

February 24, 2016

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

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed two Legislators absent – Koch and Weller.

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MR. SNYDER, SR. moved, seconded by Mr. Helmich, that the minutes of the February 10, 2016 session be approved. Carried.

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COMMUNICATIONS:

Chenango County Board of Supervisors: Resolution No. 15-16 entitled, “Opposing an Increase in the New York State Minimum Wage of \$15 Per Hour”.

Delaware County Board of Supervisors: Resolution No. 47-2015 entitled, “Urging New York State to Fund Probation Departments 100% for Costs Related to Raising the Age of Criminal Responsibility to 18 Years of Age”.

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APPOINTMENTS:

CATTARAUGUS COUNTY THATCHER BROOK WATERSHED TASK FORCE

Four-year terms to expire December 31, 2019

Paula L. Stockman
District #1 Legislator
13 Third Street, P.O. Box 195
South Dayton, New York 14138

Paul Zimmermann
Village of Gowanda
230 Jamestown Street
Gowanda, New York 14070

Richard L. Klancer
District #1 Legislator
41 Frederick Street
Gowanda, New York 14070

Robert O. Dingman
Town of Persia
23 John Street
Gowanda, New York 14070

Joseph T. Pillittere
Commissioner of Public Works
8810 Route 242
Little Valley, New York 14755

John T. Walgus
Town of Persia
51 Broadway Road, P.O. Box 241
Gowanda, New York 14070

Richard Smith, Director of Facilities II
Gowanda Central School District
10674 Prospect Street
Gowanda, New York 14070

Thomas Chupa, Town of Dayton Board Member
Town of Perrysburg Highway Department
11096 Forty-Second Street
Cattaraugus, New York 14719

Heather McKeever, Mayor
Village of Gowanda
27 East Main Street
Gowanda, New York 14070

Brian Taber, Highway Superintendent
Town of Dayton
9693 Cottage Road
South Dayton, New York 14138

Donald Offhaus
Village of Gowanda
130 Walnut Street
Gowanda, New York 14070

Dennis Stopen, Supervisor
Town of Perrysburg
11010 Deerfield Drive
Gowanda, New York 14070

CRIMINAL JUSTICE COORDINATING ADVISORY COMMITTEE

Four-year term to expire December 31, 2019

Melissa Ball, Program Director
Community Services Department
203 Lauren Street
Olean, New York 14760

ROUTE 219 CORRIDOR DEVELOPMENT COMMITTEE

Four-year terms to expire December 31, 2019

Crystal J. Abers, Director
Economic Development,
Planning & Tourism
303 Court Street
Little Valley, New York 14755

Jay Bailey, Regional Director
Allegany State Park Region
NYSOPRHP
2372 ASP Route 1, Suite 3
Salamanca, New York 14779

Paul Bishop
Senior Planner
303 Court Street
Little Valley, New York 14755

Joseph F. Boberg
Cattaraugus County Legislator
10718 Marble Springs Road
Delevan, New York 14042

Daniel Brown, Supervisor
Town of Great Valley
5318 Snowbrook Road
Great Valley, New York 14741

Jody Clark, Transportation Manager
Seneca Nation of Indians
3689 Center Road, P.O. Box 231
Salamanca, New York 14779

Charles Coolidge, Mayor
Village of Ellicottville
P.O. Box 384
Ellicottville, New York 14731

Charles E. Davis, Supervisor
Town of Ashford
P.O. Box 306
West Valley, New York 14171

Hugh Dunne
4138 Scott Hollow Road
Salamanca, New York 14779

Dennis Eshbaugh, Route 219 Association
15 Holiday Valley Road
Ellicottville, New York 14731

Richard Helmich
Cattaraugus County Legislator
11357 VanGilder Road
Delevan, New York 14042

Robert Keis
Cattaraugus County Planning Board
7621 California Hill Road
Little Valley, New York 14755

Robert J. Laforge
618 Grandview Avenue
Olean, New York 14760

Matthew McAndrew, Supervisor
Town of Ellicottville
P.O. Box 610
Ellicottville, New York 14731

Joseph Pillittere, Commissioner
Department of Public Works
8810 Route 242
Little Valley, New York 14755

Luke Stewart, Councilman
City of Salamanca
240 Highland Avenue
Salamanca, New York 14779

James Stoddard, Supervisor
Town of Carrollton
648 Parkside Drive
Limestone, New York 14753

Donna M. Vickman
Cattaraugus County Legislator
971 Back Street, P.O. Box 5
Farmersville Station, New York 14060

Corey Wiktor, Executive Director
County of Cattaraugus IDA
P.O. Box 1749
Ellicottville, New York 14731

David Zilker, Agriculture & Farmland
Protection Board
9909 Skyline Drive
Delevan, New York 14042

Richard Zink, Executive Director
Southern Tier West Regional Planning & Development Board
4039 Route 219, Suite 200
Salamanca, New York 14779

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PRIVILEGE OF THE FLOOR:

CHAIRMAN STOCKMAN granted Privilege of the Floor to Phyllis Couture representing Cattaraugus County Farm Bureau. A video was shown produced by the New York State Farm Bureau entitled "Every Farmer". Mrs. Couture spoke about the proposed minimum wage increase and the devastating impact this increase would have upon farmers and the agriculture community.

CHAIRMAN STOCKMAN called a short recess to enjoy refreshments provided by the Farm Bureau.

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ACT NO. 82-2016 by Mr. Klancer and Mrs. Stockman

**DECLARING COUNTY-OWNED PROPERTY IN THE
VILLAGE OF CATTARAUGUS NO LONGER NECESSARY FOR PUBLIC USE AND
AUTHORIZING CONVEYANCE TO TOWN OF NEW ALBION AND VILLAGE OF CATTARAUGUS**

Pursuant to Section 72-h of the General Municipal Law.

WHEREAS, in April of 2011, the County foreclosed on a 3/5 interest in certain property located in the Village of Cattaraugus, Tax Map No. 35.082-1-25.2, previously owned by Lorna Blakely and Randy Dollinger, and

WHEREAS, the Town of New Albion and the Village of Cattaraugus each have a 1/5 interest in the aforementioned property, and

WHEREAS, the County no longer needs the 3/5 portion of this parcel and has offered both municipalities one-half (1/2) of its 3/5 share, and

WHEREAS, the Town of New Albion wishes to acquire one-half (1/2) of the County's interest in the aforementioned parcel, and the Village of Cattaraugus wishes to acquire the remaining one-half (1/2) interest, and

WHEREAS, the County should convey its interest in the above-described parcel to the Town of New Albion and the Village of Cattaraugus, now, therefore, be it

RESOLVED, that the above-described 3/5 portion of Tax Map No. 35.082-1-25.2 situated in the Village of Cattaraugus is no longer necessary for public use by the County, and be it further

RESOLVED, that the Chairman of the Legislature is hereby authorized to convey by, Quit-Claim Deed, 100% of the County's interest in the aforementioned property to the Town of New Albion and the Village of Cattaraugus.

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

Adopted February 24, 2016 by voice vote.

ACT NO. 83-2016 by Mr. Weller and Mr. Koch

**BID ACCEPTANCE FOR CORRUGATED BEAM GUIDE RAILING,
BOX BEAM AND CABLE GUIDE RAILING, BRIDGE AND CULVERT POST,
BRIDGE RAILING AND TRANSITION SECTIONS
(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 various materials, according to specifications provided by the Public Works Committee, now, therefore, be it

RESOLVED, that the Commissioner of Public Works is authorized to contract for corrugated beam guide railing, box beam and cable guide railing, bridge and culvert post, bridge railing

and transition sections with various vendors, as recommended by the Public Works Committee for the term March 1, 2016 through February 28, 2017, 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.

EXPANDED SUPPLY PRODUCTS, INC.

3330 Route 9

Cold Spring, New York 10516

CORRUGATED BEAM GUIDE RAILING & ACCESSORY HARDWARE

<u>Index No.</u>	<u>Description:</u>	<u>Quantity</u>	<u>Amount</u>
GR-04	Galvanized W-Beam rail; as above with standard post bolt slots 6 feet 3 inch O.C.; with 10 (1 inch dia.) at 3 inch O.C. on one end for mounting to standard concrete anchor	each	\$ 88.00
GR-05	Galvanized W-Beam rail; as above shop bent, twisted and bored for mounting to concrete anchor within one section for typical driveway installations	each	\$145.00
GR-06	Galvanized Rounded End Section (Single Sided)	each	\$ 31.50
GR-06A	Galvanized Rounded End Section (Doubled Sided)	each	\$ 53.93
GR-07	Galvanized Flared End Section	each	\$ 29.09
GR-09	5/8 inch x 1 inch Galvanized splice bolts with 5/8 inch by 7/8 inch oval shoulder including oversize nut (1¼ inch across flats) as per NYSDOT dwg. M606-6	per 100	\$ 67.42
GR-10	5/8 inch diameter by 1½ inch Galvanized hex Head bolts with nuts and flat washers for Mounting block-outs to heavy posts as per NYSDOT dwg. 606-8R1	per 100	\$111.72
GR-11	Rectangular Flat plate washers as per NYSDOT Dwg. 606-8R1	per 100	\$196.63
GR-13	5/8 inch diameter by 2 inch Galvanized Button Head bolts with nuts and flat washers for Mounting "W-beam" to heavy post block outs	per 100	\$168.54
GR-15A	W6 x 9 heavy post, 7 foot 4 inches long, with soil plate and 6, 3/4" holes as per NYSDOT dwg. M606-8R3	each	\$ 68.00
GR-16	W6 x 9 standard heavy post, 6 foot 0 inches long, without soil plate as per NYSDOT dwg. M606-8R3	each	\$ 35.24
GR-18	5/16 inch diameter by 1½ inch hex head Galvanized Bolts with nuts, Detail "M" square washer, and Flat washers for mounting guide rail to weak Posts as per NYSDOT dwg. M606-6	per 100	\$ 73.00
GR-18A	5/16 inch diameter by 2 3/8 inch Hex Bolt with Two "M" washers, two nuts & one flat washer as Per NYSDOT dwg. M606-51	per 100	\$155.00
GR-19A	S3 x 5.7 Universal Weak post, 7 foot 0 inches long with soil plate as per NYSDOT dwg. M606-6	each	\$ 48.00
GR-20	Concrete anchor with galvanized nuts and washers per NYSDOT dwg. M606-6	each	\$427.15
GR-22	1/2 inch by 1½ inch Hex Bolt with 2 nuts for W-Beam support on S3 x 5.7 post	per 100	\$ 78.50
GR-23	W6 x 15 Barricade Post, 8 foot 0 inches long	each	\$149.90
GR-24	¾" diameter x 1 foot 6 inches long, Galvanized Anchor Bolts,	each	\$ 7.58

with a minimum of 4" threading, with two nuts and one flat washer as per NYSDOT dwg. M630-1

BOX BEAM & CABLE GUIDE RAIL AND ASSOCIATED HARDWARE

<u>Index No.</u>	<u>Description:</u>	<u>Unit</u>	<u>Amount</u>
<u>CABLE GUIDE RAILING:</u> DRAWINGS 606-1R2 & 606-2R2			
CG-82	Spring and Turnbuckle Cable End Assembly, with compensating device; NYSDOT dwg. M606-2R1 Detail "B"	each	\$173.92
CG-83	Steel Turnbuckle Cable End Assembly; NYSDOT dwg. M606-2R1 Detail "A"	each	\$ 91.90
CG-83a	Cable End Assembly to Anchor, as per NYSDOT dwg. M606-2R1	each	\$ 37.00
CG-85a	Anchor Post Assembly - Complete as per NYSDOT dwg. M606-2R1	each	\$225.00
CG-86	Driveway End Post Cap with bolt; as per NYSDOT dwg. 606-2R2	each	\$ 31.46
CG-87	Ground Bearing Angles assembly; as per NYSDOT dwg. 606-1R2	each	\$ 34.83
CG-88	Hook Bolt with shoulder & nut or 2 nuts;	each	\$.67
CG-89	Reflective Delineator with mounting hardware, dwg. M606.1R1;	each	\$ 5.90
CG-90	Cable Splice with wedges, dwg. M606.1R1;	each	\$ 65.04
CG-91	Spare Wedges for all splices and cable fittings, dwg. M606.1R1;	each	\$ 2.05

BOX BEAM GUIDE RAILING: DRAWING 606-3R4, M606-3, M606-4

BB-103	Box Beam Guide Rail, 6 inch by 6 inch by 3/16 inch shop curve, radius under 20 feet; lengths of 12', 18', 24' and 30 feet;	/foot	\$ 61.00
BB-105b	3/4" x 8" Hex Bolt s/nut & 2 flat washers	each	\$ 4.25
BB-107a	3/8" x 9 1/5" Hex Bolt w/nut & 2 flat washers	each	\$ 4.21
BB-108	Straight splice plate pair with eight 3/4" x 1 1/2" A325 hex bolts and F844 Type A flat washers;	/pair	\$ 62.10
BB-111	Hex Bolt 3/8" x 7 1/2" w/nut & 2 flat washers	each	\$.96
BB-294	Complete BEAT roadside terminal system	each	\$3,700.00

BRIDGE & CULVERT; POSTS, RAILINGS & TRANSITIONS

<u>Index No.</u>	<u>DESCRIPTION:</u>	<u>Unit</u>	<u>Amount</u>
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All dimensions are in millimeters (mm) unless otherwise noted.

Reference: BD-RS1/R3 THROUGH RS8/R3 –

RS-128B	Galvanized Bridge Post for Two Rail curb type system, 680 mm in height.	each	\$215.00
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Following dimensions are in INCHES (in) unless otherwise noted.

Reference: BD-RL3E THRU RL5E

RS-165	M24 Anchor Stud with 4 Washers and 4 Hex nuts, 18" long	each	\$ 22.00
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CHEMUNG SUPPLY CORP.
P.O. Box 527
Elmira, New York 14902

CORRUGATED BEAM GUIDE RAILING & ACCESSORY HARDWARE

<u>Index No.</u>	<u>Description:</u>	<u>Quantity</u>	<u>Amount</u>
GR-01	Galvanized W-Beam rail; 13 feet 6 1/2 inches in length by 12 1/4 inches in height by 3 3/4 inches in width; 8 standard splice bolt slots on each end; std. post bolt slots at 3 feet 1 1/2 inch O.C.; .105 inches thick	each	\$ 55.20
GR-02	Galvanized W-Beam rail; as above except standard post bolt slots 6 feet 3 inch O.C.	each	\$ 52.90
GR-03	Galvanized W-Beam Rail; Shop bent radius (R); as above with standard post bolt slots 6 feet 3 inch O.C.; state maximum		
	(a) 10 feet to 19 feet radius	each	\$103.50
	(b) 20 feet to 39 feet radius	each	\$ 98.90
	(c) 40 feet to 200 feet radius	each	\$ 96.60
GR-08	Galvanized Terminal Connector Parapet	each	\$ 29.32
GR-10W	5/8 inch diameter by 10 inch galvanized hex head bolt with nut and flat washer for mounting the railing and wooden offset beam to heavy post as per NYSDOT dwg. M606-8R3	each	\$ 2.18
GR-12	Back up plate as per NYSDOT dwg. M606-50	each	\$ 6.21
GR-14	Turn down post mounting brackets. Set consists of one each of type "A", "B", and "C" brackets as per NYSDOT dwg. M606-9R2	per set	\$105.22
GR-15	W6 x 9 heavy post, 6 foot 0 inches long with soil plate and 6, 3/4" holes as per NYSDOT dwg. M606-8R3	each	\$ 56.92
GR-17	W6 x 8.5 or W6 x 9 by 14 inch offset beam (block-out) as per NYSDOT dwg. 606-8R1	each	\$ 13.51
GR-17W	Wooden 6 inch x 8 inch x 14 1/2 inch offset block	each	\$ 10.35
GR-17P	Plastic 6 inch x 8 inch x 14 1/2 inch offset block	each	\$ 4.71
GR-19	S3 x 5.7 Universal Weak post, 5 foot 3 inches long, with soil plate as per NYSDOT dwg. M606-6	each	\$ 37.37
GR-19B	S3 x 5.7 Universal Weak post, 5 foot 5 inches long, with soil plate as per NYSDOT dwg. M606-50	each	\$ 37.95
GR-21	Ground bearing angle set consisting of two L4 x 3 x 1/4 angles, 8 inches long and two 3/4" x 4-1/2" hex bolts with nut and 2 flat washers as per NYSDOT dwg. M606-6	per set	\$ 34.50
GR-23B	W6 x 15 Barricade Post, 9 foot 4 inches long as per NYSDOT dwg. M630-1	each	\$230.00

BOX BEAM & CABLE GUIDE RAIL AND ASSOCIATED HARDWARE

<u>Index No.</u>	<u>Description:</u>	<u>Unit</u>	<u>Amount</u>
<u>CABLE GUIDE RAILING:</u> DRAWINGS 606-1R2 & 606-2R2			
CG-80	3/4 " Round Wire Cable, three (3) strands of seven (7) wires each, AASHTO, M-30, TYPE I, Class A;	/foot	\$.92
CG-81	Concrete Anchors with breakaway angle, hardware and two (2) top mounted independent rebar lift points; as per NYSDOT dwg. 606-1R2	each	\$603.75
CG-81A	Two piece Concrete Anchor with hardware as per NYSDOT dwg. M606-2R1	each	\$977.50

CG-84	S3 x 5.7 Universal Weak post with soil plate, 5' 5" length;	each	\$ 37.95
CG-85	End Post Cap with bolt; as per NYSDOT dwg. 606-1R2	each	\$ 32.20
CG-92	Cable clamp for 3/4" cable.	each	\$ 5.17

BOX BEAM GUIDE RAILING: DRAWING 606-3R4, M606-3, M606-4

BB-100	Box Beam Guide Rail, 6 inch by 6 inch by 3/16 inch straight, lengths of 18', 24', 30' or 36 feet;	each	18' - \$207.00 24' - \$266.80 30' - \$354.20 36' - \$402.50
BB-101	Box Beam Guide Rail, 6 inch by 6 inch by 3/16 inch shop curve, 205' radius, lengths 18 ft. or 24 feet;	each	18' - \$224.25 24' - \$281.75
BB-102	Box Beam Guide Rail, 6 inch by 6 inch by 3/16 inch shop curve, radius 20 ft. To 200 ft., lengths of 12', 18', 24', 30 and 36 feet;	/foot	\$ 18.11
BB-104	Box Beam Type I end section, approximately 7 1/2 feet long;	each	\$179.40
BB-105	S3 x 5.7, 3'11" in length, Anchor Post for Type I end, with special end shelf angle, two 1/2" x 1 1/2" hex bolts w/nut & flat washer and one 3/4" x 8" hex bolt w/nut & flat washer;	each	\$ 63.82
BB-105a	5" x 3 1/2" x 3/8" x 4 1/2" long 2" x 5/8" slot driveway shelf angle	each	\$ 7.24
BB-106	Box Beam Type II end section, approximately 9 feet long;	each	\$201.25
BB-107	Two S3 x 5.7, 2'9" long, Anchor posts for Type II end, with 3/8" x 9 1/2" hex bolt w/nut & 2 flat washers;	each	\$ 58.07
BB-108	Straight splice plate pair with eight 3/4" x 1 1/2" A325 hex bolts and F844 Type A flat washers;	/pair	\$ 62.10
BB-108a	3/4" x 1 1/2" Hex Bolt (splice plate bolts)	/pair	\$ 1.15
BB-109	Angled Splice Plate pair with eight 3/4" x 1 1/2" A325 hex bolts and F844 Type A flat washers; (specify 2, 4, or 6 degree angle);	/pair	\$ 65.55
BB-110	Standard shelf angle:	each	\$ 5.80
BB-112	Hex Bolt 1/2" x 1 1/2" w/nut & flat washer;	each	\$.75
BB-113	S3 x 5.7 Universal Weak Post 5' 5" length;	each	\$ 37.95
BB-378	WY-BET Type 3 eEnd complete box beam assembly system	each	\$6,440.00

BRIDGE & CULVERT; POSTS, RAILINGS & TRANSITIONS

<u>Index No.</u>	<u>DESCRIPTION:</u>	<u>Unit</u>	<u>Amount</u>
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All dimensions are in millimeters (mm) unless otherwise noted.

Reference: BD-RS1/R3 THROUGH RS8/R3 –

RS-120	Galvanized 127 x 76 x 6.4 Top Railing of Four Rail System, with both ends turned down to Third Rail (BD-RS4/R3)	/foot	\$ 31.33
RS-121	Galvanized 127 x 76 x 6.4 Bottom Railing of Four Rail System, with 1.5 m., 15 deg. flared section both ends	/foot	\$ 40.25
RS-122	Galvanized 152 x 152 x 4.8 Center Railing of Four Rail System	/30 ft	\$363.40
RS-123	Galvanized 152 x 152 x 4.8 Top Transition Rail with square end, 6.90 m. long	each	\$312.80
RS-124	Galvanized 152 x 152 x 4.8 Bottom Transition Rail with beveled end for turn back splice, 7.09 m. long.	each	\$316.25

RS-125	Galvan. 152 x 152 x 4.8 Turn Back Rail with end cap, 2.7 m. long.	each	\$149.50
RS-126	Galvanized Turn Back Splice Tube, with 5.33 deg. drop angle.	each	\$144.90
RS-127	203 x 152 x 6.4 Galvanized Block Out Tube, 150 mm. long.	each	\$ 16.67
RS-128	Galvanized Bridge Post for Four Rail curbless System, 1.06 m. in height.	each	\$264.50
RS-128A	Galvanized Bridge Post for Three Rail curbless system, 830 mm in height	each	\$235.75
RS-129	Galvanized 350 x 10 x 250 Anchor Plate.	each	\$ 32.77
RS-130	Galvanized 127 x 127 x 7.9 Expansion Splice Tube, 900 mm long.	each	\$126.50
RS-131	Galvanized 127 x 127 x 7.9 Fixes Splice Tube, 685 mm long	each	\$ 98.90
RS-132	Galvanized 108 x 54 x 900 Expansion Splice Bar	each	\$150.65
RS-133	Galvanized 108 x 54 x 685 Fixed Splice Bar	each	\$112.70
RS-134	Galvanized L127 x 127x 15.9 Railing Angle, 154 mm. long.	each	\$ 16.67

Following dimensions are in INCHES (in) unless otherwise noted.

Reference: BD-RL3E THRU RL5E

RS-150	Galvanized 6 x 6 x 3/16 Bridge Railing	/foot	\$ 12.13
RS-151	Galvan. W6 x 25 Bridge Post for Curbless application, 34" height.	each	\$180.55
RS-152	Galvanized 9" x 1/2" x 12" Anchor Plate with four tach weld nuts for 1" galvanized NC thread.	each	\$ 66.12
RS-153	Galvanized 8" x 6" x 1/4" Block Out Tube, 6" length.	each	\$ 16.67
RS-154	Galvanized 5 x 5 x 5/16" x 2' 10-1/2" tube with one 4 x 3/8" x 1' 8" fill plate and one 4 x 3/8" x 2' 9-1/2" fill plate "Splice Tube A".	each	\$112.70
RS-155	Galvanized 5 x 5 x 5/16" x 2' 10-1/2" tube with TWO 4 x 3/8" x 2' 9-1/2" fill plates "Splice Tube B".	each	\$115.00
RS-156	Galvanized 6 x 6 x 3/16" Top Transition Rail; 23' 0" long	each	\$312.80
RS-157	Galvanized 6 x 6 x 3/16" Bottom Transition Rail with beveled end for turn back splice tube, 23' 7 1/2" long.	each	\$316.25
RS-158	W6 x 9 Universal Heavy Transition Post, Galvanized, 7' 4" long	each	\$ 73.88
RS-159	S3 x 5.7 Universal Weak Transition Post, Galvanized, 7' 0" long with soil plate.	each	\$ 71.30
RS-160	M20 3/4" x 8" Carriage Bolt w/nut, flat washer and lock washer	each	\$ 3.73
RS-161	3/4" x 8" Hex Bolt w/nut, 2 flat washers and lock washer	each	\$ 6.21
RS-162	3/4" Flat Washer	each	\$.23
RS-163	M24 Anchor Stud with 4 Washers and 4 Hex nuts, 12" long	each	\$ 16.33
RS-164	M24 Anchor Stud with 4 Washers and 4 Hex nuts, 14" long	each	\$ 17.48
RS-166	M24 Anchor Stud price per inch over and above 18" long	each	\$.69
RS-167	3/4" Lock Washer	each	\$.23
RS-168	3/4" Hex Nut	each	\$.69

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

Twelve sets of specifications of each item were sent out.

Two bids for each item were received.

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

Adopted February 24, 2016 by voice vote.

ACT NO. 84-2016 by Mr. Weller and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
WENDEL WD ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, PC
FOR 2016 STONE HOUSE CAPITAL IMPROVEMENT PROJECTS ENGINEERING SERVICES**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 648-2015 authorized a contract with Wendel WD Engineering, Surveying & Landscape Architecture, PC, 375 Essjay Road, Suite 200, Williamsville, New York 14221, for repairs and improvements to the Stone House in order to be in compliance with the Americans with Disabilities Act (ADA), and

WHEREAS the commencement date contained in Act 648-2015 should be amended to November 1, 2015, as the Engineer started providing services on that date, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Wendel WD Engineering, Surveying & Landscape Architecture, PC, for the provision of the above-described engineering services, for a term commencing November 1, 2015 and terminating December 31, 2016, according to the above-described terms.

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

Adopted February 24, 2016 by voice vote.

ACT NO. 85-2016 by Mr. Weller and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT AMENDMENT WITH
GREENMAN-PEDERSEN, INC. FOR ENGINEERING SERVICES FOR RECONSTRUCTION
OF COUNTY ROAD NO. 57 INTERSECTION WITH BENTLEY ROAD**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 315-2010, as amended by Acts 624-2010, 287-2011, 493-2012, 551-2013, 399-2014 and 574-2015, authorized a contract with Abate Associates Engineers & Surveyors, P.C., now known as Greenman-Pederson, Inc., 4950 Genesee Street, Suite 100, Buffalo, New York 14225, for the provision of engineering services for the reconstruction of County Road No. 57 intersection with Bentley Road in the Town of Dayton, the term of which expired December 31, 2015, and

WHEREAS, an amendment to the aforementioned contract is necessary for additional right-of-way acquisitions and to further extend the term of the contract to December 31, 2016, and

WHEREAS, Greenman-Pedersen, Inc., shall provide the necessary additional appraisals and right-of-way negotiation fees, which are required due to one of the properties being sold to a new owner, and

WHEREAS, Greenman-Pederson, Inc., shall provide the above-described services for an additional amount not to exceed \$4,647.00, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Greenman-Pederson, Inc. (formerly Abate Associates Engineers & Surveyors, P.C.) for the provision of the above-described additional services, amending and extending the term of the contract which commenced March 1, 2010 to terminate December 31, 2016, according to the above-described terms.

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

Adopted February 24, 2016 by voice vote.

ACT NO. 86-2016 by Mr. Weller and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT
WITH T.Y. LIN INTERNATIONAL GROUP FOR
ENGINEERING ASSESSMENT FOR RECLASSIFICATION OF LIME LAKE DAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 374-2015 authorized a contract with the T.Y. Lin International Group, 100 South Elmwood Avenue, Suite 100, Buffalo, New York 14202, for the provision of engineering assessment services for the reclassification of the Lime Lake dam, the term of which expires December 31, 2016, and

WHEREAS, it has been determined that the classification of the Lime Lake dam remain at a Class B Hazard, and

WHEREAS, in light of the confirmation of the NYS Department of Environmental Conservation (DEC) classification, a dam assessment must also be provided pursuant to DEC regulations, and

WHEREAS, an engineering assessment is required by the DEC pursuant to 6 NYCRR Part 673.13, and

WHEREAS, T.Y. Lin International Group has agreed to conduct the necessary engineering assessment for the Lime Lake dam for an additional amount not to exceed \$5,200.00, to be paid on a percent-of-completion 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 T.Y. Lin International Group, for the provision of the above-described engineering services, for a term commencing February 1, 2016 and terminating December 31, 2016, according to the above-described terms.

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

Adopted February 24, 2016 by voice vote.

ACT NO. 87-2016 by Mr. Weller and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NYSDOT AND
AUTHORIZING CATTARAUGUS COUNTY TO PARTICIPATE IN
FEDERAL-AID PROJECT ADMINISTERED BY THE NYSDOT
(Bridge Painting)**

Pursuant to Title 23 U.S. Code and
Section 450 of the County Law.

WHEREAS, the Cattaraugus County Bridge Painting Project: Six (6) Bridges in the Towns of East Otto, Freedom, Little Valley, Salamanca, South Valley and Yorkshire, Cattaraugus County, PIN 5760.59, (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% federal funds and 20% non-federal funds, and

WHEREAS, the County desires to advance the above Project by making a commitment of 100% of the non-federal share of the costs of the Construction & Construction Inspection phase of the Project, PIN 5760.59, now, therefore, be it

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

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

RESOLVED, that the sum of \$610,000.00 is hereby appropriated and made available to cover the cost of participation in the above phase of the Project, and be it further

RESOLVED, that in the event the amount required to pay the full federal and non-federal shares of the cost of the project's Construction & Construction Inspection phase exceeds the amount appropriated above, the County of Cattaraugus shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof, and be it further

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

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

RESOLVED, that this Resolution shall take effect immediately.

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

Adopted February 24, 2016 by voice vote.

ACT NO. 88-2016 by Mr. Klancer, Mr. Snyder, Sr. and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES FOR
INDIGENT LEGAL SERVICES FUNDING
(Round #2 Grant – 2012-2015)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 254-2012, the term of which was extended by Act 294-2015, authorized the Chairman to apply for, and accept, a three (3) year Indigent Legal Service Funding grant from the New York State Office of Indigent Legal Services for the purpose of improving the availability and quality of indigent legal services, the term of which commenced June 1, 2012 and terminates February 28, 2016, and

WHEREAS, it is necessary to extend the term of the aforementioned contract and plan for disbursement for a period of three (3) months to terminate May 31, 2016, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract extension, on behalf of Cattaraugus County, with the New York State Office of Indigent Legal Services, in order to allow for time to use the grant funds as prescribed by such office, extending the term of the original contract which commenced June 1, 2012 to terminate May 31, 2016, according to the above-described terms, and be it further

RESOLVED, that the plan for disbursement of Round 2 grant funds continue until May 31, 2016.

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

Adopted February 24, 2016 by voice vote.

ACT NO. 89-2016 by Mr. Klancer
and Mr. VanRensselaer¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES
FOR PUBLIC SAFETY ANSWERING POINTS OPERATIONS GRANT AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Sheriff's Office)**

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

WHEREAS, Act 692-2015 authorized the Chair to apply for funding through the New York State Division of Homeland Security and Emergency Services for the 2015-2016 Public Safety Answering Points Operations Grant Program (PSAP Operations Grant), and

WHEREAS, the Sheriff's Office has been awarded \$172,605.00 through the aforementioned grant program, and

WHEREAS, a contract is needed in order to accept and receive the aforementioned grant, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to accommodate the grant funding, 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 Division of Homeland Security and Emergency Services, in order to accept and receive the aforementioned grant funding, according to the above-described terms, and be it further

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

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

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

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

Increase Estimated Revenue Account:

A.302.3020.0000.3389.04	State Aid, Other Public Safety PSAP	\$172,605.00
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Increase Appropriation Account:

A.302.3020.0000.45203	Software Support	\$172,605.00.
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Approved by 6 members of the Finance Committee and 7 members of the County Operations/ Public Safety Committee.

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

Adopted February 24, 2016 by voice vote.

ACT NO. 90-2016 by Mr. Klancer and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH AUTOMON, LLC
FOR CASELOAD EXPLORER CE CONNECTS SOFTWARE AND
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Probation Department)**

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

WHEREAS, Act 93-2015 authorized a contract with AutoMon, LLC, 10450 North 74th Street, Suite 210, Scottsdale, Arizona 85258, for the provision of Ce Check-In (Web Reporting Version) Caseload Explorer software for the Probation Department in order to more efficiently supervise offenders, the term of which expires March 31, 2016, and

WHEREAS, the Probation Department is desirous of continuing the annual subscription for the Ce Check-In software and adding a subscription for the Ce Field software, and

WHEREAS, AutoMon, LLC, shall provide the following Ce Connect products for an annual amount of \$6,858.75, to be paid as invoiced:

Ce Check-In (Web Reporting Version) Caseload Explorer software	\$3,858.75
Ce Field software	\$2,500.00
Ce Field setup & training	\$500.00

and

WHEREAS, various appropriation accounts must be adjusted in order to cover the cost of the aforementioned software subscriptions, 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 AutoMon, LLC, for the provision of a subscription for the above-described Ce Check-In Caseload Explorer and the Ce Field software, for a term commencing April 1, 2016 and terminating March 31, 2017, with automatic annual renewals, contingent upon sufficient funds being included in each year's budget to cover such cost, according to the above-described terms, and be it further

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

Decrease Appropriation Account:

A.314.3140.0000.41412	Alcohol/Drug Testing	\$3,000.00
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Increase Appropriation Account:

A.314.3140.0000.45202	Equipment Repair and Maintenance	\$3,000.00.
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Approved by 6 members of the Finance Committee and 7 members of the County Operations/Public Safety Committee.

Adopted February 24, 2016 by voice vote.

ACT NO. 91-2016 by Mr. Klancer and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
ALCOHOL MONITORING SYSTEMS, INC. AND
RECOVERY SOLUTIONS CONSULTING AND TRAINING CORP. FOR
MONITORING OF SECURE CONTINUOUS REMOTE ALCOHOL MONITOR
FOR PROBATION DEPARTMENT**

Pursuant to Section 256 of the Executive Law and
Section 450 of the County Law.

WHEREAS, Act 661-2014 authorized a contract with Alcohol Monitoring Systems, Inc., 1241 West Mineral Avenue, Suite 200, Littleton, Colorado 80120, for the provision of a secure

continuous remote alcohol monitor for the Probation Department, the term of which expired December 31, 2015, and

WHEREAS, the Probation Department is desirous of continuing the use of a Secure Continuous Remote Alcohol Monitor (SCRAM) in order to automatically test DWI and other alcohol-fueled offenders at least twenty-four (24) times a day, every day, regardless of location, and

WHEREAS, Alcohol Monitoring Systems, Inc., can provide the aforementioned SCRAM monitoring services for the County, and

WHEREAS, the County Probation Department is desirous of contracting with Recovery Solutions Consulting and Training Corp., 4885 Cliffside Drive West, Clarence, New York 14031, to collect monitoring fees for use of the equipment from the offenders and to pay the costs for such services directly to Alcohol Monitoring Systems, Inc., and

WHEREAS, Recovery Solutions Consulting and Training Corp., has agreed to collect such monitoring fees from the offenders and pay Alcohol Monitoring Systems, Inc., for their services, and

WHEREAS, Alcohol Monitoring Systems, Inc., has agreed to accept the fees for services provided from Recovery Solutions Consulting and Training Corp., now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with Alcohol Monitoring Systems, Inc. and Recovery Solutions Consulting and Training Corp., for the provision of the above-described monitoring services and collection services, for a term commencing January 1, 2016 and terminating December 31, 2016, according to the above-described terms.

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

Adopted February 24, 2016 by voice vote.

ACT NO. 92-2016 by Ms. Vickman and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS
WITH CATHOLIC CHARITIES OF BUFFALO
FOR ALZHEIMER'S DISEASE CAREGIVER SUPPORT INITIATIVE AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Aging¹)**

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

WHEREAS, funding is available through the New York State Department of Health for the Alzheimer's Disease Caregiver Support Initiative, and

WHEREAS, Catholic Charities of Buffalo, NY, 741 Delaware Avenue, Buffalo, New York 14209, is the Regional Grant Lead, and

WHEREAS, the County Department of the Aging/NY Connects has been awarded grant funding in an amount not to exceed \$120,000.00 per year for a five-year period commencing January 1, 2016 and terminating December 31, 2020, and

WHEREAS, grant documents must be executed in order to apply for and accept the aforementioned funding, and

WHEREAS, the aforementioned grant is 100% state funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with Catholic Charities of Buffalo, NY, in order to apply for and accept the aforementioned grant funding, for a term commencing January 1, 2016 and terminating December 31, 2020, 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.677.6727.0000.3772.19	Alzheimer's Caregiver Support	\$109,399.00
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Increase Appropriation Accounts:

A.677.6727.0000.41601	Transportation	\$ 5,600.00
A.677.6727.0000.41603	Contracted Services	\$ 73,799.00
A.677.6727.0000.41631	Contracted Daycare Services	\$ 15,000.00
A.677.6727.0000.41633.2	Personal Care Services Level II	\$ 15,000.00.

Approved by members of the 6 Finance Committee and members of the 4 Human Services Committee.

¹MS. VICKMAN moved, seconded by Mrs. Labuhn, to amend Act 92-2016 as follows: In the title, delete: "Health", and replace with: "Aging". Carried.

Adopted, as amended, February 24, 2016 by voice vote.

ACT NO. 93-2016 by Ms. Vickman and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR
HEALTH DEPARTMENT CHILDHOOD LEAD POISONING PREVENTION PROGRAM**

Pursuant to 10 NYCRR Parts 22 and 67, Sections 1370-1376 of the
Public Health Law and Section 450 of the County Law.

WHEREAS, Act 406-2014 authorized the Chair to execute a contract with the New York State Department of Health for the County Health Department's Childhood Lead Poisoning Prevention Program, the term of which expired September 30, 2015, and

WHEREAS, the County Health Department is desirous of continuing its participation in the aforementioned program, and

WHEREAS, the County Health Department has been awarded a five-year grant in the total amount of \$246,625.00, to be distributed in annual allotments of \$49,325.00, 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 the New York State Department of Health for the provision of funding for the Childhood Lead Poisoning Prevention Program, for a term commencing October 1, 2015 and terminating September 30, 2020, according to the above-described terms, and be it further

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

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

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

Approved by 6 members of the Finance Committee and 4 members of the Human Services Committee.

Adopted February 24, 2016 by voice vote.

ACT NO. 94-2016 by Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACTS WITH
VARIOUS ENTITIES FOR DEPARTMENT OF NURSING HOMES ANCILLARY SERVICES**

Pursuant to Section 4405 of the Public Health Law and Section 450 of the County Law.

WHEREAS, Act 722-2009, as amended by various Acts, including Act 251-2015, authorized contracts for reimbursement for Department of Nursing Homes skilled nursing services for individuals enrolled with Independent Health Association, Inc., and each of its subsidiaries and affiliates, and

WHEREAS, Independent Health Association, Inc., 511 Farber Lakes Drive, Buffalo, New York 14221, and each of its subsidiaries and affiliates, effective March 1, 2016, has increased its reimbursement rates at The Pines Healthcare and Rehabilitation Centers, as follows:

- Skilled Nursing Facility Services reimbursement \$270.00 per diem
- Subacute Services reimbursement (Machias only) \$330.00 per diem
- Antibiotic Infusion Pharmacy Services ASP + 15%,

and

WHEREAS, contract amendments are necessary with Independent Health Association, Inc., and each of its subsidiaries and affiliates, for the aforementioned reimbursement to The Pines Healthcare and Rehabilitation Centers, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute amended contracts, on behalf of Cattaraugus County, with Independent Health Association, Inc., and each of its subsidiaries and affiliates, for the provision of the above-described services to The Pines Healthcare and Rehabilitation Centers, for a term commencing March 1, 2016 to continue in full force and effect at the same rates until terminated by either party, according to the above-described terms.

Approved by 6 members of the Finance Committee and 4 members of the Human Services Committee.

Adopted February 24, 2016 by voice vote.

ACT NO. 95-2016 by Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
JAMES CZAJKOWSKI, RPH, CONSULTANT PHARMACIST, P.C.
FOR DEPARTMENT OF NURSING HOMES CONSULTING PHARMACIST SERVICES**

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

WHEREAS, Act 25-2013 authorized a contract with Nash Pharmacy Services, P.C., for the provision of consulting pharmacist services for the Department of Nursing Homes, for an amount of \$9.25 per bed, the term of which expired December 31, 2015, and

WHEREAS, effective January 1, 2016, Nash Pharmacy, P.C., can no longer provide the consulting pharmacist services, and

WHEREAS, James Czajkowski, RPh, Consultant Pharmacist, P.C., 9641 Carmelo Court, Clarence Center, New York 14032, has agreed to provide the aforementioned consulting pharmacist services for an amount of \$11.00 per bed per month, to be paid as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with James Czajkowski, RPh, Consultant Pharmacist, P.C., for the provision of the above-described consulting pharmacist services, for a term commencing January 1, 2016 and terminating December 31, 2017, according to the above-described terms.

Approved by 6 members of the Finance Committee and 4 members of the Human Services Committee.

Adopted February 24, 2016 by voice vote.

ACT NO. 96-2016 by Mr. Snyder, Sr. and Mr. Padlo

**LOCAL LAW NUMBER 1 - 2016
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law.

A LOCAL LAW ESTABLISHING THE CATTARAUGUS COUNTY ANIMAL ABUSER REGISTRY

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

Section 1. Intent. It is the intent of this local law to establish a registry of individuals in Cattaraugus County who have abused animals.

Section 2. Legislative Findings. Cruelty is a serious problem resulting in the abuse of many animals each year, and while the State of New York has criminalized the cruel treatment of animals, animal abuse and cruelty continues to occur in Cattaraugus County and throughout New York State.

Studies show that people who have abused animals in the past are likely to do so in the future and that there is a near 100% recidivism rate for certain types of abuse such as animal hoarding. It has also been documented that individuals who abuse animals are statistically more likely to commit violent acts against humans, and there has been a strong correlation established linking individuals who abuse animals with incidents of domestic violence. Animals in need of homes need to be protected from potential abusers. The Cattaraugus County Legislature hereby finds and determines that it is in the best interest of the residents of Cattaraugus County and their animals that an online registry be established identifying individuals residing in Cattaraugus County who have been convicted of animal abuse crimes in order to prevent these individuals from adopting, purchasing or otherwise obtaining animals from any animal shelter, pet seller, or other person or entity involved in the exchange of animals by adoption, sale or other means.

Section 3. Definitions. As used in this local law, the following terms shall have the meanings indicated:

- 3.1 "Animal Abuse Crime" - Any of the following crimes:
 - a) A Violation of any of the following provisions of the NYS Agriculture Markets Law (AML) Article 26:
 - Section 351 - Prohibition of animal fighting
 - Section 353 - Torturing and injuring animals; failure to provide proper sustenance
 - Section 353-A - Aggravated cruelty to animals
 - Section 355 - Abandonment of animals
 - Section 356 - Failure to provide proper food and drink to impounded animals
 - Section 359 - Carrying animal in a cruel manner
 - Section 360 - Poisoning or attempting to poison animals
 - Section 361 - Interference with or injury to certain domestic animals
 - Section 362 - Throwing substance injurious to animals in public place
 - Section 365 - Clipping or cutting the ears of dogs
 - Section 366 - Companion animal stealing
 - Section 366-A - Removing, seizing or transporting dogs for research purposes;
 - b) Sexual misconduct with an animal in violation of NYS Penal Law (PL) §130.20(a);
 - c) Harming a service animal in violation of PL §242.10 and PL §242.15;
 - d) Killing or injuring a police animal in violation of PL §195.06;
 - e) Harming an animal trained to aid a person with a disability in violation of PL §195.12.
- 3.2 "Animal" - Any living mammal (except a human being), bird, reptile, amphibian or fish.
- 3.3 "Animal Abuse Offender" - Any person eighteen (18) years of age or older, convicted of an Animal Abuse Crime, except youthful offenders whose convictions or adjudications include sealed records.
- 3.4 "Animal Abuser Registry" - The online registry established by this Local Law for registering any person residing in Cattaraugus County convicted of an Animal Abuse Crime.
- 3.5 "Animal Shelter" - Any publicly or privately owned organization including, but not limited to, any duly incorporated humane society, pound, animal protective association or animal rescue group which maintains buildings, structures or other property for the purpose of harboring animals

which may be stray, unwanted, lost, abandoned or abused and seeks to find appropriate temporary or permanent homes for such animals.

3.6 "Conviction" - An adjudication of guilt by any court of competent jurisdiction whether upon verdict after trial, plea of guilty or nolo contendere plea.

3.7 "Farm Animal" - An animal used in the production of human or animal food, feed or fiber.

3.8 "Pet Seller" - Any individual, person, partnership, firm, corporation or other entity which offers animals for sale or is engaged in the sale, exchange or other transfer of ownership of animals.

3.9 "Service Animal" - Any animal that has been individually trained to do work or perform tasks for people with disabilities as defined under the ADA (Americans with Disabilities Act).

Section 4. Establishing an Animal Abuser Registry. The Cattaraugus County Sheriff, or his/her designee, is hereby authorized, empowered and directed to establish an online Animal Abuser Registry that shall contain the names and residence information, the nature of, and date of conviction of all Animal Abuse Offenders living in Cattaraugus County who are convicted of an animal abuse crime on or after the effective date of this law. The online Registry will be maintained by the Cattaraugus County Sheriff's Office and shall be listed on the Cattaraugus County official website within the Cattaraugus County Sheriff's Office webpage. The online Animal Abuser Registry shall also contain links to other county Animal Abuser Registries that are available, or as they become available in the future, in the State of New York, with such other county registries to be used as informational resources by Animal Shelters, Pet Sellers or other persons or entities located in Cattaraugus County when they shall sell, exchange or otherwise transfer the ownership of any animal. The Registry shall contain the required information about each Animal Abuse Offender for a period of fifteen (15) years following his or her release from incarceration or, if not incarcerated, from the date of the judgment of conviction. Any currently or previously registered Animal Abuse Offender convicted of a subsequent Animal Abuse Crime shall be placed on the Animal Abuser Registry for life following the second conviction. Upon notification to the Cattaraugus County Sheriff's Office of a successful appeal of a conviction of an Animal Abuse Crime by an individual that has been required to register pursuant to this local law, the registration information for that individual shall be removed from the Cattaraugus County Animal Abuse Registry within five (5) days following the notification.

Section 5. Registry Requirements.

5.1 All Animal Abuse Offenders who reside in Cattaraugus County and who are convicted of an Animal Abuse Crime on or after the effective date of this article must register with the Cattaraugus County Animal Abuser Registry within five (5) days of their release from incarceration or, if not incarcerated, from the date of the rendering of judgment.

5.2 When a person is convicted of an Animal Abuse Crime, the court shall forward to the Sheriff's Office the name and address of the convicted person along with the name of the Animal Abuse Crime the person was convicted of, thereby notifying the Sheriff's Office that the person is required to register with the Animal Abuser Registry.

5.3 Each person required to register with the Animal Abuser Registry shall submit to the Cattaraugus County Sheriff's Office on a form prepared by the Sheriff's Office, the following:

- a) Their name and any aliases they may be known by,
- b) Their residence address,
- c) Their date of birth, and
- d) A photograph of the front of their head and shoulders not less than 2" by 3" or a digital image commonly known as a digital photograph of the front of their head and shoulders.

5.4 Every person required to register with the Animal Abuser Registry shall update their registry information within five (5) days of any change of residence address and/or upon any official change of name.

5.5 Every person required to register with the Animal Abuser Registry shall pay a fee of one hundred twenty-five dollars (\$125.00) to the Cattaraugus County Sheriff's Office at the time of Registration. All such fees shall be used to help pay the administrative and maintenance costs of maintaining the Registry.

5.6 The Cattaraugus County Sheriff is hereby authorized and empowered to promulgate such rules and regulations as may be necessary to implement the Animal Abuser Registry.

Section 6. Animal Shelters and Pet Sellers Prohibited from Transferring Animal Ownership to Animal Abuse Offenders.

6.1 Except as provided for otherwise in this local law, no person who is required to register under this local law shall possess or own any animal.

6.2 No Animal Shelter, Pet Seller, or other person or entity located in Cattaraugus County shall sell, exchange or otherwise transfer the ownership of any animal to any person having resided in Cattaraugus County and listed as an Animal Abuse Offender on the Animal Abuser Registry, nor shall such Animal Abuse Offender be allowed to retain possession of any currently owned animals. Prior to the sale, exchange or other transfer of ownership of any animal, the Animal Shelter, Pet Seller or other person or entity is required to examine the Animal Abuser Registry to confirm that the name of the potential owner of the animal is not listed.

Section 7. Penalties.

7.1 Any Animal Abuse Offender required to register with the Animal Abuse Registry who fails to so register shall be guilty of a violation punishable by a fine of Two Hundred Fifty Dollars (\$250.00).

7.2 Any Animal Abuse Offender who violates the prohibition against possessing, owning, adopting or purchasing an animal - except for Farm Animals for farmers and Service Animals for people with disabilities - shall be guilty of a violation punishable by a fine of Five Hundred Dollars (\$500.00).

7.3 Any Animal Shelter, Pet Seller or other individual or entity that violates Section 6 of this Local Law shall be guilty of a violation and subject to a fine of *up to*¹ Five Hundred Dollars (\$500.00) for the first offense, a fine of *up to*¹ One Thousand Dollars (\$1,000.00) for the second offense, and a fine of *up to*¹ Two Thousand Dollars (\$2,000.00) for the third offense. It shall not be a violation of this law if the Animal Shelter, Pet Seller, or other individual or entity checked with the Cattaraugus County Animal Abuser Registry and the name did not appear thereon.

Section 8. Severability. If any clause, sentence, paragraph, section, subdivision or other part of this Local Law or its applications shall be adjudged by a Court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or otherwise invalidate the remainder of this Local Law which shall remain in full force and effect except as limited by such order or judgment.

Section 9. Effective Date. This Local Law shall take effect as provided by the New York State Municipal Home Rule Law and upon completion of the requisite filings and procedures.

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

¹MR. SNYDER, SR. moved, seconded by Mr. Hale, to amend Act 96-2016 as follows: In Section 7.3, after the words "a fine of", add: "up to". Carried.

No further action taken at this time.

ACT NO. 97-2016 by Mr. Snyder, Sr.

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 1 - 2016

Pursuant to Section 10 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on February 24, 2016, a proposed Local Law entitled, "A Local Law Establishing the Cattaraugus County Animal Abuser Registry", and

WHEREAS, no local law shall be adopted until a public hearing thereon has been had by the Cattaraugus County Legislature upon at least five (5) days' notice, now, therefore, be it

RESOLVED, that a public hearing shall be held on the proposed local law by this County Legislature on the 9th day of March, 2016, at 4:01 p.m. at the Legislature's Chambers, County Center, 303 Court Street, Little Valley, New York, and that at least five (5) days' notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

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

Adopted February 24, 2016 by voice vote.

ACT NO. 98-2016 by Mrs. Stockman
who asks immediate consideration

**AMENDING ACT 81-2016 REGARDING APPOINTMENT
TO CATTARAUGUS COUNTY BOARD OF HEALTH**

Pursuant to Section 343 of the Public Health Law.

WHEREAS, Act 81-2016 appointed Julie L. Hamacher, 490 Wildwood Avenue, Salamanca, New York 14779, to the Cattaraugus County Board of Health, for a term to expire on December 31, 2021, and

WHEREAS, Mrs. Hamacher was to be appointed to fill the unexpired term of Richard Lapey, now therefore, be it

RESOLVED, that Act 81-2016 is hereby amended as follows: In the Resolved, delete: "the term of which expires on December 31, 2021", and replace with: "to fill the unexpired term of Richard Lapey which expires on December 31, 2016".

MR. HELMICH moved, seconded by Mr. Klancer to waive Rule 12, pursuant to Rule 33.1. Carried.

Adopted February 24, 2016 by voice vote.

ACT NO. 99-2016 by Mrs. Stockman
who asks immediate consideration

APPOINTMENT TO INDUSTRIAL DEVELOPMENT AGENCY BOARD OF DIRECTORS

Pursuant to Section 856 of the General Municipal Law.

RESOLVED, that the following individual is hereby appointed to the Industrial Development Agency Board of Directors:

Matthew J. Keller
433 York Street
Olean, New York 14760
(*replacing Crystal Abers*),

and be it further

RESOLVED, that the Clerk of the Legislature be, and hereby is, directed to forward a certified copy of this resolution to the Cattaraugus County Industrial Development Agency.

MR. HELMICH moved, seconded by Mr. Klancer to waive Rule 12, pursuant to Rule 33.1. Carried.

Adopted February 24, 2016 by voice vote.

ACT NO. 100-2016 by Mr. Boberg, Ms. Vickman, Mr. Lamberson and Mr. Keller
who ask immediate consideration

**ABOLISHING ONE (1) POSITION OF OFFICE MANAGER,
CREATING ONE (1) POSITION OF ADMINISTRATIVE SECRETARY
AND ESTABLISHING COMPENSATION FOR THE SAME
(Department of Community Services)**

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

WHEREAS, the Department of Community Services is desirous of restructuring its organization to provide more efficient and economical services to its clients, and

WHEREAS, this restructuring requires the abolition of a vacant Office Manager position and the creation of an Administrative Secretary position which will provide for an increase in efficiency and needed support for the Director of Community Services, and

WHEREAS, a New Position Duties Statement has been submitted to the Cattaraugus County Personnel Officer, who has approved the title as Administrative Secretary in accordance with Civil Service Law Section 22, now, therefore, be it

RESOLVED, that effective immediately, there is hereby abolished one (1) full-time position of Office Manager in the Department of Community Services, Position No. 431-233-001, and be it further

RESOLVED, that effective immediately, there is hereby created one (1) position of Administrative Secretary in the Department of Community Services to be filled on a full-time basis, General Employee Unit Salary Schedule, Pay Grade 18 (\$19.51 per hour), Position No. 431-006-001.

MR. HELMICH moved, seconded by Mr. Klancer to waive Rule 12, pursuant to Rule 33.1. Carried.

Adopted February 24, 2016 by voice vote.

ACT NO. 101-2016 by Mr. Helmich, Mr. Neal, Ms. Vickman,
Mrs. Hastings and Mr. Lamberson
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
VMC GROUP, INC. FOR TRANSPORTATION MANAGEMENT SERVICES AND
TRANSFER OF FUNDS
(Contingent Fund – Transportation Coordinator)**

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

WHEREAS, Act 617-2013 authorized a contract with the VMC Group, Inc., 9701 Niagara Falls Boulevard, Suite 2B, Niagara Falls, New York 14304, for the coordination of transportation services for Cattaraugus County, the term of which expires December 31, 2018, and

WHEREAS, the County is desirous of contracting with VMC Group, Inc. for the out-of-scope work involved in formulating the upcoming transportation bid for the Youth Bureau and the Departments of Aging, Community Services and Health, and

WHEREAS, VMC Group, Inc., has agreed to provide services as follows for the transportation bid formulation:

Bid Specification Technical Construction (contains the principle definitions and assumptions relative to the vehicles, routes and operations for this bid)	\$ 3,500.00
Bid Specifications Content (policy and/or procedural changes based on experience with previous transporter, internal organization and/or operational changes and/or regulatory changes)	\$ 2,500.00

Soliciting Transporters		<u>\$ 6,500.00</u>
	Total Cost	\$12,500.00,

and

WHEREAS, a transfer of funds is necessary 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 an amended contract, on behalf of Cattaraugus County, with the VMC Group, Inc., for the provision of the above-described services, for a term commencing February 22, 2016 and terminating December 31, 2018, according to the above-described terms, and be it further

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

Decrease Appropriation Account:

A.901.1990.0000.40601	Contingent Fund	\$12,500.00
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Increase Appropriation Accounts:

A.296.2961.2965.41012	Transportation Coordinator	\$ 5,207.00
A.296.2961.2966.41012	Transportation Coordinator	\$ 5,207.00
A.401.4059.0000.41012	Transportation Coordinator	\$ 835.00
A.431.4341.0670.41012	Transportation Coordinator	\$ 751.00
A.677.6702.6908.41012	Transportation Coordinator	\$ 400.00
A.677.6702.6911.41012	Transportation Coordinator	\$ 100.00.

MR. HELMICH moved, seconded by Mr. Klancer to waive Rule 12, pursuant to Rule 33.1. Carried.

Adopted February 24, 2016 by voice vote.

MR. KLANCER moved, seconded by Mr. Keller to adjourn until March 9, 2016 at 4:00 p.m. Carried.

Meeting adjourned at 4:57 p.m.

Ann M. Giglio
Journal Clerk