

March 25, 2020

The meeting was called to order by Chairman VanRensselaer.

The invocation was given by Jack Searles.

The Attendance Roll Call disclosed all Legislators present.

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There being no amendments or objections thereto, Chairman VanRensselaer noted that the minutes of the March 11, 2020 session and the March 16, 2020 session stand approved as presented.

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APPOINTMENTS:

CATTARAUGUS-ALLEGANY WORKFORCE DEVELOPMENT BOARD

Three-year terms to expire December 31, 2022

Carissa Knapp, County Administrator, Allegany County

Ryan Wilcox, Program Outreach Manager, Boundless Connections

THATCHER BROOK WATERSHED TASK FORCE

Four-year terms to expire December 31, 2023

Ruth Bennett, Town of Dayton

Tom Chupa, Town of Dayton

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PUBLIC HEARING:

CHAIRMAN VANRENSELAER announced this is the time and place called for a public hearing on the inclusion into a certified agricultural district of agricultural parcels submitted during the 2020 thirty-day inclusion period, and that anyone wishing to speak for or against this may now do so.

Sufficient notice was provided pursuant to Article 7 of the Public Officers Law and pursuant to New York State Executive Order 202.1, that public in-person access was not permitted; however, the public hearing was broadcast live on the County website. Written comments could be submitted via electronic mail to the Director of Economic Development, Planning and Tourism no later than 5:00 pm on March 26, 2020.

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

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PRIVILEGE OF THE FLOOR:

CHAIRMAN VANRENSELAER granted Privilege of the Floor to Dr. Kevin Watkins, Public Health Director, who provided an update on COVID-19. Currently, Cattaraugus County is one of nine counties with no confirmed cases.

CHAIRMAN VANRENSELAER granted Privilege of the Floor to Chris Baker, Director of Emergency Services, who provided an update on COVID-19 operations in the command center.

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ACT NO. 142-2020 by Mr. Helmich and Mr. Koch

**BID ACCEPTANCE FOR STEEL CORRUGATED PIPE AND PIPE ARCHES
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of steel corrugated pipe and pipe arches, according to specifications provided by the Public Works Committee, and

WHEREAS, the only bid received for the provision of steel corrugated pipe and pipe arches was submitted by Chemung Supply Corp., P.O. Box 527, Elmira, New York 13901, as follows:

Round Corrugated Steel Pipe And Pipe Arches

Perforated Plain Galvanized, Corrugated Steel Pipe Underdrain

<u>Index No.</u>	<u>Diameter</u>	<u>Description</u>	<u>2020 Rate</u>
CMDP6	6	(18 ga.) per linear foot	\$7.78
CMDP8	8	(16 ga.) per linear foot	\$10.48
CMDP10	10	(16 ga.) per linear foot	\$11.26
CMC1012	10	12" connect. band	\$16.88
CMFE10	10	Flared End	\$246.75
CMDP12	12	(16 ga.) per linear foot	\$10.72
CMC1212	12	12" connect. band	\$22.21
CMC1224	12	24" connect. band	\$50.40
CMFE12	12	Flared End	\$206.85
CMDP15	15	(16 ga.) per linear foot	\$12.72
CMC1512	15	12" connect. band	\$24.68
CMC1524	15	24" connect. band	\$51.98
CMFE15	15	Flared End	\$221.55
CMDP18	18	(16 ga.) per linear foot	\$15.01
CMC1812	18	12" connect. band	\$27.56
CMC1824	18	24" connect. band	\$66.42
CMFE18	18	Flared End	\$246.75

Round Corrugated Steel Pipe & Pipe Arches Class II

CMDP21	21	(16 ga.) per linear foot	\$18.36
CMC2112	21	12" connect. band	\$30.14
CMC2124	21	24" connect. band	\$66.16
CMFE21	21	Flared End	\$278.25
CMDP24	24	(14 ga.) per linear foot	\$23.77
CMC2412	24	12" connect. band	\$33.81
CMC2424	24	24" connect. band	\$64.58

CMFE24	24	Flared End	\$292.95
CMDP30	30	(14 ga.) per linear foot	\$31.72
CMC3012	30	12" connect. band	\$50.24
CMC3024	30	24" connect. band	\$80.06
CMFE30	30	Flared End	\$442.05
CMDP36	36	(12 ga.) per linear foot	\$51.74
CMC3612	36	12" connect. band	\$80.33
CMC3624	36	24" connect. band	\$105.00
CMFE36	36	Flared End	\$534.50
CMDP42	42	(12 ga.) per linear foot	\$61.26
CMC4212	42	12" connect. band	\$95.63
CMC4224	42	24" connect. band	\$121.17
CMFE42	42	Flared End	\$812.70
CMDP48	48	(12 ga.) per linear foot	\$67.72
CMC4812	48	12" connect. band	\$108.89
CMC4824	48	24" connect. band	\$126.78
CMFE48	48	Flared End	\$945.00
CMDP60	60	(10 ga.) per linear foot	\$147.97
MC6012	60	12" connect. band	\$198.99
CMC6024	60	24" connect. band	\$291.11
CMFE60	60	Flared End	\$1,422.75
CMDP72	72	(10 ga.) per linear foot	\$164.85
CMC7212	72	12" connect. band	\$376.85
CMC7224	72	24" connect. band	\$546.43
CMFE72	72	Flared End	\$2021.75
CMDP84	84	(8 ga.) per linear foot	\$181.63
CMC8412	84	12" connect. band	\$414.65
CMC8424	84	24" connect. band	\$601.24
CMFE84	84	Flared End	\$2,674.88

**Fully Bituminous Coated w/o Pavement Helically Corrugated Pipe Arch
w/Rerolled Ends**

CMDP3524	35" x 24"	Per linear foot	\$72.29
CMSC3524		24" connect. band	\$109.00
CMDP4229	42" x 29"	Per linear foot	\$96.16
CMSC4229		24" connect. band	\$126.50
CMDP4933	49" x 33"	Per linear foot	\$119.90
CMSC4933		24" connect. band	\$142.31
CMDP5738	57" x 38"	Per linear foot	\$159.77
CMSC5738		24" connect. band	\$175.38
CMDP6443	64" x 43"	Per linear foot	\$189.00
CMSC6443		24" connect. band	\$365.13
CMDP7147	71" x 47"	Per linear foot	\$243.33
CMSC7147		24" connect. band	\$400.49
CMDP7752	77" x 52"	Per linear foot	\$413.10
CMSC7752		24" connect. band	\$418.31
CMDP8357	83" x 57"	Per linear foot	\$437.03
CMSC8357		24" connect. band	\$480.13

now, therefore, be it

RESOLVED, that the Commissioner of Public Works is authorized to contract for steel corrugated pipe and pipe arches with Chemung Supply Corp., as recommended by the Public Works Committee for the term May 1, 2020 through April 30, 2021, and be it further

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

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

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

Five sets of specifications were sent out.

One bid was received.

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

Adopted March 25, 2020 by voice vote.

ACT NO. 143-2020 by Mr. Helmich and Mr. Koch

**BID ACCEPTANCE FOR PLASTIC & POLYETHYLENE CORRUGATED DRAINAGE PIPE
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of plastic and polyethylene corrugated drainage pipe, according to specifications provided by the Public Works Committee, and

WHEREAS, the only acceptable bid received for the provision of plastic and polyethylene corrugated drainage pipe was submitted by Advanced Drainage Systems, Inc., 4640 Trueman Boulevard, Hilliard, Ohio 43026, as follows:

Plastic & Polyethylene Corrugated Drainage Pipe Or Tubing

<u>Index No.</u>	<u>Diameter</u>	<u>Description</u>	<u>2020 Rate</u>
CPDP4	4	Per foot	\$0.48
CPC4	4	/coupler	\$2.24
CPDP6	6	Per foot	\$1.15
CPC6	6	/coupler	\$4.48
CPDP8	8	Per foot	\$2.10
CPC8	8	/coupler	\$4.90
CPDP10	10	Per foot	\$4.25
CPC10	10	/coupler	\$7.20
CPDP12	12	Per foot	\$5.30
CPC12	12	/coupler	\$7.75
CPFE12	12	Flared End	\$132.00
CPDP15	15	Per foot	\$7.25

CPC15	15	/coupler	\$10.65
CPFE15	15	Flared End	\$132.00
CPDP18	18	Per foot	\$10.20
CPC18	18	/coupler	\$16.99
CPFE18	18	Flared End	\$178.00
CPDP24	24	Per foot	\$16.00
CPC24	24	/coupler	\$24.10
CPFE24	24	Flared End	\$228.00

Polyethylene Corrugated High Capacity Smooth Interior Pipe

CPDP12SI	12	Per foot	\$4.93
CPC12SI	12	/coupler	\$7.75
CPFE12SI	12	Flared End	\$132.00
CPDP15SI	15	Per foot	\$6.42
CPC15SI	15	/coupler	\$10.65
CPFE15SI	15	Flared End	\$132.00
CPDP18SI	18	Per foot	\$9.50
CPC18SI	18	/coupler	\$16.99
CPFE18SI	18	Flared End	\$178.00
CPDP24SI	24	Per foot	\$14.90
CPC24SI	24	/coupler	\$24.10
CPFE24SI	24	Flared End	\$228.00
CPDP30SI	30	Per foot	\$22.90
CPC30SI	30	/coupler	\$58.50
CPFE30SI	30	Flared End	\$556.00
CPDP36SI	36	Per foot	\$29.50
CPC36SI	36	/coupler	\$80.85
CPFE36SI	36	Flared End	\$589.00
CPDP42SI	42	Per foot	\$40.85
CPC42SI	42	/coupler	\$115.95
CPDP48SI	48	Per foot	\$50.40
CPC48SI	48	/coupler	\$135.00

Category II Integral Bell Joint

CPDPSL12	12	Per foot	\$4.99
CPSCP12	12	Split Coupler	\$7.75
CPDPSL15	15	Per foot	\$6.60
CPSCP15	15	Split Coupler	\$10.65
CPDPSL18	18	Per foot	\$9.70
CPSCP18	18	Split Coupler	\$16.99
CPDPSL24	24	Per foot	\$15.35
CPSCP24	24	Split Coupler	\$24.10
CPDPSL30	30	Per foot	\$23.79
CPSCP30	30	Split Coupler	\$58.50
CPDPSL36	36	Per foot	\$30.45
CPSCP36	36	Split Coupler	\$80.85
CPDPSL42	42	Per foot	\$41.70
CPSCP42	42	Split Coupler	\$115.95
CPDPSL48	48	Per foot	\$51.95
CPSCP48	48	Split Coupler	\$135.00

now, therefore, be it

RESOLVED, that the Commissioner of Public Works is authorized to contract for plastic and polyethylene corrugated drainage pipe with Advanced Drainage Systems, Inc., as recommended by the Public Works Committee for the term May 1, 2020 through April 30, 2021, and be it further

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

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

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

Nine sets of specifications were sent out.

One bid was received.

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

Adopted March 25, 2020 by voice vote.

ACT NO. 144-2020 by Mr. Helmich and Mr. Koch

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

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

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

WHEREAS, the only bid received for the provision of round and elliptical concrete pipe (Class III & IV) was submitted by Southern Tier Municipal & Construction Supply Co., P.O. Box 0892, Jamestown, New York 14701-0892, as follows:

Round Concrete Pipe (Class III & IV)

<u>Description</u>	<u>2020 Rate</u>
18 Inch (Class III) per foot	\$36.15
18 Inch (Class IV) per foot	\$41.40
18 Inch Flared End	\$1,285.00
21 Inch (Class III) per foot	\$40.40
21 Inch (Class IV) per foot	\$46.64
21 Inch Flared End	\$1,631.00
24 Inch (Class III) per foot	\$48.84
24 Inch (Class IV) per foot	\$52.89
24 Inch Flared End	\$1,943.00
30 Inch (Class III) per foot	\$73.00
30 Inch (Class IV) per foot	\$77.78

30 Inch Flared End	\$2,063.00
36 Inch (Class III) per foot	\$101.94
36 Inch (Class IV) per foot	\$108.30
36 Inch Flared End	\$2,407.00
42 Inch (Class III) per foot	\$143.68
42 Inch (Class IV) per foot	\$150.77
42 Inch Flared End	\$3,001.00
48 Inch (Class III) per foot	\$179.42
48 Inch (Class IV) per foot	\$194.07
48 Inch Flared End	\$3,505.60
54 Inch (Class III) per foot	\$236.42
54 Inch (Class IV) per foot	\$249.17
54 Inch Flared End	\$4,157.00
60 Inch (Class III) per foot	\$315.93
60 Inch (Class IV) per foot	\$347.66
60 Inch Flared End	\$5,883.00
66 Inch (Class III) per foot	\$343.24
66 Inch (Class IV) per foot	\$387.11
60 Inch Flared End	\$6,045.00
72 Inch (Class III) per foot	\$381.21
72 Inch (Class IV) per foot	\$417.35
72 Inch Flared End	\$7,298.75

Elliptical Concrete Pipe (Class III & IV)

<u>Description</u>	<u>2020 Rate</u>
18 Inch (Class III) per foot (14 x 23)	\$61.57
18 Inch (Class IV) per foot	\$66.54
18 Inch Flared End (each)	\$2,386.00
24 Inch (Class III) per foot (19 x 30)	\$78.24
24 Inch (Class IV) per foot	\$82.56
24 Inch Flared End (each)	\$2,854.00
30 Inch (Class III) per foot (24 x 38)	\$94.14
30 Inch (Class IV) per foot	\$104.05
30 Inch Flared End (each)	\$3,270.00
36 Inch (Class III) per foot (29 x 45)	\$153.03
36 Inch (Class IV) per foot	\$173.66
36 Inch Flared End (each)	\$4,179.00
42 Inch (Class III) per foot (34 x 53)	\$196.94
42 Inch (Class IV) per foot	\$213.57
42 Inch Flared End (each)	\$5,224.00
48 Inch (Class III) per foot (38 x 60)	\$224.40
48 Inch (Class IV) per foot	\$259.96
48 Inch Flared End (each)	\$6,333.75
54 Inch (Class III) per foot (43 x 68)	\$320.00
54 Inch (Class IV) per foot	\$338.00
54 Inch Flared End (each)	\$9,733.00
60 Inch (Class III) per foot (48 x 76)	\$346.86
60 Inch (Class IV) per foot	\$361.02

60 Inch Flared End (each)	\$12,358.00
66 Inch (Class III) per foot (53 x 83)	\$370.93
66 Inch (Class IV) per foot	\$432.26
66 Inch Flared End (each)	\$14,090.00
72 Inch (Class III) per foot (58 x 91)	\$552.71
72 Inch (Class IV) per foot	\$751.99
72 Inch Flared End (each)	\$15,202.00

now, therefore, be it

RESOLVED, that the Commissioner of Public Works is authorized to contract for concrete pipe (Class III & IV) with Southern Tier Municipal & Construction Supply Co. as recommended by the Public Works Committee for the term May 1, 2020 through April 30, 2021, and be it further

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

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

No State Bid.

Four sets of specifications were sent out.

One bid was received.

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

Adopted March 25, 2020 by voice vote.

ACT NO. 145-2020 by Mr. Helmich and Mr. Koch

**BID ACCEPTANCE FOR 2020 BRIDGE DECK SEALING
AND BRIDGE WASHING FEDERAL-AID PROGRAM
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law,
and Section 131-b of the Highway Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the 2020 Bridge Deck Sealing and Bridge Washing Federal-Aid Program, according to bid specifications and general information provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications for the provision of the aforementioned Bridge Deck Sealing and Bridge Washing Federal-Aid Program was the bid of DeAngelo Brothers, LLC, in the amount of \$298,827.89, to be paid periodically on a cost plus basis, as invoiced and approved by the Department of Public Works, and

WHEREAS, the 2020 Bridge Deck Sealing and Bridge Washing Program is a federal-aid project and the award of this contract to DeAngelo Brothers, LLC, is contingent upon the approval of the NYS Department of Transportation, and

WHEREAS, the term of the contract for the aforementioned Bridge Deck Sealing and Bridge Washing Program shall commence within ten (10) days of effective date of contract and shall be completed by:

Bridge Washing of 218 bridges shall be completed by June 19, 2020,
Bridge Deck Sealing of 22 bridges shall be completed by July 31, 2020,

now, therefore, be it

RESOLVED, that the bid of DeAngelo Brothers, LLC, be, and the same hereby is, accepted, and be it further

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

No State Bid.

Three sets of specifications were sent out.

Two bids were received that met specifications.

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

Adopted March 25, 2020 by voice vote.

ACT NO. 146-2020 by Mr. Helmich and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
GREENMAN-PEDERSEN, INC. FOR CONSTRUCTION INSPECTION SERVICES FOR
2020 BRIDGE DECK SEALING AND BRIDGE WASHING FEDERAL-AID PROGRAM**

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

WHEREAS, the County is in need of construction inspection services for the 2020 Bridge Deck Sealing and Bridge Washing Federal-Aid Program, and

WHEREAS, Greenman-Pedersen, Inc. (GPI), 4950 Genesee Street, Suite 100, Buffalo, New York 14225, can provide the necessary construction inspection services for the aforementioned Bridge Deck Sealing and Bridge Washing Federal-Aid Program for an amount not to exceed \$58,000.00, to be paid on a percent-of-completion basis, as determined and approved by the Department of Public Works, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Greenman-Pedersen, Inc. (GPI), for the provision of the above-described construction inspection services, for a term commencing March 25, 2020 and terminating December 31, 2020, according to the above-described terms.

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

Adopted March 25, 2020 by voice vote.

ACT NO. 147-2020 by Mr. Helmich and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
GREENMAN-PEDERSEN, INC. FOR
CONSTRUCTION INSPECTION SERVICES FOR FREEDOM BRIDGE NO. 4
DECK REPLACEMENT AND INTERSECTION RECONSTRUCTION OF
COUNTY ROAD NOS. 36 AND 21 PROJECT**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 329-2019 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 Freedom Bridge No. 4 Deck Replacement and Intersection Reconstruction of County Road Nos. 36 and 21 Project, the term of which expired December 31, 2019, and

WHEREAS, an extension of the aforementioned contract is necessary in order to complete the aforementioned project, 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 Greenman-Pedersen, Inc., for the provision of the above-described construction inspection services for the construction phase, which amends the original contract dated August 6, 2019 to terminate July 31, 2020, according to the above-described terms.

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

Adopted March 25, 2020 by voice vote.

ACT NO. 148-2020 by Mr. Helmich and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
POPLI DESIGN GROUP FOR ENGINEERING DESIGN SERVICES FOR
FRANKLINVILLE BRIDGE NO. 22 REPLACEMENT PROJECT**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 54-2017, as amended by Acts 574-2017 and 286-2018, authorized a contract with Popli Design Group, 374 Delaware Avenue, Suite 306, Buffalo, New York 14202, for the provision of engineering design services necessary for the replacement of Franklinville Bridge No. 22, and the inclusion of Parts 1 through 5, with the addition of wetlands delineation, the term of which expired, and

WHEREAS, an extension of the aforementioned contract is necessary in order to complete the aforementioned project, 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 Popli Design Group, for the provision of the above-described engineering design services, which amends the original contract dated February 17, 2017 to terminate July 31, 2020, according to the above-described terms.

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

Adopted March 25, 2020 by voice vote.

ACT NO. 149-2020 by Mr. Helmich and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 1
WITH NYSDOT AND AUTHORIZING CATTARAUGUS COUNTY TO PARTICIPATE
IN FEDERAL-AID PROJECT ADMINISTERED BY THE NYSDOT**

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

WHEREAS, Act 340-2019 authorized Federal-Aid Local Project Agreement (Comptrollers Contract #D036481) for the Cattaraugus County Bridge Painting Project: four (4) bridges located within Cattaraugus County, BIN 3323210, 33213130, 3360260 and 3320960, PIN 5761.99, (the "Project"), and

WHEREAS, the aforementioned contract should be amended to receive the \$11,250.00 balance of approved State Marchiselli Match funding for the above-referenced project, and

WHEREAS, a Supplemental Agreement No. 1 supersedes the original contract, which had a total value of \$375,000.00 by adding \$11,250.00, now, therefore, be it

RESOLVED, that the sum of \$11,250.00 is hereby appropriated which is in addition to \$375,000.00 previously appropriated for the project's Construction & Construction Inspection phases via County Resolution No. 340-2019 adopted on August 28, 2019, and made available to cover the cost of participation in the above phase of the Project, and be it further

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute Supplemental Agreement No. 1, on behalf of Cattaraugus County, with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible.

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

Adopted March 25, 2020 by voice vote.

ACT NO. 150-2020 by Mr. Higgins and Mr. Marsh

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
EMPIRE STATE DEVELOPMENT – REGIONAL ECONOMIC DEVELOPMENT COUNCIL
FOR CONSOLIDATED FUNDING APPLICATION AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Economic Development, Planning & Tourism)**

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

WHEREAS, Act 180-2019 authorized the Chair to apply for funding through the Empire State Development – Regional Economic Development Council for Consolidated Funding Application for various eligible projects, and

WHEREAS, the County Department of Economic Development, Planning and Tourism has been awarded up to \$50,000.00 from the Empire State Development Strategic Planning & Feasibility Study Program, and

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

WHEREAS, this program is 50% state funded with a 25% in-kind match and a 25% match from the County, which is included in the casino funds account, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to cover the County's match, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with Empire State Development, in order to accept, and receive, the above-described funding, for a term commencing January 1, 2020 and terminating December 31, 2020, according to the above-described terms, and be it further

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

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

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

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

Increase Estimated Revenue Account:		
A.642.8020.8024.3902.03	State Aid, Planning Studies –ESD Grant	\$50,000.00
Decrease Appropriation Accounts:		
A.642.6420.0000.11000	Full-Time Wages	\$11,917.82
A.642.6420.0000.82000	FICA	\$ 912.65
A.642.6420.0000.82000	Retirement	\$ 1,481.17
A.642.6420.0000.83000	Health Insurance	\$ 2,386.96
A.642.6420.0000.84000	Dental Insurance	\$ 67.77
A.642.8020.0000.11000	Full-Time Wages	\$ 5,318.83
A.642.8020.0000.82000	FICA	\$ 407.03
A.642.8020.0000.82000	Retirement	\$ 506.86

A.642.8020.0000.83000	Health Insurance	\$ 1,967.18
A.642.8020.0000.84000	Dental Insurance	\$ 33.72
Increase Appropriation Accounts:		
A.642.8020.8024.41603	Contracted Services	\$50,000.00
A.642.8020.8024.11000	Full-Time Wages	\$17,236.65
A.642.8020.8024.81000	FICA	\$ 1,319.68
A.642.8020.8024.82000	Retirement	\$ 1,988.03
A.642.8020.8024.83000	Health Insurance	\$ 4,354.14
A.642.8020.8024.84000	Dental Insurance	\$ 101.50.

Approved by 6 members of the Finance Committee and 7 members of the Development and Agriculture Committee.

Adopted March 25, 2020 by voice vote.

ACT NO. 151-2020 by Mr. Higgins and Mr. Marsh

**AUTHORIZING DEPARTMENT OF ECONOMIC DEVELOPMENT, PLANNING & TOURISM
TO SUBMIT CATTARAUGUS COUNTY COORDINATED PUBLIC TRANSIT
HUMAN SERVICES TRANSPORTATION PLAN TO
NEW YORK STATE DEPARTMENT OF TRANSPORTATION**

Pursuant to 49 U.S.C. 5310 et seq. and Section 450 of the County Law.

WHEREAS, the Cattaraugus County Coordinated Public Transit-Human Services Transportation Plan has been updated in response to Federal Transit Administration requirements under the Fixing America's Surface Transportation (FAST) Act, and

WHEREAS, the FAST Act requires the establishment of a "locally developed, coordinated public transit human services transportation plan" for all Federal Transit Administration (FTA) programs for underserved populations: the Elderly Individuals and Individuals with Disabilities program, and

WHEREAS, the purpose of the planning requirement is to improve transportation services for persons with disabilities, older Americans, and individuals with lower incomes, and

WHEREAS, the plan is intended to identify the transportation needs of individuals with disabilities, older adults, and people with low incomes, provide strategies for meeting those local needs, and prioritize transportation services for funding and implementation, and

WHEREAS, a coordinated plan for human services transportation enhances transportation access, minimizes duplication of Federal services, and encourages the most cost-effective transportation possible, and

WHEREAS, it is necessary to submit the above-described plan to the New York State Department of Transportation for approval, now, therefore, be it

RESOLVED, that the County Department of Economic Development, Planning & Tourism be, and hereby is, authorized and directed to submit the Cattaraugus County Coordinated Public Transit-Human Services Transportation Plan to the New York State Department of Transportation for approval, and be it further

RESOLVED, that the Cattaraugus County Legislature has reviewed and approved the Plan for submission to the New York State Department of Transportation.

Approved by 6 members of the Finance Committee and 7 members of the Development and Agriculture Committee.

Adopted March 25, 2020 by voice vote.

ACT NO. 152-2020 by Mr. VanRensselaer

**AMENDING ACT 127-2020 REGARDING APPOINTMENT OF MEMBERS TO
DEFERRED COMPENSATION COMMITTEE**

Pursuant to Section 457 of the Internal Revenue Code.

WHEREAS, Act 262-1986, as amended, adopted the Cattaraugus County Deferred Compensation Plan (hereinafter referred to as "Plan"), which permits the appointment of three (3) members of the Legislature and three (3) members of the CSEA Local 805 to the Deferred Compensation Committee, and

WHEREAS, it is necessary for the CSEA Local 805 to recommend replacements for their current representative members, now, therefore, be it

RESOLVED, that effective immediately, upon the recommendation of the CSEA Local 805, the following members are hereby appointed to the Deferred Compensation Committee as their representative members:

Deborah Miller

Rhonda Miller

Angela Lockwood,

replacing Sally Buskist, Lori Holmes and Margo Pearl.

Approved by 6 members of the Finance Committee and 5 members of the Labor Relations Committee.

Adopted March 25, 2020 by voice vote.

ACT NO. 153-2020 by Mr. Boberg, Mr. Higgins, Mrs. Hunt, Mr. Klancer,
Ms. Schröder and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
NEW YORK STATE BOARD OF ELECTIONS FOR
HELP AMERICA VOTE ACT (HAVA) SHOEBOX PROGRAM FUNDS REIMBURSEMENT**

Pursuant to 42 USCS 15421, Sections 10 and 16 of the Laws of 2005 and
Section 450 of the County Law.

WHEREAS, Act 166-2013, as amended by Acts 148-2014, 109-2016, 156-2017, 173-2018 and 228-2019, authorized a contract with the New York State Board of Elections in order to receive reimbursement through the Help America Vote Act (HAVA) Shoebox program, the term of which expires March 31, 2020, and

WHEREAS, the term of the aforementioned contract should be extended to March 31, 2021, and

WHEREAS, a contract extension is necessary with the New York State Board of Elections in order to extend the term of the aforementioned contract, with no additional conditions, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract extension, on behalf of Cattaraugus County, with the New York State Board of Elections, in order to continue to receive the aforementioned Shoebox program funding, to extend the term of the original contract which commenced April 1, 2004, to terminate March 31, 2021, with automatic one-year extension periods until the grant funds have been expended, according to the above-described terms.

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

Adopted March 25, 2020 by voice vote.

ACT NO. 154-2020 by Mr. Boberg, Mr. Higgins, Mrs. Hunt, Mr. Klancer,
Ms. Schröder and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
NEW YORK STATE BOARD OF ELECTIONS FOR
HELP AMERICA VOTE ACT (HAVA) FUNDS REIMBURSEMENT
(Voter Education/Poll Worker Training Program)**

Pursuant to 42 USCS 15421, Sections 10 and 16 of the Laws of 2005
and Section 450 of the County Law.

WHEREAS, Act 109-2007, as amended by Acts 631-2007, 89-2009, 234-2011, 138-2014, 265-2015, 108-2016, 155-2017, 174-2018 and 229-2019, authorized a contract with the New York State Board of Elections Help America Vote Act (HAVA) in order to receive HAVA reimbursement for the Voter Education/Poll Worker Training Program, the term of which expires March 31, 2020, and

WHEREAS, the term of the aforementioned contract should be extended to March 31, 2021, with no additional conditions, and

WHEREAS, a contract extension is necessary with the New York State Board of Elections in order to extend the term of the aforementioned contract, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract extension, on behalf of Cattaraugus County, with the New York State Board of Elections, in order to continue to receive the aforementioned funding, to extend the term of the original contract to terminate March 31, 2021, with automatic one-year extension periods until the grant funds have been expended, according to the above-described terms.

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

Adopted March 25, 2020 by voice vote.

ACT NO. 155-2020 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
THE CENTER FOR ELDER LAW AND JUSTICE FOR LEGAL
SERVICES FOR ELDERLY RESIDENTS OF CATTARAUGUS COUNTY**

Pursuant to 45 CFR 1321 and Section 450 of the County Law.

WHEREAS, Act 145-2019 authorized a contract with The Center for Elder Law and Justice, 438 Main Street, Suite 1200, Buffalo, New York 14202, for the provision of legal services for elderly residents of Cattaraugus County in accordance with Title III of the Older Americans Act of 1965, as amended, the term of which expires March 31, 2020, and

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

WHEREAS, The Center for Elder Law and Justice is desirous of continuing the aforementioned services for an annual amount not to exceed \$28,000.00, to be paid on a monthly basis, as invoiced, and

WHEREAS, these services are 90% federal (CFDA #93.044) and 10% state funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with The Center for Elder Law and Justice, for the provision of the above-described services, for a term commencing April 1, 2020 and terminating March 31, 2021, 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.

Adopted March 25, 2020 by voice vote.

ACT NO. 156-2020 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
HEALTHY COMMUNITY ALLIANCE, INC. FOR
HEALTH INSURANCE AND LONG-TERM CARE INFORMATION AND COUNSELING**

Pursuant to Article 2, Title 3 of the Elder Law and
Section 450 of the County Law.

WHEREAS, Act 146-2019 authorized a contract with Healthy Community Alliance, Inc., One School Street, Suite 100, Gowanda, New York 14070, for the provision of information, counseling and workshops to Cattaraugus County residents in order to help them better understand health insurance and long term care services, the term of which expires March 31, 2020, and

WHEREAS, the Department of Aging is desirous of continuing the aforementioned program, and

WHEREAS, Healthy Community Alliance, Inc., can provide staff persons to the Department of Aging who will provide information, counseling and workshops to Cattaraugus County residents in order to help them better understand health insurance, Medicare benefits, EPIC and other long-term care services, for an amount of \$61,737.00 for staffing, training and travel-related expenses, to be paid on a quarterly basis, as invoiced, and

WHEREAS, this program is 76% federal (CFDA# 93.779 & 93.071), 2% local and 22% county funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Healthy Community Alliance, Inc., for the provision of the above-described services, for a term commencing April 1, 2020 and terminating March 31, 2021, 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.

Adopted March 25, 2020 by voice vote.

ACT NO. 157-2020 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS REHABILITATION CENTER, INC. D/B/A INTANDEM, INC.
FOR SENIOR NUTRITION PROGRAM MEALS AT
LINWOOD SOCIAL ADULT DAY PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 147-2019 authorized a contract with Cattaraugus Rehabilitation Center, Inc., d/b/a Intandem, Inc., 1439 Buffalo Street, Olean, New York 14760, for the provision of meals for the participants of the Linwood Social Adult Day Program who are participating in the County's congregate nutrition day program, the term of which expires March 31, 2020, and

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

WHEREAS, the Department of Aging sponsors Senior Nutrition Program Meals, in the federally funded Nutrition Program for the elderly which provides meals and other approved services related to the provision of meals for residents of Cattaraugus County aged 60 and over and/or their spouses regardless of their age, 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 residents, and

WHEREAS, Cattaraugus Rehabilitation Center, Inc., d/b/a Intandem, Inc., is desirous of purchasing meals from the County Department of Aging Senior Nutrition Program for the participants of the Linwood Social Adult Day Program who are participating in the County's congregate nutrition day program, and

WHEREAS, the Department of Aging has agreed to provide the aforementioned meals, through its Senior Nutrition Program, to the Linwood Social Adult Day Program participants in accordance with the following rates:

- Congregate Meal for Breakfast \$3.25 per meal, with current Child and Adult Care Food Program reimbursement rates
- Congregate Meal for Lunch \$7.25 per meal, with current Child and Adult Care Food Program reimbursement rates
- Congregate Meal \$7.25 per meal for a guest,

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 Rehabilitation Center, Inc., d/b/a Intandem, Inc., for the provision of the above-described meals, for a term commencing April 1, 2020 and terminating March 31, 2021, according to the above-described terms.

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

Adopted March 25, 2020 by voice vote.

ACT NO. 158-2020 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS REHABILITATION CENTER, INC., D/B/A INTANDEM, INC. FOR
SOCIAL ADULT DAY SERVICES THROUGH THE LINWOOD CENTER PROGRAM**

Pursuant to Older Americans Act Title III-E and
Section 450 of the County Law.

WHEREAS, Act 148-2019 authorized a contract with Cattaraugus Rehabilitation Center, Inc., d/b/a Intandem, Inc., 1439 Buffalo Street, Olean, New York 14760, for the management, operation and control of the Linwood Center, the term of which expires March 31, 2020, and

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

WHEREAS, Cattaraugus Rehabilitation Center, Inc., d/b/a Intandem, Inc., shall provide for the provision of social adult day services at the Linwood Center Adult Day Services Program for an amount not to exceed \$40,000.00, to be paid monthly as invoiced and approved by the Department of Aging, and

WHEREAS, this program is 22% federal (CFDA# 93.052), 56% state and 22% county funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Cattaraugus Rehabilitation Center, Inc., d/b/a Intandem, Inc., for the provision of social adult day services at the Linwood Center, for a term commencing April 1, 2020 and terminating March 31, 2021, 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.

Adopted March 25, 2020 by voice vote.

ACT NO. 159-2020 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
TOTAL SENIOR CARE, INC., FOR SOCIAL ADULT DAY CARE SERVICES
THROUGH DAYBREAK PROGRAM**

Pursuant to Older Americans Act Title III-E and
Section 450 of the County Law.

WHEREAS, Act 149-2019 authorized a contract with Total Senior Care, Inc., 519 North Union Street, Olean, New York 14760, for the provision of social adult day care services through the Daybreak Program, the term of which expires March 31, 2020, and

WHEREAS, the Department of Aging is desirous of continuing the aforementioned social adult day care services for the Daybreak Program, and

WHEREAS, Total Senior Care, Inc., shall provide social adult day care services through the Daybreak Program for an amount of \$60/full day and \$40/half day, for a total contract amount not to exceed \$15,000.00, to be paid monthly, as invoiced and approved by the Department of Aging, and

WHEREAS, this program is 17% federal (CFDA #93.052), 66% state and 17% county funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Total Senior Care, Inc., for the provision of social adult day care services, for a term commencing April 1, 2020 and terminating March 31, 2021, 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.

Adopted March 25, 2020 by voice vote.

ACT NO. 160-2020 by Mrs. Andreano and Mr. Helmich

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

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

WHEREAS, Act 447-2019 authorized a contract with Health Research, Inc., in order to accept funding for the next phase of the terrorism emergency response and preparedness plan, the term of which expires June 30, 2020, and

WHEREAS, the County Health Department has been awarded additional funding in the amount of \$20,000.00 through Health Research, Inc., Riverview Center, 150 Broadway, Suite 560, Menands, New York 12204, for a total contract amount of \$61,195.00, for the period commencing July 1, 2019 and terminating June 30, 2020, and

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

WHEREAS, this program is 100% federally funded (CFDA# 93.074), now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with the Health Research, Inc., in order to accept and receive the aforementioned grant funding, for a term commencing July 1, 2019 and terminating June 30, 2020, according to the above-described terms, and be it further

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

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

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

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

Adopted March 25, 2020 by voice vote.

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MR. BOBERG moved, seconded by Mr. Marsh, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 162-2020 through Act No. 172-2020, inclusive. Carried.

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ACT NO. 162-2020 by Mr. Benson, Mr. Boberg, Mr. Helmich,
Mr. Morrow, Mr. Parker and Mr. Koch
who ask immediate consideration

**BID ACCEPTANCE FOR MARKHAMS SALT/SAND STORAGE BUILDING
CONTRACT B SUPERSTRUCTURE AND ROOFING SYSTEM
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and
Sections 215 and 450 of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the Markhams Salt/Sand Storage Building – Contract B–Superstructure and Roofing System, for the Cattaraugus County Department of Public Works, according to bid specifications and general information provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications was the bid of Eagle Associates of Cazenovia, LLC, P.O. Box 322, Cazenovia, New York 13035, for the Markhams Salt/Sand Storage Building – Contract B–Superstructure and Roofing System for the Cattaraugus County Department of Public Works, for an amount of \$117,999.00, to be paid as invoiced, and

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

RESOLVED, that the bid of Eagle Associates of Cazenovia, LLC, be, and the same hereby is, accepted, for a term commencing ten calendar days after the date of the Notice of Award and terminating October 9, 2020, and be it further

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

No State Bid.

Four sets of specifications were sent out.

Two bids were received.

Adopted March 25, 2020 by voice vote.

ACT NO. 163-2020 by Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky, Mr. Burr, Mr. Higgins, Mr. Klancer, Mr. Marsh, Mr. Morrow, Mr. Parker, Ms. Schröder, Mr. Smith, Mr. Snyder, Jr. and Mr. VanRensselaer who ask immediate consideration

**SALE OF TAX TITLE PROPERTY TO FORMER OWNERS
(City of Olean, Towns of Carrollton, Conewango, Dayton, East Otto, Farmersville, Franklinville, Mansfield, New Albion, Portville, Randolph and South Valley)**

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

WHEREAS, Cattaraugus County has tax title to certain properties situate in the City of Olean and the Towns of Carrollton, Conewango, Dayton, East Otto, Farmersville, Franklinville, Mansfield, New Albion, Portville, Randolph and South Valley, and

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

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

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

CITY OF OLEAN

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
21	94.040-2-32	Jon Havers	110 W. Elm Street Olean, NY 14760	\$3,540.30

TOWN OF CARROLLTON

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
170	100.004-1-16.2	Candace G. Tingley Gregory J. Tingley	6366 Limestone Run Road Limestone, NY 14753	\$6,393.86
171	100.004-1-5	Candace G. Tingley Gregory J. Tingley	6366 Limestone Run Road Limestone, NY 14753	\$5,070.50

TOWN OF CONEWANGO

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
196	60.004-1-17.3	Edward W. Smith Lisa A.M. Smith	9458 Grape Street Angola, NY 14006	\$2,558.27

TOWN OF DAYTON

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
212	33.033-4-7.2	Patricia A. Priest	9 Prospect Street South Dayton, NY 14138	\$2,546.80

TOWN OF EAST OTTO

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
222	28.001-1-13.2	Dale Gradler	9336 Bowen Road East Otto, NY 14729	\$4,217.12

TOWN OF FARMERSVILLE

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
252	23.004-1-14	Karl D. Neamon Laurie Neamon	9828 Huyck Road Farmersville Station, NY 14060	\$4,591.75

TOWN OF FRANKLINVILLE

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
254	57.001-1-50.2	Paul L. Sungenis	309 North 5 th Street Olean, NY 14760	\$4,805.56

TOWN OF MANSFIELD

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
391	46.003-1-14.1	Russell J. Dunkleman	7939 Erdmann Hill Road Little Valley, NY 14755	\$2,147.04
392	46.003-1-19	Russell J. Dunkleman	7939 Erdmann Hill Road Little Valley, NY 14755	\$2,592.47
393	46.003-1-15	Russell J. Dunkleman	7939 Erdmann Hill Road Little Valley, NY 14755	\$2,776.57

TOWN OF NEW ALBION

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
434	35.081-1-8.1	Robyn L. Fox	62 N. Main Street Cattaraugus, NY 14719	\$2,716.62

TOWN OF PORTVILLE

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
497	104.082-1-21	Dennis Hathaway Elizabeth Wilder	457 Highland Terrace Portville, NY 14770	\$4,050.95
501	104.005-1-27	Robert D. Howard	1246 Burnt Hill Road Olean, NY 14760	\$2,697.82
513	95.002-2-10.3	Robert A. Willover Kathy J. Willover	3974 Route 147, Lot 64 Allegany, NY 14706	\$2,170.97

TOWN OF RANDOLPH

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
526	70.058-2-44	Gary R. Lynn	100 Tiffany Lane Frewsburg, NY 14738	\$12,573.58

TOWN OF SOUTH VALLEY

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
534	97.002-1-3.2	Joyce E. Reynolds	19 Maple Street Frewsburg, NY 14738	\$2,651.59

Adopted March 25, 2020 by voice vote.

ACT NO. 164-2020 by Mr. Klancer, Mr. Boberg, Mr. Brisky and Ms. Schröder
who ask immediate consideration

**AUTHORIZING TRANSFER OF TAX FORECLOSURE PROPERTY TO
CATTARAUGUS COUNTY LAND BANK CORPORATION**

Pursuant to Section 450 of the County Law.

WHEREAS, pursuant to Act 679-2014, as amended, Cattaraugus County established the Cattaraugus County Land Bank Corporation, which is now an authorized land bank corporation in New York State, and

WHEREAS, New York State's land bank legislation was enacted to address the negative impacts of distressed or at-risk structures and abandoned vacant property in New York's communities, and

WHEREAS, vacant and abandoned properties present a danger to the health and safety of local residents, result in costs and loss of revenues to local governments, and discourage further investment in the community, and

WHEREAS, land banks allow municipalities to acquire, redevelop and improve tax delinquent, vacant or abandoned property, thereby providing a mechanism for municipalities to acquire blighted properties and convert them to productive uses, and

WHEREAS, the Cattaraugus County Land Bank Corporation is able to acquire properties through a variety of means, which include properties obtained through the in rem tax foreclosure process, as well as donated properties, now, therefore, be it

RESOLVED, the Chairman of the Legislature, upon approval of the County Treasurer, is hereby authorized to transfer the County-owned property listed below to the Cattaraugus County Land Bank Corporation for rehabilitation:

Location: 6197 Shady Lane, Town of Lyndon
(known as Tax Map No. 59.001-1-51.3),

and be it further

RESOLVED, that the Cattaraugus County Treasurer hereby agrees to waive any and all taxes, liens or other fees that may be due on the property being transferred to the Cattaraugus County Land Bank, and be it further

RESOLVED, that the Cattaraugus County Clerk is hereby authorized and directed to waive

all recording fees and transfer taxes for property transferred to the Cattaraugus County Land Bank Corporation.

Adopted March 25, 2020 by voice vote.

ACT NO. 165-2020 by Ms. Schröder
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
EMPLOYEE SERVICES, INC., FOR EMPLOYEE ASSISTANCE PROGRAM**

Pursuant to Section 205 of the County Law.

WHEREAS, Act 501-2018 authorized a contract with Employee Services, Inc., 55 Chamberlain Street, Wellsville, New York 14895, for the provision of an Employee Assistance Program, the term of which expired December 31, 2019, and

WHEREAS, Employee Services, Inc., has advised the County that a new rate of \$28.00 per non-public safety employee and \$39.62 per public safety employee will be charged effective January 1, 2020, for a total not to exceed \$32,238.08, based on the number of covered employees, to be paid as invoiced, and

WHEREAS, in the event substance abuse evaluations are required by the NYSDOT, a fee of \$850.00 per evaluation will be charged, and

WHEREAS, in the event more than three (3) sessions are necessary for any uninsured employee, then the County will pay an amount of \$100.00 per additional session, and

WHEREAS, the total number of covered employees may increase or decrease up to, and including, five percent (5%) without effecting the total value of the agreement, and

WHEREAS, if the number of covered employees increases or decreases by more than five percent (5%), then the total agreement value may be revised quarterly to reflect the changes in employees covered, 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 Employee Services, Inc., for the provision of the above-described services, for a term commencing January 1, 2020 and terminating December 31, 2020, with an option to renew for a one (1) year period under the same rates, terms and conditions, according to the above-described terms.

Adopted March 25, 2020 by voice vote.

ACT NO. 166-2020 by Mr. Higgins and Mr. Marsh
who ask immediate consideration

**DEFERRING CERTAIN LOAN PAYMENTS FOR PROGRAMS ADMINISTERED
THROUGH THE DEPARTMENT OF ECONOMIC DEVELOPMENT, PLANNING & TOURISM**

Pursuant to Section 153 of the County Law.

WHEREAS, the Department of Economic Development, Planning and Tourism administers the following four (4) loan fund programs:

- Ag Revolving Loan Fund (Casino)
- Economic and Sustainable Growth Corporation Loan Fund
- Economic Development Loan Fund (Casino)
- Grow Cattaraugus Loan Fund,

and

WHEREAS, due to the hardship the COVID-19 Pandemic is putting on local businesses and loan clients, the County Department of Economic Development, Planning & Tourism is desirous of deferring all payments on the aforementioned loans until August 1, 2020, now, therefore, be it

RESOLVED, that all loan payments associated with the above-listed loan programs *may*¹ be deferred until August 1, 2020, at which time, the requirement for such loan payments will commence under the terms of each of such loan programs.

¹MR. BRISKY moved, seconded by Mr. Burr, to amend as follows: In the Resolved, delete: “shall”, and replace with: “may”. Carried.

Adopted, as amended, March 25, 2020 by voice vote.

ACT NO. 167-2020 by Mr. Higgins and Mr. Marsh
who ask immediate consideration

**DECLARING MODIFIED CONSOLIDATED AGRICULTURAL DISTRICT NO. 5
TO BE AN UNLISTED SEQR ACTION**

Pursuant to 6 NYCRR Section 617.11.

WHEREAS, Act 130-2020 authorized a public hearing on requests for inclusion into the Consolidated Agricultural District No. 5 of agricultural parcels submitted during the 2020 thirty (30) day inclusion period, and

WHEREAS, the aforementioned modified agricultural district includes the following towns:

<u>Town</u>	<u>Tax Map No.</u>	<u>Acreage</u>
Allegany	75.004-1-70	86.20
Dayton	25.001-1-6.1	41.88
East Otto	27.002-1-32.2	11.8
Farmersville	23.003-1-31.6	14.3
Franklinville	57.002-1-72	51.8
Franklinville	57.001-1-5	78.06
Portville	86.004-2-12	140.95

and

WHEREAS, the modification of the aforementioned district is an Unlisted SEQR Action,
and

WHEREAS, the Cattaraugus County Legislature, as Lead Agency, has determined that the modification of the aforementioned agricultural district will not have a significant adverse impact on the environment, and does not require the preparation of an Environmental Impact Statement, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature, as Lead Agency, hereby determines that the modification of the aforementioned agricultural district is an Unlisted Action, within the meaning of 6 NYCRR Section 617.11, and be it further

RESOLVED, that the Cattaraugus County Legislature hereby issues a Negative Declaration (Notice of Determination of Non-Significance) for the aforementioned modified agricultural district.

Adopted March 25, 2020 by voice vote.

ACT NO. 168-2020 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
HEALTH RESEARCH, INC. FOR PUBLIC HEALTH
PREPAREDNESS AND RESPONSE TO BIOTERRORISM AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(COVID-19)**

Pursuant to Section 301 et seq. of the Public Health Service Act and
Sections 363, 366 and 450 of the County Law.

WHEREAS, the County Health Department has been awarded emergency funding through Health Research, Inc., Riverview Center, 150 Broadway, Suite 560, Menands, New York 12204, in the amount of \$103,625.00, for Coronavirus (COVID-19) response activities, for the period commencing March 5, 2020 and terminating March 15, 2021, and

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

WHEREAS, this program is 100% federally funded (CFDA# 93.354), and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Health Research, Inc., in order to accept and receive the aforementioned grant funding, for a term commencing March 5, 2020 and terminating March 15, 2021, according to the above-described terms, and be it further

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

Increase Estimated Revenue Account:

A.401.4095.4080.4401-11	Federal Aid, COVID-19	\$103,625.00
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Increase Appropriation Accounts:

A.401.4095.4080.47035	Medical Supplies	\$ 15,000.00
A.401.4095.4080.41417	Lab & Diagnostic	\$ 15,000.00
A.401.4095.4080.47006	Operating Supplies	\$ 15,000.00
A.401.4095.4080.46102	Employee Mileage	\$ 15,000.00
A.401.4095.4080.13000	Overtime	\$ 41,200.00
A.401.4095.4080.47001	Postage	\$ 2,425.00.

Adopted March 25, 2020 by voice vote.

ACT NO. 169-2020 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

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

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

WHEREAS, Act 447-2019 authorized a contract with Health Research, Inc., in order to accept funding for the next phase of the terrorism emergency response and preparedness plan, the term of which expires June 30, 2020, and

WHEREAS, the County Health Department has been awarded additional funding through Health Research, Inc., Riverview Center, 150 Broadway, Suite 560, Menands, New York 12204, in the amount of \$15,000.00, for the period commencing July 1, 2019 and terminating June 30, 2020, to be used for costs associated in responding to the COVID-19 crisis, and

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

WHEREAS, this program is 100% federally funded (CFDA# 93.074), now, therefore, be it
RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Health Research, Inc., in order to accept and receive the aforementioned grant funding, for a term commencing July 1, 2019 and terminating June 30, 2020, according to the above-described terms.

Adopted March 25, 2020 by voice vote.

ACT NO. 170-2020 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
REDLICH HORWITZ FOUNDATION FOR DEPARTMENT OF
SOCIAL SERVICES POSITIVE PARENTING PROGRAM AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Social Services)**

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

WHEREAS, Governor Cuomo authorized the Family First Transition Fund, a public-private partnership with Redlich Horwitz Foundation, to provide \$3 million in state funding and \$400k in private funding to help local districts achieve two goals:

- a maximum of 12 percent of children in foster care placed in congregate care, and
- a minimum of 30 percent of children in foster care in approved kinship homes,

and

WHEREAS, the Redlich Horwitz Foundation has partnered with the New York Office of Children and Family Services to implement strategies to decrease congregate care and increase certified kinship care, and

WHEREAS, the County Department of Social Services has been awarded funding from the Redlich Horwitz Foundation, in the amount of \$23,315.00 plus 40 hours of support consultation, for the provision of training in the Positive Parenting Program (Triple P) Level 4 Standard for 20 participants, and
 WHEREAS, a contract is necessary in order to accept and receive the aforementioned funding, and

WHEREAS, this program is 100% federally funded (CFDA# 93.354), and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Redlich Horwitz Foundation, in order to accept and receive the aforementioned grant funding, for a term commencing March 19, 2020 and terminating December 31, 2020, according to the above-described terms, and be it further

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

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

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

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

Increase Appropriation Account:

A.601.6162.0000.2705.37	Families First Grant	\$23,315.00
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Increase Revenue Account:

A.601.6162.0000.41603	Contracted Services	\$23,315.00.
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Adopted March 25, 2020 by voice vote.

ACT NO. 171-2020 by Mr. VanRensselaer
*and Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky, Mr. Burr,
 Mr. Helmich, Mr. Higgins, Mrs. Hunt, Mr. Klancer, Mr. Marsh, Mr. Morrow,
 Mr. Parker, Ms. Schröder, Mr. Smith, Mr. Snyder, Jr. and Mr. Koch¹*
 who ask immediate consideration

**REQUESTING NEW YORK STATE LEGISLATURE ENACT SENATE BILL S.07937 AND
 ASSEMBLY BILL A.10046 REGARDING ADDITIONAL ONE
 PERCENT SALES TAX FOR CATTARAUGUS COUNTY**

Pursuant to Section 40 of the Municipal Home Rule Law.

WHEREAS, the New York State Legislature authorized the imposition of an additional one percent sales tax in Cattaraugus County by Chapter 61 of the Laws of 2017 of the State of New York, which authorization expires November 30, 2020, and

WHEREAS, the revenue generated by the additional one percent sales tax during 2019 was approximately \$10,808,807.36, and

WHEREAS, the additional one percent sales tax has been allocated in the 2020 County budget for the maintenance, repair, rehabilitation and replacement of the infrastructure in Cattaraugus County, and

WHEREAS, Senate Bill S.07937 and Assembly Bill A.10046 have been introduced in the New York State Legislature, which authorize the Cattaraugus County Legislature to implement an additional one percent sales tax for a term commencing December 1, 2020 and ending November 30, 2023, and

WHEREAS, a necessity exists for the passage of such legislation by the New York State Legislature, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby requests the New York State Legislature enact Senate Bill S.07937 and Assembly Bill A.10046, which authorizes the Cattaraugus County Legislature to implement an additional one percent sales tax, in accordance with the above-described terms, and be it further

RESOLVED, that the County Attorney be, and hereby is, authorized and directed to submit one or more Home Rule Requests to the New York State Legislature pursuant hereto, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Senator Borrello and Assembly Member Giglio.

¹The following Legislators requested their names be listed as additional sponsors: “Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky, Mr. Burr, Mr. Helmich, Mr. Higgins, Mrs. Hunt, Mr. Klancer, Mr. Marsh, Mr. Morrow, Mr. Parker, Ms. Schröder, Mr. Smith, Mr. Snyder, Jr. and Mr. Koch”.

CHAIRMAN VANRENSELAER requested a Roll Call vote on Act No. 171-2020, which disclosed as follows:

Ayes: Andreano, Benson, Boberg, Brisky, Burr, Helmich, Higgins, Hunt, Klancer, Koch, Marsh, Morrow, Parker, Schröder, Smith, Snyder, VanRensselaer -17.

Nays: none.

Act No. 171-2020, having received a unanimous vote of the Legislature, was declared Adopted.

ACT NO. 172-2020 by Mr. Koch
who asks immediate consideration

**EXTENDING DEADLINE FOR 2020 SEASONAL CAMPSITES AND BOAT SLIPS RENTALS
FOR THE ONOVILLE MARINA UNTIL APRIL 30, 2020**

Pursuant to Section 153 of the County Law.

WHEREAS, the 2020 seasonal rental payments for campsites and boat slips at the Onoville Marina are due April 1, 2020, and

WHEREAS, due to the uncertainty and hardship the COVID-19 Pandemic is putting on Onoville Marina patrons, the County is desirous of extending the deadline for all such payments until April 30, 2020, now, therefore, be it

RESOLVED, that the deadline to accept 2020 seasonal rental payments for campsites and boat slips at the Onoville Marina is hereby extended until April 30, 2020.

MR. BRISKY moved, seconded by Ms. Schröder seconded, to refer Act No. 172-2020 to the Public Works Committee. Mr. Burr called the Motion, seconded by Mr. Brisky.

MR. KOCH and Mr. Snyder requested a Roll Call vote, which disclosed as follows:

Ayes: Andreano, Benson, Brisky, Burr, Higgins, Hunt, Klancer, Marsh, Morrow, Schröder, Smith, VanRensselaer -12.

Nays: Boberg, Helmich, Koch, Parker, Snyder - 5.

Motion to refer Act No. 172-2020 to the Public Works Committee, having received a majority vote of the Legislature, was passed.

* * * * *

CHAIRMAN VANRENSELAER announced that he was suspending Rule 2.1 and Rule 12.10 of the Rules of Order and the next meeting of the Legislature would be April 22, 2020.

MR. BURR moved, seconded by Mr. Benson, to adjourn until April 22, 2020 at 4:00 p.m. Carried.

Meeting adjourned at 4:54 p.m.

Ann M. Giglio
Journal Clerk