

November 22, 2016

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

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed all Legislators present.

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CHAIRMAN STOCKMAN noted that the minutes of the November 9, 2016 session stand approved as presented.

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COMMUNICATIONS:

New York State Senator Catherine M. Young: Acknowledging receipt of Act Nos. 255-2016, 256-2016 and 265-2016.

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APPOINTMENTS:

CONEWANGO WATERSHED COMMISSION
Three-year terms to expire December 31, 2019

Cattaraugus County Representatives:

Ronald D. Adams
4244 Elm Creek Road
Randolph, New York 14772

Leonard Brainard
12600 Cowens Corners Road
Conewango Valley, New York 14726

James N. Dye
8568 South Dayton-Silver Creek Road
South Dayton, New York 14138

Timothy Dye
7 Allegany Road
South Dayton, New York 14138

Lee D. Harkness
4252 Lower Bush Road
Kennedy, New York 14747

Chautauqua County Representatives:

Robert Carpenter
1074 28th Creek Road
Kennedy, New York 14747

Kenneth Chase
646 Pinner Road
Cherry Creek, New York 14723

Herbert Nobles
RD, Route 83
South Dayton, New York 14138

Carl Smallback
RD, Route 83
Cherry Creek, New York 14723

Robert T. Stewart
P.O. Box 22
Conewango Valley, New York 14726

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PUBLIC HEARINGS:

CHAIRMAN STOCKMAN announced this is the time and place called for a public hearing on **Act No. 526-2016, Local Law Number 9-2016**, entitled "A Local Law Establishing Salary For Public Defender", and that anyone wishing to speak for or against this local law may now do so.

Virginia Banner spoke against the local law.

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

CHAIRMAN STOCKMAN announced this is the time and place called for a public hearing on the **2017 Tentative Budget** and that anyone wishing to speak on the 2017 Tentative Budget may now do so.

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

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CHAIRMAN STOCKMAN called up **Act No. 524-2016**, Authorizing the Chair to Execute Contract with Motorola Solutions, Inc. for Fire District Radio Equipment and Appropriate From Fund Balance, and asked that it be read.

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

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

MR. SNYDER, SR. moved, seconded by Mrs. Labuhn, to amend as follows: In the Third Whereas, delete: "\$812,213.10", and replace with: "\$1,107,792.10"; delete: "installation and"; delete: "Mobile Radios 127 (based on 1 mobile radio per fire truck), Base Station Radios 23 (based on 1 base station per Fire Department), Portable Radios 66 (based on 3 portables per Fire Department)", and replace with:

"County's Cost	\$1,052,402.50
Departments within Districts 1, 2 & 3 Combined Cost	\$ 55,389.60
Mobile Radios	not to exceed 116
Base Station Radios	not to exceed 23
Portable Radios	not to exceed 261";

and In the Second Resolved in two places, delete: "\$812,213.10", and replace with: "\$1,052,402.50". Carried.

Adopted, as amended, November 22, 2016 by voice vote.

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CHAIRMAN STOCKMAN called up **Act No. 526-2016, Local Law Number 9-2016**, A Local Law Establishing Salary For Public Defender, and asked that it be read.

Approved by 4 members of the Finance Committee, 5 members of the County Operations/Public Safety Committee, and 5 members of the Labor Relations Committee.

CHAIRMAN STOCKMAN requested a Roll Call vote on Act No. 526-2016, which disclosed as follows:

Ayes: Boberg, Breton, Hale, Helmich, Higgins, Klancer, Neal, Snyder, Sr., Snyder, Jr., Stockman, VanRensselaer, Vickman - 12.

Nays: Giardini, Hastings, Koch, Labuhn, Padlo - 5.

Act No. 526-2016, Local Law Number 9-2016, having received a majority vote of the Legislature, was declared Adopted.

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ACT NO. 533-2016 by Mr. Klancer and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
HUNT ENGINEERS, ARCHITECTS & LAND SURVEYORS, P.C. FOR
SAWMILL RUN DEVELOPMENT AT ONOVILLE MARINA
ENGINEERING SERVICES**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 250-2008, as amended by Acts 642-2009, 61-2011, 494-2012, 553-2013 and 626-2014, authorized a contract with Hunt Engineers, Architects & Land Surveyors, P.C., Airport Corporate Park, 100 Hunt Center, Horseheads, New York 14845, for the provision of engineering services for the proposed Sawmill Run Development at the Onoville Marina, the term of which expires December 31, 2016, and

WHEREAS, an extension of the aforementioned contract to December 31, 2017, is necessary in order to complete the detail site design and regulatory approval for the aforementioned project, at no additional cost to the County, and

WHEREAS, Hunt Engineers, Architects & Land Surveyors, P.C., has agreed to complete the aforementioned project by December 31, 2017, 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 Hunt Engineers, Architects & Land Surveyors, P.C., for the provision of the above-described services, extending the term of the contract which commenced January 1, 2011 to terminate December 31, 2017, according to the above-described terms.

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

Adopted November 22, 2016 by voice vote.

ACT NO. 534-2016 by Mr. Klancer and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
HUNT ENGINEERS, ARCHITECTS & LAND SURVEYORS, P.C. FOR
COUNTY ROAD NO. 27 PHASE III ENGINEERING SERVICES FOR
WETLANDS DELINEATION REPORT AND MITIGATION DESIGN REPORT**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 612-2009, as amended by Acts 522-2010, 110-2012 and 427-2012, authorized a contract with Hunt Engineers, Architects & Land Surveyors, P.C., Airport Corporate Park, 100 Hunt Center, Horseheads, New York 14845, for the provision of engineering services for Phase III of the County Road No. 27 (Haskell Road) Reconstruction/Rehabilitation Project, the term of which expires December 31, 2016, and

WHEREAS, an extension of the aforementioned contract to December 31, 2018, is necessary for Phase III wetlands delineation and mitigation, at no additional cost to the County, and

WHEREAS, Hunt Engineers, Architects & Land Surveyors, P.C., has agreed to complete the aforementioned project by December 31, 2018, 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 Hunt Engineers, Architects & Land Surveyors, P.C., for the provision of the above-described services, to extend the term of the contract which commenced September 26, 2012 to terminate December 31, 2018, according to the above-described terms.

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

Adopted November 22, 2016 by voice vote.

ACT NO. 535-2016 by Mr. Klancer and Mr. Koch

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

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

WHEREAS, Act 95-2007, as amended by Acts 646-2008, 549-2010, 505-2011, 74-2013, 623-2014 and 579-2015, authorized a contract with Stantec Consulting Services, Inc., 2250 Brighton-Henrietta Town Line Road, Rochester, New York 14623-2706, for the provision of engineering services for the New Albion Bridge No. 35 Replacement Project located on Tannery Street over Tributary South Branch Cattaraugus Creek, BIN 3-32281-0, in the Town of New Albion, the term of which expires December 31, 2016, and

WHEREAS, the Department of Public Works is desirous of extending the term of the aforementioned contract to December 31, 2017, in order to complete the aforementioned project, at no additional cost to the County, and

WHEREAS, Stantec Consulting Services, Inc., has agreed to complete the aforementioned project by December 31, 2017, 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 Stantec Consulting Services, Inc., for the provision of the above-described services, to extend the term of the contract which commenced February 15, 2007 to terminate December 31, 2017, according to the above-described terms.

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

Adopted November 22, 2016 by voice vote.

ACT NO. 536-2016 by Mr. Klancer and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
WENDEL WD ARCHITECTURE, ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.
FOR 2016 STONE HOUSE CAPITAL IMPROVEMENT PROJECT ENGINEERING SERVICES
(Phase 2 - Façade Improvements)**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 271-2016 authorized a contract with Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C., 375 Essjay Road, Suite 200, Williamsville, New York 14221, for the provision of engineering services necessary for Phase 2 – Façade Improvements of the Stone House capital improvement project, the term of which expires December 31, 2016, and

WHEREAS, the Department of Public Works is desirous of extending the term of the aforementioned contract to May 31, 2017, in order to complete the aforementioned project, at no additional cost to the County, and

WHEREAS, Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C., has agreed to complete the aforementioned project by May 31, 2017, 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 Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C., for the provision of the above-described engineering services, to extend the term of the contract which commenced June 8, 2016 to terminate May 31, 2017, according to the above-described terms.

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

Adopted November 22, 2016 by voice vote.

ACT NO. 537-2016 by Mr. Klancer and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT
WITH GREENMAN-PEDERSEN, INC. FOR
CONSTRUCTION INSPECTION SERVICES FOR 2016 BRIDGE PAINTING PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 171-2016 authorized a contract with Greenman-Pedersen, Inc., 4950 Genesee Street, Suite 100, Buffalo, New York 14225, for the provision of construction inspection services for the 2016 Bridge Painting program, the term of which expires December 31, 2016, and

WHEREAS, additional services were provided by Greenman-Pedersen, Inc., and additional costs in the amount of \$24,983.67 are required in order to complete the project, and

WHEREAS, a contract amendment is necessary in order to cover the aforementioned additional costs, 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-Pedersen, Inc., for the provision of the above-described additional services, to amend the contract which commenced April 1, 2016 and terminates December 31, 2016, according to the above-described terms.

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

Adopted November 22, 2016 by voice vote.

ACT NO. 538-2016 by Mr. Klancer and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH DUCKS UNLIMITED, INC. FOR
WETLAND MITIGATION FOR COUNTY ROAD NO. 13 PROJECT**

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

WHEREAS, the County Department of Public Works is reconstructing approximately 1.3 miles of County Road No. 13 (Maples Road) in the Town of Mansfield that impacts certain federal wetlands, and

WHEREAS, the County is required to purchase 1.7 acres of wetlands to offset this impact, and

WHEREAS, the Army Corps of Engineers will allow the acquisition to be in the Conewango-Pennsylvania River basin, and

WHEREAS, Ducks Unlimited, Inc., Great Lakes/Atlantic Regional Office, 1220 Eisenhower Place, Ann Arbor, Michigan 48108, will sell 1.7 acres of wetland and stream mitigation credits for an amount of \$72,000.00 per acre for a total cost of \$122,400.00, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned purchase, 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 Ducks Unlimited, Inc., to purchase 1.7 acres of wetlands for the County Road No. 13 reconstruction project, for a term commencing November 22, 2016 and terminating December 31, 2017, according to the above-described terms.

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

Adopted November 22, 2016 by voice vote.

ACT NO. 539-2016 by Ms. Vickman and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
HEALTHY COMMUNITY ALLIANCE, INC. FOR MANAGEMENT OF
DEPARTMENT OF AGING SENIOR WELLNESS AND NUTRITION PROGRAM SITE**

Pursuant to Section 95-a of the General Municipal Law, Title III-C
of the Older Americans Act of 1965, as amended and
Sections 215 and 450 of the County Law.

WHEREAS, Act 590-2015 authorized a lease and staffing agreement with Healthy Community Alliance, Inc., Academy Place, 1 School Street, Suite 100, Gowanda, New York 14070, for the management of a Senior Wellness and Nutrition Program (SWAN) site in the Gowanda area for the Department of Aging, the term of which expires December 31, 2016, and

WHEREAS, the Department of Aging is desirous of continuing the staffing agreement for the management of the Gowanda SWAN site, and

WHEREAS, Healthy Community Alliance, Inc., shall continue providing for the management of, and part-time personnel to staff, the Gowanda SWAN site for an amount not to exceed \$22,178.00, to be paid on a quarterly basis, as invoiced, and

WHEREAS, this program is 90% federal (CFDA #93.045) and 10% County funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Healthy Community Alliance, Inc., for the management of the Gowanda SWAN site, contingent upon and subject to the inclusion in the 2017 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2017 and terminating December 31, 2017, according to the above-described terms, and be it further

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

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

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

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

Adopted November 22, 2016 by voice vote. Ms. Hastings abstained from vote.

ACT NO. 540-2016 by Ms. Vickman and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COMMUNITY ACTION, INC. FOR
COORDINATION OF HOME DELIVERED MEALS PROGRAM**

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

WHEREAS, Act 589-2015 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the coordination of home-delivered meals in the Salamanca area, the term of which expires December 31, 2016, and

WHEREAS, the County Department of Aging is desirous of continuing the provision of home delivered meals in the Salamanca area, and

WHEREAS, Cattaraugus Community Action, Inc., can provide for the coordination of the home delivered meal program, volunteer coordination and transportation reservations in the Salamanca area for an annual amount not to exceed \$9,502.00 for two (2) hours per day of operation, which includes all wages, fringe benefits, travel, phone and administration costs, to be paid on a monthly basis as invoiced, and

WHEREAS, this program is 90% federal (CFDA #93.045) and 10% County funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, with Cattaraugus Community Action, Inc., for the provision of the above-described services, contingent upon and subject to the inclusion in the 2017 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2017 and terminating December 31, 2017, according to the above-described terms, and be it further

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

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

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

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

Adopted November 22, 2016 by voice vote.

ACT NO. 541-2016 by Ms. Vickman and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENTS WITH
VARIOUS ENTITIES FOR DEPARTMENT OF AGING
SENIOR WELLNESS AND NUTRITION PROGRAM SITES**

Pursuant to Section 95-a of the General Municipal Law, Title III-C
of the Older Americans Act of 1965, as amended and
Sections 215 and 450 of the County Law.

WHEREAS, Acts 169-2015, 591-2015 and 667-2015, authorized lease agreements with various entities for the leasing of County Department of Aging Senior Wellness and Nutrition Program sites in the County, the terms of which expire December 31, 2016, and

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

WHEREAS, the following various entities have agreed to renew the aforementioned lease agreements, as follows:

<u>SITE</u>	<u>2017 RATE</u>
Village of Little Valley Municipal Building Rock City Street Little Valley, New York 14755	\$223/mo.
Jeff Buncy 2206 Chaney Drive, #459 Ruskin, Florida 33570 <i>or</i> 10086 Blue Street Delevan, New York 14042	\$360/mo. plus \$175/mo. for utilities
Free Methodist Church 327 Pine Street, P.O. Box 261 South Dayton, New York 14138	\$250/mo.
Portville Lodge #579 F.& A.M. 14 Temple Street Portville, New York 14770	\$446/mo.
Healthy Community Alliance Academy Place 1 School Street Gowanda, New York 14070	\$478/mo.
Town of Randolph 72 Main Street Randolph, New York 14772	\$507/mo.

Presbyterian Church 25 South Main Street Franklinville, New York 14737	\$457.73/mo. plus \$13.27/mo. cleaning fee
St. Paul's United Methodist Church 9372 Route 240 West Valley, New York 14171	\$353/mo.
Cattaraugus Rehabilitation Center, Inc. 1439 Buffalo Street Olean, New York 14760	\$361/mo.
Village of Cattaraugus 14 Main Street Cattaraugus, New York 14719	\$287/mo.

and

WHEREAS, this program is 46% federal (CFDA #93.045) and 49% state and 5% county funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute lease agreements, on behalf of Cattaraugus County, with the above-listed various entities, for the leasing of Senior Wellness and Nutrition Program sites, contingent upon and subject to the inclusion in the 2017 budget of sufficient funds to cover the costs of the aforementioned lease payments, for a term commencing January 1, 2017 and terminating December 31, 2017, according to the above-described terms, and be it further

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

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

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

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

Adopted November 22, 2016 by voice vote.

ACT NO. 542-2016 by Ms. Vickman and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
JAMESTOWN COMMUNITY COLLEGE FOR
STAFF DEVELOPMENT AND TRAINING COORDINATOR SERVICES**

Pursuant to Section 112 of the Social Services Law and
Section 450 of the County Law.

WHEREAS, Act 478-2015 authorized a contract with Jamestown Community College for an employee education and training program, the term of which expires December 31, 2016, and

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

WHEREAS, Jamestown Community College, P.O. Box 5901, 260 North Union Street, Olean, New York 14760, has agreed to provide a full-time training coordinator who will provide the above-described staff development services to employees of the Cattaraugus County Department of Social Services, and

WHEREAS, the maximum amount for 2017 is \$100,503.00, of which \$70,353.00 is charged to the Cattaraugus County Department of Social Services, and

WHEREAS, this program is 70% federally (CFDA #93.575) and 30% state reimbursable, 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 Jamestown Community College, for the provision of the above-described employee education program, contingent upon and subject to the inclusion in the 2017 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2017 and terminating December 31, 2017, according to the above-described terms, and be it further

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

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

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

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

Adopted November 22, 2016 by voice vote. Ms. Hastings abstained from vote.

ACT NO. 543-2016 by Ms. Vickman and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
GENESIS HOUSE OF OLEAN, INC. FOR HOMELESS SHELTER SERVICES FOR
DEPARTMENT OF SOCIAL SERVICES ELIGIBLE RECIPIENTS**

Pursuant to Article 2-A of the Social Services Law and
Section 450 of the County Law.

WHEREAS, Act 596-2015 authorized a contract with the Genesis House of Olean, Inc., for the provision of homeless shelter services for eligible recipients, the term of which expires December 31, 2016, and

WHEREAS, the County Department of Social Services is desirous of continuing the aforementioned homeless shelter services, and

WHEREAS, Genesis House of Olean, Inc., 107 South Barry Street, Olean, New York 14760, can provide homeless shelter services on an as-needed basis in accordance with the following rate schedule:

Single Person	\$50.00 per night
Family (any size)	\$70.00 per night
After 15 Days	\$35.00 per night
Hotel reimbursement in emergency situations at a reasonable rate for a maximum of 3 nights,	

and

WHEREAS, the above-described services for families are 50% federal (CFDA #93.558), 25% state and 25% local funded and for individuals are 50% state and 50% local funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Genesis House of Olean, Inc., for the provision of the above-described services, contingent upon and subject to the inclusion in the 2017 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2017 and terminating December 31, 2017, according to the above-described terms, and be it further

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

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

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

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

Adopted November 22, 2016 by voice vote.

ACT NO. 544-2016 by Ms. Vickman and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COMMUNITY ACTION, INC. FOR DEPARTMENT OF SOCIAL SERVICES
SHELTER AND TRANSITIONAL SERVICES FOR HOMELESS INDIVIDUALS**

Pursuant to Article 2-A of the Social Services Law and
Section 450 of the County Law.

WHEREAS, Act 658-2015 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the provision of shelter and transitional services for homeless individuals, the term of which expires December 31, 2016, and

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

WHEREAS, Cattaraugus Community Action, Inc., can provide homeless shelter and transitional services on an as-needed basis in accordance with the following rate schedule:

Shelter Services	\$60.00 per day
Single Residence Occupancy	\$200.00 per month,

and

WHEREAS, the above-described services are 29% state and 71% County funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Cattaraugus Community Action, Inc., for the provision of the above-described services, contingent upon and subject to the inclusion in the 2017 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2017 and terminating December 31, 2017, according to the above-described terms, and be it further

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

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

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

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

Adopted November 22, 2016 by voice vote.

ACT NO. 545-2016 by Ms. Vickman and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
J.D. GALLEGOS, LLC,¹ FOR TANF ELIGIBLE DRUG/ALCOHOL
SCREENING AND CASE MANAGEMENT**

Pursuant to 29 USCS 1604 and Section 450 of the County Law.

WHEREAS, Act 656-2015 authorized a contract with Judith Gallegos for the provision of drug/alcohol screening and comprehensive case management for all public assistance adult applicants/recipients, the term of which expires December 31, 2016, and

WHEREAS, the County Department of Social Services is required to provide the aforementioned services pursuant to the Welfare Reform Act of 1996, and

WHEREAS, *J.D. Gallegos, LLC¹*, 9572 Main Street, Machias, New York 14101, an independent contractor, has agreed to continue providing drug/alcohol screening and comprehensive case management for all public assistance adult applicants/recipients for a total annual amount not to exceed \$59,000.00, to be paid on a bi-weekly basis as invoiced, and

WHEREAS, the aforementioned services are 100% federally funded (CFDA #93.558), now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with *J.D. Gallegos, LLC*¹, for the provision of the above-described services, contingent upon and subject to the inclusion in the 2017 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2017 and terminating December 31, 2017, according to the above-described terms, and be it further

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

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

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

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

¹MS. VICKMAN moved, seconded by Mr. Hale, to amend as follows: In the title, Third Whereas, and First Resolved, delete: "Judith Gallegos", and replace with: "J.D.Gallegos, LLC". Carried.

Adopted, as amended, November 22, 2016 by voice vote.

ACT NO. 546-2016 by Ms. Vickman and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
REHABILITATION TODAY, PT, OT, REGISTERED NURSING, PLLC, FOR
HEALTH DEPARTMENT HOME HEALTH CARE PROGRAM OCCUPATIONAL SERVICES**

Pursuant to 10 NYCRR 763.3, Section 3602 of the Public Health Law
and Section 450 of the County Law.

WHEREAS, Act 552-2015 authorized a contract with Rehabilitation Today, PT, OT, Registered Nursing, PLLC, 2416 Constitution Avenue, Olean, New York 14760, for the provision of occupational therapy services to patients of the County Health Department Home Health Care Program, the term of which expires December 31, 2016, and

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

WHEREAS, Rehabilitation Today, PT, OT, Registered Nursing, PLLC, has agreed to provide occupational therapy services to Cattaraugus County Health Department patients at the following rates:

<u>Service</u>	<u>2016 Rate</u>	<u>2017 Rate</u>
Occupational Therapist	\$76.00 per visit	\$76.00 per visit
Occupational Therapy Assistant	\$76.00 per visit	\$76.00 per visit
Attendance at Meetings	\$31.00 per hour	\$31.00 per hour
Office Visits:		
per standard visit -	\$60.00 per visit	\$60.00 per visit
(any combination of modalities and/or procedures; CHAA or patient to provide all dressings and ointments)		

per short visit - (less than 15 minutes)	\$40.00 per visit	\$40.00 per visit
Office Visit Evaluations	\$75.40 per visit	\$75.40 per visit
Recruitment & Retention (to be determined by NYSDOH), and		

WHEREAS, if Rehabilitation Today, PT, OT, Registered Nursing, PLLC, refuses any occupational therapy visits during the term of the 2017 contract, then the rates for such services shall revert back to the base rate of \$68/visit for the duration of the contract, and

WHEREAS, this program is funded through a variety of sources, including, but not limited to, state and federal funding, private pay, private and third-party insurance and 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 Rehabilitation Today, PT, OT, Registered Nursing, PLLC, for the provision of the above-described services, contingent upon and subject to the inclusion in the 2017 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2017 and terminating December 31, 2017, according to the above-described terms, and be it further

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

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

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

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

Adopted November 22, 2016 by voice vote.

ACT NO. 547-2016 by Ms. Vickman and Mrs. Labuhn
and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
OLEAN GENERAL HOSPITAL FOR HEALTH DEPARTMENT
NUTRITION, PHYSICAL, OCCUPATIONAL AND SPEECH THERAPY SERVICES**

Pursuant to 10 NYCRR Section 763.3 and Section 450 of the County Law.

WHEREAS, Act 662-2015 authorized the Chair to execute a contract with Olean General Hospital, 515 Main Street, Olean, New York 14760, for the provision of outpatient physical therapy services for patients in the Health Department's Home Care Program, the term of which expires December 31, 2016, and

WHEREAS, the Health Department is desirous of continuing the aforementioned services, and

WHEREAS, Olean General Hospital can provide nutrition, physical, occupational and speech therapy services, as follows:

OUTPATIENT	
Outpatient Physical Therapy	\$48/standard office visit \$21/short office visit (less than 15 min.)
HOME VISITS	
Physical Therapy Home Visits	\$68/visit
Physical Therapy Evaluations	\$70/each
Occupational Therapy Home Visits	\$68/visit
Occupational Therapy Evaluations	\$70/each
Speech Therapy Home Visits	\$68/visit
Speech Therapy Evaluations	\$70/each
Nutritionist Education/Counseling	\$90/visit
Nutritionist Evaluations/Assessment	\$90/visit
CONSULTING SERVICES	
Qualified Medical Record Practitioner	\$68/hour
MEETINGS	
Attendance at meetings	\$28/hour,

and

WHEREAS, Olean General Hospital shall be paid on a monthly basis, as invoiced, in accordance with the rates listed above for services rendered, which are inclusive of all costs, 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 Olean General Hospital, for the provision of the above-described services, contingent upon and subject to the inclusion in the 2017 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2017 and terminating December 31, 2017, according to the above-described terms, and be it further

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

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

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

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

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

Adopted November 22, 2016 by voice vote.

ACT NO. 548-2016 by Ms. Vickman and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CAROLINE J. WOODHEAD, M.S. CCC-SLP, FOR
HEALTH DEPARTMENT SPEECH THERAPY SERVICES**

Pursuant to 10 NYCRR 763.3, Section 3602 of the Public Health Law
and Section 450 of the County Law.

WHEREAS, 661-2015 authorized a contract with Caroline J. Woodhead, M.S. CCC-SLP, 13 Temple Street, P.O. Box 136, Portville, New York 14770, for the provision of speech therapy services for the patients of the Health Department Home Health Care Program, the term of which expires December 31, 2016, and

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

WHEREAS, Caroline J. Woodhead, M.S. CCC-SLP, has agreed to continue providing speech therapy services to Cattaraugus County Health Department patients at the rate of \$72.83 per visit, and

WHEREAS, this program is funded through a variety of sources, including, but not limited to, state and federal funding, private pay, private and third-party insurance and 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 Caroline J. Woodhead, M.S. CCC-SLP, contingent upon and subject to the inclusion in the 2017 budget of sufficient funds to cover the costs of the aforementioned services, for the provision of the above-described services, for a term commencing January 1, 2017 and terminating December 31, 2017, according to the above-described terms, and be it further

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

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

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

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

Adopted November 22, 2016 by voice vote.

ACT NO. 549-2016 by Ms. Vickman and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
BRIAN GARIEPY, P.T. FOR HEALTH DEPARTMENT
PHYSICAL THERAPY SERVICES**

Pursuant to 10 NYCRR Section 763.3,
Section 3602 of the Public Health Law and
Section 450 of the County Law.

WHEREAS, Act 543-2015 authorized a contract with Brian Gariepy, P.T., 1426 Promised Land Acres, Olean, New York 14760, for the provision of physical therapy services for the patients of the County Health Department’s Long-Term Home Health Care Program, the term of which expires December 31, 2016, and

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

WHEREAS, Brian Gariepy, P.T., has agreed to provide the aforementioned physical therapy services for an amount as follows:

<u>Service</u>	<u>2016 Rate</u>	<u>2017 Rate</u>
Physical Therapist	\$73.92 per visit	\$73.92 per visit
Evaluations	\$73.92 per evaluation	\$73.92 per evaluation
PT only admission visit	\$100 per visit	\$100 per visit
Attendance at Meetings	\$28 per hour	\$28 per hour
Recruitment & Retention as established by Medicaid,		

and

WHEREAS, this program is funded through a variety of sources, including, but not limited to, state and federal funding, private pay, private and third-party insurance and 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 Brian Gariepy, P.T., for the provision of the above-described physical therapy services, contingent upon, and subject to, inclusion in the 2017 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2017 and terminating December 31, 2017, according to the above-described terms, and be it further

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

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

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

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

Adopted November 22, 2016 by voice vote.

ACT NO. 550-2016 by Ms. Vickman and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH JAMESTOWN COMMUNITY COLLEGE FOR
HEALTH DEPARTMENT PERFORMANCE MANAGEMENT TRAINING**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Health Department is desirous of providing performance management training to some of its employees, and

WHEREAS, Jamestown Community College, Center for Continuing Education, 260 North Union Street, Olean, New York 14760, can provide performance management training specifically the Public Health and Turning Point model for an amount of \$450.00, to be paid as invoiced, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned training, 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 Jamestown Community College for the provision of the above-described services, for a term commencing November 22, 2016 and terminating upon completion of the training on November 22, 2016, according to the above-described terms.

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

Adopted November 22, 2016 by voice vote. Ms. Hastings abstained from vote.

ACT NO. 551-2016 by Ms. Vickman and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
OLEAN GENERAL HOSPITAL FOR
LABORATORY, RADIOLOGY AND MAMMOGRAPHY SERVICES
FOR HEALTH DEPARTMENT FAMILY PLANNING CLINIC**

Pursuant to 10 NYCRR Part 763 and Section 450 of the County Law.

WHEREAS, Act 547-2015 authorized a contract with Olean General Hospital, 515 Main Street, Olean, New York 14760, for the provision of laboratory, radiology and mammography services for the County Health Department, the term of which expires December 31, 2016, and

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

WHEREAS, the Olean General Hospital can provide the aforementioned laboratory, radiology and mammography services at the Olean General Hospital's approved Medicaid rate, and

WHEREAS, this program is 31% federal (CFDA #93.217 and #93.994) and 69% state funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Olean General Hospital, for the provision of the above-described services, contingent upon and subject to the inclusion in the 2017 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2017 and terminating December 31, 2017, according to the above-described terms, and be it further

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

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

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

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

Adopted November 22, 2016 by voice vote.

ACT NO. 552-2016 by Ms. Vickman and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
HEALTHY COMMUNITY ALLIANCE, INC. FOR
HEALTH DEPARTMENT REPRODUCTIVE HEALTH EDUCATOR**

Pursuant to 10 NYCRR Part 40-1 and
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 438-2015 authorized a contract with Healthy Community Alliance, Inc., 1 School Street, Suite 100, Gowanda, New York 14070, for the provision of services of a Reproductive Health Educator for the County Health Department family planning clinics, the term of which expires December 31, 2016, and

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

WHEREAS, Healthy Community Alliance, Inc., has agreed to perform the aforementioned reproductive health educator services for the family planning clinics, for a total amount not to exceed \$61,463.00, which includes all work-related expenses:

*Approved work-related expenses will be reimbursed at cost, including approved work-related cell phone usage;

*Mileage will be reimbursed at the established rate of \$0.485/mile;

*Any overnight travel must have prior approval of the County Public Health Director or the Director's designee, and must have an authorization attached, prior to reimbursement,

and

WHEREAS, this program is 31% federal (CFDA #93.217 and #93.994) and 69% state funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Healthy Community Alliance, Inc., for the provision of the above-described services, contingent upon and subject to the inclusion in the 2017 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2017 and terminating December 31, 2017, according to the above-described terms, and be it further

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

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

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

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

Adopted November 22, 2016 by voice vote. Ms. Hastings abstained from vote.

ACT NO. 553-2016 by Ms. Vickman¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH THE REHABILITATION CENTER, INC.
FOR LINWOOD SOCIAL DAY CARE PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 545-2015 authorized a contract with The Rehabilitation Center, Inc., 1439 Buffalo Street, Olean, New York 14760, for the provision of social day care services through the Linwood Center Adult Day Care Program, the term of which expires December 31, 2016, and

WHEREAS, the Department of Health, through its Long-Term Home Health Care Program, hereinafter referred to as "LTHHCP", is charged with the responsibility, insofar as funds are available for the purpose, to administer such care, treatment and services in the home that might be necessary to maintain eligible patients, and

WHEREAS, social day care, transportation, and congregate meal services qualify as additional services provided under Federal waiver to address other currently unmet social, nutritional and environmental needs of the patients, and

WHEREAS, The Rehabilitation Center, Inc., shall provide social day care services through the Linwood Center Adult Day Care Program, for an amount in accordance with the established Medicaid rate for social day care services (currently at \$39.88 per day), and

WHEREAS, these programs are funded by NYS Medicaid LTHHCP, 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 Rehabilitation Center, Inc., for the provision of the above-described social day care services, contingent upon and subject to the inclusion in the 2017 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2017 and terminating December 31, 2017, according to the above-described terms, and be it further

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

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

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

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

¹The following Legislator requested her name be removed as a sponsor: "Mrs. Labuhn".

Adopted November 22, 2016 by voice vote. Mrs. Labuhn abstained from vote.

ACT NO. 554-2016 by Ms. Vickman and Mrs. Labuhn
and Mr. Koch¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SENECA NATION AREA OFFICE OF AGING FOR
DEPARTMENT OF HEALTH HOME DELIVERED MEALS PROGRAM**

Pursuant to Section 119-o of the General Municipal Law and
Section 450 of the County Law.

WHEREAS, Act 544-2015 authorized a contract with the Seneca Nation Area Office of Aging, 28 Thomas Indian School Drive, Irving, New York 14081, for the preparation and delivery of a noon meal in the areas contiguous to Cattaraugus County, the term of which expires December 31, 2016, and

WHEREAS, the County Health Department is desirous of continuing the provision of home delivered meals to clients of the Long Term Home Health Care Program who reside on or near the Cattaraugus Territory of the Seneca Nation of Indians, and

WHEREAS, the Seneca Nation Area Office of Aging has agreed to provide for the preparation and delivery of a noon meal in the areas contiguous to Cattaraugus County five (5) days per week, at the current Medicaid rate per delivered meal, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Seneca Nation Area Office of Aging, for the provision of the above-described services, contingent upon and subject to the inclusion in the 2017 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2017 and terminating December 31, 2017, according to the above-described terms, and be it further

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

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

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

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

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

Adopted November 22, 2016 by voice vote.

ACT NO. 555-2016 by Ms. Vickman and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
TOTAL SENIOR CARE, INC. FOR
HOME CARE THERAPY SERVICES**

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

WHEREAS, Act 538-2015 authorized a contract with Total Senior Care, Inc., 519 North Union Street, Olean, New York 14760, for the operation of the PACE Program for the Health Department, the term of which expires December 31, 2016, and

WHEREAS, Total Senior Care, Inc., is authorized by New York State Department of Health and the Centers for Medicare and Medicaid Services to operate a Program for All Inclusive Care for the Elderly (PACE Program) as a comprehensive program of services to participants, and

WHEREAS, Total Senior Care, Inc., is desirous of obtaining home care therapy services from the County Department of Health for PACE Program participants, and

WHEREAS, the Department of Health has agreed to provide the following home care therapy services to PACE Program participants in accordance with current New York State Medicaid rates, and a negotiated rate of \$82.00 per visit for LPN 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 Total Senior Care, Inc., for the provision of the above-described in-home nursing and therapy services, contingent upon and subject to the inclusion in the 2017 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2017 and terminating December 31, 2017, according to the above-described terms.

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

Adopted November 22, 2016 by voice vote. Mr. Padlo abstained from vote.

ACT NO. 556-2016 by Ms. Vickman and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
DOYLE SECURITY SYSTEMS, INC. FOR
PERSONAL EMERGENCY RESPONSE UNITS MONITORING SERVICES
FOR DEPARTMENTS OF HEALTH, AGING AND SOCIAL SERVICES**

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

WHEREAS, Act 546-2015, *as amended by Act 296-2016*,¹ authorized a contract with Doyle Security Systems, Inc., 792 Calkins Road, Rochester, New York 14623, for the provision of various

services to the County Departments of Health, Aging and Social Services, the term of which expires December 31, 2016, and

WHEREAS, the County Departments of Health, Aging and Social Services are desirous of continuing the aforementioned services, and

WHEREAS, Doyle Security Systems, Inc., has agreed to provide services to the County Departments of Health, Aging and Social Services, as follows:

<u>Category of Service</u>	<u>2016 Rate</u>	<u>2017 Rate</u>
<u>HEALTH DEPARTMENT</u>		
<i>PERS Monitoring</i>	<i>\$18/month/unit</i>	<i>\$18/month/unit</i>
<i>Electronic Medication Monitoring</i>	<i>\$49/month/unit</i>	<i>\$49/month/unit</i>
<i>Telguard TG-P Cellular Communicator Monitoring</i>	<i>\$10/month/unit</i>	<i>\$10/month/unit</i>
<i>Fall Prevention PERS Monitoring Unit</i>	<i>\$23/month/unit</i>	<i>\$23/month/unit</i>
<i>GPS PERS Monitoring Unit</i>	<i>\$35/month/unit</i>	<i>\$35/month/unit</i>
<u>SOCIAL SERVICES</u>		
<i>PERS Monitoring</i>	<i>\$18/month/unit</i>	<i>\$18/month/unit</i>
<i>Electronic Medication Monitoring</i>	<i>\$49/month/unit</i>	<i>\$49/month/unit</i>
<i>Telguard TG-P Cellular Communicator Monitoring</i>	<i>\$10/month/unit</i>	<i>\$10/month/unit</i>
<i>Fall Prevention PERS Monitoring Unit</i>	<i>\$23/month/unit</i>	<i>\$23/month/unit</i>
<i>GPS PERS Monitoring Unit</i>	<i>\$35/month/unit</i>	<i>\$35/month/unit</i>
<u>DEPARTMENT OF AGING</u>		
<i>PERS Monitoring (Expanded In-Home Services for the Elderly Program)</i>	<i>\$15/month/unit</i>	<i>\$15/month/unit</i>
<i>Telguard TG-P Cellular Communicator Monitoring</i>	<i>\$10/month/unit</i>	<i>\$10/month/unit</i>
<i>Fall Prevention PERS Monitoring Unit</i>	<i>\$20/month/unit</i>	<i>\$20/month/unit</i>
<i>GPS PERS Monitoring Unit</i>	<i>\$35/month/unit</i>	<i>\$35/month/unit¹</i>

and

WHEREAS, this program is 75% state and 25% county funded for the Department of Aging’s portion of expenses, 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 Doyle Security Systems, Inc., for the provision of the above-described services, contingent upon and subject to the inclusion in the 2017 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2017 and terminating December 31, 2017, according to the above-described terms, and be it further

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

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

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

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

¹MS. VICKMAN moved, seconded by Mr. Hale, to amend as follows: In the first Whereas, add: “, as amended by Act 296-2016,”; and in the Third Whereas, delete the rate schedule, and replace with new rate schedule. Carried.

Adopted, as amended, November 22, 2016 by voice vote.

ACT NO. 557-2016 by Ms. Vickman and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
JAMESTOWN REHAB SERVICES, PT, OT, SLP, PLLC, FOR
HEALTH DEPARTMENT HOME HEALTH CARE PROGRAM
THERAPY SERVICES**

Pursuant to 10 NYCRR 763.3, Section 3602 of the Public Health Law
and Section 450 of the County Law.

WHEREAS, Act 540-2015 authorized a contract with Jamestown Rehab Services, PT, OT, SLP, PLLC, 4482 Kathaleen Street, Hamburg, New York 14075, for the provision of various therapy services for the patients of the Health Department Home Health Care Program, the term of which expires December 31, 2016, and

WHEREAS, the County Department of Health is desirous of continuing the provision of physical, occupational and speech therapy services, and

WHEREAS, Jamestown Rehab Services, PT, OT, SLP, PLLC, has agreed to provide physical, occupational and speech therapy services to Cattaraugus County Health Department patients at the following rates:

<u>Service</u>	<u>2016 Rate</u>	<u>2017 Rate</u>
Physical Therapist	\$75.40/visit	\$76.53/visit
Occupational Therapist	\$75.40/visit	\$76.53/visit
Speech Therapist	\$75.40/visit	\$76.53/visit
Attendance at Meetings	\$30.16/hour	\$30.61/hour
Evaluations	\$75.40/visit	\$76.53/visit
PT only admission visit	\$105.60/visit	\$107.18/visit
Recruitment & Retention (to be determined by NYSDOH),		

and

WHEREAS, if Jamestown Rehab Services, PT, OT, SLP, PLLC, refuses any physical therapy home care cases, occupational therapy visits or speech therapy services during the term of the 2017 contract, then the rates for such services shall revert back as follows for the duration of the contract:

Physical Therapy Services	Base Rate of \$68/visit
Occupational Therapy Services	Base Rate of \$68/visit
Speech Therapy Services	Base Rate of \$68/visit
Physical Therapy Assistant Services	Base Rate of \$45/visit,

and

WHEREAS, this program is funded through a variety of sources, including, but not limited to, state and federal funding, private pay, private and third-party insurance and 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 Jamestown Rehab Services, PT, OT, SLP, PLLC, for the provision of the above-described services, contingent upon and subject to the inclusion in

the 2017 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2017 and terminating December 31, 2017, according to the above-described terms, and be it further

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

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

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

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

Adopted November 22, 2016 by voice vote.

ACT NO. 558-2016 by Ms. Vickman and Mrs. Labuhn

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

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

WHEREAS, Act 304-2015 authorized the Chair to execute a contract with the New York State Department of Health and various entities for the Early Intervention Program (EIP) administration, the term of which expired September 30, 2016, and

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

WHEREAS, the 2016-2017 funding for the County Health Department is \$33,377.00 to continue a system to gather quality information about children with special health care needs in Cattaraugus County, and

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

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the New York State Department of Health, in order to obtain the aforementioned funding for the Early Intervention Programs, for a term commencing October 1, 2016 and terminating September 30, 2017, according to the above-described terms, and be it further

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

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

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

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

Adopted November 22, 2016 by voice vote.

ACT NO. 559-2016 by Ms. Vickman and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
VARIOUS ENTITIES FOR HEALTH DEPARTMENT WIC CLINIC SPACE**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 548-2015 authorized contracts with various entities for the utilization of space for the Health Department's WIC Program, the terms of which expire December 31, 2016, and

WHEREAS, the County Health Department is desirous of continuing the WIC program in various areas of Cattaraugus County, and

WHEREAS, the entities listed below have agreed to allow the County Health Department to utilize space in their facilities for WIC clinics:

	<u>2016 Rate</u>	<u>2017 Rate</u>
Franklinville Free Methodist Church 41 South Main Street Franklinville, New York 14737	\$300/year	\$300/year
Gowanda Free Methodist Church 149 West Main Street Gowanda, New York 14070	\$75/day of use	\$75/day of use
Roberts Memorial Free Methodist Church 111 South Street Cattaraugus, New York 14719	\$100/year	\$100/year
Town of Randolph 72 Main Street Randolph, New York 14772	No Cost	No Cost
United Methodist Church of Little Valley 109 Court Street Little Valley, New York 14755	\$50/month	\$50/month
Delevan Baptist Church P.O. Box 335 18 Church Street Delevan, New York 14042,	No Cost	No Cost

and

WHEREAS, this program is 96.53% federal (CFDA #10.557) and 3.47% state funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with the above-listed various entities for the utilization of the aforementioned space, contingent upon and subject to the inclusion in the 2017 budget of sufficient funds to cover the costs of the aforementioned space, for a term commencing January 1, 2017 and terminating December 31, 2017, according to the above-described terms, and be it further

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

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

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

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

Adopted November 22, 2016 by voice vote.

ACT NO. 560-2016 by Ms. Vickman and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COUNTY SOIL AND WATER CONSERVATION DISTRICT
FOR HEALTH DEPARTMENT WATER RESOURCE SPECIALIST**

Pursuant to Sections 224 (8)(e) and 450 of the County Law.

WHEREAS, Act 542-2015 authorized a contract with the Cattaraugus County Soil and Water Conservation District, USDA Service Center Building, 8 Martha Street, Ellicottville, New York 14731, for the provision of a Water Resource Specialist to coordinate the public water supply inspection, monitoring and surveillance program and ensure fulfillment of all NYS drinking water enhancement grant work plan deliverables, the term of which expires December 31, 2016, and

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

WHEREAS, the Cattaraugus County Soil and Water Conservation District can provide a Water Resource Specialist to provide the aforementioned services for a total amount not to exceed \$68,478.00, which includes all work-related expenses:

*Approved work-related expenses will be reimbursed at cost, including approved work-related cell phone usage;

*Mileage will be reimbursed at the rate of \$0.54/mile;

*Any overnight travel must have prior approval of the County Public Health Director or the Director's designee, and must have an authorization attached, prior to reimbursement,

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Cattaraugus County Soil and Water Conservation District, for the provision of the above-described services, contingent upon and subject to the inclusion in the 2017 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2017 and terminating December 31, 2017, according to the above-described terms, and be it further

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

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

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

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

Adopted November 22, 2016 by voice vote.

ACT NO. 561-2016 by Ms. Vickman and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CHAUTAUQUA COUNTY FOR HEALTH DEPARTMENT
LEAD RISK ASSESSMENT SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 536-2015 authorized a contract with Chautauqua County, County Office Building, 7 North Erie Street, Mayville, New York 14757, for the provision of lead risk assessment services, the term of which expires December 31, 2016, and

WHEREAS, the County Health Department is responsible for investigating possible lead poisoning situations, and

WHEREAS, Chautauqua County has equipment and personnel trained for the provision of lead risk assessment services, and

WHEREAS, the County Health Department is desirous of contracting with Chautauqua County for the provision of the aforementioned services, and

WHEREAS, Chautauqua County can perform the aforementioned lead risk assessment services, on an as-needed basis, for an amount of \$30.00 per hour plus work-related mileage at the prevailing IRS rate, not to exceed a total contact amount of \$3,000.00, to be paid as invoiced, and

WHEREAS, the County shall also reimburse Chautauqua County a maximum amount of \$10.00 (including tip) for meals and shipping or analytical fees associated with any required dust wipe, soil or water samples, and

WHEREAS, this program is 36.04% federal (CFDA #93.994) and 63.96% state funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Chautauqua County, for the provision of

the above-described services, contingent upon and subject to the inclusion in the 2017 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2017 and terminating December 31, 2017, according to the above-described terms, and be it further

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

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

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

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

Adopted November 22, 2016 by voice vote.

ACT NO. 562-2016 by Ms. Vickman and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
WILLCARE, INC. FOR HOME HEALTH CARE SERVICES**

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

WHEREAS, Act 663-2015 authorized a contract with Willcare, Inc., 346 Delaware Avenue, Buffalo, New York 14202, for the provision of home health care services, the term of which expires December 31, 2016, and

WHEREAS, the County Departments of Health, Aging and Social Services are desirous of continuing the aforementioned services, and

WHEREAS, Willcare, Inc., has agreed to provide home health care services to Cattaraugus County in accordance with the following rate limits and terms:

<u>Level of Care</u>	<u>2016 Rates**</u>	<u>2017 Rates**</u>
Home Attendant/Housekeeper (Personal Care 1)	\$18.92/hr.	\$19.30/hr.
Personal Care Aide (Personal Care 2)	\$19.41/hr.	\$19.80/hr.
Shared Aide –1/4 hour (Personal Care 1)	\$ 4.73/¼ hr.	\$ 4.82/¼ hr.
Shared Aide –1/4 hour (Personal Care 2)	\$ 4.86/¼ hr.	\$ 4.96/¼ hr.
Certified Home Health Aide	\$19.98/hr.	\$20.38/hr.
Registered Nurse (RN) (Health Dept)	\$38.05/hr.++	\$38.05/hr.++
Registered Nurse (RN) (DSS)	\$26.52/hr.	\$26.52/hr.
Licensed Practical Nurse (LPN) (Health Dept)	\$26.78/hr.++	\$26.78/hr.++
Licensed Practical Nurse (LPN) (DSS)	\$21.42/hr.	\$21.42/hr.
Nursing Supervision Visit	\$64.77/hr.	\$66.07/hr.
Show-up policy clause if we do not attempt to contact you for cancellation and we are aware patient will not be there		Payment for one (1) hour work

++Initial Visit which is less than, or equal to, 1 hour will be billed at 1 hour rate

**Actual base Medicaid rates as initially established by the State Department of Health to be billed, if lower than caps to all Departments. In addition to the base rate, any recruitment and retention add-on

established by the State Department of Health shall be billed to the Department of Social Services only. Cattaraugus County Department of Health has applied for and receives recruitment and retention add-on funds.

Assumptions:

- In the event the initial Medicaid rates for 2017 as established by the State Department of Health exceed the County rate limits set forth above, the Contractor agrees to submit rate revision requests to the NYSDOH and request the rate(s) be lowered to comply with the Cattaraugus County rate limits set forth above.
- Rates billed to the Medicaid Management Information System (MMIS) for the DSS personal care program are subject to any limitations of the MMIS and will reflect the requirements of 18 NYCRR 505.14.

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 Willcare, Inc. for the provision of the above-described services, contingent upon and subject to the inclusion in the 2017 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2017 and terminating December 31, 2017, and be it further

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

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

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

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

Adopted November 22, 2016 by voice vote.

ACT NO. 563-2016 by Ms. Vickman and Mrs. Labuhn

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

Pursuant to Section 450 of the County Law.

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

WHEREAS, FosterMartin, Inc., 2200 Genesee Street, Utica, New York 13502, can setup a website and provide advertising services for the Health Department WIC program for a total amount of \$7,950.00, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with FosterMartin, Inc., for the provision of the

above-described advertising services, for a term commencing October 1, 2016 and terminating September 30, 2017, according to the above-described terms.

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

Adopted November 22, 2016 by voice vote.

ACT NO. 564-2016 by Ms. Vickman¹
and Mr. Padlo²

**APPROVING AMENDED CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
CATTARAUGUS COUNTY CHAPTER NYSARC, INC. AND
THE CATTARAUGUS REHABILITATION CENTER, INC. FOR PROVISION OF SERVICES
AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

Pursuant to Sections 41.07 and 75.13 of the Mental Hygiene Law and
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 57-2016 authorized approval of a contract with the Cattaraugus County Chapter NYSARC, Inc., and The Cattaraugus Rehabilitation Center, Inc., 1439 Buffalo Street, Olean, New York 14760, for the provision of adult day care services and comprehensive programs and service facilities for the mentally ill, developmentally disabled, and physically handicapped residents of Cattaraugus County and the provision of family support services at the Pioneer Central School, the term of which expires December 31, 2016, and

WHEREAS, the New York State Office of Mental Health and the New York State Office for People with Developmental Disabilities have awarded cost-of-living adjustments (COLAs) to State Aid funding in the amount of \$395.00, for the period January 1, 2016 through December 31, 2016, for a total program amount of \$560,499.00, and

WHEREAS, an amended contract is necessary in order to pass the additional funding on to the Cattaraugus County Chapter NYSARC, Inc., and The Cattaraugus Rehabilitation Center, Inc., and

WHEREAS, the County shall pay to the Cattaraugus County Chapter NYSARC, Inc., and The Cattaraugus Rehabilitation Center, Inc., an additional amount of \$395.00, for a total program amount of \$560,499.00, to be paid on a quarterly basis as invoiced, and

WHEREAS, these programs are 99.3% state funded and 0.7% County funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, between the Cattaraugus County Community Services Board and the Cattaraugus County Chapter NYSARC, Inc., and The Cattaraugus Rehabilitation Center, Inc., to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2016 and terminating December 31, 2016, 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 Accounts:

A.434.4322.0330.3491.620	Day Training, OMRDD Chapter 620	\$ 35.00
A.434.4322.0330.3491.OT620	Day Training, OMRDD Other Than Chapter 620	\$ 40.00
A.434.4322.0670.3490.200	Transportation, OMH Reinvestment	\$ 15.00
A.434.4322.1650.3490.001A	Family Supp Svcs, OMH, Loc Asst Adults	\$ 10.00
A.434.4322.1650.3490.046L	Family Supp Svcs, OMH Community Support C&F	\$107.00
A.434.4322.2620.3490.570	Health Home Non-Medicaid, OMH, Health Homes	\$ 39.00
A.434.4322.2720.3490.034J	Non-Medicaid Care Coord, OMH, Adult Case Mgt	\$119.00
A.434.4322.2740.3490.570	HHCM Service Dollars, OMH, Health Homes	\$ 30.00

Increase Appropriation Accounts:

A.434.4322.0330.42020.620	Rehabilitation Center, OMRDD Chapter 620	\$ 35.00
A.434.4322.0330.42020.OT620	Rehabilitation Center, OMRDD Other Than Chapter 620	\$ 40.00
A.434.4322.0670.42020.200	Rehabilitation Center, OMH Reinvestment	\$ 15.00
A.434.4322.1650.42020.001A	Rehabilitation Center, OMH, Loc Asst Adults	\$ 10.00
A.434.4322.1650.42020.046L	Rehabilitation Center, OMH Community Support C&F	\$107.00
A.434.4322.2620.42020.570	Rehabilitation Center, OMH, Health Homes	\$ 39.00
A.434.4322.2720.42020.034J	Rehabilitation Center, OMH, Adult Case Mgt	\$119.00
A.434.4322.2740.42020.570	Rehabilitation Center, OMH, Health Homes	\$ 30.00.

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

¹The following Legislator requested her name be removed as a sponsor: "Mrs. Labuhn".

²The following Legislator requested his name be listed as an additional sponsor: "Mr. Padlo".

Adopted November 22, 2016 by voice vote. Mrs. Labuhn abstained from vote.

ACT NO. 565-2016 by Ms. Vickman and Mrs. Labuhn

**APPROVING AMENDED CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
OLEAN GENERAL HOSPITAL FOR OPERATION OF
A 24-HOUR TELEPHONE CRISIS HOTLINE AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

Pursuant to Chapter 119 of the Laws of 1997 and
Section 41.13(6) of the Mental Hygiene Law and
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 395-2016 authorized approval for a contract between the Cattaraugus County Community Services Board and the Olean General Hospital for the operation of a 24-hour telephone crisis hotline to service the residents of Cattaraugus County provided pursuant to Article 41 of the Mental Hygiene Law in this hospital, the term of which expires December 31, 2016, and

WHEREAS, the New York State Office of Mental Health has awarded a cost-of-living adjustment (COLA) to State Aid funding in the amount of \$181.00, for the period January 1, 2016 through December 31, 2016, for a total program amount of \$120,837.00, and

WHEREAS, an amended contract is necessary in order to pass the additional funding on to the Olean General Hospital, and

WHEREAS, the County shall pay to the Olean General Hospital an additional amount of \$181.00, for a total program amount of \$120,837.00, to be paid on a quarterly basis as invoiced, and

WHEREAS, this program is 100% state funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract for the year 2016, between the Cattaraugus County Community Services Board and Olean General Hospital, to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2016 and terminating December 31, 2016, 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.435.4322.1760.3490.200	Olean General Hospital, OMH Reinvestment	\$181.00
Increase Appropriation Account:		
A.435.4322.1760.42038.200	Olean General Hospital, Reinvestment	\$181.00.

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

Adopted November 22, 2016 by voice vote.

ACT NO. 566-2016 by Ms. Vickman and Mrs. Labuhn

**APPROVING AMENDED CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
CATHOLIC CHARITIES OF BUFFALO NEW YORK FOR
CASE MANAGEMENT SERVICES FOR CHILDREN AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

Pursuant to Section 41.07 of the Mental Hygiene Law and
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 60-2016, as amended by Act 396-2016, authorized approval of a contract with Catholic Charities of Buffalo New York, 525 Washington Street, Buffalo, New York 14203, for the provision of case management services for Cattaraugus County children, the term of which expires December 31, 2016, and

WHEREAS, the New York State Office of Mental Health has awarded a cost-of-living adjustment (COLA) to State Aid funding in the amount of \$70.00, for the period January 1, 2016 through December 31, 2016, for a total program amount of \$44,446.00, and

WHEREAS, an amended contract is necessary in order to pass the additional funding on to Catholic Charities of Buffalo New York, and

WHEREAS, the County shall pay to Catholic Charities of Buffalo New York an additional amount of \$70.00, for a total program amount of \$44,446.00, to be paid on a quarterly basis as invoiced, and

WHEREAS, this program is 100% state funded, and

WHEREAS, various appropriation and revenue accounts must be adjusted to accommodate the aforementioned additional State Aid, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract for the year 2016, between the Cattaraugus County Community Services Board and Catholic Charities of Buffalo New York, to signify the County's approval, for the provision of case management services for children, for a term commencing January 1, 2016 and terminating December 31, 2016, 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 Accounts:

A.443.4322.1810.3490.034K	Catholic Charities, C&F Case Management	\$29.00
A.443.4322.1910.3490.034K	Catholic Charities, C&F Case Management	\$41.00.

Increase Appropriation Accounts:

A.443.4322.1810.42029.034K	Catholic Charities, C&F Case Management	\$29.00
A.443.4322.1910.42029.034K	Catholic Charities, C&F Case Management	\$41.00.

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

Adopted November 22, 2016 by voice vote.

ACT NO. 567-2016 by Ms. Vickman and Mrs. Labuhn

**APPROVING AMENDED CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
DIRECTIONS IN INDEPENDENT LIVING, INC. FOR HEALTH HOME CARE,
NON-MEDICAID CARE COORDINATION, AND MENTAL HEALTH CONSUMER ADVOCACY,
SUPPORT AND TRAINING PROGRAM AND ADJUSTING
VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

Pursuant to Section 75.13 of the Mental Hygiene Law and
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 59-2016 authorized approval of a contract with Directions in Independent Living, Inc., 514 West State Street, Olean, New York 14760, for the provision of advocacy, support and training programs for consumers of mental health services, Health Home Care and Non-Medicaid Care Coordination services, the term of which expires December 31, 2016, and

WHEREAS, the New York State Office of Mental Health has awarded a cost-of-living adjustment (COLA) to State Aid funding in the amount of \$231.00, for the period January 1, 2016 through December 31, 2016, for a total program amount of \$151,848.00, and

WHEREAS, an amended contract is necessary in order to pass the additional funding on to Directions in Independent Living, Inc., and

WHEREAS, the County shall pay to Directions in Independent Living, Inc., an additional amount of \$231.00, for a total program amount of \$151,848.00, to be paid on a quarterly basis as invoiced, and

WHEREAS, this program is 100% state funded, and

WHEREAS, various appropriation and revenue accounts must be adjusted to accommodate the aforementioned additional State Aid, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract for the year 2016, between the Cattaraugus County Community Services Board and Directions in Independent Living, Inc., to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2016 and terminating December 31, 2016, 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 Accounts:

A.438.4322.1760.3490.200	DIL, OMH Reinvestment	\$82.00
A.438.4322.1760.3490.001A	DIL, OMH Local Assistance, Adult	\$10.00
A.438.4322.1760.3490.039G	DIL, OMH Adult Family Support	\$12.00
A.438.4322.1760.3490.046L	DIL, OMH C&F Community Support	\$ 4.00
A.438.4322.2620.3490.570	DIL, OMH Health Homes	\$30.00
A.438.4322.2720.3490.034J	DIL, OMH Adult Case Mgt & ACT	\$83.00
A.438.4322.2740.3490.570	DIL, OMH Health Homes	\$ 9.00
A.438.4322.2850.3490.570	DIL, OMH Health Homes	\$ 1.00

Increase Appropriation Accounts:

A.438.4322.1760.42024.200	DIL, OMH Reinvestment	\$82.00
A.438.4322.1760.42024.001A	DIL, OMH Local Assistance, Adult	\$10.00
A.438.4322.1760.42024.039G	DIL, OMH Adult Family Support	\$12.00
A.438.4322.1760.42024.046L	DIL, OMH C&F Community Support	\$ 4.00
A.438.4322.2620.42024.570	DIL, OMH Health Homes	\$30.00
A.438.4322.2720.42024.034J	DIL, OMH Adult Case Mgt & ACT	\$83.00
A.438.4322.2740.42024.570	DIL, OMH Health Homes	\$ 9.00
A.438.4322.2850.42024.570	DIL, OMH Health Homes	\$ 1.00.

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

Adopted November 22, 2016 by voice vote.

ACT NO. 568-2016 by Ms. Vickman and Mrs. Labuhn
and Mr. Koch¹

**APPROVING AMENDED CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
SENECA NATION OF INDIANS FOR
CASE MANAGEMENT SERVICES FOR HOMELESS INDIVIDUALS WITH
CO-OCCURRING MENTAL HEALTH AND ADDICTION ISSUES AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

Pursuant to 14 NYCRR 587.8(g) and
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 58-2016 authorized approval for a contract with the Seneca Nation of Indians for case management services for homeless individuals with co-occurring mental health and addiction issues residing in Cattaraugus County, the term of which expires December 31, 2016, and

WHEREAS, the New York State Office of Mental Health has awarded a cost-of-living adjustment (COLA) to State Aid funding in the amount of \$71.00, for the period January 1, 2016 through December 31, 2016, for a total program amount of \$46,903.00, and

WHEREAS, an amended contract is necessary in order to pass the additional funding on to the Seneca Nation of Indians, and

WHEREAS, the County shall pay to the Seneca Nation of Indians an additional amount of \$71.00, for a total program amount of \$46,903.00, to be paid on a quarterly basis as invoiced, and

WHEREAS, this program is 100% state funded, and

WHEREAS, various appropriation and revenue accounts must be adjusted to accommodate the aforementioned additional State Aid, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract for the year 2016, between the Cattaraugus County Community Services Board and the Seneca Nation of Indians, to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2016 and terminating December 31, 2016, 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.436.4322.2720.3490.034J	SNI, OMH Adult Case Management & ACT	\$71.00
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Increase Appropriation Account:

A.436.4322.2720.42022.034J	SNI, OMH Adult Case Management & ACT	\$71.00.
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Approved by 7 members of the Finance Committee and 7 members of the Human Services Committee.

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

Adopted November 22, 2016 by voice vote.

ACT NO. 569-2016 by Ms. Vickman and Mrs. Labuhn

**APPROVING CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
ADVANCE PRACTICE SOLUTIONS FOR
DEPARTMENT OF COMMUNITY SERVICES
SCRIBE SUPPORT STAFF FOR MENTAL HEALTH CLINIC**

Pursuant to Section 41.13(a)(6) of the Mental Hygiene Law and
Section 450 of the County Law.

WHEREAS, Act 612-2015 authorized a contract with Advance Practice Solutions, 305 East Fairmount Avenue, Lakewood, New York 14750, for the provision of scribe support staff to assist psychiatric professionals with clinical documentation in the Department of Community Services mental health clinic and PROS Program, the term of which expires December 31, 2016, and

WHEREAS, the Cattaraugus County Community Services Board is desirous of renewing the aforementioned contract, and

WHEREAS, Advance Practice Solutions can provide scribe support staff to assist psychiatric professionals with clinical documentation in the Department of Community Services mental health clinic and PROS Program, for a maximum of 2,499 hours at \$10.00 per hour, for an amount not to exceed \$24,990.00, to be paid on a monthly basis, as invoiced, and

WHEREAS, the funding for these services are provided through a combination of state aid, billable insurance, and County funds, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, between the Cattaraugus County Community Services Board and Advance Practice Solutions, to signify the County's approval, for the provision of the above-described services, contingent upon and subject to the inclusion in the 2017 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2017 and terminating December 31, 2017, according to the above-described terms, and be it further

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

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

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

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

Adopted November 22, 2016 by voice vote.

ACT NO. 570-2016 by Ms. Vickman and Mrs. Labuhn

**APPROVING AMENDED CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
HOUSING OPTIONS MADE EASY, INC. FOR VARIOUS SERVICES,
SERVING AS THE LEAD AGENCY FOR RECOVERY CENTER SERVICES AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

Pursuant to Sections 41.47 and 41.55 of the Mental Hygiene Law
and Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 55-2016, as amended by Act 397-2016, authorized approval of a contract with Housing Options Made Easy, Inc., 75 Jamestown Street, Gowanda, New York 14070, for supported housing for mentally ill people and the homeless, the provision of a consumer operated client systems advocacy service, and the operation of a telephone "warm" line, innovative vocational services, as well as serving as the lead agency for Recovery Center Services, the term of which expires December 31, 2016, and

WHEREAS, the aforementioned contract should be amended to include \$17,000.00 in funding for four (4) additional supported housing beds effective July 1, 2016, and

WHEREAS, the New York State Office of Mental Health has awarded a cost-of-living adjustment (COLA) to State Aid funding in the amount of \$1,469.00, for the period January 1, 2016 through December 31, 2016, for a total program amount of \$996,178.00, and

WHEREAS, an amended contract is necessary in order to pass the additional funding on to Housing Options Made Easy, Inc., and

WHEREAS, the County shall pay to Housing Options Made Easy, Inc., an additional amount of \$1,469.00, for a total program amount of \$996,178.00, to be paid on a quarterly basis as invoiced, and

WHEREAS, this program is 100% state funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract for the year 2016, between the Cattaraugus County Community Services Board and Housing Options Made Easy, Inc., to signify the County's approval, for the provision of the above-mentioned programs, for a term commencing January 1, 2016 and terminating December 31, 2016, 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 Accounts:

A.437.4322.1320.3490.046L	HOME, State Aid, OMH C&F Community Support	\$ 156.00
A.437.4322.1760.3490.400	HOME, State Aid, OMH Commissioner's Performance	\$ 72.00
A.437.4322.2720.3490.034J	HOME, State Aid, OMH Adult Case Mgt & ACT	\$ 48.00
A.437.4322.2750.3490.037A	HOME, State Aid, OMH Peer & Rehab Support	\$ 891.00
A.437.4322.2770.3490.200	HOME, State Aid, OMH Reimbursement	\$ 9.00
A.437.4322.6050.3490.078	HOME, State Aid, OMH Supported Housing	\$ 8,551.00
A.437.4322.6060.3490.078	HOME, State Aid, OMH Supported Housing	\$ 8,742.00

Increase Appropriation Accounts:

A.437.4322.1320.42023.046L	HOME, OMH C&F Community Support	\$ 156.00
A.437.4322.1760.42023.400	HOME, Commissioner's Performance	\$ 72.00
A.437.4322.2720.42023.034J	HOME, Adult Case Management	\$ 48.00
A.437.4322.2750.42023.037A	HOME, Peer & Rehab Support	\$ 891.00
A.437.4322.2770.42023.200	HOME, Reinvestment	\$ 9.00
A.437.4322.6050.42023.078	HOME, Supported Housing	\$ 8,551.00
A.437.4322.6060.42023.078	HOME, Supported Housing	\$ 8,742.00

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

Adopted November 22, 2016 by voice vote.

ACT NO. 571-2016 by Ms. Vickman and Mrs. Stockman

**APPROVING AMENDED CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
SOUTHERN TIER ENVIRONMENTS FOR LIVING, INC. FOR
VARIOUS MENTAL HEALTH PROGRAMS AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

Pursuant to Section 75.13 of the Mental Hygiene Law and
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 51-2015, as amended by Act 605-2015, authorized approval of a contract with Southern Tier Environments for Living, Inc., (S.T.E.L.), 715 Central Avenue, Dunkirk, New York 14048, for the provision of intensive case management, supportive case management and supported housing services for mentally ill individuals, the term of which expires December 31, 2016, and

WHEREAS, the New York State Office of Mental Health has awarded a cost-of-living adjustment (COLA) to State Aid funding in the amount of \$287.00, for the period January 1, 2016 through December 31, 2016, for a total program amount of \$191,631.00, and

WHEREAS, an amended contract is necessary in order to pass the additional funding on to Southern Tier Environments for Living, Inc., (S.T.E.L.), and

WHEREAS, the County shall pay to Southern Tier Environments for Living, Inc., (S.T.E.L.), an additional amount of \$287.00, for a total program amount of \$191,631.00, to be paid on a quarterly basis as invoiced, and

WHEREAS, this program is 100% state funded, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to accommodate the increase in state aid, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract for the year 2016 between the Cattaraugus County Community Services Board and S.T.E.L., Inc., to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2016 and terminating December 31, 2016, 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 Accounts:

A.440.4322.2620.3490.570	State Aid, OMH Health Homes	\$ 67.00
A.440.4322.2740.3490.570	State Aid, OMH Health Homes	\$ 41.00
A.440.4322.6050.3490.078	State Aid, OMH Supported Housing	\$106.00
A.440.4322.6060.3490.078	State Aid, OMH Supported Housing	\$ 73.00

Increase Appropriation Accounts:

A.440.4322.2620.42026.570	STEL, Health Homes	\$ 67.00
A.440.4322.2740.42026.570	STEL, Health Homes	\$ 41.00
A.440.4322.6050.42026.078	STEL, Supported Housing	\$106.00
A.440.4322.6060.42026.078	STEL, Supported Housing	\$ 73.00.

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

Adopted November 22, 2016 by voice vote.

ACT NO. 572-2016 by Mr. Neal and Mr. Boberg

**AUTHORIZING SHERIFF'S OFFICE TO PURCHASE VEHICLES AND
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Sheriff's Office)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, the Sheriff's Office is desirous of purchasing one (1) 2017 Ford Fusion and one (1) 2017 Ford Interceptor, and

WHEREAS, the aforementioned vehicles are available through New York State Bid, Award #22898, Group #40451, and

WHEREAS, various appropriation accounts must be adjusted to cover the purchase of the aforementioned vehicles, now, therefore, be it

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

Decrease Appropriation Account:

A.311.3150.0000.83000	Health Insurance	\$54,950.00
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Increase Appropriation Account:

A.311.3110.0000.20101	Vehicles	\$54,950.00.
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Approved by 7 members of the Finance Committee and 7 members of the County Operations/Public Safety Committee.

Adopted November 22, 2016 by voice vote.

ACT NO. 573-2016 by Mr. Neal and Mr. Boberg

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
MOTOROLA SOLUTIONS, INC. FOR
CONSTRUCTION OF INDIANA AVENUE COMMUNICATIONS TOWER**

Pursuant to Sections 308 and 450 of the County Law.

WHEREAS, Act 589-2014, as amended by Act 429-2015, authorized a contract with Motorola Solutions, Inc., 1301 East Algonquin Road, Schaumburg, Illinois 60196, through the NYS Office of General Services contract, for the provision of the labor and materials necessary to deliver a 5

Channel VHF Digital Simulcast P25 Phase I Trunked Radio System to combine police, fire and EMS radio communications on a single system, the term of which expired May 31, 2016, and

WHEREAS, Act 429-2015 amended the aforementioned contract to include the removal of the existing tower and the construction of a new tower on the Indiana Avenue site in the Town of Olean, and

WHEREAS, the term of the aforementioned contract should be extended to March 30, 2017, at no additional cost 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 extension, on behalf of Cattaraugus County, with Motorola Solutions, Inc., for the services pertaining to the Indiana Avenue tower site, to extend the term of the contract which commenced December 1, 2014 to terminate March 30, 2017, according to the above-described terms.

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

Adopted November 22, 2016 by voice vote.

ACT NO. 574-2016 by Mr. Neal and Mr. Boberg

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CH2M HILL BWXT WEST VALLEY, LLC FOR
ON-SITE SECURITY LAW ENFORCEMENT SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 530-2015 authorized a contract with CH2M Hill BWXT West Valley, LLC, 10282 Rock Springs Road, West Valley, New York 14171-9799, for the provision of on-site security law enforcement services for its facility and surrounding areas, the term of which expired September 30, 2016, and

WHEREAS, CH2M Hill BWXT West Valley, LLC, is desirous of renewing the aforementioned contract, and

WHEREAS, the Cattaraugus County Sheriff's Office can provide the aforementioned on-site security law enforcement services for an amount based on actual costs, which are estimated to be \$175,865.04 for the period October 1, 2016 through September 30, 2017, 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 CH2M Hill BWXT West Valley, LLC, for the provision of the above-described security law enforcement services, for a term commencing October 1, 2016 and terminating September 30, 2017, according to the above-described terms.

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

Adopted November 22, 2016 by voice vote.

ACT NO. 575-2016 by Mr. Neal and Mr. Boberg

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COUNTY AGRICULTURAL SOCIETY, INC. FOR
SHERIFF'S DEPARTMENT SECURITY SERVICES AND COUNTY SPACE RENTAL**

Pursuant to Sections 215, 450 and 650 of the County Law.

WHEREAS, Act 581-2015 authorized the Chair to execute a contract with the Cattaraugus County Agricultural Society, Inc., P.O. Box 182, Little Valley, New York 14755, for the provision of security services at various events at the County Fairgrounds, including the annual Cattaraugus County Fair, and the rental of space, the term of which expires December 31, 2016, and

WHEREAS, it is proposed that the Cattaraugus County Sheriff provide security services at the Cattaraugus County Fairgrounds during the 2017 year, and

WHEREAS, the Agricultural Society will reimburse the County on an hourly basis for the provision of these services, except for the first \$500.00 in services to be provided by the Sheriff's Office in 2017, and

WHEREAS, the Agricultural Society will charge the County the following rental costs for the use of space at the County Fairgrounds:

Tourism Booths	\$400.00
Stop DWI Space	\$600.00
Storage	\$200.00/boat
Civil Service	\$100.00/testing day
Museum	\$450.00
Health	\$400.00,

now, therefore, be it

RESOLVED, the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Cattaraugus County Agricultural Society, Inc., for the above-described security services and space rental, contingent upon and subject to the inclusion in the 2017 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2017 and terminating December 31, 2017, according to the above-described terms.

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

Adopted November 22, 2016 by voice vote.

ACT NO. 576-2016 by Mr. Neal and Mr. Boberg

**LOCAL LAW NUMBER 10 - 2016
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW AMENDING LOCAL LAW NUMBER 8-2011
(INTRO NUMBER 14-2011) REGARDING FEES FOR
CATTARAUGUS COUNTY SHERIFF'S OFFICE SERVICES**

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

SECTION 1. Legislative Intent. It is the intent of this Local Law to amend Local Law No. 8-2011 (Intro Number 14-2011) regarding the fee schedule for certain services provided by the Cattaraugus County Sheriff's Office.

SECTION 2. Fee Schedule. Effective February 1, 2017, the following fees shall be increased:

<u>SERVICE</u>	<u>FEE</u>
PISTOL PERMITS	
Application Packet	\$10.00
Fingerprints & Photos for Pistol Permit	\$130.00 (includes NYS & FBI fees)
Amendment to Pistol Permit (acquired, disposed, or co-reg [up to 4 guns] includes name and/or address change)	\$3.00 per amendment per dealer
Upgrade Paper Card to Plastic Card (unlimited cards)	\$13.00
Duplicate Card	\$10.00 (1 st duplicate) \$3.00 for each additional after 1st
MISCELLANEOUS FEES	
Sheriff's Photo ID	\$20.00
Fingerprint Fee (2 cards)	\$10.00
Miscellaneous Photographs	\$10.00

The Sheriff may, at the Sheriff's sole discretion, waive such fees as the Sheriff may feel represent a hardship or an exceptional circumstance.

SECTION 3. Supersession. This local law amends any previously enacted local law or resolution establishing the fees listed in Section 2 supra.

SECTION 4. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the particular provision directly involved in the controversy in which such judgment shall have been rendered.

SECTION 5. Effective Date. This local law shall take effect immediately.

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

No further action taken at this time.

ACT NO. 577-2016 by Mr. Neal and Mr. Boberg

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 10 - 2016

Pursuant to Section 20 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on November 22, 2016, a proposed Local Law entitled "A Local Law Amending Local Law Number 8-2011 (Intro Number 14-2011) Regarding Fees For Cattaraugus County Sheriff's Office Services", 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 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 14th day of December, 2016 at 4:01 p.m. at the Legislature's Chambers, County Office Building, 303 Court Street, Little Valley, New York, and that at least five 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 7 members of the Finance Committee and 7 members of the County Operations/Public Safety Committee.

Adopted November 22, 2016 by voice vote.

ACT NO. 578-2016 by Mr. VanRensselaer and Mr. Padlo

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH THE
LOCAL INITIATIVES SUPPORT CORPORATION (LISC) AND
ENTERPRISE COMMUNITY PARTNERS, INC. FOR
LAND BANK COMMUNITY REVITALIZATION INITIATIVE**

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

WHEREAS, the Cattaraugus County Land Bank Corporation, Inc., is desirous of applying for funding from the Local Initiatives Support Corporation (LISC) and Enterprise Community Partners, Inc., for the Land Bank Community Revitalization Initiative, and

WHEREAS, the Land Bank Community Revitalization Initiative Grant Program will provide urgently needed funding for the Cattaraugus County Land Bank Corporation, Inc., to fight blight in our communities by repurposing distressed and vacant properties, restoring them to the tax rolls, and providing quality housing opportunities, and

WHEREAS, the formation of the Cattaraugus County Land Bank Corporation, Inc., was approved by the NYS Empire State Development Corporation on March 24, 2016 to address vacant, abandoned and problematic properties, and

WHEREAS, the Cattaraugus County Land Bank Corporation, Inc., is desirous of applying for the aforementioned funding and requires the support of the Cattaraugus County Legislature to do so, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby supports the grant application submitted by the Cattaraugus County Land Bank Corporation, Inc., with the Local Initiatives Support Corporation (LISC) and Enterprise Community Partners, Inc., in order to apply for the above-described funding.

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

Adopted November 22, 2016 by voice vote.

ACT NO. 579-2016 by Mr. VanRensselaer and Mr. Padlo

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
FY 2017 EPA COMMUNITY-WIDE BROWNFIELDS ASSESSMENT GRANTS**

Pursuant to Section 450 of the County Law.

WHEREAS, funding is available through the United States Environmental Protection Agency Community-Wide Brownfields Assessment Grants, and

WHEREAS, the County Department of Economic Development, Planning and Tourism is desirous of applying for the aforementioned funding, and

WHEREAS, this funding will be used for developing inventories of brownfields, prioritizing sites, conducting community involvement activities, conducting site assessments and cleanup planning related to brownfield sites in Cattaraugus County, and

WHEREAS, it is necessary to apply to the United States Environmental Protection Agency for the aforementioned funding, and

WHEREAS, this program is 100% federally funded (CFDA #66.818), and

WHEREAS, the County Department of Economic Development, Planning and Tourism is eligible to apply for no more than 10% of the grant funds for related program development and implementation activities, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a grant application, on behalf of Cattaraugus County, with United States Environmental Protection Agency, in order to apply for the above-described funding, according to the above-described terms, and be it further

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

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

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

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

Adopted November 22, 2016 by voice vote.

ACT NO. 580-2016 by Mr. VanRensselaer and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH BARTON & LOGUIDICE, D.P.C. FOR DEVELOPMENT OF
COUNTY-WIDE TRAILS SYSTEM PLAN**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 276-2015 authorized the Chairman to apply for funding through the Appalachian Regional Commission for the County-Wide Trails System Plan, and

WHEREAS, Act 424-2016 authorized a contract with the Appalachian Regional Commission to accept and receive funding in the amount of \$28,000.00 through the aforementioned grant, and

WHEREAS, the Department of Economic Development, Planning and Tourism is desirous of developing a County-Wide Trails System Plan that will integrate the preservation and promotion of the County's natural assets, maximize the opportunities for trail/outdoor/adventure/recreation seekers, and capitalize the economic benefits of an outdoor-oriented tourism activity, and

WHEREAS, Barton & Loguidice, D.P.C., 11 Centre Park, Suite 203, Rochester, New York 14614, can develop a County-Wide Trails System Plan for the County for an amount of \$50,000.00, to be paid as invoiced and approved by the Director of the Department of Economic Development, Planning and Tourism, and

WHEREAS, sufficient funds are included in the budget, through grant funds, local cash contributions, and local in-kind contributions, 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 Barton & Loguidice, D.P.C., for the provision of the above-described services, for a term commencing November 15, 2016 and terminating August 31, 2017, according to the above-described terms, and be it further

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

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

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

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

Adopted November 22, 2016 by voice vote.

ACT NO. 581-2016 by Mr. Neal and Mr. Boberg

**AUTHORIZING THE CHAIR TO EXECUTE AN EXTENSION OF THE RENTAL AGREEMENT
WITH JAMES B. SCHWAB CO., INC. FOR RENTAL OF
COUNTY OFFICE PHOTOCOPIERS**

Pursuant to Sections 208 and 450 of the County Law.

WHEREAS, Act 659-2015 authorized a rental agreement with James B. Schwab Co., Inc., 223 West Main Street, P.O. Box 6, Falconer, New York 14733-0006, for the provision of photocopiers to Cattaraugus County, the term of which expires December 31, 2016, and

WHEREAS, the Department of Information Services is desirous of extending the term of the aforementioned rental agreement for a six-month period to terminate December 31, 2017, to allow for time to obtain proposals, and

WHEREAS, James B. Schwab Co., Inc., has agreed to continue providing office photocopiers to the County, according to specifications provided by the Department of Information Services, at a rate of \$0.0160 per copy for black & white base price, which includes all parts, labor, drums, developer and OEM toner, until December 31, 2017, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an extension to the rental agreement, on behalf of Cattaraugus County, with James B. Schwab Co., Inc., for the provision of the above-described equipment, contingent upon and subject to the inclusion in the 2017 budget of sufficient funds to cover the costs of the aforementioned equipment, for a term commencing January 1, 2017 and terminating December 31, 2017, according to the above-described terms.

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

Adopted November 22, 2016 by voice vote.

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MR. NEAL moved, seconded by Mr. VanRensselaer, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 582-2016 through Act No. 586-2016, inclusive. Carried.

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ACT NO. 582-2016 by Ms. Vickman, Mr. Boberg, Mr. Breton,
Mr. Neal and Mr. Snyder, Sr.
who ask immediate consideration

**CREATING ONE POSITION OF STAFF SOCIAL WORKER (PUBLIC DEFENDER)
AND ESTABLISHING COMPENSATION FOR THE SAME
(Public Defender's Office)**

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

WHEREAS, the Public Defender's Office is in need of the services of a social worker/mitigation specialist in its efforts to provide indigent defense services to the citizens of Cattaraugus County, and

WHEREAS, funding for this position has been obtained through a New York State Office of Indigent Legal Services grant (Round 5), and

WHEREAS, it is therefore necessary to create one (1) position of Staff Social Worker (Public Defender), and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Personnel Officer, who has approved the title as Staff Social Worker (Public Defender) in accordance with Civil Service Law Section 22, now, therefore, be it

RESOLVED, that effective January 1, 2017, there is hereby created one (1) position of Staff Social Worker (Public Defender) in the Public Defender's Office to be filled on a full-time basis, General Bargaining Unit Salary Schedule, Pay Grade 30 (\$30.69 per hour), Position No. 117-339-001, and be it further

RESOLVED, that upon termination or reduction of funding through the ILS Grant for this position, this position will be abolished immediately.

Adopted November 22, 2016 by voice vote.

ACT NO. 583-2016 by Ms. Vickman and Mrs. Labuhn
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE SUPPLEMENTAL MEDICAID UPPER
PAYMENT LIMIT SCHEDULE REQUEST FOR DEPARTMENT OF NURSING HOMES
SUPPLEMENTAL FUNDING AND APPROPRIATE FROM FUND BALANCE
(Department of Social Services)**

Pursuant to Section 2808(12)(e-1) of the Public Health Law and
Sections 363, 366 and 450 of the County Law.

WHEREAS, the New York State Public Health Law provides for Supplemental Medicaid Upper Payment Limit payments of approximately \$305 million statewide to non-state operated public nursing facilities, and

WHEREAS, approximately \$305 million is allocated to each qualifying nursing home, based upon the ratio of each facility's reported Medicaid days divided by the total reported Medicaid days for all eligible public nursing homes for calendar year 2015, and

WHEREAS, the County's Pines Healthcare and Rehabilitation Centers are eligible for payments for The Pines Healthcare and Rehabilitation Center-Olean and Machias facilities, and

WHEREAS, since these payments are exempt from the Medicaid local share cap statute, counties in New York State are responsible for transferring the full 50% non-federal share of each payment to the state prior to the corresponding 100% payment being released to the nursing homes, and

WHEREAS, it is proposed that the County apply for the entire payment, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute the Supplemental Medicaid Upper Payment Limit Schedule Request Form for the County Department of Nursing Homes as described above, and be it further

RESOLVED, that the County Administrator is hereby directed to appropriate the amount of \$1,712,221.00 from the General Fund Unreserved Fund Balance and make the following budgetary change:

Increase Appropriation Account:

A.601.6102.0000.40608	IGT Payment	\$1,712,221.00.
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Adopted November 22, 2016 by voice vote.

ACT NO. 584-2016 by Ms. Vickman and Mrs. Labuhn
who ask immediate consideration

LOCAL LAW NUMBER 11 - 2016
COUNTY OF CATTARAUGUS, NEW YORK

Pursuant to Section 10 of the Municipal Home Rule Law.

A LOCAL LAW ESTABLISHING FEES FOR DEPARTMENT OF NURSING HOMES
RESIDENT PRIVATE PAY RATES AND REPEALING ACT 557-2015

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

SECTION 1. Legislative Intent. It is the intent of this Local Law to increase the resident private pay rate for the Department of Nursing Homes.

SECTION 2. Resident Private Pay Rate. Effective February 1, 2017, the resident private pay rate for the County Department of Nursing Homes shall be as follows:

Olean Facility – semi-private room	\$270.00 per day
Olean Facility – private room	\$282.00 per day
Machias Facility – semi-private room	\$297.00 per day
Machias Facility – private room	\$309.00 per day.

SECTION 3. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the particular provision directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4. Statutory Repeal. Effective February 1, 2017, Act No. 557-2015, Local Law Number 10-2015 (Intro Number 11-2015), entitled “A Local Law Establishing Fees for Department of Nursing Homes Resident Private Pay Rates”, is hereby repealed.

SECTION 5. Effective Date. This Local Law shall take effect immediately.

No further action taken at this time.

ACT NO. 585-2016 by Ms. Vickman and Mrs. Labuhn
who ask immediate consideration

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 11 - 2016

Pursuant to Section 20 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on November 22, 2016, a proposed Local Law entitled "A Local Law Establishing Fees for Department of Nursing Homes Resident Private Pay Rates and Repealing Act 557-2015", 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 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 14th day of December, 2016, at 4:02 p.m. at the Legislature's Chambers, County Center, 303 Court Street, Little Valley, New York, and that at least five 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.

Adopted November 22, 2016 by voice vote.

ACT NO. 586-2016 by Mr. Boberg, Mr. Breton, Mr. Hale, Mr. Helmich, Mr. Higgins,
Mr. Klancer, Mr. Neal, Mr. Snyder, Jr., Mr. Snyder, Sr.,
Mrs. Stockman, Mr. VanRensselaer, Ms. Vickman, Mr. Giardini,
Ms. Hastings, Mr. Koch, Mrs. Labuhn and Mr. Padlo
who ask immediate consideration

**CONGRATULATING CHAUTAUQUA CATTARAUGUS ATHLETIC ASSOCIATION EAST
SECTION VI CLASS C BOYS SOCCER CO-CHAMPIONS**

Pursuant to Section 153 of the County Law.

WHEREAS, the Allegany-Limestone Gators and the Randolph Cardinals ended the boys varsity soccer season as Section VI Class C Co-Champions after a 0-0 tie in regulation playoff and two 15-minute overtime sessions ending with a 3-1 penalty kick shootout in favor of the Gators on October 28, 2016, and

WHEREAS, as a result of the penalty kick shootout, the Allegany-Limestone Gators advanced to the Far West Regionals where they were defeated by the Section V Class C Champions, World of Inquiry #58, and

WHEREAS, the Allegany-Limestone Gators finished with a season record of 17-1-1 after defeating Silver Creek-Forestville and Portville in the sectional finals, and

WHEREAS, the Randolph Cardinals finished their season with a record of 15-1-3 after defeating Maple Grove and Holland in the sectional finals, and

WHEREAS, both teams and their coaches should be commended for their hard work, dedication and outstanding seasons, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby congratulates Coach Jon Luce and the Allegany-Limestone Gators Boys Soccer Team on its 2016 Chautauqua Cattaraugus Athletic Association East Section VI Class C co-championship, and be it further

RESOLVED, that the Cattaraugus County Legislature hereby congratulates Coach Dave Levandowski and the Randolph Cardinals Boys Soccer Team on its 2016 Chautauqua Cattaraugus Athletic Association East Section VI Class C co-championship, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Allegany-Limestone Central School Superintendent of Schools, Dr. Karen Geelan, and Coach Jon Luce; and Randolph Central School Superintendent of Schools, Kaine Kelly, and Coach Dave Levandowski.

Adopted November 22, 2016 by voice vote.

* * * * *

MR. SNYDER, SR. moved, seconded by Mrs. Labuhn to accept the Finance Committee Report on the 2017 Tentative Budget. Carried.

MR. SNYDER, SR. moved, seconded by Mr. VanRensselaer, to make the following amendment to the 2017 Tentative Budget in order to accommodate the enactment of Local Law Number 9-2016:

Decrease Appropriation Account:

A.117.1170.1181.41233	Professional Services	\$12,368.00	
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Increase Appropriation Accounts:

A.117.1170.1181.11000	Full Time Wages	\$10,000.00	
A.117.1170.1181.81000	FICA	\$ 767.00	
A.117.1170.1181.82000	Retirement	\$ 1,601.00.	Carried.

MR. SNYDER, SR. moved, seconded by Mr. VanRensselaer, to make the following amendment to the 2017 Tentative Budget in order to accommodate the enactment of Act No. 582-2016:

Decrease Appropriation Account:

A.117.1170.1181.41233	Professional Services	\$85,529.00	
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Increase Appropriation Accounts:

A.117.1170.1181.11000	Full Time Wages	\$56,821.00	
A.117.1170.1181.81000	FICA	\$ 4,347.00	
A.117.1170.1181.82000	Retirement	\$ 5,285.00	
A.117.1170.1181.83000	Health Insurance	\$18,932.00	
A.117.1170.1181.84000	Dental Insurance	\$ 144.00.	Carried.

* * * * *

CHAIRMAN STOCKMAN called up the budget resolutions for immediate consideration.

ACT NO. 587-2016 by Mr. Snyder, Sr.

ADOPTION OF 2017 BUDGET

Pursuant to Section 360 of the County Law.

RESOLVED, that the tentative County Budget for the year 2017, as amended and filed with the Clerk of the Legislature and as hereafter attached, is hereby adopted as the County Budget for 2017 and the budget requires the raising by tax of the amount of \$54,596,538.00.

Adopted November 22, 2016 by voice vote.

ACT NO. 588-2016 by Mr. Snyder, Sr.

APPORTIONMENT OF COUNTY BUDGET

Pursuant to Section 804 of the Real Property Tax Law.

RESOLVED, that the following report of the assessed value of all property assessed in each of the several towns and cities of the County for 2017 shows the equalized value of real estate and the amount of the County budget apportioned to each district:

See Report on Page 660

Adopted November 22, 2016 by voice vote.

PROPERTY TAX REPORT	November 22, 2016					
PROPERTY TAX AMOUNT.....	\$54,596,538					
	Taxable Value	Taxable Value With Fixed Exemptions	Equalization Rate	Full Value	Apportioned Tax	Tax Rate
TOWN						
ALLEGANY	321,906,436	321,917,836	100.00	321,917,836	4,138,029.31	12.8548
ASHFORD	76,184,636	76,192,736	57.00	133,671,467	1,718,253.50	22.5538
CARROLLTON	80,213,828	80,216,278	87.00	92,202,618	1,185,200.36	14.7755
COLDSPRING	63,383,303	63,386,303	100.00	63,386,303	814,786.73	12.8549
CONEWANGO	33,044,638	33,046,138	52.00	63,550,265	816,894.34	24.7209
DAYTON	62,076,184	62,081,184	100.00	62,081,184	798,010.33	12.8553
EAST OTTO	84,248,736	84,250,236	100.00	84,250,236	1,082,978.04	12.8545
ELLCOTTVILLE	587,266,605	587,268,105	100.00	587,268,105	7,548,922.00	12.8543
FARMERSVILLE	64,142,007	64,145,007	100.00	64,145,007	824,539.34	12.8549
FRANKLINVILLE	83,327,510	83,331,876	70.00	119,045,537	1,530,247.37	18.3643
FREEDOM	117,093,777	117,102,307	100.00	117,102,307	1,505,268.50	12.8552
GREAT VALLEY	172,475,996	172,475,996	97.00	177,810,305	2,285,627.49	13.2519
HINSDALE	118,258,296	118,261,821	88.00	134,388,433	1,727,469.60	14.6076
HUMPHREY	69,335,355	69,335,355	97.00	71,479,747	918,822.31	13.2519
ISCHUA	40,493,852	40,503,452	88.00	46,026,650	591,640.49	14.6106
LEON	46,437,416	46,439,316	92.50	50,204,666	645,345.97	13.8971
LITTLE VALLEY	46,638,797	46,641,947	71.00	65,692,883	844,436.20	18.1059
LYNDON	45,984,723	45,984,723	100.00	45,984,723	591,101.55	12.8543
MACHIAS	139,921,479	139,929,479	100.00	139,929,479	1,798,695.88	12.8550
MANSFIELD	116,241,524	116,252,491	100.00	116,252,491	1,494,344.71	12.8555
NAPOLI	56,031,209	56,031,209	100.00	56,031,209	720,242.12	12.8543
NEW ALBION	57,075,749	57,077,249	71.00	80,390,492	1,033,363.72	18.1051
OLEAN/CITY	491,222,273	491,332,523	92.00	534,057,090	6,864,931.50	13.9752
OLEAN/TOWN	83,787,274	83,803,024	78.00	107,439,774	1,381,063.38	16.4830
OTTO	54,449,758	54,457,358	100.00	54,457,358	700,011.36	12.8561
PERRYSBURG	55,287,050	55,408,560	71.00	78,040,225	1,003,152.68	18.1444
PERSIA	57,780,993	57,780,993	77.00	75,040,251	964,590.10	16.6939
PORTVILLE	134,099,176	134,222,806	98.00	136,962,047	1,760,551.61	13.1287
RANDOLPH	83,381,130	83,385,630	81.00	102,945,222	1,323,289.05	15.8704
RED HOUSE	132,211,621	132,211,621	100.00	132,211,621	1,699,488.20	12.8543
SALAMANCA/CITY	16,066,127	16,132,127	19.00	84,905,932	1,091,406.55	67.9322
SALAMANCA/TOWN	27,656,650	27,657,550	91.00	30,392,912	390,679.69	14.1261
SOUTH VALLEY	30,936,703	30,938,203	72.75	42,526,740	546,651.59	17.6700
YORKSHIRE	28,955,746	28,964,846	16.50	175,544,521	2,256,502.41	77.9293
	3,677,616,557	3,678,166,285		4,247,335,636	54,596,537.98	
TAX RATE % FULL VALUE		0.0128543027				
TAX RATE % TAXABLE VALUE		0.0148456309				
Assessment Values as of November 21, 2016.						

ACT NO. 589-2016 by Mr. Snyder, Sr.

APPROPRIATIONS FOR THE FISCAL YEAR 2017

Pursuant to Sections 356 and 360 of the County Law.

WHEREAS, the Cattaraugus County Legislature has, by resolution, adopted a budget for the fiscal year 2017, now, therefore, be it

RESOLVED, that the several subtotals specified in such budget, in the column headed "Adopted" opposite the several items of expenditures, be approved for such items, effective January 1, 2017.

Adopted November 22, 2016 by voice vote.

ACT NO. 590-2016 by Mr. Snyder, Sr.

AUTHORIZING THE CHAIR AND CLERK TO SIGN AND ATTACH WARRANTS

Pursuant to Section 904 of the Real Property Tax Law.

RESOLVED, that tax levies as extended upon the several rolls of the County be, and they hereby are, approved, and be it further

RESOLVED, that the Chair and the Clerk of the Legislature be, and they hereby are, authorized and directed to sign and attach warrants thereto under the date of December 10, 2016.

Adopted November 22, 2016 by voice vote.

ACT NO. 591-2016 by Mr. Snyder, Sr.

AUTHORIZATION TO DEBIT AND CREDIT ACCOUNTS OF TOWNS AND CITIES

Pursuant to Section 940 of the Real Property Tax Law.

WHEREAS, at the meeting of the Legislature on November 22, 2016, a report was filed by the County Treasurer in the Office of the County Treasurer showing the debits and credits of all the towns and cities in the County, now, therefore, be it

RESOLVED, that the Clerk of the Legislature be, and hereby is, authorized and directed to debit and credit the respective towns and cities as set forth on such report in the tax levy:

<u>TOWN</u>	<u>DEBIT</u>	<u>CREDIT</u>
Allegany		
Ashford		.17
Carrollton		
Coldspring		
Conewango	.01	
Dayton		
East Otto		
Ellicottville		.81
Farmersville		

Franklinville	.24	
Freedom		.05
Great Valley		
Hinsdale		.85
Humphrey		.10
Ischua		
Leon		.24
Little Valley	.07	
Lyndon	.02	
Machias		
Mansfield		
Napoli		
New Albion		
Olean City	.79	
Olean Town		
Otto	.29	
Perrysburg		
Persia		.07
Portville		
Randolph	.12	
Red House		
Salamanca City		.15
Salamanca Town		
South Valley	.02	
Yorkshire		

Adopted November 22, 2016 by voice vote.

ACT NO. 592-2016 by Mr. Snyder, Sr.

**AUTHORIZING RELEVY OF RETURNED SCHOOL TAXES AND
RETURNED CITY TAXES OF THE CITY OF OLEAN**

Pursuant to Section 1330 of the Real Property Tax Law.

RESOLVED, that effective November 30, 2016, the Clerk of the Legislature be, and hereby is, authorized and directed to relevy all returned school taxes and returned city taxes of the City of Olean.

Adopted November 22, 2016 by voice vote.

ACT NO. 593-2016 by Mr. Snyder, Sr.

**AUTHORIZING RELEVY OF VILLAGE TAXES OF
THE COUNTY OF CATTARAUGUS**

Pursuant to Section 1442 of the Real Property Tax Law.

RESOLVED, that effective November 30, 2016, the Clerk of the Legislature be, and hereby is, authorized and directed to relevy all returned village taxes of the County of Cattaraugus.

Adopted November 22, 2016 by voice vote.

ACT NO. 594-2016 by Mr. Snyder, Sr.

**AUTHORIZATION TO APPLY PORTION OF TOWN OF PORTVILLE'S
SHARE OF SALES TAX REVENUE TO REDUCTION OF
COUNTY TAX LEVIED AGAINST THE TOWN**

Pursuant to Article 29 of the Tax Law.

WHEREAS, the Town of Portville has elected to take its share of the sales tax revenue in cash, and

WHEREAS, the share due to the Town of Portville will result in a surplus, and

WHEREAS, the Town of Portville has requested that a portion of such surplus be applied to reduce the County Tax against the Town of Portville (outside), now, therefore, be it,

RESOLVED, that \$307,500.00 of the 2017 sales tax revenue due the Town of Portville be applied to the reduction of the County Tax levied against the real property in the Town of Portville (outside).

Adopted November 22, 2016 by voice vote.

ACT NO. 595-2016 by Mr. Snyder, Sr.

**AUTHORIZATION TO APPLY PORTION OF TOWN OF GREAT VALLEY'S
SHARE OF SALES TAX REVENUE TO REDUCTION OF
COUNTY TAX LEVIED AGAINST THE TOWN**

Pursuant to Article 29 of the Tax Law.

WHEREAS, the Town of Great Valley has elected to take its share of the sales tax revenue in cash, and

WHEREAS, the share due to the Town of Great Valley will result in a surplus, and

WHEREAS, the Town of Great Valley has requested that a portion of such surplus be applied to reduce the County Tax against the Town of Great Valley, now, therefore, be it,

RESOLVED, that \$495,000.00 of the 2017 sales tax revenue due the Town of Great Valley be applied to the reduction of the County Tax levied against the real property in the Town of Great Valley.

Adopted November 22, 2016 by voice vote.

ACT NO. 596-2016 by Mr. Snyder, Sr.

**AUTHORIZATION TO APPLY PORTION OF TOWN OF FARMERSVILLE'S
SHARE OF SALES TAX REVENUE TO REDUCTION OF
COUNTY TAX LEVIED AGAINST THE TOWN**

Pursuant to Article 29 of the Tax Law.

WHEREAS, the Town of Farmersville has elected to take its share of the sales tax revenue in cash, and

WHEREAS, the share due to the Town of Farmersville will result in a surplus, and

WHEREAS, the Town of Farmersville has requested that a portion of such surplus be applied to reduce the County Tax against the Town of Farmersville, now, therefore, be it,

RESOLVED, that \$178,000.00 of the 2017 sales tax revenue due the Town of Farmersville be applied to the reduction of the County Tax levied against the real property in the Town of Farmersville.

Adopted November 22, 2016 by voice vote.

ACT NO. 597-2016 by Mr. Snyder, Sr.

**AUTHORIZATION TO APPLY PORTION OF TOWN OF RED HOUSE'S
SHARE OF SALES TAX REVENUE TO REDUCTION OF
COUNTY TAX LEVIED AGAINST THE TOWN**

Pursuant to Article 29 of the Tax Law.

WHEREAS, the Town of Red House has elected to take its share of the sales tax revenue in cash, and

WHEREAS, the share due to the Town of Red House will result in a surplus, and

WHEREAS, the Town of Red House has requested that a portion of such surplus be applied to reduce the County Tax against the Town of Red House, now, therefore, be it,

RESOLVED, that \$376,500.00 of the 2017 sales tax revenue due the Town of Red House be applied to the reduction of the County Tax levied against the real property in the Town of Red House.

Adopted November 22, 2016 by voice vote.

ACT NO. 598-2016 by Mr. Snyder, Sr.

ADOPTION OF EQUALIZATION RATES

Pursuant to Section 804 of the Real Property Tax Law.

RESOLVED, that the Cattaraugus County Legislature does hereby adopt the equalization rate fixed by the State Board of Real Property Tax Services for the year 2017 as follows:

<u>Towns</u>	<u>Equalization Rates</u>
Allegheny	100.00
Ashford	57.00
Carrollton	87.00
Cold Spring	100.00
Conewango	52.00
Dayton	100.00
East Otto	100.00
Ellicottville	100.00
Farmersville	100.00
Franklinville	70.00
Freedom	100.00
Great Valley	97.00
Hinsdale	88.00
Humphrey	97.00
Ischua	88.00
Leon	92.50
Little Valley	71.00
Lyndon	100.00
Machias	100.00
Mansfield	100.00
Napoli	100.00
New Albion	71.00
Olean, City	92.00
Olean, Town	78.00
Otto	100.00
Perrysburg	71.00
Persia	77.00
Portville	98.00
Randolph	81.00
Red House	100.00
Salamanca, City	19.00
Salamanca, Town	91.00
South Valley	72.75
Yorkshire	16.50

Adopted November 22, 2016 by voice vote.

ACT NO. 599-2016 by Mr. Snyder, Sr.
who asks immediate consideration

BOND RESOLUTION DATED NOVEMBER 22, 2016.

**A RESOLUTION AUTHORIZING BRIDGE IMPROVEMENTS IN AND FOR THE
COUNTY OF CATTARAUGUS, NEW YORK, AT A MAXIMUM ESTIMATED COST OF
\$6,140,000 AND AUTHORIZING THE ISSUANCE OF \$1,972,464 BONDS OF
SAID COUNTY TO PAY PART OF THE COST THEREOF.**

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Cattaraugus, New York, as follows:

Section 1. Bridge improvements, including retaining walls, drainage, landscaping and incidental costs and improvements, is hereby authorized in and for said County of Cattaraugus at a maximum estimated cost of \$6,140,000.

Section 2. The plan for the financing of such maximum estimated cost shall be as follows:

- (a) By the expenditure of \$3,662,800 to be received as grants-in-aid;
- (b) By the expenditure of \$504,736 available funds; and
- (c) By the issuance of \$1,972,464 bonds of said County hereby authorized to be issued pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of said class of objects or purposes is twenty years, pursuant to subdivision 10 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Cattaraugus, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the Salamanca Press and the Olean Times Herald, the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

MR. HELMICH moved, seconded by Mr. Breton, to waive Rule 12. Carried.

CHAIRMAN STOCKMAN requested a Roll Call vote, which disclosed as follows:

Ayes: Boberg, Breton, Giardini, Hale, Hastings, Helmich, Higgins, Klancer, Koch, Labuhn, Neal, Padlo, Snyder, Sr., Snyder, Jr., Stockman, VanRensselaer, Vickman - 17.

Nays: none.

Act No. 599-2016, having received a unanimous majority vote of the Legislature, was declared Adopted.

ACT NO. 600-2016 by Mr. Snyder, Sr.
who asks immediate consideration

BOND RESOLUTION DATED NOVEMBER 22, 2016.

**A RESOLUTION AUTHORIZING ROAD IMPROVEMENTS IN AND FOR THE
COUNTY OF CATTARAUGUS, NEW YORK, AT A MAXIMUM ESTIMATED COST OF
\$11,319,960 AND AUTHORIZING THE ISSUANCE OF \$9,347,189 BONDS OF
SAID COUNTY TO PAY PART OF THE COST THEREOF.**

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Cattaraugus, New York, as follows:

Section 1. Road improvements, including sidewalks, curbs, gutters, drainage, landscaping, and costs incidental thereto, is hereby authorized in and for said County of Cattaraugus at a maximum estimated cost of \$11,319,960.

Section 2. The plan for the financing of such maximum estimated cost shall be as follows:

- (a) By the expenditure of \$1,932,771 to be received as grants-in-aid;
- (b) By the expenditure of \$40,000 available funds; and
- (c) By the issuance of \$9,347,189 bonds of said County hereby authorized to be issued pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of said class of objects or purposes is fifteen years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Cattaraugus, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the Salamanca Press and the Olean Times Herald, the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

MR. GIARDINI moved, seconded by Mr. Padlo, to waive Rule 12. Carried.

CHAIRMAN STOCKMAN requested a Roll Call vote, which disclosed as follows:

Ayes: Boberg, Breton, Giardini, Hale, Hastings, Helmich, Higgins, Klancer, Koch, Labuhn, Neal, Padlo, Snyder, Sr., Snyder, Jr., Stockman, VanRensselaer, Vickman - 17.

Nays: none.

Act No. 600-2016, having received a unanimous majority vote of the Legislature, was declared Adopted.

ACT NO. 601-2016 by Mr. Snyder, Sr.
who asks immediate consideration

BOND RESOLUTION DATED NOVEMBER 22, 2016.

**A RESOLUTION AUTHORIZING CULVERT IMPROVEMENTS IN AND FOR THE
COUNTY OF CATTARAUGUS, NEW YORK, AT A MAXIMUM ESTIMATED COST OF
\$1,590,000 AND AUTHORIZING THE ISSUANCE OF \$1,037,554 BONDS OF
SAID COUNTY TO PAY PART OF THE COST THEREOF.**

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Cattaraugus, New York, as follows:

Section 1. Culvert improvements, including drainage, landscaping and incidental costs, is hereby authorized in and for said County of Cattaraugus at a maximum estimated cost of \$1,590,000.

Section 2. The plan for the financing of such maximum estimated cost shall be as follows:

- (a) By the expenditure of \$500,000 to be received as grants-in-aid;
- (b) By the expenditure of \$52,446 available funds; and
- (c) By the issuance of \$1,037,554 bonds of said County hereby authorized to be issued pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of said class of objects or purposes is forty years, pursuant to subdivision 10 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Cattaraugus, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the Salamanca Press and the Olean Times Herald, the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

MR. HIGGINS moved, seconded by Mr. Snyder, Jr., to waive Rule 12. Carried.

CHAIRMAN STOCKMAN requested a Roll Call vote, which disclosed as follows:

Ayes: Boberg, Breton, Giardini, Hale, Hastings, Helmich, Higgins, Klancer, Koch, Labuhn, Neal, Padlo, Snyder, Sr., Snyder, Jr., Stockman, VanRensselaer, Vickman - 17.

Nays: none.

Act No. 601-2016, having received a unanimous majority vote of the Legislature, was declared Adopted.

ACT NO. 602-2016 by Mr. Snyder, Sr.
who asks immediate consideration

BOND RESOLUTION DATED NOVEMBER 22, 2016.

**A RESOLUTION AUTHORIZING THE REPLACEMENT OF ROOFS
AT COUNTY BUILDINGS IN AND FOR THE
COUNTY OF CATTARAUGUS, NEW YORK, AT A MAXIMUM ESTIMATED COST OF
\$850,000 AND AUTHORIZING THE ISSUANCE OF \$553,938 BONDS OF
SAID COUNTY TO PAY PART OF THE COST THEREOF.**

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Cattaraugus, New York, as follows:

Section 1. The replacement of roofs at County buildings, including incidental improvements and expenses in connection therewith, is hereby authorized in and for said County of Cattaraugus at a maximum estimated cost of \$850,000.

Section 2. The plan for the financing of such maximum estimated cost shall be as follows:

- (a) By the expenditure of \$296,062 available funds; and
- (b) By the issuance of \$553,938 bonds of said County hereby authorized to be issued pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of said class of objects or purposes is twenty-five years, pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Cattaraugus, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources,

there shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the Salamanca Press and the Olean Times Herald, the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

MS. VICKMAN moved, seconded by Mr. Snyder, Sr., to waive Rule 12. Carried.

CHAIRMAN STOCKMAN requested a Roll Call vote, which disclosed as follows:

Ayes: Boberg, Breton, Giardini, Hale, Hastings, Helmich, Higgins, Klancer, Koch, Labuhn, Neal, Padlo, Snyder, Sr., Snyder, Jr., Stockman, VanRensselaer, Vickman - 17.

Nays: none.

Act No. 602-2016, having received a unanimous majority vote of the Legislature, was declared Adopted.

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MR. KOCH moved, seconded by Mr. Boberg, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 603-2016 through Act No. 607-2016, inclusive. Carried.

ACT NO. 603-2016 by Mr. Snyder, Sr.
who asks immediate consideration

**INCREASING APPROPRIATION AND ESTIMATED REVENUE ACCOUNTS
(Department of Public Works)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, Acts 599-2016, 600-2016, 601-2016 and 602-2016 authorized bond issues in the total amount of \$12,911,145.00, and

WHEREAS, it is necessary to create appropriation and revenue accounts to accommodate the aforementioned bond funds, now, therefore, be it

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

Increase Estimated Revenue Accounts:

H.504.5197.5198.5710.01	Serial Bonds Culverts	\$ 1,037,554.00
H.504.5197.5198.5710.02	Serial Bonds Bridges	\$ 1,972,464.00
H.504.5197.5198.5710.03	Serial Bonds Roads	\$ 9,347,189.00
H.504.1620.0000.21070.5710.04	Serial Bonds Buildings	\$ 553,938.00

Increase Appropriation Accounts:

H.504.5197.5195.25020.41603	Ashford Bridge No. 37	\$ 287,000.00
H.504.5197.5198.25091.41603	Franklinville Bridge No. 22	\$ 100,464.00
H.504.5197.5195.25026.41603	Great Valley Bridge No. 9	\$ 280,000.00
H.504.5197.5198.25086.41603	Leon Bridge No. 35	\$ 480,000.00
H.504.5197.5198.25085.41603	Mansfield Bridge No. 50	\$ 650,000.00
H.504.5197.5198.25089.41603	Randolph Bridge No. 21	\$ 75,000.00
H.504.5197.5198.25090.41603	Yorkshire Bridge No. 14	\$ 100,000.00
H.504.5197.5198.23068.41603	Ashford Culvert No. 22	\$ 540,000.00
H.504.5197.5198.23069.41603	Dayton Culvert No. 11	\$ 147,554.00
H.504.5197.5198.23070.41603	Ellicottville Culvert No. 46	\$ 200,000.00
H.504.5197.5198.23071.41603	Lyndon Culvert No. 31	\$ 150,000.00
H.504.5197.5198.27064.41603	County Road No. 10	\$ 430,708.00
H.504.5197.5198.27039.41603	County Road No. 12	\$ 498,953.00
H.504.5197.5198.27074.41603	County Road No. 14	\$ 462,947.00
H.504.5197.5198.27010.41603	County Road No. 16	\$ 499,456.00
H.504.5197.5198.27051.41603	County Road No. 18	\$ 264,754.00
H.504.5197.5198.27034.41603	County Road No. 21	\$ 125,000.00
H.504.5197.5198.27066.41603	County Road No. 24	\$ 1,575,000.00
H.504.5197.5198.27014.41603	County Road No. 27	\$ 317,228.00
H.504.5197.5198.27019.41603	County Road No. 32	\$ 394,242.00
H.504.5197.5198.27036.41603	County Road No. 33	\$ 950,000.00
H.504.5197.5198.27075.41603	County Road No. 39	\$ 304,370.00
H.504.5197.5198.27076.41603	County Road No. 42	\$ 255,732.00
H.504.5197.5198.27077.41603	County Road No. 53	\$ 150,000.00
H.504.5197.5198.27006.41603	County Road No. 58	\$ 1,456,536.00
H.504.5197.5198.27068.41603	County Road No. 59	\$ 760,000.00
H.504.5197.5198.27054.41603	County Road No. 71	\$ 530,927.00
H.504.5197.5198.27043.41603	County Road No. 73	\$ 207,797.00

H.504.5197.5198.27078.41603	County Road No. 90	\$ 163,539.00
H.504.1620.0000.21070.41603	LVCC Roof	\$ 553,938.00.

Adopted November 22, 2016 by voice vote.

ACT NO. 604-2016 by Mr. Snyder, Sr.
who asks immediate consideration

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(CHIPS – Department of Public Works)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, Cattaraugus County has received CHIPS funding in the amount of \$3,438,160.95 for 2017, and

WHEREAS, the Department of Public Works is desirous of allocating the CHIPS funding for various highway projects, and

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

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

Increase Estimated Revenue Account:

H.504.5197.5197.3501	Consolidated Highway Aid	\$ 3,438,160.95
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Increase Appropriation Accounts:

H.504.5197.5197.25086.41603	Leon Bridge No. 35	\$ 300,000.00
H.504.5197.5197.25089.41603	Randolph Bridge No. 21	\$ 300,000.00
H.504.5197.5197.25090.41603	Yorkshire Bridge No. 14	\$ 400,000.00
H.504.5197.5197.23068.41603	Ashford Culvert No. 22	\$ 500,000.00
H.504.5197.5197.27033.41603	County Road No. 13	\$ 5,389.22
H.504.5197.5197.27066.41603	County Road No. 24	\$ 1,000,000.00
H.504.5197.5197.27014.41603	County Road No. 27	\$ 932,771.73.

Adopted November 22, 2016 by voice vote.

ACT NO. 605-2016 by Mr. Snyder, Sr.
who asks immediate consideration

ESTABLISHING SALARY FOR COUNTY TREASURER

Pursuant to Section 205 of the County Law.

WHEREAS, a salary for the position of County Treasurer must be established, now, therefore, be it

RESOLVED, that the position of County Treasurer be compensated at the following annualized salaries:

<u>For the Year</u>	<u>Annual Salary</u>
2017	\$78,470.09
2018	\$80,039.49
2019	\$81,640.28
2020	\$83,273.09

Adopted November 22, 2016 by voice vote.

ACT NO. 606-2016 by Mr. Giardini, Ms. Hastings, Mr. Koch, Mrs. Labuhn and Mr. Padlo
who ask immediate consideration

LOCAL LAW NUMBER 12 - 2016
COUNTY OF CATTARAUGUS, NEW YORK

Pursuant to Section 10 of the Municipal Home Rule Law and
Sections 201 and 205 of the County Law.

A LOCAL LAW ESTABLISHING SALARIES FOR CERTAIN COUNTY OFFICERS

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

SECTION 1. Legislative Intent. It is the intent of this Local Law to establish salaries for the year 2017 for County Officers, elected or appointed, who serve fixed terms.

SECTION 2. Schedule of 2017 Salaries. Effective January 1, 2017, the County Officers listed below shall receive the following bi-weekly salary, which represents an additional 2% salary increase for 2017:

<u>Position</u>	<u>2017 Bi-Weekly Salary</u>
County Administrator	\$4,127.51
Director Of Aging	\$2,684.10
Public Health Director	\$3,977.38
Commissioner of Social Services	\$3,634.95
Commissioner of Public Works	\$3,339.15
Personnel Officer/Human Resources Director	\$3,050.00
Information Services Director	\$3,401.50
Economic Development, Planning & Tourism Director	\$3,177.78
Community Services, Director	\$3,171.18
Real Property Tax Director	\$2,932.86

SECTION 3. Schedule of Salaries for Other County Officers. Effective January 1, 2017, the County Officers listed below shall receive the following salaries which incorporate a 2% salary increase for each of the year 2017:

<u>Position</u>	<u>2017 Bi-Weekly Salary</u>
Election Commissioner (2)	\$ 2,295.12
County Historian	\$ 570.14
Museum Curator	\$ 570.14
Probation Director	\$ 3,118.27

Veterans Services Director	\$ 2,193.36
Youth Bureau Director	\$ 2,505.25
County Coroners (4)	\$ 11,148.93
Sheriff	\$103,205.23
County Clerk	\$ 77,044.68

SECTION 4. Supercession. All local laws and resolutions of the Cattaraugus County Legislature, including without limitation Local Law Number 13-2015 and Act No. 571-2015, to the extent that the same are inconsistent with this local law, are hereby superceded.

SECTION 5. Effective Date. This Local Law is subject to permissive referendum in accordance with Section 24 of the Municipal Home Rule Law.

No further action taken at this time.

ACT NO. 607-2016 by Mr. Giardini, Ms. Hastings, Mr. Koch, Mrs. Labuhn and Mr. Padlo
*and Boberg, Breton, Hale, Helmich, Higgins, Klancer, Neal,
Snyder, Jr., Snyder, Sr., Stockman, VanRensselaer and Vickman*¹
who ask immediate consideration

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 12 - 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 November 22, 2016, a proposed Local Law entitled, "A Local Law Establishing Salaries for Certain County Officers", 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 14th day of December, 2016, at 4:03 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.

¹The following Legislators requested their names be listed as additional sponsors: "Boberg, Breton, Hale, Helmich, Higgins, Klancer, Neal, Snyder, Jr., Snyder, Sr., Stockman, VanRensselaer and Vickman".

Adopted November 22, 2016 by voice vote.

* * * * *

MR. HALE moved, seconded by Mr. Koch, to adjourn until December 14, 2016 at 4:00 p.m.
Carried.

Meeting adjourned at 4:57 p.m.

Ann M. Giglio
Journal Clerk