 558-2016 authorized the Chair to execute a contract with the New York State Department of Health and various entities for the administration of the Early Intervention Program (EIP) for the fiscal year 2016-2017, the term of which expires September 30, 2017, and

WHEREAS, the NYSDOH funding for the County Health Department is an amount of \$33,377.00 per year for each year of the five-year contract term to terminate September 30, 2021, and

WHEREAS, yearly contracts are necessary with the New York State Department of Health in order to obtain the aforementioned funding, and

WHEREAS, this program is 100% federally funded (CFDA #93.069), now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with the New York State Department of Health, in order to obtain the aforementioned annual funding for the Early Intervention Program, for a term commencing October 1, 2016 and terminating September 30, 2021, according to the above-described terms, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute yearly contracts, on behalf of Cattaraugus County, with the New York State Department of Health, in order to obtain the aforementioned funding, as long as the funding has been budgeted, 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 August 23, 2017 by voice vote.

ACT NO. 337-2017 by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
VARIOUS ENTITIES FOR EARLY INTERVENTION PROGRAM SERVICES**

Pursuant to Public Health Law Section 2559-b, Mental Hygiene Law Section 41.07
and Section 450 of the County Law.

WHEREAS, the County Health Department operates the Early Intervention Program, and
WHEREAS, certain children Health Homes require early intervention program services
and would like to contract with the County Health Department for the provision of such services, and

WHEREAS, the County Health Department shall provide Early Intervention Program
services to the following entities for an amount of \$13.75 per enrolled child per month for an amount
not to exceed \$137.50 per child per month:

Hillside Family of Agencies
7320 Snell Hill Road
Bath, New York 14810

Cattaraugus Rehabilitation Center, Inc.
1439 Buffalo Street
Olean, New York 14760

Directions in Independent Living, Inc.
512 West State Street
Olean, New York 14760

Cattaraugus County Department of Community Services
1 Leo Moss Drive, Suite 4308
Olean, New York 14760,

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed
to execute a contract, on behalf of Cattaraugus County, with the above-listed entities for the provision
of the above-described Early Intervention Program services, for a term commencing September 1, 2017
and terminating August 31, 2019, according to the above-described terms.

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

Adopted August 23, 2017 by voice vote.

ACT NO. 338-2017 by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
ROBERTS WESLEYAN COLLEGE FOR
EDUCATIONAL CLINICAL EXPERIENCE PROGRAMS**

Pursuant to Section 450 of the County Law.

WHEREAS, Roberts Wesleyan College, School of Nursing, 2301 Westside Drive, Rochester, New York 14624, is desirous of implementing a field instruction program component in its Nursing Program, and

WHEREAS, the Department of Health is desirous of working collaboratively with the Nursing Program at Roberts Wesleyan College for training and educational clinical experience programs to nursing program students who would benefit from field placement experience in the Cattaraugus County Department of Health, and

WHEREAS, the Department of Health has agreed to allow the nursing program to be conducted at the Department's facilities at no cost to the County, and

WHEREAS, in the event other County departments are desirous of participating in a clinical experience program with Roberts Wesleyan College, then additional contracts may be entered into pursuant to this resolution, 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 Roberts Wesleyan College, for the provision of the above-described educational clinical experience program, for a term commencing July 1, 2016 to terminate June 30, 2021, hereto, according to the above-described terms.

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

Adopted August 23, 2017 by voice vote.

ACT NO. 339-2017 by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
HEALTHY COMMUNITY ALLIANCE, INC. FOR
HEALTH DEPARTMENT WOMEN INFANT AND CHILDREN (WIC) PROGRAMS**

Pursuant to 10 NYCRR Part 40-1 and
Section 450 of the County Law.

WHEREAS, Act 358-2016 authorized a contract with Healthy Community Alliance, Inc., 26 Jamestown Street, P.O. Box 27, Gowanda, New York 14070, for the provision of the following components of the Health Department WIC program, the term of which expires September 30, 2017:

- Two (2) Breastfeeding Peer Counselors (part-time), and
- Two (2) Nutrition Program Aides,

and

WHEREAS, the County Health Department is desirous of continuing the services of part-time breastfeeding peer counselors and full-time nutrition program aides, and

WHEREAS, Healthy Community Alliance, Inc., has agreed to provide the aforementioned WIC program components, in accordance with the following:

<u>Breastfeeding Peer Counselor (two part-time)</u>	Total not to exceed	\$28,149.00
*to be paid on a monthly basis, as invoiced		
*Approved work-related expenses will be reimbursed, including approved work-related cell phone usage		
*Mileage will be reimbursed at the established rate of \$0.485/mile		

<u>Nutrition Program Aide (two full-time)</u>	Total not to exceed	\$93,561.30
*to be paid on a monthly basis, as invoiced		
*Approved work-related expenses will be reimbursed, including approved work-related cell phone usage		
*Mileage will be reimbursed at the established rate of \$0.485/mile		

and

WHEREAS, these programs are 100% funded through the WIC Program, 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 October 1, 2017 and terminating September 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 August 23, 2017 by voice vote.

ACT NO. 340-2017 by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
HEALTH RESEARCH, INC. FOR PUBLIC HEALTH
PREPAREDNESS AND RESPONSE TO BIOTERRORISM**

Pursuant to Section 301 et seq. of the Public Health Service Act and
Section 450 of the County Law.

WHEREAS, Act 189-2013 authorized a contract with Health Research, Inc., in order to accept funding in the amount of \$82,145.00 per year for the next phase of the terrorism emergency response and preparedness plan, the term of which expired June 30, 2017, and

WHEREAS, the County Health Department has been awarded funding through Health Research, Inc., Riverview Center, 150 Broadway, Suite 560, Menands, New York 12204, in the amount of \$79,989.00, plus reimbursables in the amount of \$15,045.00 for the period commencing July 1, 2017 and terminating June 30, 2018, and

WHEREAS, a contract is necessary in order to accept and receive the aforementioned funding, and

WHEREAS, this program is 100% federally funded (CFDA# 93.074), 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 Health Research, Inc., in order to accept and receive the aforementioned grant funding, 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 August 23, 2017 by voice vote.

ACT NO. 341-2017 by Mrs. Stockman and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
BPAS (FORMERLY HARBRIDGE CONSULTING GROUP, LLC) FOR
GASB 45 ACTUARIAL, CONSULTING AND
ADMINISTRATIVE SERVICES FOR POST-RETIREMENT HEALTH CARE BENEFITS**

Pursuant to Section 1860D-22 of the Social Security Act,
42 CFR Section 423.880, 42 USC Section 1395w-101 and
Section 450 of the County Law.

WHEREAS, Act 494-2015, as amended by Act 517-2015, authorized a contract with Harbridge Consulting Group, LLC, for the provision of GASB 45 actuarial, consulting and administrative services for post-retirement medical benefits, the term of which expired May 1, 2016, and

WHEREAS, the County is desirous of obtaining actuarial, consulting and administrative services for post-retirement health care benefits valuations, and

WHEREAS, BPAS (formerly Harbridge Consulting Group, LLC), 1387 Fairport Road, Building 700-Suite 720, Fairport, New York 14450, can provide the aforementioned services for fiscal years ending December 31, 2017 and December 31, 2018, for an amount as follows, to be paid as invoiced:

GASB 45 Full Actuarial Valuation for Fiscal Year ending December 31, 2017	\$9,000.00
GASB 75 Interim Actuarial Valuation for Fiscal Year ending December 31, 2018	\$4,000.00,

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 a contract, on behalf of Cattaraugus County, with BPAS, for the provision of the actuarial, consulting and administrative services for post-retirement health care benefits valuations services, for a term commencing January 1, 2018 and terminating December 31, 2019, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the Labor Relations Committee.

Adopted August 23, 2017 by voice vote.

ACT NO. 342-2017 by Mr. Snyder, Sr. and Mrs. Labuhn

**RESOLUTION AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO APPROVE
THE PROPOSED ACTION BY COUNTY OF CATTARAUGUS INDUSTRIAL
DEVELOPMENT AGENCY IN CONNECTION WITH A CERTAIN COMMERCIAL PROJECT
FOR SIX SMITHS PROPERTIES LLC**

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

WHEREAS, pursuant to Article 18-A of the General Municipal Law of the State of New York and Chapter 536 of the 1971 Laws of New York (collectively, the "Act"), the Legislature of Cattaraugus County (the "County Legislature") has heretofore appointed the members of County of Cattaraugus Industrial Development Agency (the "Agency") and has duly caused to be filed in the office of the Secretary of the State of New York the certificates required by Section 856 of the General Municipal Law of the State of New York, and

WHEREAS, pursuant to the Act, the Agency is authorized and empowered to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and recreation facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration, and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct and install one or more "projects" (as defined in the Act), or to cause said projects to be acquired, constructed and installed, and to convey said projects or to lease said projects with the obligation to purchase, and

WHEREAS, in June, 2017, Six Smiths Properties LLC, a New York a limited liability company (the "Company"), submitted an application (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, which Application requested that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately 0.20 acre parcel of land located at 135 and 141 Main Street (Tax ID Nos. 70.072-2-13 and 70.072-2-12, respectively) in the

Town of Randolph, Cattaraugus County, New York (collectively, the "Land"), together with two (2) buildings containing in the aggregate approximately 12,000 square feet of space located thereon (collectively, the "Facility"), (2) the reconstruction, rehabilitation and renovation of the Facility and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property (collectively, the "Equipment") (the Land, the Facility, and the Equipment being collectively referred to as the "Project Facility"); all of the foregoing to constitute apartments, laundromat and other retail space and any and all related activities; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real property transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency, and

WHEREAS, pursuant to Section 862(2)(a) of the Act, no financial assistance of the Agency shall be provided in respect of any project where facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities constitute more than one-third of the total project cost, unless certain exceptions apply, one of which is that the Project is located in a highly distressed area, and

WHEREAS, pursuant to Section 862(2)(c) of the Act, the Agency may not provide financial assistance to the Project unless the Agency shall, after satisfaction of the public hearing requirements of Section 859 of the Act, make a finding that undertaking the Project will serve the public purposes of the Act by preserving permanent, private sector jobs in the State or increasing the overall number of permanent, private sector jobs in the State, and

WHEREAS, by resolution adopted by the members of the Agency on June 6, 2017 (the "Public Hearing Resolution"), the Agency authorized a public hearing to be held pursuant to Section 859-a of the Act with respect to the Project, and

WHEREAS, pursuant to the authorization contained in the Public Hearing Resolution, the Executive Director of the Agency (A) caused notice of a public hearing of the Agency (the "Public Hearing") pursuant to Section 859-a of the Act, to hear all persons interested in the Project and the financial assistance being contemplated by the Agency with respect to the Project, (I) to be mailed on June 19, 2017 to the chief executive officers of the county and of each city, town, village and school district in which the Project is or is to be located, (2) to be posted (a) on June 16, 2017 on a bulletin board located at the Agency Offices located at 9 East Washington Street in the Town of Ellicottville, Cattaraugus County, New York, (b) on June 19, 2017 at the Randolph Town Hall located in the Town of Randolph, Cattaraugus County, New York and (c) on the Agency's website on June 16, 2017 and (3) caused notice of the Public Hearing to be published on June 20, 2017 in the Olean Times Herald, a newspaper of general circulation available to the residents of the Town of Randolph, Cattaraugus County, New York, (B) conducted the Public Hearing on July 7, 2017 at 9:30 a.m., local time, at the Conference Room of the Randolph Town Hall located at 72 Main Street in the Town of Randolph, Cattaraugus County, New York located at 72 Main Street, and (C) prepared a report of the Public Hearing (the "Hearing Report") fairly summarizing the views presented at such Public Hearing and caused copies of said Hearing Report to be made available to the members of the Agency, and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations (the "Regulations") adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, "SEQRA"), by resolution adopted by the members of the Agency on June 6, 2017 (the "Preliminary SEQR Resolution"), the Agency (A) determined (1) that the Project involves more than one "involved agency", and (2) that, although the Project may constitute an "unlisted action", and coordinated review and notification of other involved agencies is strictly optional with

respect to the Project, the Agency wished to investigate the advisability of undertaking a coordinated review with respect to the Project and (B) authorized the Executive Director of the Agency to contact all other "involved agencies" for the purpose of ascertaining whether such "involved agencies" were interested in undertaking a coordinated review of the Project and, if so, designating a "lead agency" with respect to the Project (as such quoted terms are defined in SEQRA), and

WHEREAS, further pursuant to SEQRA, by resolution adopted by the members of the Agency on July 25, 2017 (the "Final SEQR Resolution"), Agency determined that the Project constitutes a "Type II Action" (as such quoted term is defined under SEQRA), and therefore that no further action with respect to the Project was required under SEQRA, and

WHEREAS, by further resolution adopted by the members of the Agency on July 25, 2017 (the "Commercial Retail Finding Resolution"), the Agency (A) determined that the Project constituted a "commercial project" within the meaning of the Act, (B) found that although the Project Facility appears to constitute a project where facilities or properties that are primarily used in making the retail sales of goods or services to customers who personally visit such facilities may constitute more than one-third of the costs of the Project, the Agency is authorized to provide financial assistance in respect of the Project pursuant to Section 862(2)(a) of the Act because the Project Facility is located in census tract 9614, which is contiguous to census tract 9403, which is considered to be a distressed census tract and therefore is in a "highly distressed area", as that term is defined in Section 854(18) of the Act, (C) determined, following a review of the Hearing Report, that the Project would serve the public purposes of the Act by preserving permanent private sector jobs in the State of New York, and (D) determined that the Agency would proceed with the Project and the granting of the Financial Assistance; provided however, that no financial assistance would be provided to the Project by the Agency unless and until the County Legislature of Cattaraugus County, as chief executive officer of Cattaraugus County, New York, pursuant to Section 862(2)(c) of the Act, confirmed the proposed action of the Agency with respect to the Project, and

WHEREAS, for the sole purpose of allowing the Agency to proceed with the Project, this Legislature desires to empower the Chairman of this Legislature, as the chief executive officer of Cattaraugus County, to confirm the proposed action of the Agency with respect to the Project, pursuant to Section 862(2)(c) of the Act, and

WHEREAS, Section 870 of the General Municipal Law of the State of New York specifically provides that any obligation of the Agency shall not be a debt of Cattaraugus County, New York, nor shall Cattaraugus County, New York be liable thereon, now, therefore, be it

RESOLVED, that, for the sole purpose of allowing the Agency to proceed with the Project and the granting of the financial assistance described in the notice of the Public Hearing, the County Legislature hereby authorizes the Chairman of this County Legislature, as the chief executive officer of Cattaraugus County, New York, to either confirm or refuse to confirm the proposed action of the Agency with respect to the Project, pursuant to Section 862(2)(c) of the Act, and be it further

RESOLVED, that this resolution shall take effect immediately.

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

Adopted August 23, 2017 by voice vote.

ACT NO. 343-2017 by Mr. VanRensselaer and Mr. Padlo

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

Pursuant to Section 164 of the Economic Development Law.

WHEREAS, Act 423-2016 authorized an application for tourism promotion and designated the grant administrator, and

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

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

WHEREAS, Cattaraugus County should contribute a local share of \$70,000.00 in Fiscal Year 2017 to leverage additional funds from the New York State I Love New York Matching Funds Program, now, therefore, be it

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

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

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

RESOLVED, that the Cattaraugus County Department of Economic Development, Planning and Tourism is authorized to apply for state matching funds up to \$500,000.00 for the program year October 1, 2017 through September 30, 2018, and be it further

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

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

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

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

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

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

Adopted August 23, 2017 by voice vote.

ACT NO. 344-2017 by Mr. VanRensselaer and Mr. Padlo

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

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

WHEREAS, Act 422-2016 authorized the Chair to execute a grant application and contract with the Defense Logistics Agency, 8725 John J. Kingman Road, Ft. Belvoir, Virginia 22060-6221, in order to secure funding for the continuation of the Procurement Technical Assistance Program and such funding was received, and

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

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

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

WHEREAS, this program is 75% federally funded (CFDA #12.002) and 25% County funded, and sufficient funds are included in the budget to cover the County's cost of the aforementioned program, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a grant application and contract, on behalf of Cattaraugus County, with the Defense Logistics Agency in order to secure funding for the continuation of the Procurement Technical Assistance Program, and be it further

RESOLVED, that the Procurement Technical Assistance Program will commence January 16, 2018 and terminate January 15, 2019, 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 Development and Agriculture Committee.

Adopted August 23, 2017 by voice vote.

ACT NO. 345-2017 by Mr. Helmich, Mr. Higgins, Mr. Koch and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH JAMES R. STONE FOR
PROPERTY MANAGEMENT SYSTEM FOR
CATTARAUGUS COUNTY LAND BANK CORPORATION**

Pursuant to Section 450 of the County Law.

WHEREAS, the mission of the Cattaraugus County Land Bank Corporation is to restore and build value in the community by returning underutilized properties to dynamic and productive use, preserving and creating quality housing, enhancing the quality of life within neighborhoods and encouraging private sector investment in cooperation with stakeholders who value responsible land ownership, and

WHEREAS, the Cattaraugus County Land Bank Corporation (Land Bank) has requested proposals for the design of a property management system for the Land Bank, and

WHEREAS, the property management system will be used to evaluate properties for strategic acquisition, display them for the public and serve as the central data system to be used by the Land Bank, and

WHEREAS, the proposal received from James R. Stone, 14915 Lake Avenue, #3, Lakewood, Ohio 44107-1343, to design and build a web based property management system, has been selected for an amount not to exceed \$11,000.00, to be paid as invoiced, and

WHEREAS, the County must enter into contracts on behalf of the Land Bank, 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 the Cattaraugus County Land Bank Corporation, with James R. Stone, for the provision of the above-described services, for a term commencing August 1, 2017 and terminating December 31, 2017, according to the above-described terms.

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

Adopted August 23, 2017 by voice vote.

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MS. VICKMAN moved, seconded by Mr. Breton, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 346-2017 through Act No. 362-2017, with the exception of Act No. 359-2017. Carried.

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ACT NO. 346-2017 by Mrs. Stockman
who asks immediate consideration

**APPOINTMENT OF MEMBER TO THE CHAUTAUQUA, CATTARAUGUS,
ALLEGANY AND STEUBEN SOUTHERN TIER EXTENSION RAILROAD AUTHORITY**

Pursuant to Section 2642-C(4) of the Public Authorities Law.

RESOLVED, that the following individual shall be a Cattaraugus County voting member on the Chautauqua, Cattaraugus, Allegany and Steuben Southern Tier Extension Railroad Authority:

Richard Cousins
305 The Heights
Little Valley, New York 14755
Three-year term to expire 9/12/2020,

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Chautauqua, Cattaraugus, Allegany and Steuben Southern Tier Extension Railroad Authority.

Adopted August 23, 2017 by voice vote.

ACT NO. 347-2017 by Mr. Giardini and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 2 WITH
NYS DOT AND AUTHORIZING CATTARAUGUS COUNTY TO PARTICIPATE IN
THE FEDERAL-AID PROJECT ADMINISTERED BY THE NYS DOT AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Great Valley Bridge No. 9 Replacement Project – Bridge NY Funds)**

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

WHEREAS, a project for the replacement of the Martin Road Bridge over Forks Creek, BIN 3-32173-0, in the Town of Great Valley, Cattaraugus County, PIN 5758.47 (the "Project"), is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 95% Federal funds and 5% Non-Federal funds, and

WHEREAS, the County desires to advance the above project by making a commitment of 100% of the non-federal share of the costs of the Construction & Construction Inspection phases of the Project, PIN 5758.47, now, therefore, be it

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

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

RESOLVED, that the sum of \$1,400,000.00 is hereby appropriated, in addition to \$64,200.00 previously appropriated via County Resolution No. 428-2012 adopted on September 26, 2012 and \$205,000.00 previously appropriated via County Resolution No. 422-2008 adopted on August

27, 2008, and made available to cover the cost of participation in the Construction & Construction Inspection phases of the Project, and be it further

RESOLVED, that in the event the amount required to pay 100% of the full Federal and Non-Federal shares of the cost of the Project's Construction phases exceeds the amount appropriated \$1,400,000.00, the County of Cattaraugus shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof, and be it further

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

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

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

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

Increase Estimated Revenue Account:

H.504.5197.5195.4597.02	MAP-21 Program	\$1,330,000.00
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Increase Appropriation Account:

H.504.5197.5195.25026.41603	Great Valley Bridge No. 9	\$1,330,000.00.
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Adopted August 23, 2017 by voice vote.

ACT NO. 348-2017 by Mr. Breton, Mr. Giardini, Mr. Helmich and Ms. Vickman
who ask immediate consideration

**ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Department of Public Works- County Road No. 47)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, County Road No. 47 in the Town of Lyndon should be reconstructed, to include milling and paving, drainage and asphalt upgrades, and

WHEREAS, an appropriation account must be adjusted to cover the cost of the aforementioned projects, now, therefore, be it

RESOLVED, that the County Administrator is hereby directed to appropriate \$250,000.00 from Undesignated Fund Balance Account A.909.0000 and make the following budgetary changes:

Increase Appropriation Account:

H.504.5197.5198.27079.41603	County Road No. 47	\$250,000.00.
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Adopted August 23, 2017 by voice vote.

ACT NO. 349-2017 by Mr. Giardini and Ms. Hastings
who ask immediate consideration

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

Pursuant to Section 215 of the County Law and
Rule 40 of the Rules of Order of the
Cattaraugus County Legislature.

WHEREAS, Cattaraugus County has tax title to certain property situate in the Town of Carrollton, and

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

WHEREAS, the cost involved for this premises has been tendered to the County Treasurer's Office, now, therefore, be it

RESOLVED, that the County Treasurer be, and hereby is, authorized and directed, on behalf of Cattaraugus County, to execute a County Treasurer's Deed conveying this property to the following individual:

TOWN OF CARROLLTON

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
134	101.070-1-8.1	Carla J. Stone	584 Parkside Drive Limestone, NY 14753.	\$5,983.08

Adopted August 23, 2017 by voice vote.

ACT NO. 350-2017 by Mrs. Stockman
who asks immediate consideration

**AMENDING ACT 570-1985 REGARDING IMPOSITION OF SALES
AND USE TAXES, AS AMENDED, TO EXTEND THE ADDITIONAL
1% RATE OF TAXES ON SALES AND USES OF TANGIBLE
PERSONAL PROPERTY AND OF CERTAIN SERVICES, AND ON
OCCUPANCY OF HOTEL ROOMS AND AMUSEMENT CHARGES**

Pursuant to Article 29 of the Tax Law and Chapter 332 of
the Laws of 2015 of the State of New York.

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

SECTION 1. The first sentence of Section 2 of Act 570-1985, which was adopted December 30, 1985, as amended, is amended to read as follows:

"**SECTION 2. Imposition of Sales Tax.**

On and after March 1, 1986, and through November 30, 2020, there is hereby imposed and there shall be paid a tax of four percent (4%) upon, and on and after December 1, 2020, there is hereby imposed and there shall be paid a tax of three percent (3%) upon:".

SECTION 2. Subdivisions (a), (b) and (c) of Section 2-A of Act 570-1985, as added by Act 174-1986 as amended, are amended to read as follows:

(a) Notwithstanding the rate of tax set forth in Section 2 of this resolution, on and after March 1, 1986, and through November 30, 2020, the taxes imposed on the receipts from the retail sale of fuel oil and coal used for residential purposes; the receipts from the retail sale of wood used for residential heating purposes; and the receipts from every sale, other than for resale, of propane (except when sold in containers of less than one hundred pounds) natural gas, electricity, steam and gas, electric and steam services used for residential purposes shall be paid at the rate of 3 percent. The provisions of this subdivision shall not apply to a sale of (i) diesel motor fuel which involves a delivery at a filling station or into a repository which is equipped with a hose or other apparatus by which such fuel can be dispensed into the fuel tank of a motor vehicle and (ii) enhanced diesel motor fuel except in the case of a sale of such enhanced diesel motor fuel used exclusively for residential purposes which is delivered into a storage tank which is not equipped with a hose or other apparatus by which such fuel can be dispensed into the fuel tank of a motor vehicle and such storage tank is attached to the heating unit burning such fuel, provided that each delivery of such fuel of over four thousand five hundred gallons shall be evidenced by a certificate signed by the purchaser stating that the product will be used exclusively for residential purposes.

(b) Notwithstanding the rate of tax set forth in Section 4 of this resolution for the purposes of clause (A) of subdivision (a) thereof, on and after March 1, 1986, and through November 30, 2020, the compensating use tax imposed by such section on the use of fuel oil and coal used for residential purposes and wood used for residential heating purposes shall be at the rate of 3 percent of the consideration given or contracted to be given for such property or for use of such property, plus the cost of transportation except where such cost is separately stated in the written contract, if any, and on the bill rendered to the purchaser. The provisions of this subdivision shall not apply to a use of (i) diesel motor fuel which involves a delivery at a filling station or into a repository which is equipped with a hose or other apparatus by which such fuel can be dispensed into the fuel tank of a motor vehicle and (ii) enhanced diesel motor fuel except in the case of a use of such enhanced diesel motor fuel used exclusively for residential purposes which is delivered into a storage tank which is not equipped with a hose or other apparatus by which such fuel can be dispensed into the fuel tank of a motor vehicle and such storage tank is attached to the heating unit burning such fuel.

(c) The rate set forth in this section shall apply to receipts from all retail sales and uses described in this section made, rendered or arising therefrom on or after March 1, 1986, and through November 30, 2020, although made or rendered under a prior contract, if a delivery or transfer of possession of such property or services is made after said date. Where such property or service is sold on a monthly, quarterly or other term basis and the bills for such property or service are based on meter readings, the amount received on each bill for such property or service for a month or quarter or other term shall be a receipt subject to the rate of tax set forth in this section, but such rate shall be applicable to all bills based on meters read on or after March 1, 1986, and through November 30, 2020, only where more than one-half of the number of days included in the month or other periods billed are days subsequent to February 28, 1986.

SECTION 3. Subdivision (g) of Section 3 of Act 570-1985, which was adopted December 30, 1985, as amended, is amended to read as follows:

"(g) The taxes imposed under subdivisions (a), (c) and of (d) of Section 2 shall be paid at the rate of 3 percent upon all sales made and services rendered on or after December 1, 2020. With respect to the tax rate of 3 percent effective December 1, 2020, the provisions of subdivisions

(b), (c), (d) and (e) of this section apply, except that for purposes of this subdivision, all references in said subdivisions (b), (c) and (d) to an effective date shall be read as referring to December 1, 2020, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to November 30, 2020. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to December 1, 2020, any transaction which may not be subject to the lowered tax in effect on that date."

SECTION 4. Section 4 of Act 570-1985, which was adopted December 30, 1985, as amended, is amended to read as follows:

"SECTION 4. Imposition of Compensating Use Tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after March 1, 1991, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed (E) of any telephone answering service described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if user offers software of a similar kind for sale as the such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period commencing March 1, 1991, and ending November 30, 2020, the tax shall be at the rate of four percent (4%), and on and after December 1, 2020, the tax shall be at the rate of three percent (3%), of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, for the period commencing March 1, 1991, and ending November 30, 2020, the tax shall be at the rate of four percent (4%), and on and after December 1, 2020, the tax shall be at the rate of three percent (3%), of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period commencing March 1, 1991, and ending November 30, 2020, the tax shall be at the rate of four percent (4%), and on and after December 1, 2020, the tax shall be at the rate of three percent (3%), of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is

subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, for the period commencing March 1, 1991, and ending November 30, 2020, the tax shall be at the rate of four percent (4%), and on and after December 1, 2020, the tax shall be at the rate of three percent (3%), of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period commencing March 1, 1991, and ending November 30, 2020, the tax shall be at the rate of four percent (4%), and on and after December 1, 2020, the tax shall be at the rate of three percent (3%), of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person."

SECTION 5. This resolution shall take effect December 1, 2017.

Adopted August 23, 2017 by voice vote.

ACT NO. 351-2017 by Mr. Snyder, Sr.
who asks immediate consideration

AMENDING CATTARAUGUS COUNTY JOURNAL ENTRY POLICY

Pursuant to Section 153 of the County Law.

WHEREAS, Act 360-2012 created the Cattaraugus County Journal Entry Policy, and
WHEREAS, it is necessary to update and amend the aforementioned policy, now,
therefore, be it

RESOLVED, that effective immediately the following Journal Entry Policy be adopted as amended:

Cattaraugus County Journal Entry Policy

System Generated Journals:

These Journals are automatically generated by the financial system for certain types of transactions. The

transactions that produce these Journals are as follows:

1. Posting of Cash Receipts
2. Posting of Accounts Payables
3. Posting of Bi-weekly Payroll
4. Posting of Purchase Orders
5. Voiding/Reissuing of payments
6. Reversing Receipts due to returned or non-sufficient funds checks
7. Reclassification Journals for Government Reporting.

These Journals are created under Department 999- System Generated.

These Journals will require one level of approval prior to posting. This level of approval is assigned to the following Staff:

1. Deputy Budget Director, Administration
2. Deputy County Treasurer, Treasurer's Office
3. Senior Accountants, Treasurer's Office
4. Accountant, Treasurer's Office
5. Junior Accountants, Treasurer's Office
6. Senior Account Clerk Typists, Treasurer's Office.

Bank Journals:

These Journals represent transactions that have an effect on the Bank Reconciliation. The transactions that would warrant Bank Journals are as follows:

1. Monthly bank interest earned
2. Monthly investment activity
3. Wire transfers
4. Internal bank transfers
5. Deposit corrections
6. Debt payments that are paid electronically
7. Project Echo (Department of Aging) monthly revenues
8. Bank charges/fees.

These Journals will require two levels of approval prior to posting. One level of approval would be given to the entry preparer, and one level for the approver/poster. This level of approval is assigned to the following Staff:

1. Deputy County Treasurer, Treasurer's Office
2. Senior Accountants, Treasurer's Office
3. Accountant, Treasurer's Office
4. Junior Accountants, Treasurer's Office
5. Senior Account Clerk Typists, Treasurer's Office.

Department Journals:

These Journals originate at the Department level for transactions effecting each Department's Revenue and Expense accounts, as well as Accounts Receivables for certain Departments.

These Journals will require three levels of approval prior to posting. The levels of approval are as follows:

1. Entry (Preparer)

2. Department head or their designee (Preparer/Approver)
3. Finance (Treasurer's Office) (Approver: Deputy Treasurer, Sr. Accountants, Accountant, Jr. Accountant, and Senior Account Clerk Typists have approval rights).

General Journals:

These Journals originate in the Treasurer's Office during the course of day to day operations. These Journals could affect any Revenue, Expense or Balance Sheet account, including Cash. These entries would be prepared by the Treasurer's Office Accounting Staff as listed below.

These Journals will require two levels of approval prior to posting. One level of approval would be given to the entry preparer, and one level for the approver/poster. These levels of approval are assigned to the following Staff in the Treasurer's Office:

1. Deputy County Treasurer
2. Senior Accountants
3. Accountant
4. Junior Accountants
5. Account Clerk Typist (Data Entry Only).

Interdepartmental Vouchers:

These Journals represent billings between County Departments. Paper copies of these entries are initiated in the Department issuing the bill, and forwarded on to the Department being billed. Department heads or their designee in each Department must sign and approve the entry. The entry is then forwarded to the Treasurer's Office for entry and approval.

Once entered in the Treasurer's Office, these Journals will require two levels of approval prior to posting. These levels of approval are assigned to the following Staff in the Treasurer's Office:

1. Deputy County Treasurer
2. Senior Accountants
3. Accountant
4. Junior Accountants
5. Account Clerk Typist (Data Entry Only).

The back dating of these entries will be as follows:

- Quarter End (March, June, September)-Until the 15th of the following month, entries may be backdated into the prior month.
- All Other Months- Entries may be backdated up until the first Friday of the month.

Budget Adjustments:

These Journals are generated within each Department or by the Office of the County Administrator. The Administrator's Office is authorized by the County Legislature to transfer up to a total of \$10,000 per year into any budgetary account, with the following exceptions:

- A) Departments of Social Services and Public Works, transfers can be made in excess of \$10,000 with the approval of the Chairman of the Finance Committee and the County Administrator.
- B) Transfers without limitation for the purpose of budgeting or amending appropriations and revenues for the Workforce Investment Board, upon notification from the federal government of the grant amount.

C) Transfers within the budget in connection with settlements of collective bargaining agreements.

After November 1 of each budget year, the Administrator's Office is authorized to transfer without limitations for the purpose of closure of the County's financial books for the fiscal year, with the approval of the Chairman of the Finance Committee and the County Administrator. (See Local Law 10-1985).

Signatures as required per Local Law 10-1985 are obtained manually, and scanned into electronic documents. These documents are then attached to each budget adjustment in the financial system.

In addition to the manual signatures, these Journals also require three approval levels prior to posting. The levels of approval are as follows:

1. Entry
2. Department head or their designee
3. Finance (Deputy Budget Director).

All Journal Entries:

Unless otherwise noted, Journal Entries may be backdated for 30 days after months end. For example, an entry for March 31, may be dated March 31 and posted up until April 30th.

An exception to this 30 day time limit will be at year end where it is necessary for journal entries to be posted into the prior year in order to have accurate financial records. Necessary prior year journal entries will be posted up until the closing of the accounts for that prior year. This will also include any resulting necessary reversing journal entries to be posted into the new fiscal year connected to year end journals of the prior year.

The Treasurer's Office Accounting Staff will, at their discretion, have authority to backdate journal entries as required to maintain accurate financial records.

Adopted August 23, 2017 by voice vote.

ACT NO. 352-2017 by Mr. VanRensselaer
who asks immediate consideration

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH
THE NEW YORK STATE HOMES AND COMMUNITY RENEWAL
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND
AUTHORIZING PUBLIC HEARING ON APPLICATION**

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

WHEREAS, Cattaraugus Community Action has approached Cattaraugus County Department of Economic Development, Planning and Tourism to act as the lead agency on a grant application provided under the New York State Homes and Community Renewal Community Development Block Grant Program, and

WHEREAS, the County wishes to assess the advisability of submitting a Community Development Block Grant ("CDBG") application to the New York State Office of Homes and Community

Renewal (the "OCR") for funding to replace eight (8) to ten (10) dilapidated owner-occupied manufactured homes and address septic and well issues serving those properties (the "Project"), and

WHEREAS, the application will seek a grant in the amount of \$850,000.00 to replace eight to ten dilapidated owner-occupied manufactured homes and address septic and well issues serving those properties within Cattaraugus County, and

WHEREAS, the homes to be replaced will target the most vulnerable populations within Cattaraugus County comprising the elderly, disabled, low income and veterans, and

WHEREAS, there is no requirement that any County dollars be committed as a condition of receiving the grant, and

WHEREAS, Cattaraugus Community Action intends to prepare the grant application and oversee administration of the grant, and

WHEREAS, the program requires that a municipal corporation act as the lead agency and the recipient of the grant funds, and

WHEREAS, Cattaraugus County Department of Economic Development, Planning and Tourism is willing to serve as the lead agency, and

WHEREAS, the County is required to hold a public hearing to provide information to the public and to consider citizen comments regarding the CDBG program and the Project prior to submitting an application for CDBG funding, and

WHEREAS, a public hearing will be conducted as part of the grant process, now, therefore, be it

RESOLVED, that a public hearing shall be held by this County Legislature on the submission of an application to the New York State Office of Homes and Community Renewal for Community Development Block Grant funding to replace eight (8) to ten (10) dilapidated owner-occupied manufactured homes and address septic and well issues serving those properties on the 12th day of September, 2017, at 4:01 p.m. at the Legislature's Chambers, County Center, 303 Court Street, Little Valley, 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, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, to apply for a \$850,000.00 grant through the New York State Homes and Community Renewal Community Development Block Grant Program, according to the above-described terms.

Adopted August 23, 2017 by voice vote.

ACT NO. 353-2017 by Mr. Helmich, Mr. Higgins, Mr. Koch and Mrs. Labuhn
and Ms. Vickman and Mr. Padlo¹
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH CATTARAUGUS COUNTY LAND BANK CORPORATION
FOR REIMBURSEMENT OF DEMOLITION EXPENSES**

Pursuant to Section 450 of the County Law.

WHEREAS, the County has title to certain parcels of property that need to be demolished, and

WHEREAS, the Department of Public Works shall contract with a demolition company for such demolition, and

WHEREAS, the Cattaraugus County Land Bank Corporation (Land Bank) shall reimburse the County for all costs associated with the demolition of the subject properties, and

WHEREAS, upon completion of the demolition, the County shall transfer title to the property to the Land Bank, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Cattaraugus County Land Bank Corporation, for the provision of the above-described services, for a term commencing August 24, 2017 to continue in full force and effect until terminated by either party hereto, according to the above-described terms.

¹The following Legislators requested their names be listed as additional sponsors: “Ms. Vickman and Mr. Padlo”.

Adopted August 23, 2017 by voice vote.

ACT NO. 354-2017 by Mr. Helmich, Mr. Higgins, Mr. Koch and Mrs. Labuhn
*and Ms. Vickman and Mr. Padlo*¹
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COUNTY LAND BANK CORPORATION
FOR INSPECTION OF PROPERTIES**

Pursuant to Section 450 of the County Law.

WHEREAS, the County has title to certain parcels of property that need to be rehabilitated, and

WHEREAS, the Cattaraugus County Land Bank Corporation (Land Bank), on behalf of the County, shall contract with a construction technician for inspection of such properties to determine the rehabilitation needs on a case-by-case basis, and

WHEREAS, the County shall grant permission for the Land Bank's construction technician to enter the demised properties for inspection purposes, and

WHEREAS, the Land Bank shall be responsible for payment of all costs associated with the construction technician, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Cattaraugus County Land Bank Corporation, for the provision of the above-described services, for a term commencing August 24, 2017 to continue in full force and effect until terminated by either party hereto, according to the above-described terms.

¹The following Legislators requested their names be listed as additional sponsors: “Ms. Vickman and Mr. Padlo”.

Adopted August 23, 2017 by voice vote.

ACT NO. 355-2017 by County Operations/Public Safety Committee:
Mr. Klancer, Mr. Neal, Mr. Boberg, Mr. Snyder, Jr.,
Mr. VanRensselaer, Mr. Koch and Mr. Padlo
and Mrs. Labuhn
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
NTS DATA SERVICES, LLC FOR BOARD OF ELECTIONS
IMAGING SOFTWARE SYSTEM MAINTENANCE AND SUPPORT**

Pursuant to Sections 5-708(5.a) and 8-304 of the Election Law
and Section 450 of the County Law.

WHEREAS, Act 749-2001 authorized the purchase and installation of the Team-2000 Voter Information Software system, Sign-it, "IMAGE-IT! Full Document Imaging" software system for the Board of Elections, and

WHEREAS, Act 503-2013 authorized the current contract with NTS Data Services, LLC, for maintenance and support services for the aforementioned software system, and IMS software applications, the term of which expires December 31, 2018, and

WHEREAS, the Board of Elections is desirous of upgrading the aforementioned imaging software system to add ScanFlow, the Full Document WorkFlow System, and

WHEREAS, NTS Data Services, LLC, 2079 Sawyer Drive, Niagara Falls, New York 14304, shall upgrade the voter registration and database software by adding ScanFlow, the Full Document WorkFlow System, as well as provide maintenance and support through December 31, 2021 for the ScanFlow software, for an amount of \$24,750.00, to be paid as invoiced, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned software upgrade, 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 NTS Data Services, LLC, for the provision of the above-described software upgrade, for a term commencing August 24, 2017 and terminating December 31, 2021, according to the above-described terms.

Adopted August 23, 2017 by voice vote.

ACT NO. 356-2017 by Ms. Vickman
who asks immediate consideration

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

Pursuant to Section 450 of the County Law.

WHEREAS, Act 425-2016 authorized a contract with Interactive Health, Inc., 1700 East Golf Road, Suite 900, Schaumburg, Illinois 60173, for the provision of a health wellness program for County employees, the term of which expires December 31, 2017, and

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

WHEREAS, Interactive Health, Inc., shall continue to provide the following services for County employees for an amount of \$195.00 per completed health evaluation:

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

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract extension, on behalf of Cattaraugus County, with Interactive Health, Inc., for the provision of the above-described services, to extend the term of the original contract to December 31, 2018, according to the above-described terms.

Adopted August 23, 2017 by voice vote.

ACT NO. 357-2017 by Ms. Vickman and Ms. Hastings
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH FOSTERMARTIN, INC. FOR
HEALTH DEPARTMENT WIC PROGRAM ADVERTISING SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 563-2016 authorized a contract with FosterMartin, Inc., 2200 Genesee Street, Utica, New York 13502, for the provision of advertising services for the Health Department WIC program, the term of which expires September 30, 2017, and

WHEREAS, the County Health Department is desirous of advertising its WIC program services on the internet, and

WHEREAS, FosterMartin, Inc., shall provide advertising services for the Health Department WIC program for a total amount of \$7,950.00, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned advertising 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 FosterMartin, Inc., for the provision of the above-described advertising services, for a term commencing October 1, 2017 and terminating September 30, 2018, according to the above-described terms.

Adopted August 23, 2017 by voice vote.

ACT NO. 358-2017 by Mr. Snyder, Sr.
and Mr. Padlo¹
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH AIRBNB, INC. FOR
VOLUNTARY COLLECTION AND REMITTANCE OF
HOTEL AND MOTEL TAX**

Pursuant to Section 450 of the County Law.

WHEREAS, the County and Airbnb, Inc., are desirous of entering into an agreement in order to facilitate the reporting, collection and remittance of applicable transient occupancy taxes imposed under the Cattaraugus County Hotel and Motel Tax Law for booking transactions completed by Airbnb hosts and guests for accommodations located in Cattaraugus County, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Airbnb, Inc., for the provision of the above-described services, for a term commencing upon execution of the contract, to continue in full force and effect until terminated by either party hereto, according to the above-described terms.

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

Adopted August 23, 2017 by voice vote.

* * * * *

PUBLIC HEARING:

CHAIRMAN STOCKMAN announced this is the time and place called for a public hearing on the **County-Wide Shared Services Property Tax Savings Plan**, and that anyone wishing to speak for or against this local law may now do so.

County-Wide Shared Services Panel Member Norman Marsh, Mayor of the Village of Little Valley, commented positively on the Panel meetings and thanked Jack Searles and his staff for their time and efforts.

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

* * * * *

ACT NO. 359-2017 by Mr. Boberg, Mr. Snyder, Sr., Mrs. Stockman, Mr. VanRensselaer, Ms. Vickman and Mrs. Labuhn
*and Mr. Breton, Mr. Hale, Mr. Helmich, Mr. Higgins, Mr. Klancer, Mr. Neal, Mr. Giardini, Ms. Hastings, Mr. Koch and Mr. Padlo*¹
 who ask immediate consideration

SUPPORTING CATTARAUGUS COUNTY SHARED SERVICES PLAN

Pursuant to Section 153 of the County Law.

WHEREAS, the New York State 2017-2018 budget established a County-Wide Shared Services Initiative with the intent of generating property tax savings by facilitating operational collaboration between local governments, and

WHEREAS, municipalities throughout Cattaraugus County have, for many years, been vigilant in the search for, and implementation of, increased operational efficiencies, including collaborations to reduce and/or stabilize costs and tax rates, and

WHEREAS, the Cattaraugus County Shared Services Panel ("Panel") devoted considerable time and effort to find additional efficiencies among willing local governments, in order to comply with the County-Wide Shared Services Initiative, and

WHEREAS, members of the Panel regularly consulted with each other and representatives of the collective bargaining units of the county, cities, towns, and villages, and

WHEREAS, the proposed Cattaraugus County Shared Services Plan ("Plan") identified thirty-one (31) different projects with potential savings as follows:

2017	\$ 634,781.00
2018	\$1,354,822.00
2019	\$1,310,240.00, and

WHEREAS, the Cattaraugus County Legislature was provided with the proposed Plan by the state-mandated deadline of August 1, 2017, and

WHEREAS, the County and many municipalities donated time and resources to the drafting and development of this Plan and the subsequent report, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature, having reviewed the proposed Cattaraugus County Shared Services Plan, fully supports the proposals contained within the Plan and recommends that the Cattaraugus County Shared Services Panel approve the Plan, and be it further

RESOLVED, that the Cattaraugus County Legislature hereby thanks the members of the Panel for their time, effort, and collaboration in drafting a Plan potentially saving \$3,299,843.00 by 2019 for the taxpayers of Cattaraugus County, and be it further

RESOLVED, that the Cattaraugus County Legislature hereby directs the County Administrator to quantify the amount of the expenses incurred by the Cattaraugus County Shared Services Panel in producing the Plan and the subsequent report and recommend that this be included in the Plan as a one-time shared service savings for 2017.

MR. HALE moved, seconded by Ms. Hastings, to waive Rule 12. Carried.

¹The following Legislators requested their names be listed as additional sponsors: "Mr. Breton, Mr. Hale, Mr. Helmich, Mr. Higgins, Mr. Klancer, Mr. Neal, Mr. Giardini, Ms. Hastings, Mr. Koch and Mr. Padlo".

Adopted August 23, 2017 by voice vote.

ACT NO. 360-2017 by Mr. Breton, Ms. Vickman, Mr. Giardini and Ms. Hastings and Mr. Boberg, Mr. Hale, Mr. Helmich, Mr. Higgins, Mr. Klancer, Mr. Neal, Mr. Snyder, Sr., Mrs. Stockman, Mr. VanRensselaer, Mr. Koch, Mrs. Labuhn and Mr. Padlo¹ who ask immediate consideration

CONGRATULATING ALLEGANY/FRANKLINVILLE SENIOR BASEBALL LEAGUE TEAM FOR WINNING 2017 NEW YORK STATE SECTION I CHAMPIONSHIP

Pursuant to Section 153 of the County Law.

WHEREAS, the Allegany/Franklinville Senior Baseball League team won its District 2 Senior League championship on June 29, 2017 by defeating defending champ Olean in a 4-3 win, and

WHEREAS, Allegany/Franklinville moved on to the 2017 New York State Section I championship and won the title by defeating District 4's Greece 5-2 in tournament play on July 5, 2017, and

WHEREAS, competing in the State double elimination finals held July 11 – 16, 2017 at Dix Hills, Long Island, Allegany/Franklinville brought home a third-place finish after losing their first game to Thros Neck (6-3) but coming back to win their next two games: Seneca River North (5-2) and Massapequa Coast (6-5), before losing in the semi-final game to Half Hollow Hills (5-3), and

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

WHEREAS, the team and their coaches 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 Klice, Daryl Flick and Bob Ryan and the Allegany/Franklinville Senior Baseball League team on the team's 2017 New York State Section I championship and placing third at the New York State Seniors Little League championship, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Coach Kevin Klice, Daryl Flick and Bob Ryan.

¹The following Legislators requested their names be listed as additional sponsors: "Mr. Boberg, Mr. Hale, Mr. Helmich, Mr. Higgins, Mr. Klancer, Mr. Neal, Mr. Snyder, Sr., Mrs. Stockman, Mr. VanRensselaer, Mr. Koch, Mrs. Labuhn and Mr. Padlo".

Adopted August 23, 2017 by voice vote.

ACT NO. 361-2017 by Human Services Committee:
Ms. Vickman, Ms. Hastings, Mr. Breton, Mr. Hale,
Mr. Helmich, Mr. Neal and Mrs. Labuhn
who ask immediate consideration

CREATING ONE (1) FULL-TIME POSITION OF DIRECTOR OF INCOME PROGRAMS AND ESTABLISHING COMPENSATION FOR THE SAME (Department of Social Services)

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

WHEREAS, the Department of Social Services is desirous of providing direct oversight to the various financial income programs that provide services to citizens of Cattaraugus County, and

WHEREAS, the staff providing the day to day services for these programs need to have more direct leadership in the implementation of the various services being provided by the Department, and

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

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

RESOLVED, that effective immediately, there is hereby created one (1) position of Director of Income Programs in the Department of Social Services to be filled on a full-time basis, Management/Confidential Officers and Employees, to be compensated at a bi-weekly salary of \$2,692.30, Position No. 601-143-001.

Adopted August 23, 2017 by voice vote.

ACT NO. 362-2017 by Mrs. Labuhn
who asks immediate consideration

**AUTHORIZING DIRECTOR OF COMMUNITY SERVICES
TO SOLICIT PROPOSALS FOR
ASSERTIVE COMMUNITY TREATMENT (ACT) TEAM**

Pursuant to Section 450 of the County Law.

WHEREAS, the Cattaraugus County Community Services Board is desirous of seeking proposals from organizations interested in operating an Assertive Community Treatment (ACT) Team with a maximum number of 48 recipients, and

WHEREAS, the primary focus of the ACT Team is to deliver comprehensive and effective services to individuals who are diagnosed with a severe mental illness and whose needs have not been well met by more traditional service delivery approaches, and

WHEREAS, the Director of Community Services should solicit proposals for the provision of the aforementioned services, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature does hereby direct the Director of Community Services to solicit proposals for an Assertive Community Treatment (ACT) Team.

Adopted August 23, 2017 by voice vote.

* * * * *

MR. SNYDER, SR. moved, seconded by Mrs. Labuhn to change the next meeting to Tuesday, September 12, 2017. Carried.

MR. PADLO moved, seconded by Mr. Hale, to adjourn until September 12, 2017 at 4:00 p.m. Carried.

Meeting adjourned at 5:03 p.m.

Ann M. Giglio
Journal Clerk