

September 12, 2017

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

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed three Legislators absent – Boberg, Hale and Klancer.

* * * * *

CHAIRMAN STOCKMAN noted that the minutes of the August 23, 2017 session stand approved as presented.

* * * * *

COMMUNICATIONS:

New York State Department of State: Filing of Local Law No. 4-2017 (Intro Number 3-2017) on August 21, 2017.

Family of Bill Sprague: Note of thanks for 2016 Journal of Proceedings memorializing the former legislator.

Jamestown Community College: Letter of appreciation for the appropriation of \$750,000 for critical capital facility maintenance needs on the Cattaraugus County Campus.

* * * * *

PUBLIC HEARING:

CHAIRMAN STOCKMAN announced this is the time and place called for a public hearing 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, and that anyone wishing to speak for or against this local law may now do so.

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

* * * * *

ACT NO. 363-2017 by Mr. Giardini and Mr. Helmich

**BID ACCEPTANCE FOR CUTTING EDGES AND
SHOES FOR GRADERS, PLOWS AND WINGS
(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 cutting edges and shoes for graders, plows and wings for the Department of Public Works, according to specifications provided by the Public Works Committee, and

WHEREAS, the bids meeting specifications for the aforementioned items are as follows:

CHEMUNG SUPPLY CORP.

P.O. Box 527

Elmira, New York 14902

Carbon Plow & Wing Blades- (Hole type, drilled for 5/8" cap screw, 12" centers)

Carbon Plow and Wing Blades, Item - Price/Foot

<u>Index #</u>	<u>Size</u>	<u>Quantity</u>	<u>2017 Rate</u>
B-6L	3/4" x 6"	Less than 50 Blades	\$ 7.21
B-6G	3/4" x 6"	50 Blades or Greater	\$ 7.01

Cover Blade for Wings 5/8" (45/64" Square Punch, 13/16" Square Die, 5/8" Carriage Bolt, 13 holes, Center Punched)

<u>Index #</u>	<u>Size</u>	<u>Quantity</u>	<u>2017 Rate</u>
C-8L	5/8" x 8" x 132" FSE	Less than 50 Blades	\$ 8.61
C-8G	5/8" x 8" x 132" FSE	50 Blades or Greater	\$ 8.31

Cover Blade for Wings 3/4" (45/64" Square Punch, 13/16" Square Die, 5/8" Carriage Bolt, 13 holes, Center Punched)

<u>Index #</u>	<u>Size</u>	<u>Quantity</u>	<u>2017 Rate</u>
D-8L	3/4" x 8" x 132" FSE	Less than 50 Blades	\$10.09
D-8G	3/4" x 8" x 132" FSE	50 Blades or Greater	\$ 9.71

Tungsten Carbide Blades for Plow & Graders

<u>Index #</u>	<u>Description</u>	<u>2017 Rate</u>
E-2	Item II – 3 Piece Set, No. DB48-36-48 Carbide Plow Blade – Price Per Set	\$384.39

Cast Alloy Plow Shoe – (2 1/4" x 8" x 14", Min. weight 36 lbs., Hole size 13/16" Recessed for Square Head Bolt)

<u>Index #</u>	<u>Description</u>	<u>2017 Rate</u>
G-AL	Cast Alloy Abrasive	Less than 50 Shoes \$51.00
G-AG	Cast Alloy Abrasive	50 Shoes or Greater \$49.00

Cast Alloy Wing Shoe – (12" OC, 10 degree, Min. weight 37 lbs., Hole size 3/4", 8" Center Punch)

<u>Index #</u>	<u>Description</u>	<u>2017 Rate</u>
H-AL	Cast Alloy Abrasive	Less than 50 Shoes \$59.00
H-AG	Cast Alloy Abrasive	50 Shoes or Greater \$49.00

NIHARD Wing Shoe- (12" O/C, 10 degree, Min. weight 37 lbs., Hole size 3/4", 8" Center Punched)

<u>Index #</u>	<u>Description</u>	<u>2017 Rate</u>
I-NL	NiHard	Less than 50 Shoes \$52.00
I-NG	NiHard	50 Shoes or Greater \$46.00

NIHARD Moldboard Shoe

<u>Index #</u>	<u>Description</u>	<u>2017 Rate</u>
K-NL	NiHard	Less Than 50 Shoes \$58.00
K-NG	NiHard	50 Shoes or Greater \$49.00

Mushroom Shoes- made of NiHard Casting, 12" outside diameter x 2 3/4" high with two bolt holes

<u>Index #</u>	<u>Description</u>	
L-AL	Mushroom	Less than 50 Shoes \$64.00
L-AG	Mushroom	50 Shoes or Greater \$56.00

Plow Nose Piece – Fit Viking One-Way Plow

<u>Index #</u>	<u>Description</u>	
V-NL		Less than 50 Pieces \$23.00
V-NG		50 Pieces or Greater \$21.00

Plow Nose Piece – Fit Viking One-Way Plow (Viking Model #10805373 – newer model plows)

<u>Index #</u>	<u>Description</u>	
W-NL		Less than 50 Pieces \$23.00
W-NG		50 Pieces or Greater \$21.00

NORTHERN SUPPLY, INC.

P.O. Box 69

Bloomfield, New York 14469

Wing Blade Rubber –Standard Highway Punch –Slotted
Extruded & Vulcanized Styrene-Butadiene Rubber

<u>Index #</u>	<u>Description</u>	<u>2017 Rate</u>
F-RL	1.5"x 10"x 11" Less than 50 Blades	\$260.00

WINTER EQUIPMENT CO., INC.

1900 Joseph Lloyd Parkway

Willoughby, Ohio 44094

Carbon Grader Blades- Sheered, Mitered & Punched, Hole Type, Size & Spacing As Per Order

Carbon Grader - double bevel curved item, Price Per Foot

<u>Index #</u>	<u>Size</u>	<u>Quantity</u>	<u>2017 Rate</u>
A-8L	5/8" x 8"	Less than 10 Sets	\$ 9.12
A-8G	5/8" x 8"	10 Sets or Greater	\$ 9.12

Cast Steel, Carbide Frame Shoe

<u>Index #</u>	<u>Description</u>	
J-CL	Carbide – Less than 50 Shoes	\$92.38
J-CG	Carbide – 50 Shoes or Greater	\$92.38

LACAL EQUIPMENT, INC.

901 West Pike Street

Jackson Center, Ohio 45334

Wing Blade Rubber –Standard Highway Punch –Slotted
Extruded & Vulcanized Styrene-Butadiene Rubber

<u>Index #</u>	<u>Description</u>	<u>2017 Rate</u>
F-RG	1.5"x 10"x 11" 50 Blades or Greater	\$239.25

now, therefore, be it

RESOLVED, that the aforementioned bids be, and hereby are, accepted, for a term commencing October 1, 2017 and terminating September 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. The cutting edges and shoes that the County uses are not offered on State Bid. 19 sets of specifications were sent out. 7 bids were received.

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

Adopted September 12, 2017 by voice vote.

ACT NO. 364-2017 by Mr. Klancer and Mr. Neal

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT WITH
CHRISTIAN HEIGHTS, INC. FOR DUTCH HILL ROAD COMMUNICATIONS TOWER SITE**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Cattaraugus County is desirous of renewing a lease with Christian Heights, Inc., for the communications tower located on Dutch Hill Road in the Town of Napoli, and

WHEREAS, Christian Heights, Inc., 9414 Dutch Hill Road, Little Valley, New York 14755, has agreed to lease a portion of its property located on Dutch Hill Road in the Town of Napoli, identified as being part of Tax Map No. 53.004-1-55, for a communications tower for an amount in accordance with the following schedule for a five (5) year term, with the option to renew for five (5) additional five (5) year terms under the same terms and conditions:

Years 1 through 5	\$200.00 per month
Years 6 through 10	\$250.00 per month
Years 11 through 15	\$300.00 per month
Years 16 through 20	\$400.00 per month
Years 21 through 25	\$500.00 per month
Years 26 through 30	\$600.00 per month,

and

WHEREAS, the property owner agrees that, in the event it wishes to sell the leased property to a third party, the County shall have the first option to purchase the leased premises, and

WHEREAS, the property to be leased is described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Napoli, County of Cattaraugus and State of New York, distinguished by being part of Lot 15, Town 3, Range 8 of the Holland Land Company's Survey, bounded and described as a strip of land 50' wide and approximately 242' in depth along the north boundary of the Don Case property extending westerly from the centerline of the Narrows Road and in addition, an oblong tract of land extending 300' further westerly along the north bounds of the Don Case property, thence at right angles along an old fence line 326', thence at right angles easterly 300', then at right angles 276' to the northerly bounds of the aforementioned strip, with the privileges and the appurtenances for and during the lease term of five (5) years from January 1, 2018; provided, however, that the County shall have the privilege of renewing and re-renewing this lease in its entirety for five (5) successive five (5) year periods. Any renewal or re-renewal of this lease shall be granted, as of course, upon the service either personally or by certified mail of a written notice

on behalf of the County, upon Christian Heights herein at any time prior to the termination of the term of this lease or any renewal term thereof.,

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease agreement, on behalf of Cattaraugus County, with Christian Heights, Inc., for the leasing of the above-described property for a five (5) year term commencing January 1, 2018 and terminating December 31, 2022, with the County's option to renew for five (5) additional five (5) year terms, under the same terms and conditions, according to the above-described terms, and be it further

RESOLVED, that in the event Christian Heights, Inc., wishes to sell the leased property, the County shall have the first option to purchase the leased premises.

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

Adopted September 12, 2017 by voice vote.

ACT NO. 365-2017 by Mr. Neal, Mr. VanRensselaer and Mr. Giardini

ADJUSTING VARIOUS APPROPRIATION ACCOUNTS TO COVER COSTS ASSOCIATED WITH DEMOLITION OF 200 ERIE STREET AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Former Department of Social Services, Health Department and Youth Bureau Offices)

Pursuant to Sections 215, 363 and 366 of the County Law.

WHEREAS, the County has title to property located at 200 Erie Street in the Village of Little Valley, identified as Tax Map No. 54.071-3-6, and

WHEREAS, the County has occupied the building since 1941, and

WHEREAS, the building has been condemned and is no longer safe for use without substantial renovation, and

WHEREAS, pursuant to a Deed recorded in the Cattaraugus County Clerk's Office in Liber 378 of Deeds at Page 164, this property will revert back to the Town of Little Valley in the event the County ceases or discontinues such use for a continuous period of two (2) years, and

WHEREAS, pursuant to a Deed recorded in the Cattaraugus County Clerk's Office in Liber 378 of Deeds at Page 166, this property will revert back to the Village of Little Valley in the event the County ceases or discontinues such use for a continuous period of two (2) years, and

WHEREAS, the Town of Little Valley, the Village of Little Valley and the County acknowledge the condition of the building and agree that it should be demolished since the expense to renovate the building will be very costly and overly burdensome on the taxpayers of the Town of Little Valley, the Village of Little Valley and Cattaraugus County, and

WHEREAS, various appropriation accounts must be adjusted in order to cover the costs associated with the aforementioned demolition, now, therefore, be it

RESOLVED, that upon the approval of, and the passage of, resolutions by the Little Valley Town Board and the Little Valley Village Board, the County shall demolish the aforementioned property, and be it further

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

Increase Appropriation Account:		
H.504.1621.0000.21075.41603	Demolition of Old Supervisors' Building	\$110,127.45
Decrease Appropriation Account:		
H.504.1625.0000.21017.41603	Demolition of Former Museum	\$110,127.45.

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

Adopted September 12, 2017 by voice vote.

ACT NO. 366-2017 by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
TOTAL SENIOR CARE, INC. FOR
PACE AND DAYBREAK PROGRAM HOME DELIVERED AND CONGREGATE MEALS**

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

WHEREAS, Act 374-2016 authorized a contract with Total Senior Care, Inc., 519 North Union Street, Olean, New York 14760, to purchase home delivered meals and congregate meals from the County Department of Aging for PACE and DayBreak Program participants as part of a comprehensive program of services to participants, the term of which expired August 31, 2017, and

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

WHEREAS, the Department of Aging has agreed to provide the aforementioned meals through its Senior Nutrition Program to PACE and DayBreak Program participants in accordance with the following rates:

Noon Meal and Cold Supper combined:	\$9.00 per delivery
Noon HDM Meal only:	\$7.00 per meal
Congregate Meal:	\$7.00 per meal,

now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Total Senior Care, Inc., for the provision of the above-described meal services, for a term commencing September 1, 2017 and terminating August 31, 2018, according to the above-described terms.

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

Adopted September 12, 2017 by voice vote. Mr. Padlo abstained from vote.

ACT NO. 367-2017 by Ms. Vickman and Ms. Hastings
*and Mr. Breton*¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS-ALLEGANY WORKFORCE DEVELOPMENT BOARD, INC.
FOR YEAR-ROUND YOUTH PROGRAMS (2017-2018)**

Pursuant to Workforce Innovation and Opportunity Act (Public Law 113-128)
and Section 450 of the County Law.

WHEREAS, Act 361-2015 authorized a contract with the Cattaraugus-Allegany Workforce Development Board, Inc. (WDB), for the provision of services necessary to operate year-round youth programs, the term of which expired June 30, 2016, and

WHEREAS, the County Department of Social Services is desirous of continuing the provision of services to youth and can make available all necessary qualified personnel, licenses, facilities and expertise to perform, or have performed, the services required, and

WHEREAS, the WDB will pay to the County an amount not to exceed \$185,855.00 for the provision of the above-described youth services for the period July 1, 2017 through June 30, 2018, and

WHEREAS, this program is 100% federally funded (CFDA# 17-283), 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-Allegany Workforce Development Board, Inc., for the provision of the above-described services, for a term commencing July 1, 2017 and terminating June 30, 2018, according to the above-described terms, and be it further

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

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

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

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

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

Adopted September 12, 2017 by voice vote.

ACT NO. 368-2017 by Ms. Vickman and Ms. Hastings

**APPROVING CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD'S
ACCEPTANCE OF NEW YORK STATE OFFICE OF MENTAL HEALTH FUNDING
FOR ASSERTIVE COMMUNITY TREATMENT TEAM FUNDING AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

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

WHEREAS, the Cattaraugus County Community Services Board is interested in establishing an Assertive Community Treatment (ACT) Team with a maximum number of 48 recipients to serve the residents of Cattaraugus County, and

WHEREAS, funding is available through the New York State Office of Mental Health for the ACT Team Program, as follows:

2017	Start-Up Funding	\$ 93,689.00
2017	State Aid: ACT TEAM	\$ 17,253.00
2018	Remainder Start-Up Advance	\$281,067.00
	Annual ACT TEAM State Aid each year thereafter	\$ 69,012.00,

and

WHEREAS, the aforementioned funding will cover the cost of operating a 48 slot ACT Team to be operated by an as yet unknown Agency, and

WHEREAS, the aforementioned phase-in funding is a one-time, set amount to allow the ACT Team to ramp up to capacity of 48 in year one, and

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

RESOLVED, that the Chair of the Legislature approves the Cattaraugus Community Services Board's acceptance of the aforementioned ACT Team funding included in the 2017 State Aid Letter, for a term commencing October 1, 2017 to continue in full force and effect while funding is provided, 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 Accounts:

A.444.4322.0800.3490.122	OMH Funding-ACT Team-Start-up-CSP Misc	\$93,689.00
A.444.4322.0800.3490.034J	OMH Funding-ACT MGR-OMH Adult Case Mgt & ACT	\$11,714.00
A.444.4322.8810.3490.034J	OMH Funding-ACT Svc Dollars-OMH Adult Case Mgt & ACT	\$ 5,539.00

Increase Appropriation Accounts:

A.444.4322.0800.42056.122	Contract Agency-ACT Team-Start-up – CSP Misc	\$93,689.00
A.444.4322.0800.42056.034J	Contract Agency-ACT MGR-OMH Adult Case Mgt & ACT	\$11,714.00
A.444.4322.8810.42056.034J	Contract Agency-ACT Svc Dollars-OMH Adult Case Mgt & ACT	\$5,539.00

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

Adopted September 12, 2017 by voice vote.

ACT NO. 369-2017 by Mr. VanRensselaer and Mr. Padlo
and Ms. Vickman¹

**AUTHORIZING THE CHAIR TO EXECUTE LOAN DOCUMENTS
WITH ANNE COE D/B/A CUPCAKED FOR
RELOCATION AND RENOVATION PROJECT**

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

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

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

WHEREAS, Anne Coe d/b/a Cupcaked located at 22 Monroe Street, Ellicottville, New York 14731, is a retail bakery, and

WHEREAS, Anne Coe d/b/a Cupcaked proposes a renovation project that creates a need for working capital to renovate the property located at 22 Monroe Street in Ellicottville and relocate operations to the same, and

WHEREAS, Anne Coe d/b/a Cupcaked is in need of \$42,000.00 to help defray costs of the aforementioned renovation project, and

WHEREAS, the County has \$42,000.00 in its economic development program, using casino funds for economic development projects in the County, and

WHEREAS, it is proposed that the County loan to Anne Coe d/b/a Cupcaked the sum of \$42,000.00, at a 5% fixed interest rate per annum, to be repaid in monthly installments over a seven (7) year period, as follows:

- Payments for months 1(one) through 84 (eight-four) shall be principal and interest,

and

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

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

Approved by 5 members of the Finance Committee and 7 members of the Development and Agriculture Committee.

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

Adopted September 12, 2017 by voice vote.

ACT NO. 370-2017 by Mr. Koch and Mrs. Labuhn
and Mr. Helmich, Mr. Neal, Mr. VanRensselaer, Ms. Vickman, Ms. Hastings and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SENECA NATION OF INDIANS FOR DEVELOPMENT OF THE
SENECA NATION'S TRANSPORTATION ENHANCEMENT PROGRAM – THE PENNSY TRAIL
AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Economic Development, Planning and Tourism)**

Pursuant to Section 99-h of the State Finance Law and
Sections 363, 366 and 450 of the County Law.

WHEREAS, the Seneca Nation of Indians (SNI) entered into an agreement with the New York State Department of Transportation in order to apply for a federal grant through the Transportation Enhancement Program to support the restoration and enhancement of the Pennsy Trail on the Allegany Indian Reservation, and

WHEREAS, the Pennsy Trail is primarily designated as a recreational walking and biking trail and is not being utilized to its full potential, and

WHEREAS, the aforementioned Transportation Enhancement Program will give the SNI the ability to establish a multimodal three-mile recreational trail that is safe and accessible for all ages and levels of mobility, and

WHEREAS, the total cost of the aforementioned Project is \$602,759.00, of which \$501,802.00 will be provided through a federal grant, and

WHEREAS, the local share of the Pennsy Trail Project is \$100,956.00, and

WHEREAS, the Seneca Nation of Indians is requesting that Cattaraugus County contribute \$100,000.00 towards the local share as a match for the grant that the SNI received from the Transportation Enhancement Program through the Federal Highway Administration, and

WHEREAS, it is in the best interests of the citizens of Cattaraugus County to assist the SNI in the aforementioned Pennsy Trail Project by contributing the sum of \$100,000.00 towards the restoration and enhancement of the Trail, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to assist with the aforementioned Project, 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 Seneca Nation of Indians, to complete the Pennsy Trail Project, for a term commencing September 1, 2017 and terminating August 31, 2018, according to the above-described terms, and be it further

RESOLVED, that the County of Cattaraugus pay the sum of \$100,000.00 to the SNI upon completion of the Project, and be it further

RESOLVED, that the County Administrator is hereby directed to appropriate \$100,000.00 from Undesignated Fund Balance Account A.909.0000 and make the following budgetary adjustments:

Increasing Appropriation Account:

A.298.7110.0000.42055	Pennsy Trail - SNI	\$100,000.00
-----------------------	--------------------	--------------

Approved by 5 members of the Finance Committee and 7 members of the Development and Agriculture Committee.

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

Adopted September 12, 2017 by voice vote.

ACT NO. 371-2017 by Mr. Boberg and Mr. Helmich

GRANTING APPROVAL TO COMBINE THE TOWN OF YORKSHIRE AND VILLAGE OF DELEVAN VITAL STATISTIC REGISTRATION DISTRICTS

Pursuant to Section 4120.2(a) of the Public Health Law.

WHEREAS, the Registrars of Vital Statistics of the Town of Yorkshire and the Village of Delevan have entered into an agreement to consolidate the Village of Delevan with the Town of Yorkshire into one primary registration district of the Town of Yorkshire, and

WHEREAS, in accordance with Section 4120.2(a) of the Public Health Law, such action is subject to the approval of the Cattaraugus County Legislature, and

WHEREAS, based upon approval by the Cattaraugus County Legislature, the New York Commissioner of Health will issue an order combining the two districts, now, therefore, be it

RESOLVED, that upon the request of the Town of Yorkshire and the Village of Delevan, the Cattaraugus County Legislature does hereby approve the consolidation and combination of the Town of Yorkshire and the Village of Delevan into one Town of Yorkshire Primary Registration District, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to send a certified copy of this resolution to the New York State Commissioner of Health, the Clerk of the Town of Yorkshire, the Supervisor of the Town of Yorkshire, the Clerk of the Village of Delevan, and the Mayor of the Village of Delevan.

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

Adopted September 12, 2017 by voice vote.

* * * * *

MR. VANRENSELAER moved, seconded by Mr. Koch, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 372-2017 through Act No. 374-2017. Carried.

* * * * *

ACT NO. 372-2017 by Mr. Helmich, Mr. Higgins, Mr. Koch and Mrs. Labuhn
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
JIFFSOFT, LLC FOR PROPERTY MANAGEMENT SYSTEM FOR
CATTARAUGUS COUNTY LAND BANK CORPORATION,
RESCINDING ACT 345-2017 AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS**

Pursuant to Sections 363, 366 and 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 JiffSoft, LLC, P.O. Box 1295, Lockport, New York 14095-1295, to design and build a web based property management system, has been selected for an amount not to exceed \$12,000.00, to be paid as invoiced, and

WHEREAS, the County must enter into a contract on behalf of the Land Bank, and

WHEREAS, various appropriation accounts must be adjusted in order 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 JiffSoft, LLC, 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, and be it further

RESOLVED, that Act 345-2017 be, and hereby is, rescinded, and be it further

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

Increase Appropriation Account:

A.642.8020.8021.41233	Professional Services	\$1,000.00
-----------------------	-----------------------	------------

Decrease Appropriation Account:

A.642.8020.8021.46106	Training	\$1,000.00.
-----------------------	----------	-------------

Adopted September 12, 2017 by voice vote.

ACT NO. 373-2017 by Mr. Klancer
 who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
 NEW YORK STATE EMERGENCY MANAGEMENT OFFICE FOR
 EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) PROGRAM**

Pursuant to P.L. 81-920 and Section 450 of the County Law.

WHEREAS, Act 149-2016 authorized a contract with the New York State Emergency Management Office, 1220 Washington Street, Building 22, Suite 101, Albany, New York 12226-2251, for the 2016 Emergency Management Performance Grant Program, the term of which expires September 30, 2017, and

WHEREAS, the County desires to, and should continue to, participate in the program for federal fiscal year 2017, and

WHEREAS, under this agreement, the County will receive \$34,889.00 from the State Department of Homeland Security and Emergency Services for the Emergency Management Performance Grant, and

WHEREAS, this program is 50% federally funded (CFDA #97.042), now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the New York State Emergency Management Office for the above-described program, for a term commencing October 1, 2016 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.

Adopted September 12, 2017 by voice vote.

ACT NO. 374-2017 by Mr. Snyder, Sr. and Mrs. Stockman
 who ask immediate consideration

**AUTHORIZING SALE OF THE SHELDON HOUSE PROPERTY AT
 JAMESTOWN COMMUNITY COLLEGE**

Pursuant to 8 NYCRR §603.5(d) and Section 450 of the County Law.

WHEREAS, pursuant to Article 126 of New York State Education Law, the County of Cattaraugus is one of three municipal sponsors, along with the City of Jamestown and County of Chautauqua, that constitute a "community college region" which acts as the local sponsor of Jamestown Community College (JCC), and

WHEREAS, Jamestown Community College (JCC) currently owns property located at 7 Falconer Street in the City of Jamestown known as the "Sheldon House," which was donated to JCC in 1977 and was utilized for programs and events of both the College and the community, and

WHEREAS, pursuant to Act Nos. 201-2016 and 231-2016 of the Cattaraugus County Legislature, and resolutions adopted May 17, 2016 and June 22, 2016, respectively, by the JCC Board of Trustees and the SUNY Board of Trustees, it was previously determined that the Sheldon House property is no longer useful or required for community college purposes by JCC, and

WHEREAS, the sale of the property provides the opportunity to reduce operating costs of the College, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby finds that the Sheldon House property is no longer useful or required for community college purposes by JCC, and be it further

RESOLVED, that pursuant to 8 NYCRR §603.5(d), the Cattaraugus County Legislature authorizes JCC to effectuate the sale of the Sheldon House property and a portion of its contents to Edward Signorile, at a sales price of \$240,000.00, not including closing and other related costs.

Adopted September 12, 2017 by voice vote.

* * * * *

MRS. LABUHN moved, seconded by Mr. Padlo, to adjourn until September 27, 2017 at 4:00 p.m.
Carried.

Meeting adjourned at 4:12 p.m.

Ann M. Giglio
Journal Clerk