

November 23, 2021

The meeting was called to order by Chairman VanRensselaer.

The invocation was given by Rev. LeFeber.

The Attendance Roll Call disclosed one Legislator absent – Andreano.

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There being no amendments or objections thereto, Chairman VanRensselaer noted that the minutes of the November 10, 2021 session stand approved as presented.

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COMMUNICATIONS:

Chenango County Board of Supervisors: Resolution No. 260-21P, Resolution in Opposition to “End Predatory Court Fees Act”.

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PUBLIC HEARINGS:

CHAIRMAN VANRENSELAER announced this is the time and place called for a public hearing on Local Law Number 10-2021, A Local Law Establishing Fee Schedule for Onoville Marina Boating and Camping Activities, and that anyone wishing to speak for or against this may now do so.

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

CHAIRMAN VANRENSELAER announced this is the time and place called for a public hearing on the **2022 Cattaraugus County Budget**, and that anyone wishing to speak for or against this may now do so.

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

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CHAIRMAN VANRENSELAER called up **Act No. 448-2021, Local Law Number 10-2021**, A Local Law Establishing Fee Schedule for Onoville Marina Boating and Camping Activities, and asked that it be read.

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

CHAIRMAN VANRENSELAER requested a Roll Call vote on Act No. 448-2021, which disclosed as follows:

Ayes: Benson, Boberg, Brisky, Burr, Helmich, Higgins, Hunt, Klancer, Koch, Marsh, Morrow, Parker, Schröder, Smith, Snyder, VanRensselaer -16.

Nays: none.

Act No. 448-2021, Local Law Number 10-2021, having received a unanimous vote of the Legislature, was declared Adopted.

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ACT NO. 459-2021 by Mr. Helmich and Mr. Koch

**BID ACCEPTANCE FOR 2021 BRIDGE PAINTING 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 painting of various County bridges, according to bid specifications and general information provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications for the painting of various County bridges was the bid of Erie Painting and Maintenance, Inc., 999 Rein Road, Cheektowaga, New York 14225, for an amount of \$453,400.00 for four (4) bridges, which include: Farmersville Bridge No. 9, Leon Bridge No. 31, Otto Bridge No. 4 and Persia Bridge No. 10, and

WHEREAS, the aforementioned bridge painting services are subject to approval by NYSDOT and shall commence upon notice to proceed and be completed by July 31, 2022, and

WHEREAS, this program is 80% federal (CFDA #20.205), 15% state and 5% 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 bid of Erie Painting and Maintenance, Inc., 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.

Eleven sets of specifications were sent out.

Four bids were received which met specifications.

Approved by 7 members of the Finance Committee and 6 members of the Public Works Committee.

Adopted November 23, 2021 by voice vote.

ACT NO. 460-2021 by Mr. Helmich and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH GREENMAN-PEDERSEN, INC. FOR
CONSTRUCTION INSPECTION SERVICES FOR 2021 BRIDGE PAINTING PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Public Works is in need of construction inspection services for the 2021 Bridge Painting program, and

WHEREAS, Greenman-Pedersen, Inc., 4950 Genesee Street, Suite 100, Buffalo, New York 14225, can provide the aforementioned construction inspection services for an amount not to exceed \$89,000.00, to be paid as invoiced and approved by the Commissioner of the Department of Public Works, and

WHEREAS, this program is 80% federal (CFDA #20.205), 15% state and 5% 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 Greenman-Pedersen, Inc., for the provision of the above-described services, for a term commencing November 24, 2021 and terminating August 31, 2022, according to the above-described terms.

Approved by 7 members of the Finance Committee and 6 members of the Public Works Committee.

Adopted November 23, 2021 by voice vote.

ACT NO. 461-2021 by Mr. Helmich and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE SUPPLEMENTAL CONTRACT NO. 2
WITH BERGMANN ASSOCIATES, INC. FOR
LEON BRIDGE NO. 40 ENGINEERING DESIGN SERVICES**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 238-2019, as amended by Acts 247-2020 and 252-2021, authorized a contract with Bergmann Associates, Inc., 40 LaRiviere Drive, Suite 200, Waterfront Village Center, Buffalo, New York 14202, for the provision of engineering design services for the Leon Bridge No. 40 Replacement Project, located on Dredge Road over Conewango Creek in the Town of Leon, the term of which expires December 31, 2021, and

WHEREAS, it is necessary to revise the design and develop additional alternatives to work with minimal right-of-way impacts in order to complete the above-described project, and

WHEREAS, Bergmann Associates, Inc., can provide the additional engineering design services for an amount of \$24,988.00, for a total contract amount not to exceed \$262,861.00, to be paid on a percent-of-completion basis, as invoiced and approved by the Department of Public Works, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a Supplemental Contract No. 2, on behalf of Cattaraugus County, with Bergmann Associates, Inc., for the provision of the above-described additional engineering design services, contingent upon and subject to inclusion in the 2022 budget of sufficient funds to cover the costs of the aforementioned services, to amend the contract which commenced July 3, 2019 to terminate May 31, 2022, according to the above-described terms.

Approved by 7 members of the Finance Committee and 6 members of the Public Works Committee.

Adopted November 23, 2021 by voice vote.

ACT NO. 462-2021 by Mr. Helmich and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SJB SERVICES, INC. FOR SOIL BORING SERVICES,
MATERIAL TESTING, DECK CORING AND GEOTECHNICAL SERVICES**

Pursuant to Section 117 of the Highway Law and
Section 450 of the County Law.

WHEREAS, Act 459-2020 authorized a contract with SJB Services, Inc., 5167 South Park Avenue, Hamburg, New York 14075, for the provision of soil boring services for various bridge projects, the term of which expires December 31, 2021, and

WHEREAS, the County Department of Public Works is desirous of obtaining soil boring, material testing, deck coring and geotechnical engineering services for various 2022 projects, and

WHEREAS, SJB Services, Inc., has agreed to perform soil boring, material testing, deck coring and geotechnical engineering services for various 2022 projects on an as-needed basis, for an amount not to exceed \$30,000.00, to be paid on a percent-of-completion basis, as invoiced, 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 SJB Services, Inc., for the provision of the above-described services, contingent upon and subject to inclusion in the 2022 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms.

Approved by 7 members of the Finance Committee and 6 members of the Public Works Committee.

Adopted November 23, 2021 by voice vote.

ACT NO. 463-2021 by Mr. Helmich and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
COMMUNICATION SERVICES OF WNY & PA, INC.
D/B/A EAGLE RADIO TECHNOLOGIES FOR RADIO MAINTENANCE**

Pursuant to Sections 408 and 450 of the County Law.

WHEREAS, Act 455-2017 authorized a contract with Communication Services of WNY & PA, Inc., d/b/a Eagle Radio Technologies, 1367 East Second Street, Jamestown, New York 14701, for the maintenance of two-way radio communications equipment for the Department of Public Works, Health

Department, Office of Emergency Services, and Fire Advisory Board, according to specifications submitted under the direction of the Public Works Committee, the term of which expires December 31, 2021, and

WHEREAS, the Department of Public Works has solicited proposals from five (5) companies for the aforementioned radio maintenance services, and

WHEREAS, the only proposal received meeting specifications was the proposal of Communication Services of WNY & PA, Inc., d/b/a Eagle Radio Technologies, as follows:

<u>REMOVALS: Prices per unit</u>	<u>Mount</u>	<u>Single Unit</u>	<u>Multiple Units</u>
Cars	Front	\$ 30.00	\$ 15.00
	Rear	\$ 95.00	\$ 45.00
Pickup Trucks	Front	\$ 30.00	\$ 15.00
	Rear	\$ 30.00	\$ 15.00
Ambulances	Front	\$ 30.00	\$ 15.00
	Rear	\$ 30.00	\$ 15.00
Graders	Front	\$ 30.00	\$ 15.00
	Rear	\$ 30.00	\$ 15.00
Heavy Trucks	Front	\$ 30.00	\$ 15.00
	Rear	\$ 30.00	\$ 15.00
Fire Trucks	Front	\$ 30.00	\$ 15.00
	Rear	\$ 30.00	\$ 15.00

<u>INSTALLATIONS: Prices per unit</u>	<u>Mount</u>	<u>Single Unit</u>	<u>Multiple Units</u>
Cars	Front	\$ 25.00	\$ 15.00
	Rear	\$275.00	\$ 15.00
Pickup Trucks	Front	\$ 25.00	\$ 15.00
	Rear	\$ 25.00	\$ 15.00
Ambulances	Front	\$ 25.00	\$ 15.00
	Rear	\$ 25.00	\$ 15.00
Graders	Front	\$ 25.00	\$ 15.00
	Rear	\$ 25.00	\$ 15.00
Heavy Trucks	Front	\$ 25.00	\$ 15.00
	Rear	\$ 25.00	\$ 15.00
Fire Trucks	Front	\$ 25.00	\$ 15.00
	Rear	\$ 25.00	\$ 15.00

NOTE: Multiple unit column pricing includes multiple removals or installations, or moving radio equipment between vehicles at the same location on the same day.

ADDITIONAL COSTS:

Antenna, Cable and Guy Line Work:

Travel to Site - \$105.00/hour/man

On-Site Work - \$188.00/hour/man

Time and Material Rates Per Hour:

Service Call Charge: \$130.00, \$74.50/hour/man, \$.56/mile

Overtime Rates:

Beyond regular hours, over 8 hours per day or

Saturdays - \$190.00/hour/man

Sundays or Legal Holidays - \$190.00/hour/man,

now, therefore, be it

RESOLVED, that the proposal of Communication Services of WNY & PA, Inc., d/b/a Eagle Radio Technologies, be, and hereby is, accepted, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Communication Services of WNY & PA, Inc., d/b/a Eagle Radio Technologies, for the provision of the above-described radio maintenance, contingent upon and subject to inclusion in the 2022 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2022 and terminating December 31, 2024, with the option by Cattaraugus County of one (1) additional one year term at the prices specified, supra, according to the above-described terms.

Approved by 7 members of the Finance Committee and 6 members of the Public Works Committee.

Adopted November 23, 2021 by voice vote.

ACT NO. 464-2021 by Mr. Helmich and Mr. Koch

**BID ACCEPTANCE FOR PRINTING SERVICES
(Various Departments)**

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 printing services for various County departments, according to specifications provided by the Department of Public Works, and

WHEREAS, the lowest bid received meeting specifications was the bid of The Paper Factory, 176 North Union Street, Olean, New York 14760, as follows:

LETTERHEADS:

<u>Item</u>	<u>Price</u> <u>Per 250</u>	<u>Price</u> <u>Per 500</u>	<u>Price</u> <u>Per 1000</u>	<u>Price</u> <u>Per 5000</u>	<u>Price Per</u> <u>Additional 1000</u>
LHD-A1	\$25.00	\$26.00	\$49.00	\$195.00	\$38.00
LHD-A2	\$47.00	\$50.00	\$72.00	\$238.00	\$48.00
LHD-A3	\$83.00	\$90.00	\$125.00	\$298.00	\$68.00
LHD-B1	\$29.00	\$29.00	\$45.00	\$165.00	\$32.00
LHD-B2	\$45.00	\$49.00	\$69.00	\$208.00	\$59.00
LHD-B3	\$83.00	\$92.00	\$122.00	\$259.00	\$65.00

FORMS/NCR FORMS:

<u>Item</u>	<u>Price</u> <u>Per 250</u>	<u>Price</u> <u>Per 500</u>	<u>Price</u> <u>Per 1000</u>	<u>Price</u> <u>Per 5000</u>	<u>Price Per</u> <u>Additional 1000</u>
FRM-A1	\$17.00	\$21.00	\$42.00	\$125.00	\$28.00
FRM-A1a	\$54.00	\$59.00	\$70.00	\$148.00	\$28.00
FRM-A1b	\$38.00	\$42.00	\$64.00	\$168.00	\$34.00
FRM-A1c	\$82.00	\$98.00	\$115.00	\$210.00	\$45.00
FRM-A1d	\$92.00	\$109.00	\$129.00	\$235.00	\$46.00
FRM-A2	\$45.00	\$50.00	\$98.00	\$390.00	\$77.00
FRM-A3	\$76.00	\$86.00	\$161.00	\$585.00	\$115.00
FRM-A4	\$104.00	\$118.00	\$225.00	\$845.00	\$168.00
FRM-A5	\$114.00	\$140.00	\$248.00	\$1,225.00	\$235.00

ENVELOPES:

<u>Item</u>	<u>Price</u> <u>Per 500</u>	<u>Price</u> <u>Per 1000</u>	<u>Price</u> <u>Per 2500</u>	<u>Price</u> <u>Per 5000</u>	<u>Price</u> <u>Per 10000</u>
ENV.A1	\$37.00	\$50.00	\$118.00	\$210.00	\$352.00
ENV.A2	\$40.00	\$54.00	\$130.00	\$223.00	\$360.00
ENV.B3	\$58.00	\$70.00	\$105.00	\$300.00	\$495.00
ENV.C	\$41.00	\$56.00	\$132.00	\$225.00	\$355.00
ENV.C1	\$37.00	\$48.00	\$107.00	\$208.00	\$345.00
ENV.C1a	\$43.00	\$51.00	\$115.00	\$208.00	\$345.00
ENV.C1b	\$76.00	\$87.00	\$165.00	\$275.00	\$415.00
ENV.C1c	\$99.00	\$117.00	\$230.00	\$445.00	\$730.00
ENV.C2	\$41.00	\$50.00	\$117.00	\$218.00	\$365.00
ENV.C2a	\$45.00	\$57.00	\$132.00	\$240.00	\$380.00
ENV.C2b	\$79.00	\$92.00	\$170.00	\$285.00	\$419.00
ENV.C2c	\$103.00	\$121.00	\$240.00	\$470.00	\$750.00
ENV.D1	\$55.00	\$85.00	\$195.00	\$302.00	\$498.00
ENV.D2	\$63.00	\$94.00	\$205.00	\$320.00	\$508.00
ENV.E1	\$66.00	\$99.00	\$210.00	\$325.00	\$528.00

MANILA ENVELOPES:

<u>Item</u>	<u>Price</u> <u>Per 250</u>	<u>Price</u> <u>Per 500</u>	<u>Price</u> <u>Per 1000</u>
ENV.M1	\$85.00	\$115.00	\$255.00
ENV.M2	\$72.00	\$99.00	\$125.00
ENV.M3	\$73.00	\$101.00	\$119.00
ENV.M4	\$74.00	\$105.00	\$122.00
ENV.M5	\$96.00	\$119.00	\$158.00
ENV.M6	\$70.00	\$70.00	\$107.00
ENV.M7	\$74.00	\$72.00	\$112.00
ENV.M8	\$117.00	\$195.00	\$219.00
ENV.M9	\$225.00	\$340.00	\$490.00

BUSINESS CARDS:

<u>Item</u>	<u>Price</u> <u>Per 100</u>	<u>Price</u> <u>Per 250</u>	<u>Price</u> <u>Per 500</u>	<u>Price</u> <u>Per 1000</u>
BUS.01	\$15.00	\$18.00	\$21.00	\$23.00
BUS.02	\$25.00	\$30.00	\$34.00	\$37.00
BUS.03	\$23.00	\$26.00	\$32.00	\$35.00

BOOKLETS:

<u>Item</u>	<u>Price</u> <u>Per 150</u>	<u>Price</u> <u>Per 1000</u>	<u>Price</u> <u>Per 2500</u>	<u>Price Per</u> <u>Additional 100</u>
BKT-TEL		\$710.00		\$65.00
BKT-GOV1			\$2,495.00	\$98.00
BKT-GOV2	\$150.00			\$88.00

EXTRA COSTS:

<u>Item</u>	<u>Price</u> <u>Per 500</u>	<u>Price</u> <u>Per 1000</u>	<u>Price</u> <u>Per 2500</u>	<u>Price</u> <u>Per 5000</u>	<u>Price Per</u> <u>Additional 1000</u>
EXT-CL1	\$2.00	\$3.00	\$8.00	\$14.00	\$3.00
EXT-CL2	\$3.00	\$5.00	\$10.00	\$25.00	\$5.00
EXT-CLR	\$8.00	\$17.00	\$40.00	\$80.00	\$18.00

EXT-CUT	\$.50	\$1.00	\$2.00	\$4.00	\$.75
EXT-GLU	\$1.00	\$2.00	\$6.00	\$12.00	\$1.00
EXT-NUM	\$19.00	\$25.00	\$40.00	\$60.00	\$14.00
EXT-PAD	\$3.00	\$6.00	\$13.00	\$24.00	\$5.00
EXT-PER	\$18.00	\$22.00	\$35.00	\$52.00	\$12.00
EXT-PUN	\$3.00	7.00	\$14.00	\$25.00	\$6.00
EXT-SET	\$25.00/hr	\$25.00/hr	\$25.00/hr	\$25.00/hr	\$25.00/hr
EXT-STA	\$.04 each	\$.04 each	\$.03 each	\$.03 each	\$.03 each
EXT-TRK	Quoted Per Job				

MISC:

Extra Proofs Per Print Job No Charge

now, therefore, be it

RESOLVED, that the bid of The Paper Factory be, and the same hereby is, accepted for the term January 1, 2022 through December 31, 2022, with the option of two, one (1) year extensions at the same bid prices, at the sole option of the County, and be it further

RESOLVED, that the vouchers accordingly certified by the County Administrator be audited by the Auditor and paid by the County Treasurer.

No State Bid.

Twelve sets of specifications were sent out.

Two bids were received which met specifications.

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

Adopted November 23, 2021 by voice vote.

ACT NO. 465-2021 by Mr. Higgins and Mr. Marsh

**DECLARING NYS COMMUNITY DEVELOPMENT BLOCK GRANT ACTIVITIES
TO BE CLASSIFIED AS TYPE II SEQR ACTIONS**

Pursuant to 6 NYCRR Sections 617.5 and 617.11 and 24 CFR Section 58.35.

WHEREAS, Cattaraugus County Department of Economic Development, Planning and Tourism shall act as the lead agency on a grant application provided under the New York State Homes and Community Renewal Community Development Block Grant Program (CDBG) for the Manufactured Housing Replacement Program, and

WHEREAS, Cattaraugus County MHRI is the grant recipient through the NYS CDBG Project Number 199MH124-20, and

WHEREAS, Act 466-2021 designates a Certifying Officer for the environmental review process in conjunction with the Manufactured Housing Replacement Program Project, and

WHEREAS, the Certifying Officer has established an environmental review record with regard to the activities associated with NYS CDBG Project Number 199MH124-20 awarded to Cattaraugus County MHRI, and

WHEREAS, the findings of Cattaraugus County show that the activities proposed in its 2021 NYS CDBG Project, Cattaraugus County MHRI, are Categorically Excluded as defined in 24 CFR 58.35 with some activities being affected by federal environmental statutes and executive orders, and

WHEREAS, activities that are Categorically Excluded under 24 CFR 58.35 are not required to undergo an environmental assessment, public notice, or comment period because they do not typically trigger compliance with any of the related laws and regulations, and

WHEREAS, Categorically Excluded and exempt activities include the rehabilitation of buildings and improvements for residential use where the density is not increased beyond four units, the land use is not changed, and the footprint of the building isn't increased in a floodplain or a wetland, now, therefore, be it

RESOLVED, that the activities posed for NYS CDBG Project Number 199MH124-20 awarded to Cattaraugus County MHRI, are classified as a Type II Action and will not result in a significant impact on the quality of the human environment.

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

Adopted November 23, 2021 by voice vote.

ACT NO. 466-2021 by Mr. Higgins and Mr. Marsh

**DESIGNATING CERTIFYING OFFICER FOR
ENVIRONMENTAL RESPONSIBILITY CERTIFICATION**

Pursuant to Section 153 of the County Law.

WHEREAS, Act 465-2021 authorized the Chairman to execute grant documents with the New York State Homes and Community Renewal Community Development Block Grant Program (CDBG) for Cattaraugus County Manufactured Housing Replacement Program, and

WHEREAS, Cattaraugus County MHRI is the grant recipient through the CDBG, and

WHEREAS, the aforementioned grant program requires that a certifying officer be designated for the environmental review process in conjunction with the Manufactured Housing Replacement Program, now, therefore, be it

RESOLVED, that Marie Myers Shearing, Planner, is hereby designated as the Certifying Officer responsible for all activities associated with the environmental review process to be completed in conjunction with NYS CDBG Project Number 199MH124-20 awarded to Cattaraugus County MHRI, as grant recipient.

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

Adopted November 23, 2021 by voice vote.

ACT NO. 467-2021 by Mr. Higgins and Mr. Marsh

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COUNTY ECONOMIC SUSTAINABILITY AND GROWTH CORPORATION
FOR ADMINISTRATION OF NEW YORK STATE OFFICE OF COMMUNITY RENEWAL
COMMUNITY DEVELOPMENT BLOCK GRANT FOR
MICROENTERPRISE ASSISTANCE PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, \$300,000.00 has been awarded through the New York State Office of Community Renewal (the "OCR") Community Development Block Grant (CDBG) for a Microenterprise Assistance Program, and

WHEREAS, the Cattaraugus County Economic Sustainability and Growth Corporation (the "ESGC") shall assist with the implementation of the Project and administration of the aforementioned grant, and

WHEREAS, the Project will result in substantial benefit to the County in the form of an estimated 15 new permanent full-time and part-time employment positions and assisting 25 businesses through grants, and

WHEREAS, a public hearing was held on February 24, 2021 to obtain citizens' views regarding the CDBG program as administered by the OCR and the Project, and

WHEREAS, this program is 100% funded with no cost to the County, now, therefore, be it RESOLVED, that the Chair of the Cattaraugus County Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Cattaraugus County Economic Sustainability and Growth Corporation, for the implementation of the Project and administration of the OCR grant, with all such documents subject to review and approval by the County Attorney, and be it further

RESOLVED, that the Chair of the Cattaraugus County Legislature be, and hereby is, designated as the certifying officer responsible for all activities associated with the federal environmental review process to be completed in conjunction with the Project.

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

Adopted November 23, 2021 by voice vote.

ACT NO. 468-2021 by Mr. Boberg and Mr. Klancer

ADOPTION OF CATTARAUGUS COUNTY TITLE VI PLAN

Pursuant to Title VI of the 1964 Civil Rights Act, the Civil Rights Restoration Act of 1987, Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, Executive Order 11246 Affirmative Action in Employment, Executive Order 12898 Environmental Justice, and Executive Order 13166 Limited English Proficiency.

WHEREAS, Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall, on the grounds of race, color, national origin, age, disability, gender, income or English

proficiency be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance, and

WHEREAS, Cattaraugus County assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not, and

WHEREAS, a county-wide Title VI Plan is required in order to be in compliance with Title VI regulations, now, therefore, be it

RESOLVED, that the Cattaraugus County Title VI Plan be, and hereby is, adopted and shall be available on the County's website and in the Cattaraugus County Administrator's Office, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute the Cattaraugus County Title VI Plan and the Title VI Assurances, and be it further

RESOLVED, that the provisions of the Title VI Plan shall be administered immediately upon adoption.

Approved by 7 members of the Finance Committee, 6 members of the County Operations/Public Safety Committee and 5 members of the Labor Relations Committee.

Adopted November 23, 2021 by voice vote.

ACT NO. 469-2021 by Mr. Boberg and Mr. Klancer

DESIGNATION OF CIVIL RIGHTS COORDINATOR

Pursuant to 42 USC Section 2000d and the Civil Rights Act of 1964.

WHEREAS, Cattaraugus County has always assured that no person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity on the grounds of race, color, national origin, gender or gender identity, sexual orientation, or disability provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (P.L. 100.259), Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, as amended, and Executive Order 13166, and

WHEREAS, Cattaraugus County further assures that every effort has been, is being, and will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not, and

WHEREAS, the rights and needs of people with disabilities are matters of vital concern to the County of Cattaraugus, and it is necessary to provide for greater cooperation, communication, and coordination of functions and services on a county-wide basis, now, therefore, be it

RESOLVED, that the County's Compliance Officer is hereby designated and appointed as the Civil Rights Coordinator by the Chairman of the Legislature, and as such, shall report to, and be directly accountable to the County Attorney, and be it further

RESOLVED, the Civil Rights Coordinator shall be responsible for the following:

- a) coordinating, implementing and enforcing all civil rights programs applicable to Cattaraugus County, including, without limitation, those identified in the first Whereas paragraph hereof and those affecting persons having Limited English Proficiency (LEP);
- b) attending and conducting trainings regarding Title VI, Limited English Proficiency (LEP), Environmental Justice (EJ) and Americans with Disabilities Act (ADA);

- c) assisting in civil rights compliance, investigations, auditing, monitoring, and reporting obligations for each County department;
- d) reviewing program area policies, announcements, manuals and written procedures, and making recommendations to the County Legislature regarding the implementation of such policies and plans;
- e) acting as the liaison between the County and public and private agencies, organizations and individuals in the development of programs affecting people's civil rights;
- f) providing a means of communication among people with disabilities and people of protected classes, the County Administrator, public and private agencies and the community at large;
- g) assisting County agencies in compiling demographic and statistical data regarding the number of people with disabilities, LEP, or of protected classes within the County in order to develop appropriate policies and programs;
- h) accepting, logging, investigating and responding to all complaints or grievances alleging an adverse impact suffered by a person interacting with the County based on a protected factor;
- i) in conducting investigations, the Civil Rights Coordinator is authorized to review documents, systems, and communications, and question employees in order to complete reports and recommendations; and
- j) providing assistance to people with civil rights issues through the provision of information and referral services, and by facilitating the resolution of complaints concerning services and the administrative actions of County agencies and others.

Approved by 7 members of the Finance Committee, 6 members of the County Operations/Public Safety Committee and 5 members of the Labor Relations Committee.

Adopted November 23, 2021 by voice vote.

ACT NO. 470-2021 by Mr. Boberg and Mr. Klancer

**ADOPTION OF CATTARAUGUS COUNTY MINORITY AND WOMEN
OWNED BUSINESS ENTERPRISE POLICY STATEMENT**

Pursuant to Section 312 of the Executive Law and 5 NYCRR Part 143.

WHEREAS, Section 312 of the Executive Law provides that contractors will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status, and will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination, and

WHEREAS, Cattaraugus County assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not, and

WHEREAS, a county-wide policy statement is required in order to be in compliance with Section 312 regulations, now, therefore, be it

RESOLVED, that the Cattaraugus County Minority and Women Owned Business Enterprise (MWBE) Policy Statement be, and hereby is, adopted and shall be available on the County's website and in the Cattaraugus County Administrator's Office, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute the Cattaraugus County Minority and Women Owned Business Enterprise Policy Statement, and be it further

RESOLVED, that the provisions of the Cattaraugus County Minority and Women Owned Business Enterprise Policy Statement shall be administered immediately upon adoption.

Approved by 7 members of the Finance Committee, 6 members of the County Operations/Public Safety Committee, and 5 members of the Labor Relations Committee.

Adopted November 23, 2021 by voice vote.

ACT NO. 471-2021 by Mr. Boberg and Mr. Klancer

**ADOPTION OF CATTARAUGUS COUNTY DISADVANTAGED
BUSINESS ENTERPRISE POLICY STATEMENT**

Pursuant to 49 CFR Part 26.

WHEREAS, it is the policy of Cattaraugus County to ensure that Disadvantaged Business Enterprises (DBE)s, as defined in 49 CFR Part 26, have an equal opportunity to receive and participate in Cattaraugus County assisted contracts, and

WHEREAS, Cattaraugus County assures every effort will be made to ensure compliance with 49 CFR Part 26 and nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not, and

WHEREAS, a county-wide policy statement is required in order to be in compliance with 49 CFR Part 26 regulations, and

WHEREAS, the Cattaraugus County Commissioner of Public Works has been delegated as the DBE Liaison Officer, now, therefore, be it

RESOLVED, that the Cattaraugus County Disadvantaged Business Enterprise (DBE) Policy Statement be, and hereby is, adopted and shall be available on the County's website and in the Cattaraugus County Administrator's Office, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute the Cattaraugus County Disadvantaged Business Enterprise (DBE) Policy Statement, and be it further

RESOLVED, that the provisions of the Cattaraugus County Disadvantaged Business Enterprise (DBE) Policy Statement shall be administered immediately upon adoption.

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

Adopted November 23, 2021 by voice vote.

ACT NO. 472-2021 by Mr. Boberg and Mr. Klancer

ADOPTION OF CATTARAUGUS COUNTY LIMITED ENGLISH PROFICIENCY PLAN

Pursuant to Title VI of the 1964 Civil Rights Act, 42 USC Section 2000d and Executive Order 13166 Limited English Proficiency.

WHEREAS, Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall, on the grounds of race, color, national origin, age, disability, gender, income or English proficiency be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance, and

WHEREAS, Cattaraugus County assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not, and

WHEREAS, a county-wide Limited English Proficiency (LEP) Plan is required in order to be in compliance with Title VI regulations, now, therefore, be it

RESOLVED, that the Cattaraugus County Limited English Proficiency (LEP) Plan be, and hereby is, adopted and shall be available on the County's website and in the Cattaraugus County Administrator's Office, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute the Cattaraugus County Limited English Proficiency (LEP) Plan, and be it further

RESOLVED, that the provisions of the Limited English Proficiency (LEP) Plan shall be administered immediately upon adoption.

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

Adopted November 23, 2021 by voice vote.

ACT NO. 473-2021 by Mrs. Andreano and Mr. Helmich

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

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

WHEREAS, Act 462-2020 authorized a contract with Doyle Security Systems, Inc., 792 Calkins Road, Rochester, New York 14623, for the provision of various services to the County Departments of Health, Aging and Social Services, the term of which expires December 31, 2021, and

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

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

<u>Category of Service</u>	<u>2021 Rate</u>	<u>2022 Rate</u>
<u>SOCIAL SERVICES</u>		
PERS Monitoring	\$18/month/unit	\$18/month/unit
Cellular Monitoring Unit	\$28/month/unit	\$28/month/unit
Fall Prevention PERS Monitoring Unit	\$23/month/unit	\$23/month/unit
GPS PERS monitoring Unit	\$35/month/unit	\$35/month/unit
Extra Pendant	\$3.00/month	\$3.00/month
Replacement Pendant	\$3.00 one time fee	\$3.00 one time fee
<u>DEPARTMENT OF AGING</u>		
PERS Monitoring	\$15/month/unit	\$15/month/unit
Cellular Monitoring Unit	\$25/month/unit	\$25/month/unit
Fall Prevention PERS Monitoring Unit	\$20/month/unit	\$20/month/unit
GPS PERS monitoring Unit	\$35/month/unit	\$35/month/unit
Extra Pendant	\$3.00/month	\$3.00/month
Replacement Pendant	\$3.00 one time fee	\$3.00 one time fee
and		

WHEREAS, this program is 2% federal, 75% state, 13% county and 10% locally funded for the Department of Aging's portion of expenses, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Doyle Security Systems, Inc., for the provision of the above-described services, contingent upon and subject to inclusion in the 2022 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2022 and terminating December 31, 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted November 23, 2021 by voice vote.

ACT NO. 474-2021 by Mrs. Andreano and Mr. Helmich

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

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

WHEREAS, Act 432-2020 authorized a lease and staffing agreement with Healthy Community Alliance, Inc., Academy Place, 1 School Street, Suite 100, Gowanda, New York 14070, for the management of a Senior Wellness and Nutrition Program (SWAN) site in the Gowanda area for the Department of Aging, the term of which expires December 31, 2021, and

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

WHEREAS, Healthy Community Alliance, Inc., shall continue providing for the management of, and part-time personnel to staff, the Gowanda SWAN site for an amount not to exceed \$23,186.14, to be paid on a quarterly basis, as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Healthy Community Alliance, Inc., for the management of the Gowanda SWAN site, contingent upon and subject to inclusion in the 2022 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2022 and terminating December 31, 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted November 23, 2021 by voice vote.

ACT NO. 475-2021 by Mrs. Andreano and Mr. Helmich

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

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

WHEREAS, Act 430-2020 authorized lease agreements with various entities for the leasing of County Department of Aging Senior Wellness and Nutrition (SWAN) Program sites in the County, the terms of which expire December 31, 2021, and

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

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

<u>Site</u>	<u>Address</u>	<u>2022 Rate</u>
Allegany	Intandem d/b/a Cattaraugus Rehabilitation Center, Inc. 1439 Buffalo Street Olean, New York 14760	\$383.16/mo.
Cattaraugus	Cattaraugus Area Ambulance Service, Inc. 211 South Main Street, P.O. Box 44 Cattaraugus, New York 14719	\$309.00/mo.
Delevan	Steve and Judy Spaulding 20 Grove Street Delevan, New York 14042	\$382.13/mo. plus \$175/mo. for utilities
Franklinville	First Baptist Church 27 South Main Street Franklinville, New York 14737	\$530.45/mo.
Gowanda	Healthy Community Alliance Academy Place, 1 School Street Gowanda, New York 14070	\$507.79/mo.
Portville	Portville Lodge #579 F.& A.M. 14 Temple Street Portville, New York 14770	\$473.80/mo.
Randolph	Town of Randolph Municipal Building 72 Main Street Randolph, New York 14772	\$538.69/mo.
South Dayton	Free Methodist Church 327 Pine Street, P.O. Box 261 South Dayton, New York 14138	\$265.74/mo.
West Valley	St. Paul's United Methodist Church 9372 Route 240 West Valley, New York 14171	\$374.92/mo.

and

WHEREAS, this program is 42% federal (CFDA #93.045), 54% state and 4% county funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute lease agreements, on behalf of Cattaraugus County, with the above-listed various entities, for the leasing of Senior Wellness and Nutrition Program sites, contingent upon and subject to inclusion in the 2022 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2022 and terminating December 31, 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted November 23, 2021 by voice vote.

ACT NO. 476-2021 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
KATHY OVERHOFF FOR PROFESSIONAL DIETICIAN SERVICES
FOR DEPARTMENT OF AGING**

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

WHEREAS, Act 287-2021 authorized a contract with Kathy Overhoff, 5326 Shero Road, Hamburg, New York 14075, for professional dietician services for clients participating in any of the Aging nutrition programs, the term of which expires July 30, 2022, and

WHEREAS, the Department of Aging is desirous of extending the term of the aforementioned contract to December 31, 2022, under the same terms, rates and conditions, and

WHEREAS, Kathy Overhoff, an independent contractor, has agreed to continue the provision of professional dietician services at a rate of \$55.00 per hour for up to eight (8) hours per week for clients participating in any of the Aging nutrition programs, until December 31, 2022, and

WHEREAS, this program is 57% federal (CFDA #93.045), 37% state and 6% county funded, 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 Kathy Overhoff, for the provision of the above-described professional dietician services, to extend the term of the contract which commenced August 1, 2021 to terminate December 31, 2022, according to the above-described terms.

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

Adopted November 23, 2021 by voice vote.

ACT NO. 477-2021 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
EXCELLUS HEALTH PLAN, INC. D/B/A UNIVERA HEALTHCARE FOR
DEPARTMENT OF NURSING HOMES ANCILLARY SERVICES**

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

WHEREAS, Act 497-2019, as amended by Act 57-2020, authorized a contract with Excellus Health Plan, Inc., d/b/a Univera Healthcare, for the provision of health services to individuals enrolled with Excellus Health Plan, Inc., d/b/a Univera Healthcare, and each of its subsidiaries and affiliates, (Univera), residing at The Pines Healthcare and Rehabilitation Center-Olean and Machias Campuses, and

WHEREAS, the Department of Nursing Homes has renegotiated the rates for both the Olean and Machias Campuses effective January 1, 2022, and

WHEREAS, it is necessary to update the aforementioned contracts to accurately reflect the renegotiated rates, and

WHEREAS, Excellus Health Plan, Inc., d/b/a Univera Healthcare, 205 Park Club Lane, Buffalo, New York 14221, is desirous of providing the aforementioned ancillary services for individuals enrolled in Univera's Commercial Products, Medicare Products, Special Program Products, Government Sponsored Program Products, and other public programs in the County's service area, and

WHEREAS, Univera has agreed to reimburse the County Department of Nursing Homes in accordance with the following per diem rates:

INPATIENT - Commercial Products, Medicare Products & Special Program Products**

<u>Type of Service</u>	<u>Revenue Code</u>	<u>Commercial Products</u>	<u>Medicare Products</u>	<u>Special Program Products</u>
Skilled Nursing Service	191	\$310.00	\$310.00	\$275.00
Subacute Therapy	192	\$376.00	\$376.00	\$350.00
Subacute Rehabilitation	193	\$423.00	\$423.00	\$400.00

**Health Plan's payment will be a single all-inclusive per diem rate that covers all services rendered on that day.

OUTPATIENT - Therapy Services

<u>Type of Service</u>	<u>Rate Per Visit</u>
Physical Therapy Visit	Based on Standard Community Fee Schedule
Physical Therapy Evaluation	Based on Standard Community Fee Schedule
Occupational Therapy Visit	Based on Standard Community Fee Schedule
Occupational Therapy Evaluation	Based on Standard Community Fee Schedule
Speech Therapy Visit	Based on Standard Community Fee Schedule
Speech Therapy Evaluation	Based on Standard Community Fee Schedule
Nutritional Therapy Evaluation (if applicable)	Based on Standard Community Fee Schedule
Nutritional Therapy Visit (if applicable)	Based on Standard Community Fee Schedule

INPATIENT - Government Sponsored Programs

(Rates Applicable to Programs for Long Term Placement & Alternate Level of Care)

<u>Type of Service</u>	<u>Revenue Code</u>	<u>Rate Per Day</u>
Custodial Care*, Non-specialty	100**	The NYSDOH Benchmark Rate ¹ for Provider in effect for the date(s) of service
Custodial Care*, Ventilator specialty	101**	The NYSDOH Benchmark Rate ² for Provider in effect for the date(s) of service

Custodial Care*, Neuro-Behavioral specialty	124**	The NYSDOH Benchmark Rate ² for Provider in effect for the date(s) of service
Custodial Care*, AIDS specialty	160**	The NYSDOH Benchmark Rate ² for Provider in effect for the date(s) of service
Bed Holds ² (only applies if Provider has an occupancy rate of 95% or higher. 10 day max/12 month period) for non-hospitalization leave of absence.	183	The NYSDOH Medicaid FFS rate for bed hold, hospitalization, which is 95% of the published Medicaid Fee-for-Service rate.
Bed Holds ³ (only applies if Provider has an occupancy rate of 95% or higher. 14 day max/12 month period) for hospitalization leave of absence. This leave accrues inclusive of non-hospitalization leave authorized by a medical professional (Revenue Code 189)	185	The NYSDOH Medicaid FFS rate for bed hold, hospitalization, which is 50% of the published Medicaid Fee-for-Service rate.
Bed Holds ³ (only applies if Provider has an occupancy rate of 95% or higher. 14 day max/12 month period) for non-hospitalization authorized by a medical professional leave of absence. This leave accrues inclusive of hospital leave (Revenue Code 185).	189	The NYSDOH Medicaid FFS rate for bed hold, hospitalization, which is 95% of the published Medicaid Fee-for-Service rate.
Custodial Care*, Traumatic Brain Injury specialty	199**	The NYSDOH Benchmark Rate ² for Provider in effect for the date(s) of service.
Respite Care ⁴	660	An amount equal to or exceeding the current allowable Medicaid Per Diem for your facility.
Adult Day Care Program (denotes medical ADHC, not social)	3103	HCPC Code 55102 must also be billed along with Revenue Code. The NYSDOH Benchmark Rate for Provider in effect for the date(s) of service.

*Where a Member is inpatient pursuant to an approved "alternate level of care" stay, Provider shall bill the applicable Custodial Care Revenue Code.

**Custodial Care services billable under Revenue Codes 100, 101, 124, 160 and 199 are reimbursable under Health Plan's Medicaid Managed Care Program and HARP only and are not reimbursable under any other NYS Government Program.

¹In instances where the NYSDOH Benchmark Rate is the assigned rate, it is all inclusive of services identified in the FFS components as defined by the NYSDOH.

²Benefits for bed holds are only available after 30 days of residence in the facility.

³Bed holds are only available for Medicaid Managed Care Members.

⁴Benefits for respite care are only available to Medicaid Managed Care Members.

OUTPATIENT - Therapy Services

<u>Type of Service</u>	<u>Rate Per Visit</u>
Occupational Therapy Evaluation	Based on Standard Community Fee Schedule
Physical Therapy Evaluation	Based on Standard Community Fee Schedule
Speech Therapy Evaluation	Based on Standard Community Fee Schedule
Occupational Therapy Visit	Based on Standard Community Fee Schedule
Physical Therapy Visit	Based on Standard Community Fee Schedule
Speech Therapy Visit	Based on Standard Community Fee Schedule
Nutritional Therapy Evaluation (if applicable)	Based on Standard Community Fee Schedule
Nutritional Therapy Visit (if applicable)	Based on Standard Community Fee Schedule

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 Excellus Health Plan, Inc., d/b/a Univera Healthcare, for the provision of the above-described services, for a term commencing January 1, 2022 and terminating December 31, 2024, according to the above-described terms.

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

Adopted November 23, 2021 by voice vote.

ACT NO. 478-2021 by Mrs. Andreano

**APPROVING MEMBERSHIP IN PROFESSIONAL ORGANIZATION
(Department of Nursing Homes)**

Pursuant to Section 203(1) of the County Law.

WHEREAS, it is beneficial for the Department of Nursing Homes to be a member of the following organization:

American Association of Post-Acute Care Nursing (AAPACN) \$136.00/year,

and

WHEREAS, membership in this organization is beneficial to the County and serves a public purpose by providing access to updated government source documents and manuals, now, therefore, be it

RESOLVED, that Cattaraugus County authorizes a membership in the American Association of Post-Acute Care Nursing (AAPACN).

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

Adopted November 23, 2021 by voice vote.

ACT NO. 479-2021 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COMMUNITY ACTION, INC., D/B/A
CONNECTING COMMUNITIES IN ACTION FOR
RESIDENTIAL SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE**

Pursuant to 18 NYCRR Parts 408 and 452.2(b), Article 6-A of the Social Services Law and Section 450 of the County Law.

WHEREAS, Act 434-2020 authorized a contract with Cattaraugus Community Action, Inc., d/b/a Connecting Communities in Action, for the provision of necessary and available approved residential services to victims of domestic violence, the term of which expires December 31, 2021, and

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

WHEREAS, Cattaraugus Community Action, Inc., d/b/a Connecting Communities in Action, 25 Jefferson Street, Salamanca, New York 14779, has agreed to administer the aforementioned program for an amount not to exceed the \$67.00 per day per person or at a rate established by the New York State Office of Children and Family Services, to be paid on a monthly basis, as invoiced, and

WHEREAS, this program is 50% federal (CFDA #93.558), 25% state and 25% county funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Cattaraugus Community Action, Inc., d/b/a Connecting Communities in Action, for the administration of the above-described program, contingent upon and subject to inclusion in the 2022 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2022 and terminating December 31, 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted November 23, 2021 by voice vote.

ACT NO. 480-2021 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COMMUNITY ACTION, INC. D/B/A
CONNECTING COMMUNITIES IN ACTION FOR
SAFE HARBOUR HUMAN TRAFFICKING OUTREACH PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 200-2021 authorized a contract with Cattaraugus Community Action, Inc., d/b/a Connecting Communities in Action, 25 Jefferson Street, Salamanca, New York 14779, for the provision of outreach services for trafficked, sexually exploited and at-risk youth in Cattaraugus County, the term of which expires December 31, 2021, and

WHEREAS, the County Department of Social Services is desirous of renewing the aforementioned Safe Harbour:NY Human Trafficking Outreach Program, and

WHEREAS, the Safe Harbour:NY is a program that implements a system-level approach within existing child welfare and allied youth-serving systems, which includes Runaway-Homeless Youth programs, Probation, Persons In Need of Supervision (PINS), Youth Bureaus, and other critical partners, and

WHEREAS, the Safe Harbour:NY program approach leverages existing system strengths to create a more effective and efficient response to youth who have experienced commercial sexual exploitation or trafficking, or who are vulnerable to it, and

WHEREAS, Cattaraugus Community Action, Inc., d/b/a Connecting Communities in Action, can provide outreach services for trafficked, sexually exploited and at-risk youth in Cattaraugus County for an amount not to exceed \$44,217.00, to be paid as invoiced, and

WHEREAS, this program is 100% federally funded (CFDA #93.558), now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Cattaraugus Community Action, Inc., d/b/a Connecting Communities in Action, contingent upon and subject to inclusion in the 2022 budget of sufficient funds to cover the costs of the aforementioned services, for the provision of the above-described services, for a term commencing January 1, 2022 and terminating December 31, 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted November 23, 2021 by voice vote.

ACT NO. 481-2021 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COMMUNITY ACTION, INC., D/B/A
CONNECTING COMMUNITIES IN ACTION FOR
NON-RESIDENTIAL SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE**

Pursuant to 18 NYCRR Parts 408 and 452.2(b), Article 6-A of the
Social Services Law and Section 450 of the County Law.

WHEREAS, Act 433-2020 authorized a contract with Cattaraugus Community Action, Inc., d/b/a Connecting Communities in Action, 25 Jefferson Street, Salamanca, New York 14779, for the provision of mandated approved non-residential services to victims of domestic violence, the term of which expires December 31, 2021, and

WHEREAS, the County Department of Social Services has received funding through the New York State Office of Children and Family Services for the non-residential services program, and

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

WHEREAS, Cattaraugus Community Action, Inc., d/b/a Connecting Communities in Action, has agreed to administer the aforementioned program at an annual cost not to exceed \$25,000.00, to be paid on a monthly basis as invoiced, and

WHEREAS, this program is 100% federally funded (CFDA #93.558), now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Cattaraugus Community Action, Inc., d/b/a Connecting Communities in Action, for the administration of the above-described program, contingent upon and subject to the inclusion in the 2022 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2022 and terminating December 31, 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted November 23, 2021 by voice vote.

ACT NO. 482-2021 by Mrs. Andreano and Mr. Helmich

APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND INTANDEM D/B/A CATTARAUGUS REHABILITATION CENTER, INC. FOR DEPARTMENT OF COMMUNITY SERVICES RESPITE SERVICES

Pursuant to Section 41.55 of the Mental Hygiene Law and Section 450 of the County Law.

WHEREAS, Act 529-2020 authorized a contract with Intandem d/b/a Cattaraugus Rehabilitation Center, Inc., 1439 Buffalo Street, Olean, New York 14760, for the provision of respite services for consumers of mental health services, the term of which expires December 31, 2021, and

WHEREAS, the Cattaraugus County Community Services Board is desirous of utilizing respite services for consumers of mental health services, and

WHEREAS, Intandem d/b/a Cattaraugus Rehabilitation Center, Inc., has agreed to provide the aforementioned respite services for an annual amount not to exceed \$17,400.00, to be paid on a monthly basis, as invoiced and in accordance with the current rate schedule, and

WHEREAS, this program is 86% state funded and 14% County funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, between the Cattaraugus County Community Services Board and Intandem d/b/a Cattaraugus Rehabilitation Center, Inc., to signify the County's approval, for the provision of the above-described services, contingent upon and subject to inclusion in the 2022 budget of sufficient funds to

cover the costs of the aforementioned services, for a term commencing January 1, 2022 and terminating December 31, 2022, 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, upon notification of award, for the allocation of additional state aid funding or cost of living adjustments (COLAs) for this program, and be it further

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

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

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

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

Adopted November 23, 2021 by voice vote.

ACT NO. 483-2021 by Mrs. Andreano and Mr. Helmich

APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND HOUSING OPTIONS MADE EASY, INC. D/B/A RECOVERY OPTIONS MADE EASY, INC. FOR PEER SPECIALISTS FOR THE MOBILE TRANSITIONAL SUPPORT TEAM

Pursuant to Section 41.07 of the Mental Hygiene Law and Section 450 of the County Law.

WHEREAS, Act 527-2020 authorized a contract with Housing Options Made Easy, Inc., 75 Jamestown Street, Gowanda, New York 14070, for the provision of a peer specialist for the Mobile Transitional Support Team, the term of which expires December 31, 2021, and

WHEREAS, the County Department of Community Services is desirous of providing one (1) full-time peer specialist for the Mobile Transitional Support Team for the provision of services to residents of Cattaraugus County who have been discharged from inpatient facilities and who have been identified as being at significant risk for re-hospitalization or emergency room presentation if not provided off-hours clinical intervention and/or support, and

WHEREAS, Housing Options Made Easy, Inc., d/b/a Recovery Options Made Easy, Inc., can provide one (1) full-time peer specialist for the Mobile Transitional Support Team for an amount not to exceed \$48,360.00, to be paid in installments on a monthly basis, as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, between the Cattaraugus County Community Services Board and Housing Options Made Easy, Inc., d/b/a Recovery Options Made Easy, Inc., to signify the County's approval, for the provision of the above-described services, contingent upon and subject to inclusion in the 2022 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2022 and terminating December 31, 2022, 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, upon notification of award, for the allocation of additional state aid funding or cost of living adjustments (COLAs) for this program, and be it further

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

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

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

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

Adopted November 23, 2021 by voice vote.

ACT NO. 484-2021 by Mrs. Andreano and Mr. Helmich

**APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY
SERVICES BOARD AND KIMBERLY CONROY, RN, MS, CS, NPP
FOR DEPARTMENT OF COMMUNITY SERVICES
PSYCHIATRIC NURSE PRACTITIONER SERVICES FOR
CLIENTS IN THE PROS PROGRAM**

Pursuant to Section 41.07 of the Mental Hygiene Law and
Section 450 of the County Law.

WHEREAS, Act 524-2020 authorized a contract with Kimberly Conroy, RN, MS, CS, NPP, 2656 West State Street, Suite 502, Olean, New York 14760, for the provision of psychiatric nurse practitioner services for clients in the PROS Program, the term of which expires December 31, 2021, and

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

WHEREAS, Kimberly Conroy, RN, MS, CS, NPP, an independent contractor, can provide psychiatric nurse practitioner services to clients in the PROS Program for an amount of \$145.00 per direct care hour, for a maximum of 286 hours annually, not to exceed a total contract amount of \$41,470.00, to be paid on a monthly basis, as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, between the Cattaraugus County Community Services Board and Kimberly Conroy, RN, MS, CS, NPP, to signify the County's approval, for the provision of the above-described services, contingent upon and subject to inclusion in the 2022 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2022 and terminating December 31, 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted November 23, 2021 by voice vote.

ACT NO. 485-2021 by Mrs. Andreano and Mr. Helmich

APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND KIMBERLY CONROY, RN, MS, CS, NPP FOR DEPARTMENT OF COMMUNITY SERVICES PSYCHIATRIC NURSE PRACTITIONER SERVICES FOR CLIENTS IN THE MENTAL HEALTH CLINIC

Pursuant to Section 41.07 of the Mental Hygiene Law and Section 450 of the County Law.

WHEREAS, Act 523-2020 authorized a contract with Kimberly Conroy, RN, MS, CS, NPP, 2656 West State Street, Suite 502, Olean, New York 14760, for the provision of psychiatric nurse practitioner services for clients in the mental health clinic, the term of which expires December 31, 2021, and

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

WHEREAS, Kimberly Conroy, RN, MS, CS, NPP, an independent contractor, can provide psychiatric nurse practitioner services to clients in the mental health clinic for an amount of \$145.00 per direct care hour, for a maximum of 416 hours annually, not to exceed a total contract amount of \$60,320.00, to be paid on a monthly basis, as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, between the Cattaraugus County Community Services Board and Kimberly Conroy, RN, MS, CS, NPP, to signify the County's approval, for the provision of the above-described services, contingent upon and subject to inclusion in the 2022 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2022 and terminating December 31, 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted November 23, 2021 by voice vote.

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MR. MARSH moved, seconded by Mrs. Hunt, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 486-2021 through Act No. 493-2021. Carried.

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ACT NO. 486-2021 by Ms. Schröder
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
HIGHMARK LIFE INSURANCE COMPANY OF NEW YORK FOR
STOP LOSS SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 169-2021 authorized a contract with AP Benefit Advisors, LLP d/b/a Premier Consulting Associates, LLC, for the provision of benefits plan management services, which includes stop loss marketing services for the County, and

WHEREAS, Premier Consulting Associates, LLC, solicited stop loss proposals on behalf of the County and has recommended the proposal of Highmark Life Insurance Company of New York, and

WHEREAS, Highmark Life Insurance Company of New York can provide stop loss services to the County for an amount in accordance with the following:

Specific	Lives	Rate
Specific Deductible (per covered participant)		\$325,000
Policy Year Maximum Specific Benefit		Unlimited
Lifetime Maximum Specific Benefit		Unlimited
Covered Benefits		Med, Rx Card
Specific Premium		
Single Rate	276	\$29.32
Family Rate	701	\$82.27
Total Lives	977	
Estimated Contract Specific Premium		\$789,163
Contracted Aggregating Specific Loss Fund		\$150,000
Contract Basis		60/12
Commission		10.00%

now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Highmark Life Insurance Company of New York, for the provision of the above-described services, contingent upon and subject to inclusion in the 2022 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms.

Adopted November 23, 2021 by voice vote.

ACT NO. 487-2021 by Mr. Boberg and Mr. Klancer
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
TYLER TECHNOLOGIES, INC. FOR
EXECUTIME TIME AND ATTENDANCE SOFTWARE AND MAINTENANCE
AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Information Services)**

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

WHEREAS, Act 423-2015, as amended by Acts 493-2016, 324-2020 and 285-2021, authorized a contract with Tyler Technologies, Inc., [formerly New World Systems], for the provision of Standard Software Maintenance Services (SSMA) for Commercial Off The Shelf Integrated Financial Management, Payroll/Human Resources and eSuite Financial Management software, Personnel Actions Module (a/k/a Benefit Tracing Module), and Leave Management (FMLA) Module support and maintenance services, the term of which expired August 31, 2021, with automatic renewals for additional one (1) year periods, and

WHEREAS, an amendment is necessary to the aforementioned contract in order to include the ExecuTime Advance Time & Attendance Solution Module software, support and maintenance, and

WHEREAS, Tyler Technologies, Inc., can provide ExecuTime Advance Time & Attendance Solution Module software, licenses and maintenance and support services for a one-time amount of \$298,372.00 for the purchase, plus the annual renewal of licenses and network support services in the amount of \$19,056.00 per year, and

WHEREAS, various appropriation and revenue accounts must be adjusted to cover the cost of the aforementioned project, 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 Tyler Technologies, Inc., for the provision of the above-described ExecuTime Advance Time & Attendance Solution Module software, licenses and maintenance and support services, for a term commencing upon installation of the ExecuTime software and terminating December 31, 2022, with automatic renewals for additional one (1) year periods, unless terminated by either party at least ninety (90) days prior to the end of the then-current term, according to the above-described terms, and be it further

RESOLVED, that the County Administrator is hereby directed to appropriate \$298,372.00 from Fund Balance Account A.909.0000 and make the following budgetary changes:

Increase Revenue Account:

H.990.9950.0000.5031	Interfund Transfers	\$298,372.00
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Increase Appropriation Accounts:

A.990.9950.0000.90504	Transfer to Capital Projects Fund	\$298,372.00
H.143.1997.0000.21038.41603	Time and Attendance System	\$298,372.00.

Adopted November 23, 2021 by voice vote.

ACT NO. 488-2021 by Mr. Helmich and Mr. Koch
who ask immediate consideration

**TRANSFER OF FUNDS FOR PURCHASE OF SCANNER
(Contingent Fund-Jail Scanner)**

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

WHEREAS, the Sheriff's Office is desirous of purchasing a scanner for the Jail, and
WHEREAS, a transfer of funds is necessary to cover the cost of the aforementioned
scanner, now, therefore, be it

RESOLVED, that the County Administrator is hereby directed to appropriate \$115,086.60
from Fund Balance Account A.909.0000 and make the following budgetary changes:

Increase Revenue Account:

H.990.9950.0000.5031	Interfund Transfers	\$180,000.00
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Decrease Appropriation Account:

A.901.1990.0000.40601	Contingent Fund	\$ 64,913.40
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Increase Appropriation Accounts:

A.990.9950.0000.90504	Transfer to Capital Projects Fund	\$180,000.00
H.311.3197.0000.21109.41603	Jail Scanner	\$180,000.00.

Adopted November 23, 2021 by voice vote.

ACT NO. 489-2021 by Mr. Higgins and Mr. Marsh
who ask immediate consideration

**AUTHORIZING PUBLIC HEARING ON CLOSEOUT OF
2019 COMMUNITY DEVELOPMENT BLOCK GRANT
(Manufactured Housing Replacement Program Grant)**

Pursuant to 24 CFR Section Part 570 and Section 450 of the County Law.

WHEREAS, Act 155-2019 authorized a public hearing to consider citizen comments
regarding the Community Development Block Grant ("CDBG") application to the New York State Office of
Homes and Community Renewal for the Manufactured Housing Replacement Program Grant (the
"Project"), and

WHEREAS, the County is required to hold a public hearing to close out the Project for the
purpose of hearing public comments on the Manufactured Housing Replacement Program Grant to obtain
citizen views regarding any aspect of the Project, and

WHEREAS, the hearing will be conducted pursuant to Part 570 of the CFR and provide further information about the CDBG Project, now, therefore, be it

RESOLVED, that a public hearing shall be held by this County Legislature for the close out of the Community Development Block Grant funding for the Manufactured Housing Replacement Program Grant on the 8th day of December, 2021, at 5:01 p.m. at the Legislature's Chambers, County Center, 303 Court Street, Little Valley, New York, and that at least seven (7) days' notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Adopted November 23, 2021 by voice vote.

ACT NO. 490-2021 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**AMENDING ACT 442-2021 REGARDING CONTRACT WITH
VARIOUS ENTITIES FOR HEALTH DEPARTMENT WIC CLINIC SPACE**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 442-2021 authorized a contract with Gowanda Free Methodist Church for the utilization of space for the Health Department's WIC Program, the term of which expires December 31, 2022, and

WHEREAS, the Gowanda Free Methodist Church, 149 West Main Street, Gowanda, New York 14070, requested a rate increase from \$75.00 to \$100.00 per day of use, and

WHEREAS, Act 442-2021 should be amended to reflect the increased rate, now, therefore, be it

RESOLVED, that Act 442-2021 be, and hereby is, amended as follows: In the Third Whereas, under the 2021 and 2022 rate columns for the Gowanda Free Methodist Church, please delete "\$75/day of use" and replace with "\$100/day of use".

Adopted November 23, 2021 by voice vote.

ACT NO. 491-2021 by Mrs. Andreano and Ms. Schröder
who ask immediate consideration

**CREATING ONE (1) FULL-TIME POSITION OF CASE SUPERVISOR IN THE
DEPARTMENT OF AGING AND ESTABLISHING COMPENSATION FOR THE SAME
(Aging)**

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

WHEREAS, the Department of Aging needs additional supervisory staffing to ensure compliance with regulations established by the New York State Office for the Aging relative to the ratio of supervisors overseeing staff, and

WHEREAS, a full-time position of Case Supervisor will fulfill this requirement, and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Personnel Officer, who has approved the title of Case Supervisor in accordance with Civil Service Law Section 22, and

WHEREAS, sufficient funds are available in the budget of the Department of Aging for the aforementioned position, now, therefore, be it

RESOLVED, that effective immediately, there is hereby created one (1) position of Case Supervisor to be filled on a full-time basis in the Department of Aging in the Supervisory Bargaining Unit, Pay Grade 29 (\$34.89 per hour), Position No. 677-033-002, and be it further

RESOLVED, that upon termination of either state or federal funding for this position, then this position shall be automatically abolished, 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 November 23, 2021 by voice vote.

ACT NO. 492-2021 by Mrs. Andreano and Ms. Schröder
who ask immediate consideration

**ABOLISHING ONE (1) FULL-TIME POSITION OF CERTIFIED NURSE AIDE
IN THE DEPARTMENT OF NURSING HOMES**

Pursuant to Section 204 of County Law.

WHEREAS, the Department of Nursing Homes has been reorganizing to better service the needs of its residents and provide necessary services with qualified staff, and

WHEREAS, it has been requested and approved to reclassify one (1) full-time Certified Nurse Aide position and abolish one (1) Certified Nurse Aide position in order to provide one (1) full-time Supervising Licensed Practical Nurse for The Pines Olean, now, therefore, be it

RESOLVED, that effective immediately, there is hereby abolished one (1) full-time position of Certified Nurse Aide, Position No. 200-222-143.

Adopted November 23, 2021 by voice vote.

ACT NO. 493-2021 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**APPROVING AMENDED CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD
AND CATTARAUGUS COMMUNITY ACTION, INC. FOR DEPARTMENT OF COMMUNITY SERVICES
THERAPY AND SUPPORT SERVICES FOR MENTAL HEALTH CLINIC, PROS PROGRAM,
AFTER HOURS ON-CALL SERVICES AND MOBILE TRANSITIONAL SUPPORT TEAM**

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

WHEREAS, 525-2020 authorized a contract with Cattaraugus Community Action, Inc., for the provision of various therapy and support services for Department of Community Services mental health clinic, PROS Program, including after hours on-call crisis services and mobile transitional services, the term of which expires December 31, 2021, and

WHEREAS, the Cattaraugus County Community Services Board is desirous of amending the aforementioned contract to include the services of a mental health therapist and a vocational specialist, and

WHEREAS, Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, will provide one (1) mental health therapist and one (1) vocational specialist for the PROS program, to commence December 1, 2021, for an additional amount of \$10,067.00, bringing the total contract amount not to exceed \$2,144,448.00, to be paid on a monthly basis, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, between the Cattaraugus County Community Services Board and Cattaraugus Community Action, Inc., to signify the County's approval, for the provision of the above-described services, to amend the contract which commenced January 1, 2021 and terminates December 31, 2021, according to the above-described terms.

Adopted November 23, 2021 by voice vote.

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MR. BRISKY moved, seconded by Mr. Benson, to accept the Finance Committee Report on the 2022 Tentative Budget. Carried.

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ACT NO. 494-2021 by Mr. Burr
who asks immediate consideration

ADOPTION OF 2022 BUDGET

Pursuant to Section 360 of the County Law.

RESOLVED, that the tentative County Budget for the year 2022, as amended and filed with the Clerk of the Legislature and as hereafter attached, is hereby adopted as the County Budget for 2022 and the budget requires the raising by tax of the amount of \$55,248,000.00.

Adopted November 23, 2021 by voice vote.

ACT NO. 495-2021 by Mr. Burr
who asks immediate consideration

APPORTIONMENT OF COUNTY BUDGET

Pursuant to Section 804 of the Real Property Tax Law.

RESOLVED, that the following report of the assessed value of all property assessed in each of the several towns and cities of the County for 2022 shows the equalized value of real estate and the amount of the County budget apportioned to each district:

PROPERTY TAX REPORT		November 17, 2021				
PROPERTY TAX AMOUNT		\$55,248,000				
TOWN	Taxable Value	Taxable Value With Fixed Exemptions	Equalization Rate	Full Value	Apportioned Tax	Tax Rate
ALLEGANY	364,237,429	364,241,929	95.00	383,412,557	4,257,783.71	11.6896
ASHFORD	78,686,456	78,688,656	43.00	182,996,874	2,032,174.21	25.8262
CARROLLTON	70,790,336	70,790,336	77.00	91,935,501	1,020,940.69	14.4220
COLDSRING	69,450,343	69,451,843	93.50	74,280,046	824,877.44	11.8772
CONEWANGO	33,224,794	33,226,294	50.00	66,452,588	737,953.78	22.2109
DAYTON	77,070,237	77,070,237	100.00	77,070,237	855,862.42	11.1050
EAST OTTO	88,098,806	88,100,306	93.00	94,731,512	1,051,990.29	11.9410
ELLCOTTVILLE	617,857,015	617,857,015	97.00	636,965,995	7,073,486.22	11.4484
FARMERSVILLE	67,647,702	67,650,702	86.00	78,663,607	873,556.74	12.9133
FRANKLINVILLE	84,393,603	84,471,269	60.00	140,785,448	1,563,417.72	18.5253
FREEDOM	138,654,482	138,657,530	100.00	138,657,530	1,539,787.27	11.1052
GREAT VALLEY	179,360,077	179,360,077	93.00	192,860,298	2,141,707.20	11.9408
HINSDALE	120,751,692	120,751,992	85.00	142,061,167	1,577,584.54	13.0647
HUMPHREY	84,153,103	84,153,103	83.00	101,389,281	1,125,924.60	13.3795
ISCHUA	40,724,658	40,729,758	85.00	47,917,362	532,120.71	13.0663
LEON	47,513,890	47,515,790	77.00	61,708,818	685,274.37	14.4226
LITTLE VALLEY	47,124,955	47,127,405	62.00	76,011,944	844,110.11	17.9122
LYNDON	49,249,044	49,249,044	94.00	52,392,600	581,818.08	11.8138
MACHIAS	181,763,634	181,766,634	100.00	181,766,634	2,018,512.43	11.1052
MANSFIELD	142,860,109	142,865,376	100.00	142,865,376	1,586,515.26	11.1054
NAPOLI	73,405,153	73,405,153	100.00	73,405,153	815,161.79	11.1050
NEW ALBION	56,664,519	56,664,519	56.00	101,186,641	1,123,674.29	19.8303
OLEAN/CITY	480,377,629	480,440,829	87.00	552,230,838	6,132,505.11	12.7660
OLEAN/TOWN	89,692,409	89,702,359	67.00	133,884,118	1,486,778.68	16.5764
OTTO	71,988,408	71,988,558	100.00	71,988,558	799,430.55	11.1050
PERRYSBURG	56,699,605	56,805,505	64.00	88,758,602	985,661.33	17.3839
PERSIA	58,638,240	58,638,240	68.00	86,232,706	957,611.34	16.3308
PORTVILLE	134,967,532	134,989,347	86.00	156,964,357	1,743,083.97	12.9148
RANDOLPH	84,289,745	84,294,245	70.00	120,420,350	1,337,263.99	15.8651
RED HOUSE	223,731,309	223,731,309	100.00	223,731,309	2,484,528.76	11.1050
SALAMANCA/CITY	14,751,468	14,791,818	14.00	105,655,843	1,173,304.63	79.5382
SALAMANCA/TOWN	28,267,928	28,267,928	80.00	35,334,910	392,393.00	13.8812
SOUTH VALLEY	32,279,459	32,279,459	67.00	48,178,297	535,018.39	16.5746
YORKSHIRE	28,634,604	28,643,504	13.50	212,174,104	2,356,186.38	82.2846
	4,018,000,373	4,018,368,069		4,975,071,161	55,248,000.00	
TAX RATE % FULL VALUE		0.0111049668				
TAX RATE % TAXABLE VALUE		0.0137501232				
*** Assessment Values as of November 17, 2021.						

Adopted November 23, 2021 by voice vote.

ACT NO. 496-2021 by Mr. Burr
who asks immediate consideration

APPROPRIATIONS FOR THE FISCAL YEAR 2022

Pursuant to Sections 356 and 360 of the County Law.

WHEREAS, the Cattaraugus County Legislature has, by resolution, adopted a budget for the fiscal year 2022, now, therefore, be it

RESOLVED, that the several subtotals specified in such budget, in the column headed "Adopted" opposite the several items of expenditures, be approved for such items, effective January 1, 2022.

Adopted November 23, 2021 by voice vote.

ACT NO. 497-2021 by Mr. Burr
who asks immediate consideration

AUTHORIZING THE CHAIR AND CLERK TO SIGN AND ATTACH WARRANTS

Pursuant to Section 904 of the Real Property Tax Law.

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

RESOLVED, that the Chair and the Clerk of the Legislature be, and they hereby are, authorized and directed to sign and attach warrants thereto under the date of December 10, 2021.

Adopted November 23, 2021 by voice vote.

ACT NO. 498-2021 by Mr. Burr
who asks immediate consideration

AUTHORIZATION TO DEBIT AND CREDIT ACCOUNTS OF TOWNS AND CITIES

Pursuant to Section 940 of the Real Property Tax Law.

WHEREAS, at the meeting of the Legislature on November 23, 2021, a report was filed by the County Treasurer in the Office of the County Treasurer showing the debits and credits of all the towns and cities in the County, now, therefore, be it

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

<u>TOWN</u>	<u>DEBIT</u>	<u>CREDIT</u>
Allegany		
Ashford		
Carrollton		
Coldspring		.31
Conewango		

Dayton		
East Otto		
Ellicottville		
Farmersville		
Franklinville	.10	
Freedom		
Great Valley		
Hinsdale		.18
Humphrey		.14
Ischua	.14	
Leon	.18	
Little Valley		40.55
Lyndon	.03	
Machias		
Mansfield		
Napoli	.59	
New Albion	19.78	
Olean City		
Olean Town		
Otto	.34	
Perrysburg		.03
Persia		
Portville		
Randolph		.30
Red House		
Salamanca City	.06	
Salamanca Town	.02	
South Valley	.01	
Yorkshire		

Adopted November 23, 2021 by voice vote.

ACT NO. 499-2021 by Mr. Burr
who asks immediate consideration

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

Pursuant to Section 1330 of the Real Property Tax Law.

RESOLVED, that effective November 30, 2021, the Clerk of the Legislature be, and hereby is, authorized and directed to relevy all returned school taxes and returned city taxes of the City of Olean.

Adopted November 23, 2021 by voice vote.

ACT NO. 500-2021 by Mr. Burr
who asks immediate consideration

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

Pursuant to Section 1442 of the Real Property Tax Law.

RESOLVED, that effective November 30, 2021, the Clerk of the Legislature be, and hereby is, authorized and directed to relevy all returned village taxes of the County of Cattaraugus.

Adopted November 23, 2021 by voice vote.

ACT NO. 501-2021 by Mr. Burr
who asks immediate consideration

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

Pursuant to Article 29 of the Tax Law.

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

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

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

RESOLVED, that \$400,000.00 of the 2022 sales tax revenue due the Town of Portville be applied to the reduction of the County Tax levied against the real property in the Town of Portville (outside).

Adopted November 23, 2021 by voice vote.

ACT NO. 502-2021 by Mr. Burr
who asks immediate consideration

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

Pursuant to Article 29 of the Tax Law.

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

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

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

RESOLVED, that \$238,000.00 of the 2022 sales tax revenue due the Town of Farmersville be applied to the reduction of the County Tax levied against the real property in the Town of Farmersville.

Adopted November 23, 2021 by voice vote.

ACT NO. 503-2021 by Mr. Burr
who asks immediate consideration

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

Pursuant to Article 29 of the Tax Law.

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

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

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

RESOLVED, that \$575,000.00 of the 2022 sales tax revenue due the Town of Red House be applied to the reduction of the County Tax levied against the real property in the Town of Red House.

Adopted November 23, 2021 by voice vote.

ACT NO. 504-2021 by Mr. Burr
who asks immediate consideration

ADOPTION OF EQUALIZATION RATES

Pursuant to Section 804 of the Real Property Tax Law.

RESOLVED, that the Cattaraugus County Legislature does hereby adopt the equalization rate fixed by the State Board of Real Property Tax Services for the year 2021 as follows:

<u>Towns</u>	<u>Equalization Rates</u>
Allegany	95.00
Ashford	43.00
Carrollton	77.00
Cold Spring	93.50
Conewango	50.00
Dayton	100.00
East Otto	93.00
Ellicottville	97.00
Farmersville	86.00

Franklinville	60.00
Freedom	100.00
Great Valley	93.00
Hinsdale	85.00
Humphrey	83.00
Ischua	85.00
Leon	77.00
Little Valley	62.00
Lyndon	94.00
Machias	100.00
Mansfield	100.00
Napoli	100.00
New Albion	56.00
Olean, City	87.00
Olean, Town	67.00
Otto	100.00
Perrysburg	64.00
Persia	68.00
Portville	86.00
Randolph	70.00
Red House	100.00
Salamanca, City	14.00
Salamanca, Town	80.00
South Valley	67.00
Yorkshire	13.50

Adopted November 23, 2021 by voice vote.

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MS. SCHRODER moved, seconded by Mr. Snyder, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 505-2021 through Act No. 508-2021. Carried.

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ACT NO. 505-2021 by Ms. Schröder
who asks immediate consideration

**CREATING TWO (2) FULL-TIME POSITIONS OF ASSISTANT COUNTY ATTORNEY IN THE
COUNTY ATTORNEY'S OFFICE AND ESTABLISHING COMPENSATION FOR THE SAME
(County Attorney)**

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

WHEREAS, due to the impending retirement of both part-time Assistant County Attorneys in 2022 along with an increase in workload due to restructuring of the office, full-time Assistant County Attorney positions are necessary, and

WHEREAS, the New Position Duties Statements have been submitted to the Cattaraugus County Personnel Officer, who has approved and certified the title of Assistant County Attorney in accordance with Civil Service Law Section 22, and

WHEREAS, sufficient funds are included in the 2022 budget for these positions, now, therefore, be it

RESOLVED, that effective January 1, 2022, there is hereby created one (1) position of Assistant County Attorney in the County Attorney's Office to be filled on a full-time basis, Managerial and Confidential Officers and Employees, at a bi-weekly salary of \$3,269.23, Position No. 142-015-005, and be it further

RESOLVED, that effective January 1, 2022, there is hereby created one (1) position of Assistant County Attorney in the County Attorney's Office to be filled on a full-time basis, Managerial and Confidential Officers and Employees, at a bi-weekly salary of \$4,038.46, Position No. 142-015-006.

Adopted November 23, 2021 by voice vote.

ACT NO. 506-2021 by Ms. Schröder
who asks immediate consideration

**CREATING ONE (1) FULL-TIME POSITION OF CASEWORKER
IN THE DEPARTMENT OF SOCIAL SERVICES AND
ESTABLISHING COMPENSATION FOR THE SAME
(Social Services)**

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

WHEREAS, the Department of Social Services is in need of a Caseworker position to facilitate the creation of cluster homes based on new regulations regarding congregate care, and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Personnel Officer, who has approved and certified the title of Caseworker in accordance with Civil Service Law Section 22, and

WHEREAS, sufficient funds are included in the 2022 budget for this position, now, therefore, be it

RESOLVED, that effective January 1, 2022, there is hereby created one (1) position of Caseworker in the Department of Social Services to be filled on a full-time basis, General Bargaining Unit Salary Schedule, Pay Grade 23 (\$26.24 per hour), Position No. 601-034-042.

Adopted November 23, 2021 by voice vote.

ACT NO. 507-2021 by Ms. Schröder
who asks immediate consideration

**CREATING ONE (1) FULL-TIME POSITION OF SYSTEM ANALYST PROGRAMMER
IN THE DEPARTMENT OF PUBLIC WORKS AND
ESTABLISHING COMPENSATION FOR THE SAME
(DPW)**

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

WHEREAS, the Public Works Department is in need of a System Analyst Programmer position to assist the engineering division with technical expertise in the realm of geospatial data collection and analysis, allowing the department to expand its ability to gather, collect and store information that will provide data on which to drive future analysis and decision making, and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Personnel Officer, who has approved and certified the title of System Analyst Programmer in accordance with Civil Service Law Section 22, and

WHEREAS, sufficient funds are included in the 2022 budget for this position, now, therefore, be it

RESOLVED, that effective January 1, 2022, there is hereby created one (1) position of System Analyst Programmer in the Department of Public Works to be filled on a full-time basis, General Bargaining Unit Salary Schedule, Pay Grade 25 (\$28.04 per hour), Position No. 502-349-001.

Adopted November 23, 2021 by voice vote.

ACT NO. 508-2021 by Ms. Schröder
who asks immediate consideration

ABOLISHING CERTAIN VACANT PART-TIME POSITIONS

Pursuant to Section 204 of County Law.

WHEREAS, certain part-time positions are vacant and should be abolished, now, therefore, be it

RESOLVED, that effective immediately, there is hereby abolished one (1) part-time position of Probation Assistant in the Probation Department, Position No. 314-251-006, and be it further

RESOLVED, that effective immediately, there is hereby abolished one (1) part-time position of Transportation Aide in the Youth Bureau, Position No. 731-363-001, and be it further

RESOLVED, that effective immediately, there is hereby abolished one (1) part-time position of Stores Clerk in the Department of Public Works, Position No. 502-342-002.

Adopted November 23, 2021 by voice vote.

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MR. KOCH moved, seconded by Mr. Higgins, to adjourn until December 8, 2021 at 5:00 p.m.
Carried.

Meeting adjourned at 5:33 p.m.

Ann M. Giglio
Journal Clerk