

April 28, 2021

The meeting was called to order by Chairman VanRensselaer.

The invocation was given by Rev. leFeber.

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 April 14, 2021 session stand approved as presented.

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PROCLAMATION:

CHAIRMAN VANRENSELAER proclaimed the month of April 2021 as **Fair Housing Month** in Cattaraugus County. Chairman VanRensselaer presented the proclamation to Crystal Abers, Director of the Department of Economic Development, Planning & Tourism.

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PRIVILEGE OF THE FLOOR:

CHAIRMAN VANRENSELAER presented the Master Certificate for High Performance Leadership from the Professional Development Academy sponsored by the National Association of Counties to Legislator Rick Helmich. Legislator Helmich was able to secure additional scholarships for County personnel and "passed on the gold coin" to Deputy Commissioner of Public Works, Mike Prinino, challenging him to complete the program and pass the coin on to another individual.

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ACT NO. 172-2021 by Mr. Helmich and Mr. Koch

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

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

RESOLVED, that the Commissioner of Public Works is authorized to contract for galvanized square steel tubing for sign posts with the bidders recommended by the Public Works Committee for the season May 1, 2021 through April 30, 2022, and be it further

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

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

RESOLVED, the only bid received for the galvanized square steel tubing for sign posts was submitted by Unistrut Buffalo, Division of Eberl Iron Works, Inc., 128 Sycamore Street, Buffalo, New York 14204-1492, as follows:

Tubing: price per foot (min. order 600 ft.) F.O.B. Little Valley

Size	Price	Rate
1½" x 1½" x 24 ft. w/perforations	12 gauge	\$3.37
1¾" x 1¾" x 24 ft. w/perforations	12 gauge	\$3.92
2" x 2" x 24 ft. w/perforations	12 gauge	\$4.36
2¼" x 2¼" x 24 ft. w/perforations	12 gauge	\$4.99

Other Items: price per 100

Telspar or Description	Units	Rate
Equivalent		
TN-31 Tuff Nut 5/16" 18 thread	/100	\$92.26
TLO15 T Bracket, used on 1½", 1¾", 2" & 2¼"	/100	\$367.00
TLO16 90 Degree Bracket, used on 1½", 1¾", 2" & 2¼"	/100	\$515.30
TLO18 Straight Bracket, used on 1½", 1¾", 2" & 2¼"	/100	\$425.88
TLO19 Bracket, used on 1½", 1¾", 2" & 2¼"	/100	\$397.65
TLO20 Inside Corner Bracket, used on 1½", 1¾", 2" & 2¼"	/100	\$243.53

Corner Bolts – All 5/16"

	Units	
TLO50 1½" sq., 1¾" sq., 2" sq.	/100	\$69.41
TLO70 2¼" Sq., 2½" Sq.	/100	\$64.71
TLO62 Heavy Hex Jam Nut for above Bolts	/100	\$15.29
TLO94EG Gravity Lock Pin	/100	\$301.18
SB30CCHG 32" Longbrace with 30" Centers	Each	\$8.89
TL130 Guard Rail Clamp	Each	\$27.71
TL132 Breakaway Plate	Each	\$4.82
HFLW031 Nylon Washer – White	/100	\$16.47
TL3806 3/8" diameter large head multi-grip drive rivet	/100	\$88.24
UC11272HG 1.12 lbs/ft U-channel 72" delineator post – galvanized	Each	\$7.17
UC11296HG 1.12 lbs/ft U-channel 96" delineator post – galvanized	Each	\$9.44

The State Contract is for Channel Sign Post only, not Square Post.

State Bid does not meet County specifications.

Three sets of specifications were sent out.

One bid was received which met specifications.

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

Adopted April 28, 2021 by voice vote.

ACT NO. 173-2021 by Mr. Helmich and Mr. Koch

**BID ACCEPTANCE FOR HIGHWAY SIGNS
(Department of Public Works)**

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

RESOLVED, that the Commissioner of Public Works is authorized to contract for the purchase of highway signs with the bidder recommended by the Public Works Committee for the season May 1, 2021 through April 30, 2022, and be it further

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

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

RESOLVED, the lowest acceptable bid received for highway signs was submitted by Vulcan, Inc., d/b/a Vulcan Signs, P.O. Box 1850, Foley, Alabama 36536, as follows:

Description	Price Per Square Foot	Rate
New Domestic 0.080 inch thick 5052-H38 Alodized Aluminum:		
Blank Aluminum		\$2.63
48" x 96" sheet, blank (no holes)		\$64.487
Signs:		
Scotchlite Engineers Grade Aluminum 1 side w/Legend 1 color		\$3.89
Scotchlite Engineers Grade Aluminum 1 side w/Legend 2 color		\$3.95
3M Prismatic High Intensity Grade Aluminum 1 side w/Legend 1 color		\$4.24
3M Prismatic High Intensity Grade Aluminum 1 side w/Legend 2 color		\$4.32
Scotchlite Diamond Grade Aluminum 1 side w/Legend 1 color		\$5.60
Scotchlite Diamond Grade Aluminum 1 side w/Legend 2 color		\$5.66
Scotchlite Diamond Grade Fluorescent Aluminum 1 side w/Legend 1 color		\$5.60
Scotchlite Diamond Grade Fluorescent Aluminum 1 side w/Legend 2 color		\$5.66
Scotchlite High Intensity, Pressure Sensitive Pre-Screened, Unmounted Faces w/Legend 1 color		\$1.34
Scotchlite High Intensity, Pressure Sensitive Pre-Screened, Unmounted Faces w/Legend 2 color		\$1.40
6"x12" Delineators, Reflectorized, Double Sided on Aluminum Engineer Grade		\$3.89
Delineators-Reflectorized on Aluminum (per sq. in.)		
Engineers Grade		\$.130
High Intensity		\$.140

No State Bid.

Thirteen sets of specifications were set out.

Three bids were received which met specifications.

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

Adopted April 28, 2021 by voice vote.

ACT NO. 174-2021 by Mr. Helmich and Mr. Koch

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

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

RESOLVED, that the Commissioner of Public Works is authorized to contract for the following materials with the bidders recommended by the Public Works Committee for the season May 1, 2021 through April 30, 2022, and be it further

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

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

RESOLVED, the only bid received for sandblasting abrasives was submitted by Gernatt Asphalt Products, Inc., 13870 Taylor Hollow Road, Collins, New York 14034, as follows:

Description	Rate
In 100 pound bags per ton delivered to Cattaraugus County Public Works, 8810 Route 242, Little Valley on pallets in 21 ton lots	\$397.00/ton
Pick-up at warehouse /100 lb. bag	\$19.85
 Black Beauty Grade 2040 Fine – Price Delivered	
Per Ton Bagged	\$417.00
Per 100 lb. Bag	\$20.85
 Black Beauty Grade 2040 Fine – Price Picked-Up	
Per Ton Bagged	\$397.00
Per 100 lb. Bag	\$19.85
 Black Beauty Grade Medium 1240 – Price Delivered	
Per Ton Bagged	\$417.00
Per 100 lb. Bag	\$20.85
 Black Beauty Grade Medium 1240 – Price Picked-Up	
Per Ton Bagged	\$397.00
Per 100 lb. Bag	\$19.85

Warehouse: 191 Broadway Road, Gowanda, New York

Delivery: When delivery is requested, delivery shall be to Cattaraugus County Department of Public Works, Little Valley, NY, on pallets in 21 ton lots unless ordered in bulk.

No State Bid.

Four sets of specifications were sent out.

One bid was received which met specifications.

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

Adopted April 28, 2021 by voice vote. Mr. Burr abstained from vote.

ACT NO. 175-2021 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>2021 Rate</u>
CPDP4	4	Per foot	\$0.50
CPC4	4	/coupler	\$2.50
CPDP6	6	Per foot	\$1.22
CPC6	6	/coupler	\$4.96
CPDP8	8	Per foot	\$2.70
CPC8	8	/coupler	\$6.49
CPDP10	10	Per foot	\$5.50
CPC10	10	/coupler	\$9.60
CPDP12	12	Per foot	\$7.10
CPC12	12	/coupler	\$8.55
CPFE12	12	Flared End	\$170.00
CPDP15	15	Per foot	\$8.50
CPC15	15	/coupler	\$11.78
CPFE15	15	Flared End	\$170.00
CPDP18	18	Per foot	\$11.50
CPC18	18	/coupler	\$18.88
CPFE18	18	Flared End	\$229.20
CPDP24	24	Per foot	\$18.10
CPC24	24	/coupler	\$26.75
CPFE24	24	Flared End	\$294.00

Polyethylene Corrugated High Capacity Smooth Interior Pipe

CPDP12SI	12	Per foot	\$5.42
CPC12SI	12	/coupler	\$8.55
CPFE12SI	12	Flared End	\$170.00
CPDP15SI	15	Per foot	\$7.08
CPC15SI	15	/coupler	\$11.78
CPFE15SI	15	Flared End	\$170.00
CPDP18SI	18	Per foot	\$10.47
CPC18SI	18	/coupler	\$18.88
CPFE18SI	18	Flared End	\$229.20
CPDP24SI	24	Per foot	\$16.60
CPC24SI	24	/coupler	\$26.75
CPFE24SI	24	Flared End	\$294.00
CPDP30SI	30	Per foot	\$25.55
CPC30SI	30	/coupler	\$63.20
CPFE30SI	30	Flared End	\$715.00
CPDP36SI	36	Per foot	\$32.98
CPC36SI	36	/coupler	\$87.27
CPFE36SI	36	Flared End	\$757.00
CPDP42SI	42	Per foot	\$44.75
CPC42SI	42	/coupler	\$125.20
CPDP48SI	48	Per foot	\$56.55
CPC48SI	48	/coupler	\$146.10

Category II Integral Bell Joint

CPDPSL12	12	Per foot	\$5.61
CPSCP12	12	Split Coupler	\$8.55
CPDPSL15	15	Per foot	\$7.30
CPSCP15	15	Split Coupler	\$11.78
CPDPSL18	18	Per foot	\$10.95
CPSCP18	18	Split Coupler	\$18.88
CPDPSL24	24	Per foot	\$17.20
CPSCP24	24	Split Coupler	\$26.75
CPDPSL30	30	Per foot	\$26.25
CPSCP30	30	Split Coupler	\$63.20
CPDPSL36	36	Per foot	\$33.70
CPSCP36	36	Split Coupler	\$87.27
CPDPSL42	42	Per foot	\$46.35
CPSCP42	42	Split Coupler	\$125.20
CPDPSL48	48	Per foot	\$58.05
CPSCP48	48	Split Coupler	\$146.10

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, 2021 through April 30, 2022, 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.

Eight sets of specifications were sent out.

One bid was received which met specifications.

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

Adopted April 28, 2021 by voice vote.

ACT NO. 176-2021 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 Jamestown Macadam, Inc., 1801 Washington Street, P.O. Box 0892, Jamestown, New York 14701, as follows:

Round Concrete Pipe (Class III & IV)

<u>Description</u>	<u>2021 Rate</u>
18 Inch (Class III) per foot	\$36.25
18 Inch (Class IV) per foot	\$41.50
18 Inch Flared End	\$1,290.00
21 Inch (Class III) per foot	\$40.50
21 Inch (Class IV) per foot	\$46.75
21 Inch Flared End	\$1,635.00
24 Inch (Class III) per foot	\$49.95
24 Inch (Class IV) per foot	\$52.95
24 Inch Flared End	\$1,945.00
30 Inch (Class III) per foot	\$73.10
30 Inch (Class IV) per foot	\$77.90
30 Inch Flared End	\$2,065.00
36 Inch (Class III) per foot	\$101.95
36 Inch (Class IV) per foot	\$108.35
36 Inch Flared End	\$2,410.00
42 Inch (Class III) per foot	\$143.75
42 Inch (Class IV) per foot	\$150.85
42 Inch Flared End	\$3,005.00
48 Inch (Class III) per foot	\$179.50
48 Inch (Class IV) per foot	\$194.25

48 Inch Flared End	\$3,508.00
54 Inch (Class III) per foot	\$236.45
54 Inch (Class IV) per foot	\$249.25
54 Inch Flared End	\$4,160.00
60 Inch (Class III) per foot	\$315.95
60 Inch (Class IV) per foot	\$347.65
60 Inch Flared End	\$5,885.00
66 Inch (Class III) per foot	\$343.25
66 Inch (Class IV) per foot	\$387.85
60 Inch Flared End	\$6,049.00
72 Inch (Class III) per foot	\$381.25
72 Inch (Class IV) per foot	\$417.45
72 Inch Flared End	\$7,299.00

Elliptical Concrete Pipe (Class III & IV)

<u>Description</u>	<u>2021 Rate</u>
18 Inch (Class III) per foot (14 x 23)	\$61.60
18 Inch (Class IV) per foot	\$66.55
18 Inch Flared End (each)	\$2,388.00
24 Inch (Class III) per foot (19 x 30)	\$78.25
24 Inch (Class IV) per foot	\$82.60
24 Inch Flared End (each)	\$2,855.00
30 Inch (Class III) per foot (24 x 38)	\$94.25
30 Inch (Class IV) per foot	\$104.10
30 Inch Flared End (each)	\$3,273.00
36 Inch (Class III) per foot (29 x 45)	\$153.10
36 Inch (Class IV) per foot	\$173.70
36 Inch Flared End (each)	\$4,182.00
42 Inch (Class III) per foot (34 x 53)	\$196.95
42 Inch (Class IV) per foot	\$213.60
42 Inch Flared End (each)	\$5,225.00
48 Inch (Class III) per foot (38 x 60)	\$224.50
48 Inch (Class IV) per foot	\$260.00
48 Inch Flared End (each)	\$6,335.00
54 Inch (Class III) per foot (43 x 68)	\$320.25
54 Inch (Class IV) per foot	\$338.25
54 Inch Flared End (each)	\$9,735.00
60 Inch (Class III) per foot (48 x 76)	\$346.90
60 Inch (Class IV) per foot	\$361.10
60 Inch Flared End (each)	\$12,360.00
66 Inch (Class III) per foot (53 x 83)	\$370.95
66 Inch (Class IV) per foot	\$432.30
66 Inch Flared End (each)	\$14,092.00
72 Inch (Class III) per foot (58 x 91)	\$552.75
72 Inch (Class IV) per foot	\$752.00
72 Inch Flared End (each)	\$15,205.00

now, therefore, be it

RESOLVED, that the Commissioner of Public Works is authorized to contract for concrete pipe (Class III & IV) with Jamestown Macadam, Inc., as recommended by the Public Works Committee for the term May 1, 2021 through April 30, 2022, 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 which met specifications.

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

Adopted April 28, 2021 by voice vote.

ACT NO. 177-2021 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>2021 Rate</u>
CMDP6	6	(18 ga.) per linear foot	\$13.68
CMDP8	8	(16 ga.) per linear foot	\$18.40
CMDP10	10	(16 ga.) per linear foot	\$19.76
CMC1012	10	12" connect. band	\$20.25
CMFE10	10	Flared End	\$383.76
CMDP12	12	(16 ga.) per linear foot	\$19.46
CMC1212	12	12" connect. band	\$19.46
CMC1224	12	24" connect. band	\$38.93
CMFE12	12	Flared End	\$181.71
CMDP15	15	(16 ga.) per linear foot	\$23.58
CMC1512	15	12" connect. band	\$23.58
CMC1524	15	24" connect. band	\$47.16

CMFE15	15	Flared End	\$225.74
CMDP18	18	(16 ga.) per linear foot	\$29.83
CMC1812	18	12" connect. band	\$29.83
CMC1824	18	24" connect. band	\$59.67
CMFE18	18	Flared End	\$288.83

Round Corrugated Steel Pipe & Pipe Arches Class II

CMDP21	21	(16 ga.) per linear foot	\$34.97
CMC2112	21	12" connect. band	\$34.97
CMC2124	21	24" connect. band	\$69.95
CMFE21	21	Flared End	\$374.45
CMDP24	24	(14 ga.) per linear foot	\$46.34
CMC2412	24	12" connect. band	\$46.34
CMC2424	24	24" connect. band	\$92.69
CMFE24	24	Flared End	\$418.70
CMDP30	30	(14 ga.) per linear foot	\$60.15
CMC3012	30	12" connect. band	\$60.15
CMC3024	30	24" connect. band	\$120.31
CMFE30	30	Flared End	\$793.03
CMDP36	36	(12 ga.) per linear foot	\$96.18
CMC3612	36	12" connect. band	\$96.18
CMC3624	36	24" connect. band	\$192.37
CMFE36	36	Flared End	\$1056.30
CMDP42	42	(12 ga.) per linear foot	\$112.06
CMC4212	42	12" connect. band	\$112.06
CMC4224	42	24" connect. band	\$226.12
CMFE42	42	Flared End	\$1811.00
CMDP48	48	(12 ga.) per linear foot	\$126.56
CMC4812	48	12" connect. band	\$126.56
CMC4824	48	24" connect. band	\$253.12
CMFE48	48	Flared End	\$2205.60
CMDP60	60	(10 ga.) per linear foot	\$237.14
CMC6012	60	12" connect. band	\$296.43
CMC6024	60	24" connect. band	\$592.85
CMFE60	60	Flared End	\$3776.24
CMDP72	72	(10 ga.) per linear foot	\$270.08
CMC7212	72	12" connect. band	\$742.23
CMC7224	72	24" connect. band	\$1080.32
CMFE72	72	Flared End	\$5321.70
CMDP84	84	(8 ga.) per linear foot	\$371.11
CMC8412	84	12" connect. band	\$742.23
CMC8424	84	24" connect. band	\$1470.96
CMFE84	84	Flared End	\$6157.35

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

CMDP3524	35" x 24"	Per linear foot	\$128.39
CMSC3524		24" connect. band	\$256.60

CMDP4229	42" x 29"	Per linear foot	\$194.02
CMSC4229		24" connect. band	\$388.04
CMDP4933	49" x 33"	Per linear foot	\$242.08
CMSC4933		24" connect. band	\$521.99
CMDP5738	57" x 38"	Per linear foot	\$260.99
CMSC5738		24" connect. band	\$521.99
CMDP6443	64" x 43"	Per linear foot	\$424.96
CMSC6443		24" connect. band	\$1062.42
CMDP7147	71" x 47"	Per linear foot	\$445.23
CMSC7147		24" connect. band	\$1113.07
CMDP7752	77" x 52"	Per linear foot	\$609.18
CMSC7752		24" connect. band	\$2436.75
CMDP8357	83" x 57"	Per linear foot	\$673.73
CMSC8357		24" connect. band	\$2946.60

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, 2021 through April 30, 2022, 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.

Four sets of specifications were sent out.

One bid was received which met specifications.

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

Adopted April 28, 2021 by voice vote.

ACT NO. 178-2021 by Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE OFFICE OF INDIGENT SERVICES FOR
THIRD UPSTATE QUALITY IMPROVEMENT AND CASELOAD REDUCTION GRANT
(2020 – 2023)**

Pursuant to Article 30 of the Executive Law, Article 18-B of the County Law
and Section 450 of the County Law.

WHEREAS, Act 582-2017 authorized the Chair to execute a contract with the New York State Office of Indigent Legal Services for the 2nd Upstate Quality Improvement and Caseload Reduction Grant [Contract No. C2ND604], which is aimed at alleviating excessive caseloads in upstate public

defender offices and the development of quality control measures in upstate assigned counsel programs, and

WHEREAS, funding through the 3rd Upstate Quality Improvement and Caseload Reduction Grant [Contract No. C3RD604] is available to support local initiatives which address the quality of representation, including reduced attorney caseloads and improved supervision of attorneys and staff in indigent legal service provider programs, and

WHEREAS, the County was awarded a grant in the total amount of \$300,000.00 over a three-year period commencing July 1, 2020 through June 30, 2023, for the 3rd Upstate Quality Improvement and Caseload Reduction Grant, as follows:

<u>Year One</u>	<u>Year Two</u>	<u>Year Three</u>
\$100,000.00	\$100,000.00	\$100,000.00,

and

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

WHEREAS, this grant will fund one (1) full-time attorney and one (1) part-time support staff position in the Public Defender's Office, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Office of Indigent Legal Services, for the acceptance and receipt of the aforementioned grant, for a term commencing July 1, 2020 and terminating June 30, 2023, according to the above-described terms, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, further authorized and directed to execute contract amendments or extensions when needed for this program, as long as the amount of the grant has not changed, 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 County Operations/Public Safety Committee.

Adopted April 28, 2021 by voice vote.

ACT NO. 179-2021 by Mrs. Andreano and Mr. Helmich

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

Pursuant to Section 450 of the County Law.

WHEREAS, Act 188-2020 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the provision of Third Party Reviewer services, the term of which expires April 30, 2021, and

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

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

WHEREAS, Cattaraugus Community Action, Inc., can provide the aforementioned Third Party Reviewer services for an amount not to exceed \$31,893.00 to be paid on a monthly basis, as invoiced, and

WHEREAS, this program is 62% state and 38% 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 Community Action, Inc., for the provision of the above-described services, for a term commencing May 1, 2021 and terminating April 30, 2022, 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 April 28, 2021 by voice vote.

ACT NO. 180-2021 by Mrs. Andreano and Mr. Helmich

**APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND CATTARAUGUS REGION COMMUNITY FOUNDATION FOR DEPARTMENT OF COMMUNITY SERVICES MENTAL WELLNESS IN CATTARAUGUS FUNDING 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, the Department of Community Services (PROS) has been awarded funding in the amount of \$1,000.00, through the Cattaraugus Region Community Foundation – Mental Wellness in

Cattaraugus County Fund, for improving client’s virtual access to telehealth therapy and other services, also to assist with the cost of personal protective equipment (PPE), food and hygiene products, and

WHEREAS, the Cattaraugus County Community Services Board is desirous of accepting the aforementioned funding, and

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

WHEREAS, such contract is subject to the approval of the Cattaraugus County Legislature, and

WHEREAS, the aforementioned grant funding is 100% funded through the Cattaraugus Region Community Foundation, and

WHEREAS, various appropriation and estimated 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 grant documents, between the Cattaraugus County Community Services Board and the Cattaraugus Region Community Foundation, to signify the County’s approval, to accept, and receive, the aforementioned grant funding, according to the above-described terms, and be it further

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

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

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

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

Increase Estimated Revenue Account:

A.431.4340.6340.2705.41 Catt. Region Community Foundation Grant (PROS) \$1,000.00

Increase Appropriation Account:

A. 431.4340.6340.47049 Client Misc. Expenses \$1,000.00.

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

Adopted April 28, 2021 by voice vote.

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MRS. HUNT moved, seconded by Mr. Parker, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 181-2021 through Act No. 193-2021. Carried.

* * * * *

ACT NO. 181-2021 by Mr. VanRensselaer
who asks immediate consideration

**APPOINTMENT TO CATTARAUGUS COUNTY ECONOMIC SUSTAINABILITY
AND GROWTH CORPORATION BOARD OF DIRECTORS**

Pursuant to Article 16 of the Not-for-Profit Corporation Law.

WHEREAS, Act 680-2014 established the Cattaraugus County Economic Sustainability and Growth Corporation, and

WHEREAS, the terms of office of the members of the Board of Directors established for the Cattaraugus County Economic Sustainability and Growth Corporation were to coincide with their respective terms of office for the offices listed in Act 680-2014, and

WHEREAS, it is necessary to appoint certain individuals to the Board of Directors who now hold those respective offices, now, therefore, be it

RESOLVED, that the following individual is hereby appointed to the Cattaraugus County Economic Sustainability and Growth Corporation Board of Directors and his respective term of office on the Board of Directors shall coincide with his respective term of office as listed below:

Matthew J. Keller, as Treasurer, Cattaraugus County.

Adopted April 28, 2021 by voice vote.

ACT NO. 182-2021 by Mr. VanRensselaer
who asks immediate consideration

**APPOINTMENT TO COMMUNITY SERVICES BOARD
MENTAL HEALTH SUBCOMMITTEE**

Pursuant to Section 41.11 of the Mental Hygiene Law.

RESOLVED, that Susan A. Hannon is appointed to the Community Services Board Mental Health Subcommittee effective March 26, 2021 with a four-year term to expire December 31, 2024, replacing Mari L. Howard, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Cattaraugus County Community Services Board.

Adopted April 28, 2021 by voice vote.

ACT NO. 183-2021 by Mr. VanRensselaer
who asks immediate consideration

**APPOINTMENTS TO COMMUNITY SERVICES BOARD
PEOPLE WITH DEVELOPMENTAL DISABILITIES SUBCOMMITTEE**

Pursuant to Section 41.11 of the Mental Hygiene Law.

RESOLVED, that the following individuals are appointed to the Community Services Board People with Developmental Disabilities Subcommittee effective January 8, 2021 with terms to expire December 31, 2023:

Mari L. Howard, *replacing Gail Hammond*

Richard C. Smith, *replacing Susan Labuhn*,

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Cattaraugus County Community Services Board.

Adopted April 28, 2021 by voice vote.

ACT NO. 184-2021 by Mr. Brisky, Mr. Burr, Mr. Klancer and Mr. Koch
who ask immediate consideration

ESTABLISHING COMPENSATION FOR ELECTION TECHNICIANS

Pursuant to Section 3-302 of the Election Law.

WHEREAS, the Election Consolidation and Improvement Act of 2005 requires that the County Legislature establish the compensation for Election Technicians effective November 15, 2005, and

WHEREAS, the Board of Elections has appointed two (2) part-time Senior Technicians and two (2) part-time voting machine Technicians as necessary for the proper preparation and repair of voting machines, and

WHEREAS, voting machines are accessible to people with disabilities and are the result of a Federal Court Order in the U.S. District Court, Northern District of New York, to comply with the Help America Vote Act (HAVA), and

WHEREAS, all Cattaraugus County voters vote on the Dominion Imagecast Optical Scan voting machines, and

WHEREAS, the job duties and responsibilities of the voting machine Technicians for machines are as follows:

- Receipt of all Dominion Imagecast Optical Scan Voting Machines;
- Physical inspection of all machines, according to checklist;
- Acceptance testing and control of Mechanical Voting Machines and Dominion Imagecast Optical Scan Voting Machines;
- Inventory control of Dominion Imagecast Scan Voting Machines;
- Inventory and storage of all ballots used;
- Delivery and custody of Dominion Imagecast Scan Voting Machines from the warehouse to the poll sites and return to the warehouse;
- Maintain security at storage warehouse;
- Determine warehouse layout to be the most cost effective in terms of storage per square foot;
- Perform mandated quarterly testing of Optical Scan Voting Machines; and
- Any other duties deemed necessary,

and

WHEREAS, the Commissioners of the Board of Elections recommend the following compensation schedule for Election Technicians until such other compensation is approved by this legislative body:

Two (2) part-time Senior Technicians Position Nos. 145-130-003 and 145-130-004	\$19.00 per hour
Two (2) part-time Technicians Position Nos. 145-130-001 and 145-130-002	\$14.00 per hour
Mileage	\$.50 per mile*

**excluding mileage from home to first polling site and from last polling site to home and excluding training session mileage,*

and

WHEREAS, sufficient funds are included in the Board of Elections' budget to cover these costs, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby establishes the aforementioned payment schedule for the above-described positions effective April 28, 2021 until such other compensation is approved by this legislative body.

April 28, 2021 by voice vote.

ACT NO. 185-2021 by Mr. Benson, Mr. Boberg, Mr. Helmich, Mr. Morrow and Mr. Parker
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
MURPHY'S LOGGING, INC.
FOR DISPOSAL OF YARD WASTE**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Public Works has solicited proposals from six (6) companies for the disposal of yard waste collected at County transfer stations, and

WHEREAS, Murphy's Logging, Inc., 2228 Elton Road, Delevan, New York 14042, submitted a proposal to the County to dispose of yard waste collected at County transfer stations for an amount of \$80.00 per 50 cubic yard container, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned yard waste disposal 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 Murphy's Logging, Inc., for the provision of yard waste disposal services, for a term commencing May 1, 2021 and terminating April 30, 2022, with the option to renew for one (1) additional one-year term upon mutual agreement of the parties hereto, according to the above-described terms.

Adopted April 28, 2021 by voice vote.

ACT NO. 186-2021 by Mr. Benson and Mr. Parker
who ask immediate consideration

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

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

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

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

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

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

<u>Town/Village</u>	<u>Owner</u>	<u>Tax Map No.</u>	<u>Years</u>	<u>Amount</u>
Allegany	Mildred Stuck- Beatty-Oliver	92.002-2-.64	2019-2021	\$4,362.80

Adopted April 28, 2021 by voice vote.

ACT NO. 187-2021 by Mr. Boberg and Mr. Klancer
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE EMERGENCY MANAGEMENT OFFICE FOR
EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) PROGRAM
AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Office of Emergency Services)**

Pursuant to P.L. 81-920 and Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 319-2020 authorized a contract with the New York State Emergency Management Office, 1220 Washington Street, Building 22, Suite 101, Albany, New York 12226-2251, for the FY2020 Emergency Management Performance Grant Program, and

WHEREAS, the County has been allocated the amount of \$34,321.00 from the State Department of Homeland Security and Emergency Services for the FY2021 Emergency Management Performance Grant, and

WHEREAS, this program is 50% federally funded (CFDA #97.042), 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 New York State Emergency Management Office for the above-described FY2021 Emergency Management Performance Grant Program, for a term

commencing October 1, 2020 and terminating September 30, 2022, 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.364.3642.2021.4305.01	Federal Aid Civil Defense	\$34,321.00
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Increase Appropriation Accounts:

A.364.3642.2021.81000	FICA	\$ 2,625.56
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A.364.3642.2021.11000	Full-Time Wages	\$31,695.44.
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Adopted April 28, 2021 by voice vote.

ACT NO. 188-2021 by Mr. Boberg and Mr. Klancer
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT
WITH TARGETSOLUTIONS LEARNING, LLC, FOR
PURCHASE OF ONLINE TRAINING PLATFORM LICENSE
FOR OFFICE OF EMERGENCY SERVICES**

Pursuant to Section 450 of the County Law and
Section 103 (3) of the General Municipal Law.

WHEREAS, Act 192-2018, as amended, authorized a contract with TargetSolutions Learning, LLC, 4890 W. Kennedy Blvd., Suite 300, Tampa, Florida 33609, for the provision of 67 licenses for online training platforms which include the Career Track Platform, plus annual maintenance, the term of which expires April 11, 2023, and

WHEREAS, the County Office of Emergency Services may, from time to time, need to purchase additional licenses for use by various Fire/EMS agencies in Cattaraugus County to access the online training platforms, and

WHEREAS, pursuant to Section 103(3) of the General Municipal Law, the County is piggybacking on a contract between the Augusta Fire Department in Augusta, Georgia and TargetSolutions Learning, LLC, which allows for cooperative procurement with public entities, and

WHEREAS, TargetSolutions Learning, LLC, can provide additional licenses, as needed and requested by the County, for online training platforms which include the Career Track Platform, plus annual maintenance, and

WHEREAS, further contract amendments are not necessary during the term of the initial contract, which expires April 11, 2023, in order to purchase the additional licenses, as long as the Office

of Emergency Services has sufficient funds in the budget to cover the cost of the aforementioned online training courses licenses, 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 TargetSolutions Learning, LLC, for the provision of additional licenses for online training platforms, for a five-year term commencing April 12, 2018 and terminating April 11, 2023, according to the above-described terms.

Adopted April 28, 2021 by voice vote.

ACT NO. 189-2021 by 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., Mr. VanRensselaer and Mr. Koch who ask immediate consideration

**LOCAL LAW NUMBER 6 - 2021
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 11-0935 of the Environmental Conservation Law and Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW AUTHORIZING PARTICIPATION IN HUNTING PILOT PROGRAM
FOR 12-13 YEAR OLD DEER HUNTERS**

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

Section 1. Legislative Intent. The purpose of this Local Law is to authorize Cattaraugus County to participate in the hunting pilot program established for 12-13 year old deer hunters, in accordance with Environmental Conservation Law Section 11-0935.

Section 2. Hunting Pilot Program. The hunting pilot program established for 12-13 year old deer hunters, as enacted by the New York State Legislature in Fiscal Year 2021-2022 Budget Bill, is treated as a temporary pilot program for upstate counties through 2023. Section 11-0935 of the Environmental Conservation Law provides that a hunting license holder who is 12 or 13 years of age may hunt deer with a crossbow, rifle, shotgun or muzzle-loading firearm as provided in this title in an eligible area provided that:

- 2.1 such minor is accompanied by their parent or legal guardian, or by a person designated in writing by such parent or legal guardian on a form prescribed by the Department of Environmental Conservation who is 21 years of age or older;
- 2.2 such parent, guardian or person has had at least three (3) years' experience in hunting deer; and
 - 2.2.1 such parent, guardian or person holds a hunting license; and
 - 2.2.2 such parent, guardian or person maintains physical control over the minor at all times while hunting. For the purposes of this paragraph "physical control" shall mean that the physical proximity of such minor to the parent, guardian or person is such that the parent, guardian or person is reasonably able to issue verbal directions and instructions, maintain

- constant visual contact, and otherwise provide guidance and supervision to the minor; and
- 2.2.3 such parent, guardian or person and the minor remain at ground level at all times while hunting; and
- 2.3 such parent, guardian or person and the minor shall each display either a minimum total of 250 square inches of solid fluorescent orange or pink or patterned fluorescent orange or pink consisting of no less than 50% fluorescent orange or pink material worn above the waist and visible from all directions, or a hat or cap with no less than 50% of the exterior consisting of solid fluorescent orange or pink material and visible from all directions.

Section 3. Cattaraugus County Opt-In. Cattaraugus County hereby authorizes participation in the Hunting Pilot Program which allows 12-13 year olds in Cattaraugus County to hunt deer in accordance with Environmental Conservation Law Section 11-0935.

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 affect, 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 June 1, 2021.

No further action taken at this time.

ACT NO. 190-2021 by 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., Mr. VanRensselaer and Mr. Koch who ask immediate consideration

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 6 - 2021

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 April 28, 2021, a proposed Local Law entitled, "A Local Law Authorizing Participation in Hunting Pilot Program for 12-13 Year Old Deer Hunters", 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 12th day of May, 2021, at 4:01 p.m. at the Legislature's Chambers, County Center, 303 Court Street, Little Valley, New York, and that at least five (5) days' notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Adopted April 28, 2021 by voice vote.

ACT NO. 191-2021 by Mr. VanRensselaer
who asks immediate consideration

**REQUESTING THAT NEW YORK STATE ELECTRIC AND GAS CORPORATION
FULFILL ITS OBLIGATION IN MAINTAINING ITS OWN EQUIPMENT IN
AN EFFORT TO BRING BROADBAND SERVICE TO RURAL AREAS**

Pursuant to Section 153 of the County Law.

WHEREAS, the Cattaraugus County Legislature has worked very hard to obtain broadband internet service for the residents of Cattaraugus County, and

WHEREAS, access to broadband internet is a critical need in rural America, and the Legislature applauds the State of New York in its efforts to bring adequate broadband service to the rural regions of New York, including Cattaraugus County, and

WHEREAS, this Legislature is concerned by the excessive make-ready costs imposed by NYSEG on rural broadband providers, including Armstrong, and

WHEREAS, Armstrong claims their contract performance has been severely impacted negatively because NYSEG is requiring Armstrong to repair, replace and/or improve NYSEG's long-neglected infrastructure as a condition of granting Armstrong access to its poles, and

WHEREAS, NYSEG is required to adequately maintain their infrastructure including rotten, cracked, leaning or otherwise failing poles, and missing or inadequate transformers and insulators, and

WHEREAS, this failure to maintain their infrastructure has resulted in an increase in Armstrong's make-ready costs per mile, and

WHEREAS, this cost-shifting practice has placed an undue burden on the broadband companies who worked to obtain those state and federal grant monies and are now working to expand access to broadband services, and

WHEREAS, this additional burden threatens the expansion of broadband networks, which, in turn, threatens economic development in the area, and

WHEREAS, NYSEG needs to fulfill its obligations by maintaining its own infrastructure, and

WHEREAS, shifting these costs to the broadband program and the grant awardees is unacceptable, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby requests that New York State Electric and Gas Corporation (NYSEG) stop shifting the cost of its infrastructure repair to Armstrong and other broadband companies and meet its obligation to maintain and upgrade such infrastructure in accordance with NESC standards, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to Governor Cuomo, Senator Borrello, Assemblyman Giglio, New York State Broadband Office, New York State Public Service Commission, New York State Electric and Gas Corporation (NYSEG), and Armstrong Telecommunications.

Adopted April 28, 2021 by voice vote.

ACT NO. 192-2021 by Mr. VanRensselaer
who asks immediate consideration

**REQUESTING NEW YORK STATE LEGISLATURE ENACT
SENATE BILL S.5247 AND ASSEMBLY BILL A.6159 REGARDING
EXTENDED AUTHORIZATION OF 25 CENT MORTGAGE RECORDING TAX**

Pursuant to Section 40 of the Municipal Home Rule Law.

WHEREAS, the New York State Legislature has authorized most counties in New York State to charge a 25 cent per \$100 mortgage recording tax, and

WHEREAS, Senate Bill S.5247 and Assembly Bill A.6159 have been introduced in the New York State Legislature, which authorize the Cattaraugus County Legislature to extend a 25 cent per \$100 mortgage recording tax for Cattaraugus County, for a term ending December 1, 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 hereby enact Senate Bill S.5247 and Assembly Bill A.6159, which authorizes the Cattaraugus County Legislature to extend an additional 25 cent per \$100 mortgage recording 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 George Borrello, Assembly Member Joseph Giglio, and the New York State Department of Taxation and Finance.

CHAIRMAN VANRENSELAER requested a Roll Call vote on Act No. 192-2021, 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. 192-2021, having received a unanimous vote of the Legislature, was declared Adopted.

ACT NO. 193-2021 by Mr. Klancer and Mr. Boberg
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
NEW YORK STATE OFFICE OF HOMELAND SECURITY AND EMERGENCY SERVICES
FOR 2021 STATE HOMELAND SECURITY PROGRAM GRANT**

Pursuant to Public Law 107-56, Department of Homeland Security
Appropriations Act of 2005, Public Law 108-334 and
Section 450 of the County Law.

WHEREAS, Act 359-2020 authorized the Chairman to execute grant documents with the New York State Office of Homeland Security and Emergency Services for a grant for the fiscal year 2020 State Homeland Security Program, and

WHEREAS, the County has been awarded \$136,570.00 under the fiscal year 2021 State Homeland Security Program that must be allocated as follows:

- Cattaraugus County Office of Emergency Services – A Homeland Security Program contract in the amount of \$102,427.00 will be initiated to provide funds to support the implementation of the State Homeland Security Strategy and address the identified planning, equipment, training and exercise needs for acts of terrorism and other catastrophic events;
- Cattaraugus County Sheriff's Office – A Law Enforcement Terrorism Prevention Program contract in the amount of \$34,143.00 will be initiated to provide funds for the law enforcement community to support terrorism prevention and preparedness efforts,

and

WHEREAS, grant documents must be executed in order to receive the aforementioned funding, and

WHEREAS, this program is 100% federally funded (CFDA #97.067), now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Office of Homeland Security and Emergency Services, in order to receive the above-described grant funding, for a term commencing September 1, 2020 and terminating August 31, 2023, according to the above-described terms, and be it further

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

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

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

Adopted April 28, 2021 by voice vote.

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MR. SMITH moved, seconded by Mr. Klancer, to adjourn until May 12, 2021 at 5:00 p.m. Carried.

Meeting adjourned at 5:16 p.m.

Ann M. Giglio
Journal Clerk