



April 8, 2015

The meeting was called to order by Chairman Norman L. Marsh.

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed three Legislators absent – Koch, VanRensselaer and Vickman.

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MR. WELLER moved, seconded by Mr. Murphy that the minutes of the March 25, 2015 session be approved. Carried.

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**COMMUNICATIONS:**

New York State Senator Patrick M. Gallivan: Acknowledging receipt of Act No. 148-2015 entitled, "Urging New York State Legislature to Provide Funding in 2015-2016 Budget for Completion of Route 219".

New York State Member of Assembly Joseph M. Giglio: Acknowledging receipt of Act No. 148-2015 entitled, "Urging New York State Legislature to Provide Funding in 2015-2016 Budget for Completion of Route 219".

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**APPOINTMENTS:**

**CATTARAUGUS-ALLEGANY WORKFORCE INVESTMENT BOARD YOUTH COUNCIL**

*Term to expire December 31, 2016*

Jeremy Donlon  
Literacy West NY  
5455 Route 19 North  
Belmont, New York 14813,  
*to fill the unexpired term of Becky Scott.*

\* \* \* \* \*

**PROCLAMATIONS:**

CHAIRMAN MARSH proclaimed the month of April 2015 as **Child Abuse Prevention Month** in Cattaraugus County.

CHAIRMAN MARSH proclaimed May 1, 2015 as "**Law Day**" in Cattaraugus County.

CHAIRMAN MARSH proclaimed May 3 – May 9, 2015 as **Western New York Armed Forces Week** and recognized its 55<sup>th</sup> Anniversary.

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CHAIRMAN MARSH announced that it is the time and place for a public hearing on **Act No. 183-2015**, Local Law Number 3-2015, entitled, “A Local Law Allowing For Common, Safe Items To Be Excluded From The Dangerous Fireworks Definition As Permitted By New York State Penal Law Section 405(B)”, and that anyone wishing to speak for or against this local law may now do so.

The following individuals spoke for the local law:

Fred C. Kramer, representing Phantom Fireworks

Charlie Busset, representing American Promotional Events.

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

CHAIRMAN MARSH announced that it is the time and place for a public hearing on **Act No. 185-2015**, Local Law Number 4-2015, entitled, “A Local Law Amending Local Law Number 3-1989 Entitled ‘A Local Law To Establish The Cattaraugus County Self-Insurance Plan And To Provide For The Administration Thereof’, As Amended By Local Law Number 6-2014”, and that anyone wishing to speak for or against this local law may now do so.

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

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CHAIRMAN MARSH called up **Act No. 153-2015**, A Local Law Amending Local Law No. 23-2002 (Act No. 473-2002)(Intro No. 28-2002), Entitled “A Local Law Creating The Human Resources Department And Repealing Local Law No. 17-2001 (Intro No. 4-2001)”, Effective September 30, 2002, As Amended By Act No. 269-2004 (Local Law No. 5-2004 [Intro No. 4-2004] And Act No. 475-2008 [Intro No. 7-2008]), and asked that it be read.

Approved by 9 members of the Finance Committee and 5 members of the Labor Relations Committee.

The following Legislators requested their names be listed as additional sponsors: “Mrs. Stockman and Mr. Lamberson”.

CHAIRMAN MARSH requested a Roll Call vote on Act No. 153-2015, Local Law Number 2-2015, which disclosed as follows:

Ayes: Boser 1.0267, Edstrom 0.8673, Edwards 0.9684, Felton 1.0972, Hale 1.0655, Keller, 0.8673, Klancer 1.1005, Labuhn 0.8685, Lamberson 1.0267, Marsh 1.1278, Murphy 1.1005, Padlo 0.8673, Snyder, Sr. 0.8673, Snyder, Jr. 1.0655, Sprague 1.0230, Stockman 1.0003, Teachman 0.8673, Weller 1.0972 – 17.9043.

Nays: none.

Act No. 153-2015, Local Law Number 2-2015, having received the majority vote of the Legislature was declared Adopted.

\* \* \* \* \*

CHAIRMAN MARSH called up **Act No. 183-2015**, A Local Law Allowing For Common, Safe Items To Be Excluded From The Dangerous Fireworks Definition As Permitted By New York State Penal Law Section 405(B), and asked that it be read.

CHAIRMAN MARSH requested a Roll Call vote on Act No. 183-2015, Local Law Number 3-2015, which disclosed as follows:

Ayes: Boser 1.0267, Edstrom 0.8673, Edwards 0.9684, Felton 1.0972, Hale 1.0655, Keller, 0.8673, Klancer 1.1005, Labuhn 0.8685, Lamberson 1.0267, Marsh 1.1278, Murphy 1.1005, Snyder, Jr. 1.0655, Stockman 1.0003, Teachman 0.8673, Weller 1.0972 – 15.1467.

Nays: Padlo 0.8673, Snyder, Sr. 0.8673, Sprague 1.0230 – 2.7576.

Act No. 183-2015, Local Law Number 3-2015, having received the majority vote of the Legislature was declared Adopted.

\* \* \* \* \*

CHAIRMAN MARSH called up **Act No. 185-2015**, A Local Law Amending Local Law Number 3-1989 Entitled "A Local Law To Establish The Cattaraugus County Self-Insurance Plan And To Provide For The Administration Thereof", As Amended By Local Law Number 6-2014, and asked that it be read.

CHAIRMAN MARSH requested a Roll Call vote on Act No. 185-2015, Local Law Number 4-2015, which disclosed as follows:

Ayes: Boser 1.0267, Edstrom 0.8673, Edwards 0.9684, Felton 1.0972, Hale 1.0655, Keller, 0.8673, Klancer 1.1005, Labuhn 0.8685, Lamberson 1.0267, Marsh 1.1278, Murphy 1.1005, Padlo 0.8673, Snyder, Sr. 0.8673, Snyder, Jr. 1.0655, Sprague 1.0230, Stockman 1.0003, Teachman 0.8673, Weller 1.0972 – 17.9043.

Nays: none.

Act No. 185-2015, Local Law Number 4-2015, having received the majority vote of the Legislature was declared Adopted.

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**ACT NO. 193-2015** by Public Works Committee:  
Mr. Weller, Mr. Koch, Ms. Edstrom, Mr. Klancer, Mr. Snyder, Jr.,  
Mrs. Stockman, Mr. Teachman, Mr. Lamberson and Mr. Sprague

**DECLARING APRIL 22, 2015 EARTH DAY AND  
AUTHORIZING DEPARTMENT OF PUBLIC WORKS TO PROVIDE BAGS TO  
APPROVED PARTICIPATING ORGANIZATIONS AND WAIVING TRANSFER STATION FEES**

Pursuant to Section 153 of the County Law.

WHEREAS, Earth Day is celebrated annually to recommit to the goals of a healthy environment and a sustainable world, and

WHEREAS the global community now faces extraordinary challenges, such as global health issues, food and water shortages, and economic struggles, and

WHEREAS it is necessary to broaden and diversify this global movement to achieve maximum success, and

WHEREAS all people, regardless of race, gender, income, or geography, have a moral right to a healthy, sustainable environment with economic growth, and

WHEREAS it is understood that the citizens of the global community must step forward and take action to create a green economy to combat the aforementioned global challenges, and

WHEREAS a green economy can be achieved on the individual level through educational efforts, public policy, and consumer activism campaigns, and

WHEREAS, we acknowledge our collective responsibility for environmental education, stewardship and community sustainability, and

WHEREAS, the Cattaraugus County Legislature hereby:

- 1) encourages its residents, businesses and institutions to use EARTH DAY to celebrate the Earth and commit to building a sustainable and green economy,
- 2) invites and encourages all citizens, businesses, organizations, schools, clubs, congregations, neighborhoods and families to participate in Earth Day Activities and engage in environmentally sound practices every day, and
- 3) promotes the participation of all citizens in the County's recycling program every day,

now, therefore, be it

RESOLVED, the Cattaraugus County Legislature hereby pledges to support green economy initiatives in Cattaraugus County and to encourage others to undertake similar actions, and be it further

RESOLVED, the Department of Public Works is hereby authorized to provide refuse bags to organizations approved by the Commissioner of Public Works, and to further waive the transfer station fees for such approved organizations for the period commencing Wednesday, April 22, 2015 through Saturday, May 2, 2015.

Approved by 9 members of the Finance Committee.

Adopted April 8, 2015 by voice vote.

**ACT NO. 194-2015** by Mr. Snyder, Sr.

**DIRECTING COUNTY TREASURER TO ISSUE  
CERTIFICATE OF PROSPECTIVE CANCELLATION**

Pursuant to Section 1138(6)(d) of the Real Property Tax Law.

WHEREAS, there are certain parcels of property on the assessment roll for which there is no practical method to enforce the collection of delinquent tax liens arising hereafter against these parcels, and

WHEREAS, the County Treasurer should issue a certificate of Prospective Cancellation on each parcel, and

WHEREAS, the parcels shall then become exempt from taxation notwithstanding any other provision of law, and shall remain exempt until the County Legislature determines that the parcels should be restored to the taxable portion of the assessment roll, now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to issue a Certificate of Prospective Cancellation for the following properties:

<u>TOWN/VILLAGE</u>	<u>OWNER</u>	<u>TAX MAP NO.</u>
Randolph	Richard Maynard	70.064-1-35
South Dayton	Robert Giannini	33.033-5-26

Approved by 9 members of the Finance Committee.

Adopted April 8, 2015 by voice vote.

**ACT NO. 195-2015** by Mr. Weller and Mr. Koch

**ACCEPTING MATERIAL BIDS FOR HYDRAULIC AND MOTOR OIL  
(Department of Public Works)**

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

RESOLVED, that the Commissioner of Public Works is authorized to contract for hydraulic oil and motor oil with the bidders recommended by the Public Works Committee for the season June 1, 2015 through May 31, 2016, and be it further

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

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

RESOLVED, the lowest bids received for the hydraulic and motor oil were submitted by Superior Lubricants Company, Sandburg Oil Company, and Emerson Oil Company, as follows:

SUPERIOR LUBRICANTS COMPANY  
 32 Ward Road  
 North Tonawanda, New York 14120

<b>Motor Oil – Per Gallon Delivered</b>		
Type	Delivery Units	Rate & Brand
10W SL/CF	55 gallon drum	\$5.95 /Cam 2
5W-20 SM ILSAC GF-4	55 gallon drum	\$5.40 /Cam 2
5W-30 SM ILSAC GF-4	55 gallon drum	\$5.40 /Cam 2
10W-30 SM ILSAC GF-4	55 gallon drum	\$5.36 /Cam 2
10W-40 SM/CF	55 gallon drum	\$5.50 /Cam 2
Synthetic Motor Oil, GM dexos 1, ILSAC GF-5, API SN Classification	55 gallon drum	\$7.31 /Cam 2
Oil Analysis	Price per sample	\$6.77
<b>Hydraulic Oil – Per Gallon Delivered</b>		
Delivered any point Cattaraugus County in 55 gallon drums		\$4.32 /Cam 2
Bulk Delivery to DPW garages in Little Valley, Franklinville, Allegany		\$3.58 /Cam 2

SANDBURG OIL COMPANY  
 1641 East State Road  
 Olean, New York 14760

<b>Motor Oil – Per Gallon Delivered</b>		
Type	Delivery Units	Rate & Brand
10W-30 Super Duty Diesel CJ-4	55 gallon drum	\$5.98 / Lubriguard
<b>(2007 &amp; newer engines)</b>		
15W-40 CJ-4, CI-4+ & CI-4 CH-4, CF/SM, SL; API CF-2; ACEA E7/E5, EO-O+	Bulk delivery	\$5.98 / Lubriguard
15W-40 Advanced Acceptable Brands as listed on Page 7, Shell Rimula, Valvoline Premium Blue (No Exceptions)	Bulk delivery	\$8.26 /Shell Rimula

EMERSON OIL COMPANY, INC.  
 545 Lyell Avenue  
 Rochester, New York 14606

<b>Motor Oil – Per Gallon Delivered</b>		
Type	Delivery Units	Rate & Brand
15W-40 SL/CF CF-4, CG-4, CH-4, CI-4, CJ-4	Bulk delivery	\$6.23 / Service - Pro

State Bid does not meet specifications.  
 Ten sets of specifications were sent out.  
 Four bids were received.

Approved by 9 members of the Finance Committee and 8 members of the Public Works Committee.

Adopted April 8, 2015 by voice vote.

**ACT NO. 196-2015** by Mr. Weller and Mr. Koch

**BID ACCEPTANCE FOR CONCRETE PIPE (CLASS III & IV)  
AND STEEL CORRUGATED PIPE AND PIPE ARCHES  
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of round and elliptical concrete pipe (Class III & IV) and steel corrugated pipe and pipe arches, according to specifications provided by the Public Works Committee, and

WHEREAS, the only bid received for the provision of round and elliptical concrete pipe (Class III & IV) was submitted by Southern Tier Municipal & Construction Supply Co., as follows:

**SOUTHERN TIER MUNICIPAL & CONSTRUCTION SUPPLY CO.**

**1801 Washington Street**

**P.O. Box 892**

**Jamestown, New York 14701**

<b>Round Concrete Pipe (Class III &amp; IV)</b>	
<i>Description</i>	<i>2015 Rate</i>
18 Inch (Class III) per foot	\$ 30.77
18 Inch (Class IV) per foot	\$ 35.21
18 Inch Flared End	\$1,186.25
21 Inch (Class III) per foot	\$ 32.14
21 Inch (Class IV) per foot	\$ 37.03
21 Inch Flared End	\$1,497.00
24 Inch (Class III) per foot	\$ 37.13
24 Inch (Class IV) per foot	\$ 42.07
24 Inch Flared End	\$1,721.00
30 Inch (Class III) per foot	\$ 48.06
30 Inch (Class IV) per foot	\$ 56.57
30 Inch Flared End	\$1,818.00
36 Inch (Class III) per foot	\$ 63.48
36 Inch (Class IV) per foot	\$ 90.67
36 Inch Flared End	\$2,128.00
42 Inch (Class III) per foot	\$ 96.41
42 Inch (Class IV) per foot	\$112.12
42 Inch Flared End	\$3,224.00
48 Inch (Class III) per foot	\$ 113.12



48 Inch (Class IV) per foot	\$ 123.88
48 Inch Flared End	\$3,470.00
54 Inch (Class III) per foot	\$ 155.91
54 Inch (Class IV) per foot	\$ 181.76
54 Inch Flared End	\$4,041.00
60 Inch (Class III) per foot	\$ 209.82
60 Inch (Class IV) per foot	\$ 270.45
60 Inch Flared End	\$3,664.00
66 Inch (Class III) per foot	\$ 271.83
66 Inch (Class IV) per foot	\$ 304.89
72 Inch (Class III) per foot	\$ 284.24
72 Inch (Class IV) per foot	\$ 348.06
72 Inch Flared End	\$6,758.00
<b>Elliptical Concrete Pipe (Class III &amp; IV)</b>	
<i>Description</i>	<i>2015 Rate</i>
18 Inch (Class III) per foot (14 x 23)	\$ 45.75
18 Inch (Class IV) per foot	\$ 48.80
18 Inch Flared End (each)	\$1,982.00
24 Inch (Class III) per foot (19 x 30)	\$ 68.76
24 Inch (Class IV) per foot	\$ 73.30
24 Inch Flared End (each)	\$2,244.00
30 Inch (Class III) per foot (24 x 38)	\$ 75.26
30 Inch (Class IV) per foot	\$ 82.20
30 Inch Flared End (each)	\$2,695.00
36 Inch (Class III) per foot (29 x 45)	\$ 131.04
36 Inch (Class IV) per foot	\$ 146.19
36 Inch Flared End (each)	\$3,674.00
42 Inch (Class III) per foot (34 x 53)	\$ 159.48
42 Inch (Class IV) per foot	\$ 184.75
42 Inch Flared End (each)	\$4,238.00
48 Inch (Class III) per foot (38 x 60)	\$ 190.63
48 Inch (Class IV) per foot	\$ 238.10
48 Inch Flared End (each)	\$4,991.00
54 Inch (Class III) per foot (43 x 68)	\$ 231.85
54 Inch (Class IV) per foot	\$ 303.34
54 Inch Flared End (each)	\$7,207.00
60 Inch (Class III) per foot (48 x 76)	\$ 296.09
60 Inch (Class IV) per foot	\$ 402.52
60 Inch Flared End (each)	\$7548.00
66 Inch (Class III) per foot (53 x 83)	\$ 366.29
66 Inch (Class IV) per foot	\$ 532.50
66 Inch Flared End (each)	\$8,611.00
72 Inch (Class III) per foot (58 x 91)	\$ 448.54
72 Inch (Class IV) per foot	\$ 570.59
72 Inch Flared End (each)	\$10,606.00

and

WHEREAS, the lowest acceptable bids received for the provision of steel corrugated pipe and pipe arches were submitted by Chemung Supply Corp. and Southern Tier Municipal & Construction Supply Co., as follows:

**CHEMUNG SUPPLY CORP.**

**P.O. Box 527**

**Elmira, New York 13901**

<b>Round Corrugated Steel Pipe And Pipe Arches</b>			
<b>Plain Galvanized Helically Corrugated Pipe with Rerolled Ends</b>			
<i>Index No.</i>	<i>Diameter</i>	<i>Description</i>	<i>2015 Rate</i>
CMDP6	6	(18 ga.) per linear foot	\$ 5.39
CMDP8	8	(16 ga.) per linear foot	\$ 7.11
CMDP10	10	(16 ga.) per linear foot	\$ 8.68
CMC1012	10	12" connect. band	\$ 8.68
CMC1024	10	24" connect. band	\$ 17.36
CMDP12	12	(16 ga.) per linear foot	\$ 8.30
CMC1212	12	12" connect. band	\$ 8.30
CMC1224	12	24" connect. band	\$ 16.60
CMFE12	12	Flared End	\$ 49.58
CMDP15	15	(16 ga.) per linear foot	\$ 9.96
CMC1512	15	12" connect. band	\$ 9.96
CMC1524	15	24" connect. band	\$ 19.92
CMFE15	15	Flared End	\$ 63.86
CMDP18	18	(16 ga.) per linear foot	\$ 12.45
CMC1812	18	12" connect. band	\$ 12.45
CMC1824	18	24" connect. band	\$ 24.90
CMFE18	18	Flared End	\$ 84.42
<b>Round Corrugated Steel Pipe &amp; Pipe Arches Class II</b>			
CMDP21	21	(16 ga.) /linear foot	\$ 14.11
CMC2112	21	12" connect. band	\$ 14.11
CMC2124	21	24" connect. band	\$ 28.22
CMFE21	21	Flared End	\$ 114.19
CMDP24	24	(14 ga.) /linear foot	\$ 19.92
CMC2412	24	12" connect. band	\$ 19.92
CMC2424	24	24" connect. band	\$ 39.84
CMFE24	24	Flared End	\$ 129.43
CMDP30	30	(14 ga.) /linear foot	\$ 24.90
CMC3012	30	12" connect. band	\$ 24.90
CMC3024	30	24" connect. band	\$ 59.80
CMFE30	30	Flared End	\$ 301.99
CMDP36	36	(12 ga.) /linear foot	\$ 40.67
CMC3612	36	12" connect. band	\$ 40.67
CMC3624	36	24" connect. band	\$ 81.34
CMFE36	36	Flared End	\$ 408.76
CMDP42	42	(12 ga.) /linear foot	\$ 47.31
CMC4212	42	12" connect. band	\$ 47.31

CMC4224	42	24" connect. band	\$ 94.62
CMFE42	42	Flared End	\$ 777.35
CMDP48	48	(12 ga.) /linear foot	\$ 53.95
CMC4812	48	12" connect. band	\$ 53.95
CMC4824	48	24" connect. band	\$ 107.90
CMFE48	48	Flared End	\$ 938.67
CMDP60	60	(10 ga.) /linear foot	\$ 85.49
MC6012	60	12" connect. band	\$ 85.49
CMC6024	60	24" connect. band	\$ 170.98
CMFE60	60	Flared End	\$1,521.21
CMDP72	72	(10 ga.) /linear foot	\$ 102.09
CMC7212	72	12" connect. band	\$ 102.09
CMC7224	72	24" connect. band	\$ 204.18
CMFE72	72	Flared End	\$2,046.63
CMDP84	84	(8 ga.) /linear foot	\$185.07
CMC8412	84	12" connect. band	\$185.07
CMC8424	84	24" connect. band	\$370.14
CMFE84	84	Flared End	\$2,456.23
<b>Fully Bituminous Coated w/o Pavement Helically Corrugated Pipe Arch w/Rerolled Ends</b>			
CMDP3524	35" x 24"	Per linear foot	\$ 27.39
CMSC3524		24" connect. band	\$ 54.78
CMDP4229	42" x 29"	Per linear foot	\$ 33.10
CMSC4229		24" connect. band	\$ 66.20
CMDP4933	49" x 33"	Per linear foot	\$ 47.90
CMSC4933		24" connect. band	\$95.80
CMDP5738	57" x 38"	Per linear foot	\$ 74.18
CMSC5738		24" connect. band	\$148.36
CMDP6443	64" x 43"	Per linear foot	\$83.31
CMSC6443		24" connect. band	\$166.62
CMDP7147	71" x 47"	Per linear foot	\$ 117.55
CMSC7147		24" connect. band	\$ 235.10
CMDP7752	77" x 52"	Per linear foot	\$148.12
CMSC7752		24" connect. band	\$296.24
CMDP8357	83" x 57"	Per linear foot	\$ 177.56
CMSC8357		24" connect. band	\$ 355.12

**SOUTHERN TIER MUNICIPAL & CONSTRUCTION SUPPLY CORP.****1801 Washington Street****Jamestown, New York 14701**

<b>Round Corrugated Steel Pipe And Pipe Arches</b>			
<b>Perforated Plain Galvanized Corrugated Steel Pipe</b>			
<i>Index No.</i>	<i>Diameter</i>	<i>Description</i>	<i>2015 Rate</i>
CMDP6	6	(18 ga.) per linear foot	\$ 5.39
CMDP8	8	(16 ga.) per linear foot	\$ 7.11

CMDP10	10	(16 ga.) per linear foot	\$ 8.68
CMC1012	10	12" connect. band	\$ 8.68
CMC1024	10	24" connect. band	\$ 17.36
CMDP12	12	(16 ga.) per linear foot	\$ 8.30
CMC1212	12	12" connect. band	\$ 8.30
CMC1224	12	24" connect. band	\$ 16.60
CMFE12	12	Flared End	\$ 49.58
CMDP15	15	(16 ga.) per linear foot	\$ 9.96
CMC1512	15	12" connect. band	\$ 9.96
CMC1524	15	24" connect. band	\$ 19.92
CMFE15	15	Flared End	\$ 63.86
CMDP18	18	(16 ga.) per linear foot	\$ 12.45
CMC1812	18	12" connect. band	\$ 12.45
CMC1824	18	24" connect. band	\$ 24.90
CMFE18	18	Flared End	\$ 84.42
<b>Round Corrugated Steel Pipe &amp; Pipe Arches Class II</b>			
CMDP21	21	(16 ga.) /linear foot	\$ 14.11
CMC2112	21	12" connect. band	\$ 14.11
CMC2124	21	24" connect. band	\$ 28.22
CMFE21	21	Flared End	\$ 114.19
CMDP24	24	(14 ga.) /linear foot	\$ 19.92
CMC2412	24	12" connect. band	\$ 19.92
CMC2424	24	24" connect. band	\$ 39.84
CMFE24	24	Flared End	\$ 129.43
CMDP30	30	(14 ga.) /linear foot	\$ 24.90
CMC3012	30	12" connect. band	\$ 24.90
CMC3024	30	24" connect. band	\$ 59.80
CMFE30	30	Flared End	\$ 301.99
CMDP36	36	(12 ga.) /linear foot	\$ 40.67
CMC3612	36	12" connect. band	\$ 40.67
CMC3624	36	24" connect. band	\$ 81.34
CMFE36	36	Flared End	\$ 408.76
CMDP42	42	(12 ga.) /linear foot	\$ 47.31
CMC4212	42	12" connect. band	\$ 47.31
CMC4224	42	24" connect. band	\$ 94.62
CMFE42	42	Flared End	\$ 777.35
CMDP48	48	(12 ga.) /linear foot	\$ 53.95
CMC4812	48	12" connect. band	\$ 53.95
CMC4824	48	24" connect. band	\$ 107.90
CMFE48	48	Flared End	\$ 938.67
CMDP60	60	(10 ga.) /linear foot	\$ 85.49
CMC6012	60	12" connect. band	\$ 85.49
CMC6024	60	24" connect. band	\$ 170.98
CMFE60	60	Flared End	\$1,521.21
CMDP72	72	(10 ga.) /linear foot	\$ 102.09
CMC7212	72	12" connect. band	\$ 102.09
CMC7224	72	24" connect. band	\$ 204.18

CMFE72	72	Flared End	\$2,046.63
CMDP84	84	(8 ga.) /linear foot	\$185.07
CMC8412	84	12" connect. band	\$185.07
CMC8424	84	24" connect. band	\$370.14
CMFE84	84	Flared End	\$2,456.23
<b>Fully Bituminous Coated w/o Pavement Helically Corrugated Pipe Arch w/Rerolled Ends</b>			
CMDP3524	35" x 24"	Per linear foot	\$ 27.39
CMSC3524		24" connect. band	\$ 54.78
CMDP4229	42" x 29"	Per linear foot	\$ 33.10
CMSC4229		24" connect. band	\$ 66.20
CMDP4933	49" x 33"	Per linear foot	\$ 47.90
CMSC4933		24" connect. band	\$95.80
CMDP5738	57" x 38"	Per linear foot	\$ 74.18
CMSC5738		24" connect. band	\$148.36
CMDP6443	64" x 43"	Per linear foot	\$83.31
CMSC6443		24" connect. band	\$166.62
CMDP7147	71" x 47"	Per linear foot	\$ 117.55
CMSC7147		24" connect. band	\$ 235.10
CMDP7752	77" x 52"	Per linear foot	\$148.12
CMSC7752		24" connect. band	\$296.24
CMDP8357	83" x 57"	Per linear foot	\$ 177.56
CMSC8357		24" connect. band	\$ 355.12

now, therefore, be it

RESOLVED, that the Commissioner of Public Works is authorized to contract for concrete pipe (Class III & IV) with Southern Tier Municipal & Construction Supply Co., as recommended by the Public Works Committee for the term May 1, 2015 through April 30, 2016, and be it further

RESOLVED, that the Commissioner of Public Works is authorized to contract for steel corrugated pipe and pipe arches with Chemung Supply Corp. and Southern Tier Municipal & Construction Supply Co., as recommended by the Public Works Committee for the term May 1, 2015 through April 30, 2016, and be it further

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

RESOLVED, that the County of Cattaraugus reserves the right to make purchases of the aforementioned items at any time during the term for which the bids are taken and to require suitable bond to guarantee delivery.

Concrete Pipe – Round & Elliptical (Class III & IV):

No State Bid.

Seven sets of specifications were sent out.

One bid was received.

Steel Corrugated Pipe and Pipe Arches:

State Bid. Prices will be compared with the prices on State Contract and be purchased from the source most beneficial to the County.

Seven sets of specifications were sent out.

Three bids were received.

Approved by 9 members of the Finance Committee and 8 members of the Public Works Committee.

Adopted April 8, 2015 by voice vote.

**ACT NO. 197-2015** by Mr. Weller and Mr. Koch

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

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

RESOLVED, that the Commissioner of Public Works is authorized to contract for the following materials with the bidders recommended by the Public Works Committee for the season May 1, 2015 through April 30, 2016, and be it further

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

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

RESOLVED, the only bid received for materials for highway signs was submitted by Osburn Associates, as follows:

*Osburn Associates  
P.O. Box 912  
Logan, Ohio 43138*

Description	Price Per Square Foot	2015 Rate
<b>New Domestic 0.080 inch thick 5052-H38 Alodized Aluminum:</b>		
Blank Aluminum		\$ 2.21
48" x 96" sheet, blank (no holes)		\$68.80
<b>Signs:</b>		
Scotchlite Engineers Grade Aluminum 1 side w/Legend 1 color		\$ 3.35
Scotchlite Engineers Grade Aluminum 1 side w/Legend 2 color		\$ 3.75
3M Prismatic High Intensity Grade Aluminum 1 side w/Legend 1 color		\$ 3.85
3M Prismatic High Intensity Grade Aluminum 1 side w/Legend 2 color		\$ 4.25
Scotchlite Diamond Grade Aluminum 1 side w/Legend 1 color		\$ 5.25
Scotchlite Diamond Grade Aluminum 1 side w/Legend 2 color		\$ 5.50
Scotchlite Diamond Grade Fluorescent Aluminum 1 side w/Legend 1 color		\$ 5.25
Scotchlite Diamond Grade Fluorescent Aluminum 1 side w/Legend 2 color		\$ 5.50
Scotchlite High Intensity, Pressure Sensitive Pre-Screened, Unmounted Faces w/Legend 1 color		\$1.46
Scotchlite High Intensity, Pressure Sensitive Pre-Screened, Unmounted Faces w/Legend 2 color		\$ 1.60

<b>Delineators-Reflectorized on Aluminum (per sq. in.)</b>			
Engineers Grade			\$ .024
High Intensity			\$ .029

No State Bid.  
 Thirteen sets of specifications were set out.  
 One bid was received.

Approved by 9 members of the Finance Committee and 8 members of the Public Works Committee.

Adopted April 8, 2015 by voice vote.

**ACT NO. 198-2015** by Mr. Weller and Mr. Koch

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

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

RESOLVED, that the Commissioner of Public Works is authorized to contract for galvanized square steel tubing for sign posts with the bidders recommended by the Public Works Committee for the season May 1, 2015 through April 30, 2016, and be it further

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

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

RESOLVED, the only bid received for the galvanized square steel tubing for sign posts was submitted by Unistrut Buffalo, Division of Eberl Iron Works, Inc. as follows:

*Unistrut Buffalo, Div.  
 Eberl Iron Works, Inc.  
 128 Sycamore Street  
 Buffalo, New York 14204-1492*

<b>Tubing: price per foot (min. order 600 ft.) F.O.B. Little Valley</b>			
Size	Price		2015 Rate
1" x 1"x 24 ft. w/o perforations	12 gauge		N/A
1½" x 1½" x 24 ft. w/perforations	12 gauge		\$2.40
1¾" x 1¾" x 24 ft. w/perforations	12 gauge		\$2.70
2" x 2" x 24 ft. w/perforations	12 gauge		\$2.93
2¼" x 2¼" x 24 ft. w/perforations	12 gauge		\$3.20

<b>Other Items: price per 100</b>			
Telspar or	Description	Units	2015 Rate

Equivalent			
TN-31	Tuff Nut 5/16" 18 thread	/100	\$ 70.32
TLO15	T Bracket, used on 1½", 1¾", 2" & 2¼"	/100	\$296.00
TLO16	90 Degree Bracket, used on 1½", 1¾", 2" & 2¼"	/100	\$416.00
TLO18	Straight Bracket, used on 1½", 1¾", 2" & 2¼"	/100	\$344.00
TLO19	Bracket, used on 1½", 1¾", 2" & 2¼"	/100	\$321.00
TLO20	Inside Corner Bracket, used on 1½", 1¾", 2" & 2¼"	/100	\$196.00

<b>Corner Bolts – All 5/16"</b>		Units	
TLO50	1½" sq., 1¾" sq., 2" sq.	/100	\$56.00
TLO70	2¼" Sq., 2½" Sq.	/100	\$52.00
TLO62	Heavy Hex Jam Nut for above Bolts	/100	\$9.00*
SB30CCHG	32" Longbrace with 30" Centers	Each	\$7.20
TL130	Guard Rail Clamp	Each	\$22.61
TL132	Breakaway Plate	Each	\$3.89
HFLW031	Nylon Washer – White	/100	\$11.00
TL3806	3/8" diameter large head multi-grip drive rivet	/100	\$67.00*
* - Will give 10% off orders of 5,000 pieces			
The State Contract is for Channel Sign Post only, not Square Post			

State Bid does not meet County specifications.  
 Five sets of specifications were sent out.  
 One bid was received.

Approved by 9 members of the Finance Committee and 8 members of the Public Works Committee.

Adopted April 8, 2015 by voice vote.

**ACT NO. 199-2015** by Mr. Weller and Mr. Koch

**BID ACCEPTANCE FOR PORTABLE TOILET SERVICE  
 IN VARIOUS LOCATIONS THROUGHOUT COUNTY  
 (Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of portable toilet service in various locations throughout the County for any County Department, according to specifications provided by the Public Works Committee, and

WHEREAS, the only bid received meeting specifications was the bid of Zuech's Environmental Services, Inc., 8300 Route 98 North, Franklinville, New York 14737, in an amount as follows:



	<u>Description</u>	<u>Rate</u>
<u>PERMANENT LOCATION</u>		
(Needed year round, such as transfer stations)		
	Northeast Quadrant	\$85.00/unit/month
	Northwest Quadrant	\$85.00/unit/month
	Southeast Quadrant	\$85.00/unit/month
	Southwest Quadrant	\$85.00/unit/month
<u>CONSTRUCTION SEASON RATES</u>		
(Delivered to and removed from work site)		
Northeast	Day Rate:	\$85.00/unit
	Weekly Rate:	\$85.00/unit
	Monthly Rate:	\$85.00/unit
Northwest	Day Rate:	\$85.00/unit
	Weekly Rate:	\$85.00/unit
	Monthly Rate:	\$85.00/unit
Southeast	Day Rate:	\$85.00/unit
	Weekly Rate:	\$85.00/unit
	Monthly Rate:	\$85.00/unit
Southwest	Day Rate:	\$85.00/unit
	Weekly Rate:	\$85.00/unit
	Monthly Rate:	\$85.00/unit

and

WHEREAS, Zuech's Environmental Services, Inc., shall provide the aforementioned services for a term commencing on May 1, 2015 and terminating April 30, 2017, with the option to renew for an additional two (2) year period, at the same terms and conditions, at the sole discretion of the County, and

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

RESOLVED, that the aforementioned bid be, and the same hereby is, accepted, 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.

Five sets of specifications were sent out.

One bid was received.

Approved by 9 members of the Finance Committee and 8 members of the Public Works Committee.

Adopted April 8, 2015 by voice vote.

ACT NO. 200-2015 by Mr. Weller and Mr. Koch

**ACCEPTING MATERIAL BIDS FOR SANDBLASTING ABRASIVES  
(Department of Public Works)**

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

RESOLVED, that the Commissioner of Public Works is authorized to contract for the following materials with the bidders recommended by the Public Works Committee for the season May 1, 2015 through April 30, 2016, and be it further

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

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

RESOLVED, the only bid received for sandblasting abrasives was submitted by Gernatt Asphalt Products, Inc., as follows:

*Gernatt Asphalt Products, Inc.  
13870 Taylor Hollow Road  
Collins, New York 14034*

Description	2015 Rate
In 100 pound bags per ton delivered to Cattaraugus County Public Works, 8810 Route 242, Little Valley on pallets in 21 ton lots	\$275.00/ton
Pick-up at warehouse /100 lb. bag	\$ 13.75
Black Beauty Grade 2040 Utility – Price Delivered	
Per Ton Bagged	\$300.00*
Per 100 lb. Bag	\$ 15.00*
Black Beauty Grade 2040 Utility – Price Picked-Up	
Per Ton Bagged	\$280.00*
Per 100 lb. Bag	\$ 14.00*
Black Beauty Grade Medium 1240 – Price Delivered	
Per Ton Bagged	\$295.00
Per 100 lb. Bag	\$ 14.75
Black Beauty Grade Medium 1240 – Price Picked-Up	
Per Ton Bagged	\$275.00
Per 100 lb. Bag	\$ 13.75
Warehouse: 191 Broadway Road, Gowanda, New York	
Delivery: When delivery is requested, delivery shall be to Cattaraugus County Department of Public Works, Little Valley, NY, on pallets in 21 ton lots unless ordered in bulk.	

No State Bid.

Six sets of specifications were sent out.  
One bid was received.

Approved by 9 members of the Finance Committee and 8 members of the Public Works Committee.

Adopted April 8, 2015 by voice vote.

**ACT NO. 201-2015** by Mr. Felton and Ms. Vickman  
*and Mr. Weller<sup>1</sup>*

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
VNA HOMECARE OPTIONS, LLC FOR  
PROVISION OF HOME DELIVERED AND/OR ADULT DAY CARE MEALS**

Pursuant to Section 450 of the County Law.

WHEREAS, VNA Homecare Options, LLC, 1050 West Genesee Street, Syracuse, New York 13204, is in need of adult day care meals and/or home delivered meals and congregate meals for eligible patients, and

WHEREAS, the Department of Aging can provide home delivered meals and congregate meals to the above-described patients at the following rates:

Home Delivered Meals	\$7.00/meal
Congregate Dining	\$6.00/meal
Daycare (full day)	\$70.00
Daycare (half day)	\$50.00,

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 VNA Homecare Options, LLC, for the provision of the above-described meals, for a term commencing January 1, 2015 to continue in full force and effect until terminated by either party hereto.

Approved by 9 members of the Finance Committee and 6 members of the Senior Services Committee.

<sup>1</sup>The following Legislator requested his name be listed as an additional sponsor: "Mr. Weller".

Adopted April 8, 2015 by voice vote.

**ACT NO. 202-2015** by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH CATTARAUGUS COMMUNITY ACTION, INC.  
FOR THIRD PARTY REVIEWER SERVICES FOR  
DEPARTMENT OF SOCIAL SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 189-2014 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the provision of Third Party Reviewer services, the term of which expires April 30, 2015, and

WHEREAS, the Third Party Reviewer facilitates meetings between birth parents of children in foster care, the department caseworker, attorneys, foster parents, and service providers to assess the efforts and progress made by the Department and the birth parents to achieve the goal of safely returning the child to the birth parents' care, and

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

WHEREAS, Cattaraugus Community Action, Inc., can provide the aforementioned Third Party Reviewer services for an amount not to exceed \$31,893.00 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 May 1, 2015 and terminating April 30, 2016, according to the above-described terms.

Approved by 9 members of the Finance Committee and 8 members of the Human Services Committee.

Adopted April 8, 2015 by voice vote.

**ACT NO. 203-2015** by Mr. Felton and Ms. Vickman  
*and Mr. Weller<sup>1</sup>*

**AUTHORIZING THE CHAIR TO EXECUTE LEASE WITH  
RYDER TRUCK RENTAL, INC. D/B/A RYDER TRANSPORTATION SERVICES  
FOR LAUNDRY TRUCK  
(Department of Nursing Homes)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 590-2008, as extended by Act 118-2014, authorized the five-year lease of a 2009 Ford F450 (Diesel) Super Duty cab & chassis, a 2009 Morgan aluminum van body, and a 2009 liftgate, through Ryder Truck Rental, Inc., d/b/a Ryder Transportation Services, 3247 New York Lakes-194, Buffalo, New York, the term of which expired February 16, 2015, and

WHEREAS, the Department of Nursing Homes is desirous of replacing the aforementioned laundry truck, and

WHEREAS, Ryder Truck Rental, Inc., d/b/a Ryder Transportation Services, 301 Commerce Boulevard, Liverpool, New York 13088, shall lease a 2015 Ford F450 (Diesel) Super Duty cab & chassis, a 2015 Morgan aluminum van body, Model No. GVSD91-16, and a 2015 liftgate to the Department of Nursing Homes, under the same terms and conditions, for an amount of \$1,171.53 per month plus \$0.09 per mile, for sixty (60) months from delivery date, 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 five-year lease, on behalf of Cattaraugus County, with Ryder Truck Rental, Inc., d/b/a Ryder Transportation Services, for the provision of the above-described vehicle, for a term commencing upon delivery of the truck to the Department of Nursing Homes and continuing for a term of sixty (60) months from delivery date, according to the above-described terms.

Approved by 9 members of the Finance Committee and 6 members of the Senior Services Committee.

<sup>1</sup>The following Legislator requested his name be listed as an additional sponsor: "Mr. Weller".

Adopted April 8, 2015 by voice vote.

**ACT NO. 204-2015** by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
PIONEER CENTRAL SCHOOL DISTRICT  
FOR AMERICORPS START PROGRAM**

Pursuant to 42 USCS Section 12501 and Section 450 of the County Law.

WHEREAS, Act 75-2014 authorized a contract with the Pioneer Central School District for participation in the Youth Bureau's AmeriCorps START Program, the term of which expired December 31, 2014, and

WHEREAS, the County Youth Bureau is desirous of placing an AmeriCorps member at the Pioneer Central School District, and

WHEREAS, the Pioneer Central School District, 12145 County Line Road, P.O. Box 639, Yorkshire, New York 14173, has agreed to provide services for the AmeriCorps START Program by contributing an amount of \$2,700.00 for one part-time member with 900 hours of service, and

WHEREAS, this program is 65% federally funded and 35% agency match and grantee share, which is fully funded by Pioneer's contribution, resulting in no costs to the County, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Pioneer Central School District, for the AmeriCorps START Program, for a term commencing April 7, 2015 and terminating December 31, 2015, 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 9 members of the Finance Committee and 8 members of the Human Services Committee.

Adopted April 8, 2015 by voice vote.

**ACT NO. 205-2015** by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
SOUTHERN TIER HEALTH CARE SYSTEM, INC.  
FOR AMERICORPS START PROGRAM**

Pursuant to 42 USCS Section 12501 and  
Section 450 of the County Law.

WHEREAS, Act 621-2013 authorized a contract with Southern Tier Health Care System, Inc., One Blue Bird Square, Olean, New York 14760, for the provision of services through the AmeriCorps START Program in the eastern part of the County, the term of which expired November 4, 2014, and

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

WHEREAS, Southern Tier Health Care System, Inc., has agreed to provide services for the AmeriCorps START Program by contributing an amount of \$5,000.00 for one (1) full-time member with 1,700 hours of service in the AmeriCorps START Program, and

WHEREAS, Southern Tier Health Care System, Inc., shall provide appropriate office space for the AmeriCorps member, and

WHEREAS, this program is 65% federally funded and 35% agency match and grantee share, which is fully funded by Southern Tier Health Care System, Inc.'s contribution, resulting in no costs to the County, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Southern Tier Health Care System, Inc., for the provision of services through the AmeriCorps START Program, for a term commencing February 23, 2015 and terminating December 31, 2015, 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 9 members of the Finance Committee and 8 members of the Human Services Committee.

Adopted April 8, 2015 by voice vote.

**ACT NO. 206-2015** by Mr. VanRensselaer and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
SENECA-SALAMANCA AREA CHAMBER OF COMMERCE, INC., FOR  
INFORMATION CENTER MANAGER/COORDINATOR**

Pursuant to Sections 224(14) and 450 of the County Law.

WHEREAS, Act 29-2015 authorized a contract with the Seneca-Salamanca Area Chamber of Commerce, Inc., 734 Broad Street, Suite 103, Salamanca, New York 14779, for the provision of an information center manager for the I-86 (westbound) rest area, the term of which expires March 31, 2015, and

WHEREAS, the County is responsible for staffing the rest area on I-86 (westbound) in the Town of Allegany for a minimum of five (5) hours per day for 151 days per year, plus additional hours per day during the holiday periods of Thanksgiving, Christmas and Easter, and

WHEREAS, the County Department of Economic Development, Planning and Tourism does not have sufficient staff to provide management of the information center, and

WHEREAS, the Seneca-Salamanca Area Chamber of Commerce, Inc., can provide an information center manager/coordinator for a minimum of 15 hours per week, with six (6) to eight (8) hours on Sundays (mandatory), as well as holiday periods, for an amount not to exceed \$2,812.50 for three (3) months, 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 the Seneca-Salamanca Area Chamber of Commerce, Inc., for the provision of the above-described services, for a term commencing April 1, 2015 and terminating June 30, 2015, according to the above-described terms.

Approved by 9 members of the Finance Committee and 4 members of the Development and Agriculture Committee.

Adopted April 8, 2015 by voice vote.

**ACT NO. 207-2015** by Mr. Murphy

**AUTHORIZING THE CHAIR TO APPLY FOR  
FUNDING THROUGH NEW YORK STATE DIVISION OF  
HOMELAND SECURITY AND EMERGENCY SERVICES FOR  
STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 313-2012 authorized the Chairman to apply for funding through the New York State Division of Homeland Security and Emergency Services for the Statewide Interoperable Communications grant, and

WHEREAS, funding is again available through the New York State Division of Homeland Security and Emergency Services for the aforementioned grant, and

WHEREAS, the purpose of the aforementioned program is to facilitate the development, consolidation and/or improved operation of public safety communications to support and enhance statewide interoperable communications for first responders, and

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

WHEREAS, it is necessary to execute grant documents in order 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 grant documents, on behalf of Cattaraugus County, with the New York State Division of Homeland Security and Emergency Services, in order to apply for the aforementioned grant funding, according to the above-described terms.

Approved by 9 members of the Finance Committee and 5 members of the Public Safety Committee.

Adopted April 8, 2015 by voice vote.

**ACT NO. 208-2015** by Mr. Murphy

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH BOB BARKER COMPANY  
FOR PURCHASE OF INMATE MATTRESSES AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Sheriff's Office)**

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

WHEREAS, the Sheriff's Office is desirous of replacing mattresses in the Jail, and

WHEREAS, the Bob Barker Company, P.O. Box 429, Fuquay-Varina, North Carolina 27526-0429, can provide 150 mattresses for an amount of \$12,217.50, to be paid as invoiced, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to cover the cost of the aforementioned mattresses, 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 Bob Barker Company, for the purchase of the above-described mattresses, for a term commencing April 1, 2015 and terminating July 31, 2015, according to the above-described terms, and be it further

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

Increase Estimated Revenue Account:

A.311.3110.0000.2626	Forfeiture of Crime Proceeds	\$12,217.50
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Increase Appropriation Account:

A.311.3150.0000.47032	Jail/Bedding & Linen	\$12,217.50.
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Approved by 9 members of the Finance Committee and 5 members of the Public Safety Committee.

Adopted April 8, 2015 by voice vote.

**ACT NO. 209-2015** by Mr. Marsh  
and Mr. Teachman, Mr. Padlo and Mr. Keller<sup>1</sup>

**RESOLUTION AUTHORIZING THE CHAIR OF THE LEGISLATURE TO APPROVE THE PROPOSED ACTION BY COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY IN CONNECTION WITH A CERTAIN COMMERCIAL PROJECT FOR PREMIO LIMOUSINE SERVICE OF WNY, 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, Premo Limousine Service of WNY, LLC, a New York 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 0.45 acre parcel of land located at 117 Fourth Street S (tax map #94.065-11-41.1) in the City of Olean, Cattaraugus County, New York (the "Land"), together with an approximately 13,700 square foot building located thereon (the "Facility"), (2) the renovation of the Facility, (3) the acquisition of up to six (6) charter buses (collectively, the "Buses"), which Buses will, 75% of the time, (a) be stored in Cattaraugus County, New York and (b) originate their trips from Cattaraugus County, New York, and (4) the further acquisition and/or installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property including without limitation tenant improvement and finish (collectively, the "Equipment") (the Land, the Facility, the Buses and the Equipment being collectively referred to as the "Project Facility"), all of the foregoing consisting of a facility for the storage of the Buses and intending by the Company to provide charter bus services, among other services, to the residents of Cattaraugus County, New York; (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 estate 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 predominant purpose of the Project would be to make available services which would not, but for the Project, be reasonably accessible to the residents of Cattaraugus County because of a lack of reasonably accessible retail trade facilities offering such services, 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 February 5, 2015 (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, to be mailed on February 9, 2015 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, (B) caused notice of the Public Hearing to be posted on (1) a bulletin board at the County of Cattaraugus Industrial Development Agency offices located at 9 East Washington Street in the Town of Ellicottville, Cattaraugus County, New York on February 9, 2015, (2) a bulletin board at the Olean Municipal Building located at 101 East State Street in the City of Olean, Cattaraugus County, New York on February 11, 2015, and (3) the Agency's website on February 9, 2015, (C) caused notice of the Public Hearing to be published on February 11, 2015 in the Olean Times Herald, a newspaper of general circulation available to the residents of the County of Cattaraugus, New York, (D) conducted the Public Hearing on February 26, 2015 at 10:30 a.m., local time in conference room #119 at the Olean Municipal Building located at 101 East State Street in the City of Olean, Cattaraugus County, New York, and (E) 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 February 5, 2015 (the "Preliminary SEQR Resolution"), the Agency (A) determined (1) that the Project involves more than one "involved agency", and (2) that 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 March 17, 2015 (the "Final SEQR Resolution"), the Agency determined (A) to conduct an uncoordinated review of the Project, (B) that the Project is an "Unlisted action" which will not have a significant effect on the environment and, therefore, that an environmental impact statement is not required to be prepared with respect to the Project, and (C) as a consequence of the foregoing, to prepare a negative declaration with respect to the Project, and

WHEREAS, by resolution adopted by the members of the Agency on March 17, 2015 (the "Resolution Making Retail Findings"), the Agency (A) found that although the Project Facility appears to constitute a project where facilities or properties that are primarily used in making 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 predominant purpose of the Project would be to make available goods or services which would not, but for the Project, be reasonably accessible to residents of Cattaraugus County, New York, because of a lack of reasonably accessible retail trade facilities offering such goods or services, (B) determined, following a review of the Hearing Report, that the Project would serve the public purposes of the Act by increasing the overall number of permanent, private sector jobs in the State of New York, and (C) 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 Chairman of 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 9 members of the Finance Committee and 5 members of the Development and Agriculture Committee.

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: “Mr. Teachman, Mr. Padlo and Mr. Keller”.

Adopted April 8, 2015 by voice vote.

**ACT NO. 210-2015** by Mr. Felton, Mrs. Stockman, Ms. Vickman,  
Mr. Weller, Mr. Boser and Mr. Lamberson  
who ask immediate consideration

**SALE OF TAX TITLE PROPERTY TO FORMER OWNERS  
(Towns of Allegany, Ashford, Ellicottville and Perrysburg)**

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

WHEREAS, Cattaraugus County has tax title to certain properties situate in the Towns of Allegany, Ashford, Ellicottville and Perrysburg, and

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

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

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

**TOWN OF ALLEGANY**

<b>PARCEL</b>	<b>TAX MAP NO.</b>	<b>FORMER OWNER(S)</b>	<b>ADDRESS</b>	<b>COUNTY INVOLVEMENT</b>
108	84.003-2-11.3	Timothy R. Phearsdorf	2515 N. Nine Mile Rd. Allegany, NY 14706	\$12,862.91
109	83.004-3-7.2	Timothy R. Phearsdorf	2515 N. Nine Mile Rd. Allegany, NY 14706	\$7,577.32

**TOWN OF ASHFORD**

<b>PARCEL</b>	<b>TAX MAP NO.</b>	<b>FORMER OWNER(S)</b>	<b>ADDRESS</b>	<b>COUNTY INVOLVEMENT</b>
123	29.011-2-16	Carl Radotavich	72 Weeden Road Randolph, NY 14772	\$8,133.01
352	18.003-1-20.2	John H. Waring Janet R. Waring	9567 N. Otto Rd. Cattaraugus, NY 14719	\$15,987.62

**TOWN OF ELLICOTTVILLE**

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
191	46.004-1-26	National Unlimited Properties Developers, LLC	2522 Pine Avenue Niagara Falls, NY 14301	\$4,033.16

**TOWN OF PERRYSBURG**

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
362	8.078-1-1	Ursula Reger Roland Sutter Ottmar P. Sutter	3593 Walbash Blasdell, NY 14219	\$21,179.55

MR. TEACHMAN moved, seconded by Mr. Lamberson to waive Rule 12. Carried.

Adopted April 8, 2015 by voice vote.

**ACT NO. 211-2015** by Mr. Murphy  
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE MEMORANDUM OF UNDERSTANDING  
WITH NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES  
FOR MUTUALINK EMERGENCY INCIDENT COLLABORATION TECHNOLOGY PROJECT**

Pursuant to Section 450 of the County Law.

WHEREAS, the NYS Division of Homeland Security and Emergency Services is deploying the Mutualink Emergency Incident Collaboration Technology and making it available to all counties at no charge, and

WHEREAS, Mutualink provides a common platform for sharing radio, video, telephone and data to any other invited user, and will be available to all counties, State Office of Emergency Management field staff, State Fire field staff and certain State agency dispatch locations, and

WHEREAS, the deployment consists of a software portion and a hardware portion, and

WHEREAS, each county will be provided with up to five (5) licenses to distribute to its EOC, County PSAP, fire coordinator, etc., and two (2) radio interfaces to allow sharing of radio resources, and

WHEREAS, New York State will incur all acquisition, installation and licensing costs for this initiative, and

WHEREAS, in order to participate in the Mutualink Project, the County must designate a project manager, now, therefore, be it

RESOLVED, that the Sheriff's Office Communications Captain is hereby designated as the Project Manager for the Mutualink Project, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a Memorandum of Understanding, on behalf of Cattaraugus County, with the New York State Division of Homeland Security and Emergency Services, for the participation in the Mutualink Project,

for a twelve month term commencing on the first Monday immediately following approval by the Office of the State Comptroller, according to the above-described terms.

MR. SNYDER, SR. moved, seconded by Mr. Sprague to waive Rule 12. Carried.

Adopted April 8, 2015 by voice vote.

**ACT NO. 212-2015** by Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Klancer, Mr. Marsh, Mr. Murphy, Mr. Snyder, Sr., Mrs. Stockman, Mr. Teachman, Mr. Weller, Mr. Boser, Mrs. Labuhn, Mr. Lamberson, Mr. Padlo, Mr. Sprague and Mr. Keller who ask immediate consideration

#### **APPOINTMENT OF PERSONNEL OFFICER**

Pursuant to Local Law Intro Number 2-2015 and  
Section 201 of the County Law.

WHEREAS, Act 109-2014 changed the form of Civil Service administration to a Personnel Officer, and

WHEREAS, Local Law Intro No. 2-2015 amended the structure and direction of the Cattaraugus County Human Resources Department to be administered by a Personnel Officer, and it is now necessary to appoint a Personnel Officer, now, therefore, be it

RESOLVED, that Julie J. Carr, P.O. Box 714, 48 Washington Street, Apartment No. 9, Ellicottville, New York 14731, be and hereby is, appointed Personnel Officer for a term of six (6) years commencing May 1, 2015, at a bi-weekly salary which was previously established for the Human Resources Director, and at any salary as may hereinafter be established, and be it further

RESOLVED, that Julie J. Carr shall be credited with fifteen (15) days of annual leave time on the date of her appointment, and with twenty (20) days of annual leave time on January 1<sup>st</sup> of the year 2016 and each year thereafter, and with any and all other benefits provided for in such compensation and benefit package as is, or may be, established for Managerial and Confidential Officers and Employees.

MR. MURPHY moved, seconded by Mrs. Labuhn to waive Rule 12. Carried.

Adopted April 8, 2015 by voice vote.

MR. TEACHMAN moved, seconded by Mr. Hale to adjourn until April 22, 2015 at 3:00 p.m. Carried.

Meeting adjourned at 4:04 p.m.

Ann M. Giglio  
Journal Clerk