

March 8, 2023

The meeting was called to order by Chairman VanRensselaer.

The invocation was given by Rev. leFeber.

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

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There being no amendments or objections thereto, Chairman VanRensselaer noted that the minutes of the February 22, 2023 session stand approved as presented.

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COMMUNICATIONS:

NYS Senator George M. Borrello: Letter of Support for funding to be included in the NYS Senate 2023-24 one-house budget to support all Executive Budget investments in the SUNY system and in SUNY Community Colleges.

NYS Assemblyman Joseph M. Giglio: Acknowledging receipt of Act No. 113-2023, Act No. 114-2023 and Act No. 115-2023.

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APPOINTMENTS:

FISH & WILDLIFE MANAGEMENT BOARD

Two-year term to expire December 31, 2024

William F. Lindbergh, “Landowner Representative”

CATTARAUGUS COUNTY TRAFFIC SAFETY BOARD

Three-year terms to expire December 31, 2024

Ron Richardson, Olean Police Department

Lt. Drew Silleman, Sheriff’s Office

Three-year terms to expire December 31, 2025

Thomas Ruper, Safety Engineer

Jamie Deck, Salamanca Police Department

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PROCLAMATION:

CHAIRMAN VANRENSELAER proclaimed the month of March 2023 as **Agriculture Month** in Cattaraugus County. The proclamation was presented to Katie Hill from the Cattaraugus County Farm Bureau.

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PRIVILEGE OF THE FLOOR:

CHAIRMAN VANRENSELAER granted Privilege of the Floor to the Cattaraugus-Little Valley FFA Agriculture Teacher, Katie Mitrowski. Ms. Mitrowski introduced FFA students Allie Erhart, Derek Opferbeck and Breanna Unruh who presented their business model on Hanft's Hickory Hill Farm. FFA students Kierra Knobloch and Acadia Leclerc spoke on Agricultural Education. The Cattaraugus County Farm Bureau provided locally grown refreshments.

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ACT NO. 116-2023 by Mr. Benson and Mr. Helmich

BID ACCEPTANCE FOR CONCRETE CATCH BASINS
(Department of Public Works)

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of concrete catch basins, according to specifications provided by the Public Works Committee, now, therefore, be it

RESOLVED, that the Commissioner of Public Works is authorized to contract for the provision of concrete catch basins with the following bidders recommended by the Public Works Committee for the term May 1, 2023 through April 30, 2024, and be it further

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

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

♦ **CONCRETE CATCH BASINS - price each, includes delivery**

BIHR LANDSCAPE, INC.

211 Westminster Road

West Seneca, New York 14224

Frames & Grates - Basin Sizes

		<u>Rate</u>
CCB 2424	24" sq. x 24"	\$518.00
CCB 2436	24" sq. x 36"	\$539.00
CCB 2454	24" sq. x 54"	\$642.00
CCB 3036	30" sq. x 36"	\$914.00
CCB 3054	30" sq. x 54"	\$1,052.00

Risers - 24 inches square (Height)

CBR 24-6	6 inches	\$148.00
CBR 24-9	9 inches	\$232.00
CBR 24-12	12 inches	\$247.00
CBR 24-24	24 inches	\$365.00

Risers - 30 inches square (Height)

CBR 30-6	6 inches	\$227.00
CBR 30-12	12 inches	\$442.00
CBR 30-24	24 inches	\$656.00

Extra Grates

CBG 24	24" x 24"	\$249.00
CBG 30	30" x 30"	\$422.00

Delivery Charges

\$400.00/Load

Delivery Load equivalent to 8 or less 24" SQ. CBs or 6 or less 30" SQ. CBs*KISTNER CONCRETE PRODUCTS, INC.**P.O. Box 218**East Pembroke, New York 14056-0218*Frames & Grates - Basin Sizes

		Rate
CCB 2424	24" sq. x 24"	\$619.00
CCB 2436	24" sq. x 36"	\$663.00
CCB 2436A	24" sq. x 36"	\$980.00
CCB 2436W	24" sq. x 36" (8" wall)	\$1,830.00
CCB 2454	24" sq. x 54"	\$784.00
CCB 2454A	24" sq. x 54" (single knockout)	\$1,199.00
CCB 2454W	24" sq. x 54" (8" wall)	\$2,226.00
CCB 2466	24" sq. x 66"	\$864.00
CCB 2472	24" sq. x 72"	\$934.00
CCB 3036	30" sq. x 36"	\$1,125.00
CCB 3054	30" sq. x 54"	\$1,250.00
CCB 3636	36" sq. x 36"	\$2,415.00*
		\$1,939.00** alternate
CCB 3654	36" sq. x 54"	\$2,314.00*
		\$1,723.00** alternate
CCB 3654L	36" sq. x 54" (large knockouts)	\$2,314.00*
	36" sq. x 42" (knockouts)	\$1,723.00** alternate
CCB 3672	36" sq. x 72"	\$2,865.00*
		\$2,275.00** alternate

Risers - 24 inches square (Height)

CBR 24-6	6 inches	\$235.00
CBR 24-12	12 inches	\$430.00
CBR 24-24	24 inches	\$567.00

Risers - 30 inches square (Height)

CBR 30-6	6 inches	\$302.00
CBR 30-12	12 inches	\$564.00
CBR 30-24	24 inches	\$883.00

Risers - 36 inches square (Height)

CBR 36-6	6 inches	\$281.00
CBR 36-12	12 inches	\$336.00
CBR 36-24	24 inches	\$672.00

Extra Grates

CBG 24	24" x 24"	\$284.00
CBG 30	30" x 30"	\$560.00
CBG 36	36" x 36"	\$1,113.00

Delivery Charges

\$560.00/Load

Delivery Charges: Add \$150.00/Load if Kistner is to unload.

* With 36" Sq. Raised Frame & Gate

** 36" Sq. Alternate price has a roof slab with 24" sq. ft. grate cast flush into roof slab

JAMESTOWN MACADAM, INC.

P.O. Box 518

Celeron, New York 14720

Frames & Grates - Basin Sizes

<u>Frames & Grates - Basin Sizes</u>		<u>Rate</u>
CCB 2424	24" sq. x 24"	\$672.00
CCB 2436	24" sq. x 36"	\$675.00
CCB 2436A	24" sq. x 36"	\$999.00
CCB 2436W	24" sq. x 36" (8" wall)	\$1,863.00
CCB 2454	24" sq. x 54"	\$799.00
CCB 2454A	24" sq. x 54" (single knockout)	\$1,221.00
CCB 3636	36" sq. x 36"	\$1,975.00
CCB 3654	36" sq. x 54"	\$2,296.00
CCB 3654L	36" sq. x 54" (large knockouts)	\$2,296.00
	36" sq. x 42" (knockouts)	
CCB 3672	36" sq. x 72"	\$2,317.00

Risers - 24 inches square (Height)

CBR 24-6 6 inches	\$166.00
CBR 24-12 12 inches	\$287.00
CBR 24-24 24 inches	\$435.00

Risers - 36 inches square (Height)

CBR 36-6 6 inches	\$258.00
CBR 36-12 12 inches	\$338.00
CBR 36-24 24 inches	\$516.00

Extra Grates

CBG 24 24" x 24"	\$251.00
CBG 36 36" x 36"	\$391.00

Delivery Charges \$90.00/Load

No State Bid.

Four sets of specifications were sent out.

Three bids were received which met specifications.

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

Adopted March 8, 2023 by voice vote.

ACT NO. 117-2023 by Mr. Benson and Mr. Helmich

**BID ACCEPTANCE FOR PRECAST CONCRETE BOX CULVERT
FOR OTTO CULVERT NO. 24
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of a precast concrete box culvert for Otto Culvert No. 24, located on County Road No. 12

(Cattaraugus-Otto Road), in the Town of Otto, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications was the bid of Binghamton Precast & Supply Corp., 18 Phelps Street, Binghamton, New York 13901, for the provision of a precast concrete box culvert for Otto Culvert No. 24, for an amount of \$96,055.00, to be paid as invoiced, and

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

RESOLVED, that the bid of Binghamton Precast & Supply Corp., be, and the same hereby is, accepted, for a term commencing upon Notice of Award with shop drawings to be submitted within ten (10) working days after the execution of the contract and delivery anticipated to be on July 12, 2023, and be it further

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

No State Bid.

Four sets of specifications were sent out.

Three bids were received which met specifications.

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

Adopted March 8, 2023 by voice vote.

ACT NO. 118-2023 by Mr. Benson and Mr. Helmich

**BID ACCEPTANCE FOR PRECAST CONCRETE BOX CULVERT
FOR NEW ALBION CULVERT NO. 30
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of a precast concrete box culvert for New Albion Culvert No. 30, located on County Road No. 12 (Otto Road), in the Town of New Albion, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications was the bid of Binghamton Precast & Supply Corp., 18 Phelps Street, Binghamton, New York 13901, for the provision of a precast concrete box culvert for New Albion Culvert No. 30, for an amount of \$78,902.00, to be paid as invoiced, and

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

RESOLVED, that the bid of Binghamton Precast & Supply Corp., be, and the same hereby is, accepted, for a term commencing upon Notice of Award with shop drawings to be submitted within ten (10) working days after the execution of the contract and delivery anticipated to be on June 14, 2023, and be it further

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

No State Bid.

Four sets of specifications were sent out.

Three bids were received which met specifications.

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

Adopted March 8, 2023 by voice vote.

ACT NO. 119-2023 by Mr. Benson and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NYSDOT AND
AUTHORIZING CATTARAUGUS COUNTY TO PARTICIPATE IN
FEDERAL-AID PROJECT ADMINISTERED BY THE NYSDOT AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Bridge Painting Contract #D040821-Department of Public Works)**

Pursuant to Title 23 U.S. Code and
Sections 363, 366 and 450 of the County Law.

WHEREAS, the 2023 Cattaraugus County Bridge Painting Project: five (5) bridges located within the Towns of Ellicottville, Leon, Franklinville, South Valley and Conewango in Cattaraugus County, BIN 3321240, 3322220, 3321470, 3323230 and 3320820 (the "Project"), is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% federal funds and 20% non-federal funds, and

WHEREAS, the County desires to advance the above Project by making a commitment of 100% of the federal and non-federal share of the costs of the Construction & Construction Inspection phase of the Project, PIN 5763.69, now, therefore, be it

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

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

RESOLVED, that the sum of \$692,000.00 is hereby appropriated and made available to cover the cost of participation in the above phase of the Project, and be it further

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute all necessary documents, on behalf of Cattaraugus County, with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-

aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and be it further

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

RESOLVED, that this Resolution shall take effect immediately, and be it further

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

Increase Estimated Revenue Accounts:

H.504.5197.5195.25523.3591.01	State Aid, Highway Marchiselli Program	\$103,800.00
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H.504.5197.5195.25523.4597.01	Fed Aid, Transp Capital Projects Bridge Prog	\$553,600.00
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Increase Appropriation Account:

H.504.5197.5195.25523.41603	Bridge Painting Contracted (2023)	\$657,400.00.
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Approved by 7 members of the Finance Committee and 6 members of the Public Works Committee.

Adopted March 8, 2023 by voice vote.

ACT NO. 120-2023 by Mr. Benson and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
U.S. DEPARTMENT OF HOMELAND SECURITY REGION II,
FEDERAL EMERGENCY MANAGEMENT AGENCY FOR
UPDATE OF MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN
AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Public Works)**

Pursuant to Sections 215, 363, 366 and 450 of the County Law.

WHEREAS, Act 510-2020 authorized the adoption of the Cattaraugus County Multi-Jurisdictional Hazard Mitigation Plan, and

WHEREAS, Act 119-2022 authorized grant applications to apply for Hazard Mitigation funding to assist in updating multi-jurisdictional hazard mitigation plans, and

WHEREAS, FEMA has approved funding for the Hazard Mitigation Project Number 4480-0014 for the Cattaraugus County Multi-Jurisdictional Hazard Mitigation Plan, and

WHEREAS, the County has been awarded funding in the amount of \$150,000.00, with a federal share of \$135,000.00 and a required non-federal matching share of \$15,000.00, to assist with an updated Multi-Jurisdictional Hazard Mitigation Plan, and

WHEREAS, a contract is necessary with the U.S. Department of Homeland Security Region II, FEMA, in order to obtain the aforementioned funding, and

WHEREAS, this program is 90% federally funded (CFDA# 20.205) and 10% county funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the U.S. Department of Homeland Security

Region II, FEMA, in order to accept, and receive, the aforementioned funding, for a term commencing November 30, 2022 and terminating February 1, 2026, according to the above-described terms, and be it further

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

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

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

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

Increase Estimated Revenue Accounts:

H.504.5197.0000.21050.4089.04	Fed Aid, Transportation Capital Projects Hazard	\$135,000.00
H.990.9950.0000.5031	Interfund Transfer	\$ 15,000.00

Decrease Appropriation Accounts:

A.149.1490.0000.11000	Full-Time Wages	\$ 7,500.00
A.990.9901.0000.90502	Transfer to County Road Fund	\$ 7,500.00
D.502.5020.0000.11000	Full-Time Wages	\$ 7,500.00

Decrease Estimated Revenue Account:

D.990.9901.0000.5031	Interfund Transfer	\$ 7,500.00
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Increase Appropriation Accounts:

A.990.9950.0000.90504	Transfer to Capital Projects Fund	\$ 15,000.00
H.504.5197.0000.21050.41603	Contracted Services	\$150,000.00.

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

Adopted March 8, 2023 by voice vote.

ACT NO. 121-2023 by Mr. Benson and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
U.S. DEPARTMENT OF HOMELAND SECURITY REGION II
FOR FEDERAL EMERGENCY MANAGEMENT AGENCY
HAZARD MITIGATION GRANT PROGRAM PROJECT FUNDS AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Ashford Slide Slope Failure)**

Pursuant to Sections 215, 363, 366 and 450 of the County Law.

WHEREAS, the County Department of Public Works has been awarded funds from the U.S. Department of Homeland Security Region II for Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Project #4567-0015 for the Ashford Slide Slope Failure Mitigation, and

WHEREAS, the Ashford Slide Slope Failure Mitigation Project meets the qualification criteria for the aforementioned Hazard Mitigation grant funding, and

WHEREAS, funding has been made available through the U.S. Department of Homeland Security in the amount of \$125,000.00 with a federal share of \$112,500.00, and the required non-Federal matching share of \$12,500.00, for the aforementioned Mitigation Project, and

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

WHEREAS, these grants are 90% federally funded (CFDA #20.205) and 10% county funded, and

WHEREAS, various appropriation and revenue accounts must be adjusted to cover the cost of the aforementioned Mitigation Project, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the U.S. Department of Homeland Security Region II, in order to accept, and receive, FEMA Hazard Mitigation Grant funds, for the above-described Ashford Slide Slope Failure Mitigation Project, according to the above-described terms, and be it further

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

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

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

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

Increase Estimated Revenue Account:

H.504.5197.0000.21120.4960	Federal Aid, Emergency Disaster Assistance	\$112,500.00
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Decrease Appropriation Account:

H.504.5197.5198.27019.41603	CR32 – Contracted Services	\$ 12,500.00
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Increase Appropriation Account:

H.504.5197.0000.21120.41603	CR32 Slope Failure – Contracted Services	\$125,000.00.
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Approved by 7 members of the Finance Committee and 6 members of the Public Works Committee.

Adopted March 8, 2023 by voice vote.

ACT NO. 122-2023 by Mr. Benson and Mr. Helmich

**BID ACCEPTANCE FOR CRUSHED STONE, ROCK RIP RAP,
PORTLAND CEMENT CONCRETE, FLEXIBLE CONCRETE MATS,
GEOTEXTILE FABRIC AND PROCESSED GRAVEL
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of various materials, according to specifications provided by the Public Works Committee, now, therefore, be it

RESOLVED, that the Commissioner of Public Works is authorized to contract for crushed stone, rock rip rap, portland cement concrete, flexible concrete mats, geotextile fabric and processed gravel, with the following bidders recommended by the Public Works Committee for the term May 1, 2023 through April 30, 2024, and be it further

RESOLVED, that any county, city, village, town, school, or fire district in Cattaraugus County, including other municipalities and not-for-profit organizations authorized under the General Municipal Law of the State of New York, may participate in the bid prices by dealing directly with the bidder, and be it further

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

◆ **CRUSHED STONE**

NEW ENTERPRISE STONE & LIME CO., INC.

500 Como Park Boulevard

Buffalo, New York 14227

<u>Per Ton</u>	F.O.B. <u>Co. Trucks</u> <u>Williamsville, NY</u>	F.O.B. <u>Co. Trucks</u> <u>Franklinville, NY</u>
No. 1A	N/B	N/B
No. 1	\$45.00	N/B
No. 2	\$29.00	N/B
Minus 1 Crusher Run	\$16.95	\$24.80
Minus 2 Crusher Run	\$16.15	\$23.80
Gabion Stone	\$24.00	N/B

DELIVERED CATTARAUGUS COUNTY

<u>Per Ton</u>	<u>NE</u>		<u>NW</u>		<u>SE</u>		<u>SW</u>	
	Non- Prevailing Rate	Prevailing Rate	Non- Prevailing Rate	Prevailing Rate	Non- Prevailing Rate	Prevailing Rate	Non- Prevailing Rate	Prevailing Rate
NO. 1	\$57.50	\$63.75	\$60.80	\$66.50	\$60.10	\$76.05	\$63.40	\$82.35
NO. 2	\$41.50	\$47.75	\$44.80	\$50.50	\$44.10	\$60.05	\$47.40	\$66.35
Minus 1								
Crusher Run	\$29.45	\$35.70	\$32.75	\$38.45	\$32.05	\$48.00	\$35.35	\$54.30
Minus 2								
Crusher Run	\$28.65	\$34.90	\$31.95	\$37.65	\$31.25	\$47.20	\$34.55	\$53.50
Gabion Stone	\$36.50	\$42.75	\$39.80	\$45.50	\$39.10	\$55.05	\$42.40	\$61.35

****Origin of Stone: Wehrle Drive Quarry, 8615 Wehrle Drive, Williamsville, NY**

Pickup Locations: 8615 Wehrle Drive, Williamsville, NY and State Route 16, Franklinville, NY

COUNTY LINE STONE CO., INC.

4515 Crittenden Road

P.O. Box 150

Akron, New York 14001

<u>Per Ton</u>	F.O.B. <u>Co. Trucks</u> <u>Akron, NY</u>	F.O.B. <u>Co. Trucks</u> <u>Springville, NY</u>
No. 1A	\$22.00	\$31.00
No. 1 ST	\$21.50	N/B
No. 1	\$19.75	N/B

No. 2	\$16.00	N/B
Minus 1 Crusher Run	\$13.00	N/B
Minus 2 Crusher Run	\$11.75	N/B
Gabion Stone	\$19.50	N/B
<u>Additional Item Bid:</u>		
Type 1 Stone	\$20.75	\$29.75

DELIVERED CATTARAUGUS COUNTY

<u>Per Ton</u>	<u>NE</u>		<u>NW</u>		<u>SE</u>		<u>SW</u>	
	Non-Prevailing Rate	Prevailing Rate	Non-Prevailing Rate	Prevailing Rate	Non-Prevailing Rate	Prevailing Rate	Non-Prevailing Rate	Prevailing Rate
NO. 1A	\$33.50	\$40.00	\$35.00	\$41.00	\$36.50	\$44.00	\$38.50	\$47.50
NO. 1ST	\$33.00	\$39.50	\$34.50	\$40.50	\$36.00	\$43.50	\$38.00	\$47.00
NO. 1	\$31.25	\$37.75	\$32.75	\$38.75	\$34.25	\$41.75	\$36.25	\$45.25
NO. 2	\$27.50	\$34.00	\$29.00	\$35.00	\$30.50	\$38.00	\$32.50	\$41.50
Minus 1								
Crusher Run	\$24.50	\$31.00	\$26.00	\$32.00	\$27.50	\$35.00	\$29.50	\$38.50
Minus 2								
Crusher Run	\$23.25	\$29.75	\$24.75	\$30.75	\$26.25	\$33.75	\$28.25	\$37.25
Gabion Stone	\$32.25	\$37.50	\$33.25	\$38.50	\$35.35	\$41.50	\$37.50	\$45.00
<u>Additional Item Bid:</u>								
Type 1 Stone	\$32.25	\$38.75	\$33.75	\$39.75	\$35.25	\$42.75	\$37.25	\$46.25

****Origin of Stone: 4515 Crittenden Road Quarry, Akron, NY**

Pickup Locations: 4515 Crittenden Road, Akron, NY and 7020 Henrietta Road, Springville, NY

SCHWAB AGGREGATES

10090 Pigeon Hill Road

Delevan, New York 14042

<u>Per Ton</u>	<u>F.O.B. Co. Trucks Lockport, NY</u>	<u>F.O.B. Co. Trucks Delevan, NY</u>
No. 1A	\$19.95	N/B
No. 1	\$17.75	N/B
No. 2	\$16.50	N/B
Minus 1 Crusher Run	\$12.50	\$21.75
Minus 2 Crusher Run	\$11.50	\$20.75

DELIVERED CATTARAUGUS COUNTY

<u>Per Ton</u>	<u>NE</u>		<u>NW</u>		<u>SE</u>		<u>SW</u>	
	Non-Prevailing Rate	Prevailing Rate	Non-Prevailing Rate	Prevailing Rate	Non-Prevailing Rate	Prevailing Rate	Non-Prevailing Rate	Prevailing Rate
NO. 1A	\$31.20	\$33.20	\$33.20	\$35.20	\$35.20	\$37.20	\$36.25	\$38.25
NO. 1	\$29.30	\$31.30	\$31.30	\$33.30	\$33.30	\$35.30	\$34.30	\$36.30
NO. 2	\$27.25	\$29.25	\$29.25	\$31.25	\$31.25	\$33.25	\$32.25	\$34.25
Minus 1								
Crusher Run	\$23.75	\$25.75	\$25.75	\$27.75	\$26.75	\$28.75	\$27.75	\$29.75
Minus 2								
Crusher Run	\$22.75	\$24.75	\$24.75	\$26.75	\$25.75	\$27.75	\$26.75	\$28.75
Gabion Stone	N/B	N/B	N/B	N/B	N/B	N/B	N/B	N/B

****Origin of Stone: Lafarge Lockport Quarry, 400 Hinman Road, Lockport, NY**

Pickup Locations: 400 Hinman Road, Lockport, NY and 10090 Pigeon Hill Road, Delevan, NY

State Bid. These prices will be compared with the prices on State Contract and all items will be purchased from the source most beneficial to the County. Four sets of specifications were sent out. Three bids were received which met specifications.

◆ **ROCK RIP RAP**

NEW ENTERPRISE STONE & LIME CO., INC.

500 Como Park Boulevard

Buffalo, New York 14227

Non-Prevailing Rate

<u>FINE</u>	<u>Per Ton</u>	<u>Delivery</u>	<u>Total</u>
Northeast Section	\$22.00	\$11.50	\$33.50
Southeast Section	\$22.00	\$13.30	\$35.30
Northwest Section	\$22.00	\$13.80	\$35.80
Southwest Section	\$22.00	\$17.40	\$39.40
<u>LIGHT</u>			
Northeast Section	\$18.00	\$12.75	\$32.25
Southeast Section	\$18.00	\$15.85	\$35.35
Northwest Section	\$18.00	\$13.75	\$33.25
Southwest Section	\$18.00	\$18.00	\$37.50
<u>MEDIUM</u>			
Northeast Section	\$65.00	\$16.00	\$81.00
Southeast Section	\$65.00	\$19.00	\$84.00
Northwest Section	\$65.00	\$17.25	\$82.25
Southwest Section	\$65.00	\$19.75	\$84.75
<u>HEAVY</u>			
Northeast Section	\$65.00	\$17.00	\$82.00
Southeast Section	\$65.00	\$20.00	\$85.00
Northwest Section	\$65.00	\$18.25	\$83.25
Southwest Section	\$65.00	\$20.75	\$85.75

Prevailing Rate

<u>FINE</u>	<u>Per Ton</u>	<u>Delivery</u>	<u>Total</u>
Northeast Section	\$22.00	\$18.35	\$40.35
Southeast Section	\$22.00	\$21.40	\$43.40
Northwest Section	\$22.00	\$22.00	\$44.00
Southwest Section	\$22.00	\$27.70	\$49.70
<u>LIGHT</u>			
Northeast Section	\$18.00	\$18.35	\$36.35
Southeast Section	\$18.00	\$21.40	\$39.40
Northwest Section	\$18.00	\$22.00	\$40.00
Southwest Section	\$18.00	\$27.70	\$45.70
<u>MEDIUM</u>			
Northeast Section	\$65.00	\$21.25	\$86.25
Southeast Section	\$65.00	\$25.45	\$90.45
Northwest Section	\$65.00	\$23.85	\$88.85
Southwest Section	\$65.00	\$30.10	\$95.10
<u>HEAVY</u>			
Northeast Section	\$65.00	\$22.25	\$87.25
Southeast Section	\$65.00	\$26.45	\$91.45
Northwest Section	\$65.00	\$24.85	\$89.85
Southwest Section	\$65.00	\$31.10	\$96.10

COUNTY LINE STONE CO., INC.

4515 Crittenden Road

Akron, New York 14001

Non-Prevailing Rate

<u>FINE</u>	<u>Per Ton</u>	<u>Delivery</u>	<u>Total</u>
Northeast Section	\$15.75	\$12.75	\$28.50
Southeast Section	\$15.75	\$15.85	\$31.60
Northwest Section	\$15.75	\$13.75	\$29.50
Southwest Section	\$15.75	\$18.00	\$33.75
<u>LIGHT</u>			
Northeast Section	\$19.50	\$12.75	\$32.25
Southeast Section	\$19.50	\$15.85	\$35.35
Northwest Section	\$19.50	\$13.75	\$33.25
Southwest Section	\$19.50	\$18.00	\$37.50
<u>MEDIUM</u>			
Northeast Section	\$39.00	\$13.50	\$52.50
Southeast Section	\$39.00	\$17.00	\$56.00
Northwest Section	\$39.00	\$15.00	\$54.00
Southwest Section	\$39.00	\$19.00	\$58.00
<u>HEAVY</u>			
Northeast Section	\$39.00	\$14.50	\$53.50

Prevailing Rate

<u>FINE</u>	<u>Per Ton</u>	<u>Delivery</u>	<u>Total</u>
Northeast Section	\$15.75	\$18.00	\$33.75
Southeast Section	\$15.75	\$22.00	\$37.75
Northwest Section	\$15.75	\$19.00	\$34.75
Southwest Section	\$15.75	\$25.50	\$41.25
<u>LIGHT</u>			
Northeast Section	\$19.50	\$18.00	\$37.50
Southeast Section	\$19.50	\$22.00	\$41.50
Northwest Section	\$19.50	\$19.00	\$38.50
Southwest Section	\$19.50	\$25.50	\$45.00
<u>MEDIUM</u>			
Northeast Section	\$39.00	\$19.00	\$58.00
Southeast Section	\$39.00	\$24.00	\$63.00
Northwest Section	\$39.00	\$20.00	\$59.00
Southwest Section	\$39.00	\$27.00	\$66.00
<u>HEAVY</u>			
Northeast Section	\$39.00	\$19.00	\$58.00

Southeast Section	\$39.00	\$18.50	\$57.50	Southeast Section	\$39.00	\$24.00	\$63.00
Northwest Section	\$39.00	\$17.00	\$56.00	Northwest Section	\$39.00	\$20.00	\$59.00
Southwest Section	\$39.00	\$20.00	\$59.00	Southwest Section	\$39.00	\$27.00	\$66.00
<u>HEAVY – DIMENSIONAL/STACKABLE</u>				<u>HEAVY – DIMENSIONAL/STACKABLE</u>			
Northeast Section	\$70.00	\$14.50	\$84.50	Northeast Section	\$70.00	\$20.00	\$90.00
Southeast Section	\$70.00	\$18.50	\$88.50	Southeast Section	\$70.00	\$25.00	\$95.00
Northwest Section	\$70.00	\$17.00	\$87.00	Northwest Section	\$70.00	\$21.00	\$91.00
Southwest Section	\$70.00	\$20.00	\$90.00	Southwest Section	\$70.00	\$28.00	\$98.00

State Bid. These prices will be compared with the prices on State Contract and all items will be purchased from the source most beneficial to the County. Four sets of specifications were sent out. Two bids were received which met specifications.

♦ **PORTLAND CEMENT CONCRETE** - Per cubic yard

JAMESTOWN MACADAM, INC.

75 Walden Avenue

Jamestown, New York 14701

<u>Index No.</u>	<u>Description</u>	<u>Rate</u>
<u>A = NYSDOT Class "A", General Purpose Structural</u>		
A-NW	Northwest Section	\$180.00
A-SW	Southwest Section	\$180.00
<u>D = NYSDOT Class "D", Thin Structured Application</u>		
D-NW	Northwest Section	\$185.00
D-SW	Southwest Section	\$185.00
<u>E = NYSDOT Class "E", Structural Slabs and Structural Approach Slabs</u>		
E-NW	Northwest Section	\$182.00
E-SW	Southwest Section	\$182.00
<u>F = NYSDOT Class "F", High Early Strength for Pavement or Structural Slabs</u>		
F-NW	Northwest Section	\$186.00
F-SW	Southwest Section	\$186.00
<u>H = NYSDOT Class "H", Pumping Applications</u>		
H-NW	Northwest Section	\$184.00
H-SW	Southwest Section	\$184.00
<u>HP = NYSDOT Class "HP", High Performance Concrete for Superstructure Slabs and Structural Approach Slabs</u>		
HP-NW	Northwest Section	\$223.00
HP-SW	Southwest Section	\$223.00
<u>ALLOWABLE EXTRA COST - Short load, PER LOAD</u>		
S-1	1 cubic yard or less	\$100.00
S-2	More than 1 CY, <=/= 2 CY	\$100.00
S-3	More than 2 CY, <=/= 3 CY	\$100.00
S-4	More than 3 CY, <=/= 4 CY	\$100.00
S-5	More than 4 CY, <=/= 5 CY	\$100.00
TC-1	Truck Conveyor (per truck load)	\$275.00
<u>ALLOWABLE EXTRA COST – Heated Concrete, PER YARD</u>		
HC-1	When Requested	\$15.00
XC-1	Unloading in excess of 5 minutes per cubic yard	\$1.90
SP-1	When Requested (High Range)(ASTM) Type F	\$10.00

HEIDELBERG MATERIALS NORTHEAST-NY LLC**6895 Ellicott Street****Pavilion, New York 14525**

<u>Index No.</u>	<u>Description</u>	<u>Rate</u>
<u>A = NYSDOT Class "A", General Purpose Structural</u>		
A-NE	Northeast Section	\$185.00
<u>D = NYSDOT Class "D", Thin Structured Application</u>		
D-NE	Northeast Section	\$192.50
<u>E = NYSDOT Class "E", Structural Slabs and Structural Approach Slabs</u>		
E-NE	Northeast Section	\$192.50
<u>F = NYSDOT Class "F", High Early Strength for Pavement or Structural Slabs</u>		
F-NE	Northeast Section	\$192.50
<u>H = NYSDOT Class "H", Pumping Applications</u>		
H-NE	Northeast Section	\$190.00
<u>ALLOWABLE EXTRA COST - Short load, PER LOAD</u>		
S-1	1 cubic yard or less	\$100.00
S-2	More than 1 CY, <= 2 CY	\$100.00
S-3	More than 2 CY, <= 3 CY	\$100.00
S-4	More than 3 CY, <= 4 CY	\$100.00
S-5	More than 4 CY, <= 5 CY	\$100.00
TC-1	Truck Conveyor (per truck load) Per Hour	\$350.00
<u>ALLOWABLE EXTRA COST – Heated Concrete, PER YARD</u>		
HC-1	When Requested (Nov. 15 to April 15)	\$17.00
XC-1	Unloading in excess of 5 minutes per cubic yard	\$1.50
SP-1	When Requested (High Range)(ASTM) Type F	\$12.00

WAYNE CONCRETE**262 Route 44****Shinglehouse, Pennsylvania 16748**

<u>Index No.</u>	<u>Description</u>	<u>Rate</u>
<u>A = NYSDOT Class "A", General Purpose Structural</u>		
A-SE	Southeast Section	\$174.00
<u>D = NYSDOT Class "D", Thin Structured Application</u>		
D-SE	Southeast Section	\$179.00
<u>E = NYSDOT Class "E", Structural Slabs and Structural Approach Slabs</u>		
E-SE	Southeast Section	\$180.00
<u>F = NYSDOT Class "F", High Early Strength for Pavement or Structural Slabs</u>		
F-SE	Southeast Section	\$181.00
<u>H = NYSDOT Class "H", Pumping Applications</u>		
H-SE	Southeast Section	\$176.00
<u>HP = NYSDOT Class "HP", High Performance Concrete for Superstructure Slabs and Structural Approach Slabs</u>		
HP-SE	Southeast Section	\$219.00
<u>ALLOWABLE EXTRA COST - Short load, PER LOAD</u>		
S-3	More than 2 CY, <= 3 CY	\$160.00
S-4	More than 3 CY, <= 4 CY	\$150.00
S-5	More than 4 CY, <= 5 CY	\$130.00
TC-1	Truck Conveyor (per truck load)	\$200.00
<u>ALLOWABLE EXTRA COST – Heated Concrete, PER YARD</u>		
HC-1	When Requested	\$14.00
XC-1	Unloading in excess of 5 minutes per cubic yard	\$2.00
SP-1	When Requested (High Range)(ASTM) Type F	\$9.00

State Bid. These prices will be compared with the prices on State Contract and all items will be purchased from the source most beneficial to the County. Four sets of specifications were sent out. Three bids were received which met specifications.

♦ **FLEXIBLE CONCRETE MATS**

KISTNER CONCRETE PRODUCTS, INC.

P.O. Box 218

East Pembroke, New York 14056-0218

<u>Mat Index No.</u>	<u>Thickness/Mat Weight</u>	<u>Rate</u>
FC35	4.5" / 2531	\$2305.00
FC45	5.5" / 3094	\$2755.00
FC70	8.5" / 4781	\$3075.00

Each Mat of flexible concrete is to be 16 ft. by 4 ft. (64 sq. ft.), made up of 3 rows of blocks, with 12 blocks per row (total 36 blocks). These blocks are to be interconnected by Stainless Steel Aircraft Cable type 302, type 1 x 19 Construction

Block Dimensions: shall be or have: General

A) Base Dimension – 15-½" square

B) Top Dimension – 11-½" square

C) Space between blocks:

1) Base – ½"

2) Top – 4-½"

No State Bid.

Four sets of specifications were sent out.

One bid was received.

♦ **GEOTEXTILE FABRIC**

JAMESTOWN MACADAM, INC.

P.O. Box 518

Celeron, New York 14720

WOVEN FABRIC: TerraTex GS/TNS W200 or Equal

Length of Roll – in feet

432 feet

Square Yards per Roll

600 square yards

Rate

Delivered: Cost per Square Yard

\$0.480

Cost Per Sq. Yd. Picked up at your warehouse

\$0.470

Manufacturer & ID Name

Hanes Geo, TerraTex GS

NON-WOVEN FABRIC: DuPont SF40 or Equal

Length of Roll – in feet

360 feet

Square Yards per Roll

500 square yards

Rate

Delivered: Cost per Square Yard

\$0.970

Cost Per Sq. Yd. Picked up at your warehouse

\$0.960

Manufacturer & ID Name

Hanes Geo, TerraTex No 4.5

No State Bid.

Four sets of specifications were sent out.

Two bids were received which met specifications.

-
- ♦ **PROCESSED GRAVEL** - see next page for listings

State Bid. These prices will be compared with the prices on State Contract and all items will be purchased from the source most beneficial to the County. Twenty sets of specifications were sent out. Fifteen bids were received which met specifications.

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

Adopted March 8, 2023 by voice vote.

PROCESSED GRAVEL**PRICE SUMMARY SHEET**

5/1/2023 - 4/30/2024

WASHED per TON F.O.B. Co. Trk.

Material:	Vendor: >	COUNTRY SIDE SAND & GRAVEL CRUSHED / SCREEN	COUNTRY SIDE SAND & GRAVEL CRUSHED / SCREEN	DAN GERNATT GRAVEL PRODUCTS CRUSHED / SCREEN	GERNATT ASPH. PRODUCTS CRUSHED / SCREEN	GERNATT ASPH. PRODUCTS CRUSHED / SCREEN	GERNATT ASPH. PRODUCTS CRUSHED / SCREEN
NO. 1A		21.20*	16.05*	NB	NB	21.15*	NB
NO. PA 1B		NB	NB	NB	NB	NB	18.65*
NO. 1ST		19.70*	NB	NB	NB	NB	18.30*
NO. 1		20.70*	NB	NB	NB	NB	18.30*
NO. 1 & 2 MIXED		19.90*	NB	NB	NB	NB	18.30*
NO. 2		19.90*	NB	NB	NB	NB	18.95*
NO. PA 2A		16.55*	NB	NB	NB	NB	18.95*
NO. 3		20.90*	NB	NB	NB	NB	18.95*
NO. 4		NB	NB	NB	NB	NB	16.80*
NO. 5		NB	NB	NB	NB	NB	3A 19.20*
OVERSIZED (LGR. THAN NO. 5)		NB	16.40* (2"-8")	21.40* (2"-8")	17.55* (2"-8")	14.75* (2"-4")	NB
RUN OF BANK GRAVEL: (# - At Deposit)		12.35*	9.65*	11.85*	12.35*	9.60*	9.35* Maple Grove Dep.
SAND SUITABLE FOR CONCRETE		14.75*	NB	14.75*	14.75*	14.75*	14.75**
SAND SUITABLE FOR ICE & SNOW CONTROL		8.95*	NB	\$13.75*	8.95*	5.45*	6.85*
MINUS 1" CRUSHER RUN HARDHEADS		\$23.80*	NB	\$21.55*	19.85*	16.75*	19.95*
SUB-BASE MATERIALS		\$14.55*	11.85*	\$16.25*	14.10*	11.35	NB
BITUMINOUS STABILIZED COURSE		NB	NB	NB	67.75*	NB	NB
ADDITIONAL ITEMS: (see below)		XX1		XX2	XX3	XX4	XX5
DELIVERY CHARGES ##		Non-Prevailing Rate	Prevailing Rate	Non-Prevailing Rate	Prevailing Rate	Non-Prevailing Rate	Prevailing Rate
0 - 5 MILES (per net ton mile)		4.00	5.00	4.00	5.00	4.00	5.00
6 - 15 MILES		23	28	23	28	23	28
16 - 50 MILES		20	24	20	24	20	24
PLANT LOCATION:		8458 ROUTE 62 SOUTH DAYTON	YOUNGS ROAD PIT LEON, NY	TAYLOR HOLLOW COLLINS, NY	13650 BENZ DRIVE SPRINGVILLE	11860 RT. 16 CHAFFEE	11216 RT. 98 FREEDOM, NY

- AT DEPOSIT * - NYSDOT APPROVED

XX1 - MINUS 2" CRUSHER RUN HARDHEADS 21.85* / TON
 XX2 - MINUS 2" CRUSHER RUN HARDHEADS 19.85* / TON
 XX3 - MINUS 2" CRUSHER RUN HARDHEADS 18.40* / TON
 XX4 - MINUS 2" CRUSHER RUN HARDHEADS 16.00* / TON

XX5 - MINUS 2" CRUSHER RUN HARDHEADS 19.45* / TON

PROCESSED GRAVEL

WASHED per TON F.O.B. Co. Trk.

Material:	Vendor: >	GERNATT ASPH. PRODUCTS CRUSHED / SCREEN		GERNATT ASPH. PRODUCTS CRUSHED / SCREEN		GERNATT ASPH. PRODUCTS CRUSHED / SCREEN		NEW ENTERPRISE STONE & LIME CO. INC. CRUSHED / SCREEN		GIARDINI BROS. CONST. CO. CRUSHED / SCREEN	
NO. 1A		21.15*	NB	NB	NB	NB	18.95*	14.10*	25.00*	6.50*	21.50
NO. PA 1B		NB	NB	NB	NB	NB	18.55*	NB	19.00*	NB	21.50
NO. 1ST		NB	NB	NB	NB	NB	NB	NB	17.00*	NB	21.50
NO. 1		20.50*	NB	NB	NB	NB	19.45*	13.95*	16.35*	7.50*	21.50
NO. 1 & 2 MIXED		20.50*	NB	NB	NB	NB	19.45*	NB	14.35*	13.10*	21.50
NO. 2		20.50*	NB	NB	NB	NB	19.45*	NB	16.00*	14.00*	21.50
NO. PA 2A		18.75*	NB	NB	NB	NB	13.90*	NB	17.00*	NB	21.50
NO. 3		3A 21.45*	NB	NB	NB	NB	NB	NB	NB	NB	21.50
NO. 4		NB	NB	NB	NB	NB	NB	NB	NB	NB	21.50
NO. 5		NB	NB	NB	NB	NB	NB	NB	NB	NB	21.50
OVERSIZED (LGR. THAN NO. 5)		NB	NB	15.90* (2"-8")	15.70* (2"-8")	NB	NB	NB	NB	NB	21.50
RUN OF BANK GRAVEL		12.45*		10.10*	9.60*	NB	NB	NB	14.00*	14.00*	9.50
SAND SUITABLE FOR CONCRETE		14.75*		NB	NB	NB	14.75*		15.00*	15.00*	20.00
SAND SUITABLE FOR ICE & SNOW		9.75*		NB	NB	NB	7.45*		7.50*	7.50*	10.00
MINUS 1" CRUSHER RUN HARDHEADS		NB		18.00*	17.15*	NB	19.95*		NB	NB	37.00
SUB-BASE MATERIALS		18.75*		11.45*	11.35*	NB	NB		NB	NB	10.00
BITUMINOUS STABILIZED COURSE		NB		NB	NB	NB	NB		NB	NB	NB
ADDITIONAL ITEMS (see below)				XY1	XY2	XY3					
DELIVERY CHARGES ##		Non-Prevailing Rate	Prevailing Rate	Non-Prevailing Rate	Prevailing Rate	Non-Prevailing Rate	Prevailing Rate	Non-Prevailing Rate	Prevailing Rate	Non-Prevailing Rate	Prevailing Rate
0 - 5 MILES (per net ton mile)		4.00	5.00	4.00	5.00	4.00	5.00	4.00	6.00	10.00	NB
6 - 15 MILES		23	28	23	28	23	28	23	60	3.00	NB
16 - 50 MILES		20	24	20	24	20	24	20	60	3.00	NB
PLANT LOCATION:		191 BROADWAY ROAD GOWANDA, NY		Namen Pit Route 219 GREAT VALLEY	Middle Road Pit SPRINGVILLE	6589 McDonald Rd GREAT VALLEY	8643 Oleen Buffalo Rd FRANKLINVILLE	Gargoyles Rd. OLEAN			

- AT DEPOSIT * - NYSDOT APPROVED

 XY1 - MINUS 2" CRUSHER RUN HARDHEADS 17.00* / TON
 XY2 - MINUS 2" CRUSHER RUN HARDHEADS 16.15* / TON
 XY3 - MINUS 2" CRUSHER RUN HARDHEADS 18.95* / TON

PROCESSED GRAVEL

WASHED per TON F.O.B. Co. Trk

Material:	Vendor->	JAMESTOWN MACADAM CRUSHED / SCREEN	JAMESTOWN MACADAM CRUSHED / SCREEN	JAMESTOWN MACADAM CRUSHED / SCREEN	JAMESTOWN MACADAM CRUSHED / SCREEN	JAMESTOWN MACADAM CRUSHED / SCREEN	UNGERMANN EXCAVATING CRUSHED / SCREEN	PERKINS, LLC. CRUSHED / SCREEN	
NO. 1A		19.10*	14.25*	17.90	17.90	NB	12.40	18.00	14.00
NO. PA 1B		19.10*	17.90	17.90	17.90	NB	12.00	18.00	14.00
NO. 1 ST		19.10*	17.90	17.90	17.90	NB	12.00	18.00	14.00
NO. 1		18.60*	17.90	17.90	17.90	NB	12.00	18.00	14.00
NO. 1 & 2 MIXED		19.10*	18.40	18.40	18.40	NB	12.00	18.00	14.00
NO. 2		18.60*	17.90	17.90	17.90	NB	12.00	18.00	14.00
NO. PA 2A		18.00*	12.65*	17.00	12.00	17.00	NB	15.00	NB
NO. 3		20.20*	19.60	19.60	19.60	19.60	NB	17.00	14.00
NO. 4		20.20*	19.60	19.60	19.60	19.60	NB	17.00	14.00
NO. 5		NB	NB	NB	NB	NB	NB	NB	14.00
OVERSIZED (LGR. THAN NO. 5)		17.00*	17.00	17.00	17.00	17.00	10.00	14.00	
RUN OF BANK GRAVEL		11.60*	11.00	11.00	11.00	11.00	7.00	10.00	
SAND SUITABLE FOR CONCRETE		15.90*	15.90	NB	15.90	15.90	9.60	12.00	
SAND SUITABLE FOR ICE & SNOW CONTROL		8.00*	8.00	NB	8.00	8.00	4.50	8.50	
MINUS 1" CRUSHER RUN HARDHEADS		20.50* If Available	20.50 If Available	20.50 If Available	20.50	20.50	10.25	15.50	
SUB-BASE MATERIALS		12.65*	12.00	12.00	12.00	12.00	7.00	10.00	
BITUMINOUS STABILIZED COURSE		NB	NB	NB	NB	NB	NB	NB	
ADDITIONAL ITEMS: (see below)									
DELIVERY CHARGES ##		Non-Prevailing Rate	Prevailing Rate	Non-Prevailing Rate	Prevailing Rate	Non-Prevailing Rate	Prevailing Rate	Non-Prevailing Rate	Prevailing Rate
0 - 5 MILES (per net ton mile)		5.90	7.25	5.90	7.25	5.90	2.00	6.00	7.10
6 - 15 MILES		.18	.18	.18	.18	.18	1.50	4.00	4.90
16 - 50 MILES		.18	.18	.18	.18	.18	4.00	4.50	6.30
PLANT LOCATION:		11030 Moore Rd. RANDOLPH	1060 Frew Run Rd. FREWSBURG	21 Rt. 394 KENNEDY	1501 Coldspring Rd. FREWSBURG	9051 Brown Rd. MACHIAS	4343 S. Whalen Road GREAT VALLEY		

- AT DEPOSIT * - NYSDOT APPROVED

PROCESSED GRAVELWASHED per **TON** F.O.B. Co. Trk

Material:	Vendor: >	SCHWAB AGGREGATES LLC		D & H MATERIALS CRUSHED / SCREEN		D & H MATERIALS CRUSHED / SCREEN		D & H MATERIALS CRUSHED / SCREEN		LITTLE VALLEY SAND & GRAVEL CRUSHED / SCREEN		LITTLE VALLEY SAND & GRAVEL CRUSHED / SCREEN	
NO. 1A		13.25*	9.00	12.50	6.00	NB	NB	NB	NB	15.80	NB	NB	NB
NO. PA 1B		NB	NB	NB	NB	NB	NB	NB	NB	15.80	NB	NB	NB
NO. 1 ST		NB	NB	NB	NB	NB	NB	NB	NB	15.80	NB	NB	NB
NO. 1		12.75*	NB	11.00	6.75	NB	NB	NB	NB	15.80	NB	NB	NB
NO. 1 & 2 MIXED		13.00*	NB	11.25	8.50	NB	NB	NB	NB	15.80	NB	NB	NB
NO. 2		11.25*	10.70	10.50	8.75	NB	NB	NB	NB	15.80	NB	NB	NB
NO. PA 2A		NB	NB	NB	NB	NB	NB	NB	NB	13.80	NB	NB	NB
NO. 3		NB	10.00	NB	NB	NB	NB	NB	NB	14.80	NB	NB	NB
NO. 4		NB	NB	NB	NB	NB	NB	NB	NB	14.80	NB	NB	NB
NO. 5		NB	NB	NB	NB	NB	NB	NB	NB	NB	NB	NB	NB
OVERSIZED (LGR. THAN NO. 5)		10.00 (2"-6")		10.50		10.00		NB		15.00		NB	
RUN OF BANK GRAVEL		7.50		NB		5.75		5.50		NB		11.75 CY	
SAND SUITABLE FOR CONCRETE		11.00		9.50		NB		NB		10.00		NB	
SAND SUITABLE FOR ICE & SNOW CONTROL		11.00		3.95		NB		NB		8.20		NB	
MINUS 1" CRUSHER RUN HARDHEADS		NB		NB		11.00		11.00		NB		NB	
SUB-BASE MATERIALS		9.00		NB		6.25		6.25		10.80*		14.75* CY	
BITUMINOUS STABILIZED COURSE		NB		NB		NB		NB		NB		NB	
ADDITIONAL ITEMS: (see below)		XZ1											
DELIVERY CHARGES #		Non-Prevailing Rate	Prevailing Rate	Non-Prevailing Rate	Prevailing Rate	Non-Prevailing Rate	Prevailing Rate	Non-Prevailing Rate	Prevailing Rate	Non-Prevailing Rate	Prevailing Rate	Non-Prevailing Rate	Prevailing Rate
0 - 5 MILES (per net ton mile)		NB	NB	3.15	4.50	3.15	4.50	3.15	4.50	3.50	4.50	3.50	4.50
6 - 15 MILES		NB	NB	20	34	20	34	20	34	20	20	20	20
16 - 50 MILES		NB	NB	25	45	25	45	25	45	20	20	20	20
PLANT LOCATION:		Pigeon Hill Rd. DELEVAN		10811 Route 16 DELEVAN, NY		Martin Rd MACHIAS		Hiram Rd ARCADE		New Albion Rd. LITTLE VALLEY		Rte 242 LITTLE VALLEY	

- AT DEPOSIT * - NYSDOT APPROVED

XZ1 - MINUS 2" CRUSHER RUN HARDHEADS 12.55 / TON

PROCESSED GRAVEL

WASHED per TON F.O.B. Co. Trk.

Material:	Vendor: >	HIG DOG GRAVEL PRODUCTS CRUSHED / SCREEN	WAYNE GRAVEL PRODUCTS CRUSHED / SCREEN
NO. 1A		NB	NB
NO. PA 1B		NB	NB
NO. 1 ST		NB	NB
NO. 1		NB	NB
NO. 1 & 2 MIXED		NB	NB
NO. 2		NB	NB
NO. PA 2A		NB	7.50
NO. 3		NB	NB
NO. 4		NB	10.00
NO. 5		NB	NB
OVERSIZED (LGR. THAN NO. 5)		13.00	NB
RUN OF BANK GRAVEL		7.50	5.25
SAND SUITABLE FOR CONCRETE		NB	NB
SAND SUITABLE FOR ICE & SNOW CONTROL		4.50	NB
MINUS 1" CRUSHER RUN HARDHEADS		NB	NB
SUB-BASE MATERIALS		7.50	8.00
BITUMINOUS STABILIZED COURSE		NB	NB
ADDITIONAL ITEMS: (see below)			
DELIVERY CHARGES ##		Non-Prevailing Rate	Prevailing Rate
0 - 5 MILES (per net ton mile)		N/B	N/B
6 - 15 MILES		N/B	N/B
16 - 50 MILES		N/B	N/B
PLANT LOCATION:		5157 North Rt. 62 CONEWANGO VALLEY	262 Route 44 CERES TOWNSHIP, MCKEAN CO. PA

- AT DEPOSIT * - NYSDOT APPROVED

PROCESSED GRAVEL CONTINUED.
GRAVEL PITTS BIDDING ONLY A FEW ITEMS:

D & H MATERIALS, INC.
(PIT LOCATION - MARTIN ROAD)

MINUS 2" CRUSHER RUN HARDHEADS	\$11.00 / TON
CRUSHED #3, #4, #5 WASHED	\$11.00 / TON
SCREENED TOPSOIL	\$26.00 / TON
UNSCREENED TOPSOIL	\$15.00 / TON
CRUSHED CONCRETE	\$10.00 / TON

See Delivery Rates on page 4.

RICK PERKINS CONTRACTING

(PIT LOCATION - LAIDLAW ROAD, FRANKLINVILLE/FARMERSVILLE)

OVERSIZED STONE (larger than No. 5)	\$9.00 / TON
RUN OF BANK	\$8.00 / TON
SUB-BASE MATERIALS	\$5.80 / TON
MINUS 1" SCREENED BANK RUN	\$9.00 / TON

Delivery Charges	Non-Prevailing Rate	Prevailing Rate
0-5 MILES PER NET TON MILE	N/B	N/B
6-15 MILES PER NET TON MILE	N/B	N/B
16-50 MILES PER NET TON MILE	N/B	N/B

BIG DOG GRAVEL PRODUCTS

(PIT LOCATION - 5157 NORTH ROUTE 62 - CONEWAUNGO, NY)

BANK RUN	\$7.50 / TON
2" SCREENED	\$7.50 / TON
SANDY BANK RUN	\$5.00 / TON
SANDY 2" SCREENED	\$5.00 / TON
OVERSIZED	\$13.00 / TON
#1 UNWASHED STONE	\$13.00 / TON
#2 UNWASHED STONE	\$13.00 / TON
#3 UNWASHED STONE	\$13.00 / TON
#4 UNWASHED STONE	\$13.00 / TON
GABION STONE (6-12")	\$18.00 / TON
ROCKS (12" AND UP)	\$40.00 / TON
SAND	\$4.50 / TON
DIRT FILL	\$2.00 / TON
GRAVEL FILL	\$3.00 / TON
UNSCREENED TOPSOIL	\$11.00 / CU. YD.

STONE AND TOPSOIL VERY LIMITED QUANTITY

Delivery Charges	Non-Prevailing Rate	Prevailing Rate
0-5 MILES PER NET TON MILE	N/B	N/B
6-15 MILES PER NET TON MILE	N/B	N/B
16-50 MILES PER NET TON MILE	N/B	N/B

WAYNE GRAVEL PRODUCTS, INC.

(PIT LOCATION - CERES TWP., MCKEAN CO., PA)

PemDOT P2A UNWASHED 2" CRUSHED GRAVEL	\$7.50 / TON
PemDOT P2A UNWASHED 2" SCREENED GRAVEL (2RC)	\$6.35 / TON
1" CRUSHED SUBBASE	\$10.25 / TON
2" UNWASHED CRUSHED GRAVEL	\$11.25 / TON
2" UNWASHED SCREENED GRAVEL	\$11.25 / TON
2" CRUSHED BLACKTOP	\$20.00 / TON
2" CRUSHED CONCRETE	\$20.00 / TON

Delivery Charges	Non-Prevailing Rate	Prevailing Rate
0-5 MILES PER NET TON MILE	\$5.00	\$6.50
6-15 MILES PER NET TON MILE	.50	1.00
16-50 MILES PER NET TON MILE	.50	1.00

PERKINS LLC.

(PIT LOCATION - 4343 S. WHALEN RD. GREAT VALLEY, NY)

NYS DOT ITEM #304 2" CRUSHED STONE	\$17.00 / TON FOB
1" CRUSHED SUBBASE	\$18.00 / TON FOB
UNSCREENED TOPSOIL	\$30.00 / TON FOB
SCREENED TOPSOIL	\$35.00 / TON FOB
1 1/2" CRUSHED BLACKTOP MILLINGS	\$21.00 / TON FOB
2" CRUSHED CONCRETE	\$19.50 / TON FOB

See Delivery Rates on page 4.

McEWAN TRUCKING & GRAVEL PRODUCTS, INC.

(PIT LOCATION - 12370 SHARP ST. E. CONCORD, NY)

RUN OF BANK GRAVEL	\$8.00 / TON
SUB-BASE MATERIALS	\$9.00 / TON

Delivery Charges	Non-Prevailing Rate	Prevailing Rate
0-5 MILES PER NET TON MILE	N/B	N/B
6-15 MILES PER NET TON MILE	N/B	N/B
16-50 MILES PER NET TON MILE	N/B	N/B

ACT NO. 123-2023 by Mr. Higgins and Mr. Marsh
and Mr. Koch¹

**BID ACCEPTANCE FOR REDEVELOPMENT OF
ONOVILLE MARINA PARK – PHASE 1 SITE IMPROVEMENTS
(General Contracting and Electrical Services)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of General Contracting and Electrical Services for the Redevelopment of Onoville Marina Park – Phase 1 Site Improvements Project, according to specifications provided by the Development and Agriculture Committee, and

WHEREAS, the lowest bid received meeting specifications for the General Contracting portion of the project was the bid of S. St. George Enterprises, Inc., P.O. Box 348, Fredonia, New York 14063, for an amount of \$794,000.00, to be paid as invoiced and approved by the Department of Economic Development, Planning & Tourism, and

WHEREAS, the lowest bid received meeting specifications for the Electrical Services portion of the project was the bid of Kel-Kur Electrical Contracting, LLC, 423 West Riverside Drive, Olean, New York 14760, for an amount of \$91,825.00, to be paid as invoiced and approved by the Department of Economic Development, Planning & Tourism, and

WHEREAS, Act 243-2021 authorized the acceptance of Federal American Rescue Plan Act [ARPA] funding to combat the COVID-19 Pandemic, including its public and economic impacts, and

WHEREAS, it is beneficial to the residents of Cattaraugus County to use ARPA funding to cover improvement and rehabilitation projects, and

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

RESOLVED, that the bid of S. St. George Enterprises, Inc., be, and the same hereby is, accepted, for a term commencing upon commencement of work and terminating not later than 120 calendar days from the commencement of the work, and be it further

RESOLVED, that the bid of Kel-Kur Electrical Contracting, LLC, be, and the same hereby is, accepted, for a term commencing upon commencement of work and terminating not later than 120 calendar days from the commencement of the work, and be it further

RESOLVED, that the vouchers accordingly certified by the Director of the Department of Economic Development, Planning & Tourism be audited by the Auditor and paid by the County Treasurer.

No State Bid.

General Contracting Portion

68 sets of specifications were sent out.

Five bids were received which met specifications.

Electrical Portion

68 sets of specifications were sent out.

Four bids were received which met specifications.

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

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

Adopted March 8, 2023 by voice vote.

ACT NO. 124-2023 by Mr. Boberg and Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
THE CLEANERS OF CHAUTAUQUA, INC. D/B/A ANDERSON CLEANERS
FOR SHERIFF'S OFFICE DRY CLEANING SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, the Sheriff's Office solicited proposals for the provision of dry cleaning services for the Sheriff's Office for the period covering March 1, 2023 through February 28, 2025, with the option to renew for two (2) additional one (1) year periods, and

WHEREAS, The Cleaners of Chautauqua, Inc., d/b/a Anderson Cleaners, 5 Hunt Road, Jamestown, New York 14701, can provide dry cleaning services for the Sheriff's Office, in accordance with the following fee schedule:

<u>Items</u>	<u>Projected Annual Volume</u>	<u>Unit Bid</u>
<u>Dry Clean</u>		
Uniform-All Season Jacket	100 per year	\$10.00/Jacket
Investigators' Trousers	250 per year	\$7.20/Trouser
Investigators' Suit Coats	125 per year	\$8.80/Coat
Ties	25 per year	\$3.65/Tie
Sweaters	20 per year	\$6.00/Sweater
Women's Slacks	10 per year	\$7.20/Slacks
Women's Blouses	10 per year	\$6.00/Blouse
<u>Launder/Press</u>		
Uniform Trousers	1,000 per year	\$7.20/Trouser
Uniform Shirt	1,000 per year	\$3.90/Shirt

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 The Cleaners of Chautauqua, Inc., d/b/a Anderson Cleaners, for the provision of the above-described dry cleaning services, for a term commencing March 1, 2023 and terminating February 28, 2025, with the option to renew for two (2) additional one (1) year periods, according to the above-described terms.

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

Adopted March 8, 2023 by voice vote.

ACT NO. 125-2023 by Mr. Boberg and Mr. Klancer

**TRANSFER OF FUNDS
(Contingent Fund – Information Technology)**

Pursuant to Sections 363 and 365 of the County Law.

WHEREAS, due to increased cyber security requirements, a transfer must be made from the Contingent Fund to cover professional services, and

WHEREAS, upgrades are needed for core network equipment in several County facilities, and to the phone system, now, therefore, be it

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

Increase Appropriation Account:

A.168.1680.0000.41233	Professional Services	\$37,840.00
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Decrease Appropriation Accounts:

A.168.1680.0000.20007	Software Upgrades	\$ 5,000.00
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A.901.1990.0000.40601	Contingent Fund	\$32,840.00.
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Approved by 7 members of the Finance Committee and 5 members of the County Operations/ Public Safety Committee.

Adopted March 8, 2023 by voice vote.

ACT NO. 126-2023 by Mr. Brisky, Mr. Burr and Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE ADDENDUM TO LEASE AGREEMENT
WITH OLEAN 2020, LLC FOR
OFFICE SPACE FOR PUBLIC DEFENDER AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Public Defender)**

Pursuant to Sections 215, 363, 366 and 450 of the County Law.

WHEREAS, Act 162-2009, as amended, authorized a lease agreement with Park Centre Development, Inc., for the leasing of approximately 4,100 square feet of office space located at 175 North Union Street, Olean, New York, for the Public Defender's Office, at a rate of \$5,581.12 per month, plus utilities, and

WHEREAS, the Office of the Public Defender is desirous of leasing additional office space, and

WHEREAS, Olean 2020, LLC, as successor-in-interest to Park Centre Development, Inc., 295 Main Street, Suite 700, Buffalo, New York 14203, has agreed to lease an additional 1,650 square feet of space, bringing the total square footage of leased space to 5,750 square feet for a total monthly amount of \$7,667.00, plus utilities, and

WHEREAS, an addendum to the lease agreement dated May 27, 2009 is necessary to include the additional 1,650 square feet of space, and

WHEREAS, various appropriation and revenue accounts must be adjusted to cover the cost of the aforementioned additional office space, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an addendum to the May 27, 2009 lease agreement, on behalf of Cattaraugus County, with Olean 2020, LLC, as successor-in-interest to Park Centre Development, Inc., for the Public Defender's Office, for a term commencing as of the Expansion Space Commencement Date and terminating five years thereafter, with an option to renew for an additional five (5) year period with rent to be mutually agreed upon between the parties, and in accordance with the same terms and conditions of the lease, according to the above-described terms, and be it further

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

Decrease Estimated Revenue Account:

H.117.1170.1183.21119.3025	State Aid, ILSF	\$12,515.28
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Decrease Appropriation Account:

H.117.1170.1183.21119.41603	Public Defender Leasehold Improvement	\$12,515.28
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Increase Estimated Revenue Account:

A.117.1170.1183.3025	State Aid, ILSF	\$12,515.28
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Increase Appropriation Account:

A.117.1170.1183.44203	Office Rental	\$12,515.28.
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Approved by 7 members of the Finance Committee and 5 members of the County Operations/Public Safety Committee.

Adopted March 8, 2023 by voice vote.

ACT NO. 127-2023 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE AFFILIATION AGREEMENT WITH
UTICA UNIVERSITY FOR
EDUCATIONAL CLINICAL EXPERIENCE PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Utica University is desirous of implementing an educational clinical experience program for its Social Work Program, and

WHEREAS, the Department of Nursing Homes is desirous of working collaboratively with Utica University for training and educational clinical experience programs to Social Work students, including students in the Master of Social Work Program, who would benefit from field placement experience in the Cattaraugus County Department of Nursing Homes, and

WHEREAS, the Department of Nursing Homes has agreed to allow the program to be conducted at the Department's facilities at no cost to the County, and

WHEREAS, in the event other County departments are desirous of participating in an educational clinical experience program with Utica University, then additional contracts may be entered into pursuant to this act, 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 Utica University, for the provision of the above-

described educational clinical experience program, for a term commencing January 1, 2023 to continue in full force and effect until terminated by either party hereto, according to the above-described terms.

Approved by 7 members of the Finance Committee, 6 members of the Human Services Committee and 5 members of the Labor Relations Committee.

Adopted March 8, 2023 by voice vote.

ACT NO. 128-2023 by Mrs. Andreano and Mr. Helmich

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

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

WHEREAS, Act 66-2023 authorized approval of a contract with Recovery Options Made Easy, Inc. d/b/a Housing Options Made Easy, Inc. (HOME), 75 Jamestown Street, Gowanda, New York 14070, for supported housing for mentally ill people, the provision of a consumer operated client systems advocacy service, and the operation of a telephone “warm” line, innovative vocational services, non-Medicaid Care coordination, as well as serving as the lead agency for Recovery Center Services, the term of which expires December 31, 2023, and

WHEREAS, the Department of Community Services has received additional funding for a bed stipend in the amount of \$32,400.00, and

WHEREAS, HOME can provide the aforementioned various services for mentally ill people in Cattaraugus County for a total contract amount not to exceed \$1,170,608.00, which includes the bed stipend, to be paid in quarterly installments as invoiced, and

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

WHEREAS, the above programs are funded through 100% state funds with a net County cost of zero, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, between the Cattaraugus County Community Services Board and Recovery Options Made Easy, Inc. d/b/a Housing Options Made Easy, Inc., to signify the County’s approval, for the provision of the above-mentioned programs, for a term commencing January 1, 2023 and terminating December 31, 2023, according to the above-described terms, and be it further

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

Increase Estimated Revenue Account:

A.437.4322.6060.3490.078	HOME/ROME State Aid, OMH Supported Housing	\$32,400.00
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Increase Appropriation Account:

A.437.4322.6060.42023.078	HOME/ROME Supported Housing	\$32,400.00.
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Approved by 7 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted March 8, 2023 by voice vote.

ACT NO. 129-2023 by Mrs. Andreano and Mr. Helmich

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

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

WHEREAS, Act 64-2023 authorized approval of a contract with Southern Tier Environments for Living, Inc., (S.T.E.L.), 715 Central Avenue, Dunkirk, New York 14048, for the provision of Health Home Care Coordination and supported housing services for mentally ill individuals, the term of which expires December 31, 2023, and

WHEREAS, the Department of Community Services has received additional funding for a bed stipend in the amount of \$19,200.00, and

WHEREAS, STEL can provide the aforementioned services for a total contract amount of \$240,608.00, which includes the additional bed stipend, and

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

WHEREAS, this program is 100% state funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract between the Cattaraugus County Community Services Board and S.T.E.L., Inc., to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2023 and terminating December 31, 2023, according to the above-described terms, and be it further

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

Increase Estimated Revenue Account:

A.440.4322.6060.3490.078	STEL State Aid, OMH Supported Housing	\$19,200.00
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Increase Appropriation Account:

A.440.4322.6060.42026.078	STEL Supported Housing	\$19,200.00.
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Approved by 7 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted March 8, 2023 by voice vote.

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MR. PARKER moved, seconded by Mr. Smith, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 130-2023 through Act No. 137-2023. Carried.

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ACT NO. 130-2023 by Mr. Boberg and Mr. Klancer
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH WILMAC FOR
SOFTWARE MAINTENANCE AND SUPPORT FOR
NICE INFORM INCIDENT INFORMATION MANAGEMENT SYSTEM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 79-2022 authorized a contract with the Wilmac Company for software maintenance and support of the Nice Inform 7 Incident Information Management System, the term of which expired February 28, 2023, and

WHEREAS, the Sheriff's Office is desirous of renewing the annual preventative maintenance and software support for the system, and

WHEREAS, the Wilmac Company, 73 State Street, Suite 200, Rochester, New York 14614, has agreed to provide software maintenance and support for the period March 1, 2023 through February 28, 2024, for an amount of \$28,570.00, to be paid as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Wilmac Company, for the provision of the above-described services, for a term commencing March 1, 2023 and terminating February 28, 2024, according to the above-described terms.

Adopted March 8, 2023 by voice vote.

ACT NO. 131-2023 by Mrs. Andreano, Mr. Burr and Mr. Higgins
and Mr. Morrow¹
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
JAMESTOWN COMMUNITY COLLEGE FOR
JAMESTOWN COMMUNITY COLLEGE CUTCO THEATRE RENOVATION PROJECT
(ARPA Funds)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, Act 338-2022 authorized the County to use \$240,000.00 in ARPA funds to aid Jamestown Community College for the JCC Cutco Theatre Renovation Project, which includes upgrades for the following:

- sound equipment and stage lighting,
- electrical work related to the equipment upgrade,
- flooring in the theatre and the adjacent Magnano room, and
- painting and wall treatment in the theatre,

and

WHEREAS, JCC and the County entered into a contract dated August 15, 2022, for the provision of the aforementioned assistance, the term of which expired December 31, 2022, and

WHEREAS, the aforementioned contract should be extended to December 31, 2023 to allow for time to complete the aforementioned Project, 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 Jamestown Community College, to allow for time to complete the JCC Cutco Theatre Renovation Project, and to extend the term of the contract dated August 15, 2022 to December 31, 2023, according to the above-described terms.

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

Adopted March 8, 2023 by voice vote.

ACT NO. 132-2023 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**APPROVING AMENDED 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 MENTAL HEALTH CLINIC**

Pursuant to Section 41.07 of the Mental Hygiene Law,
Section 520A of Public Health Service Act and
Section 450 of the County Law.

WHEREAS, the County Department of Community Services has been awarded a two-year grant from the U.S. Department of Health & Human Services Substance Abuse and Mental Health Services Administration for the Certified Community Behavioral Health Clinic Expansion (SAMSHA) Grant, and

WHEREAS, Act 37-2023 authorized a contract with Housing Options Made Easy, Inc., d/b/a Recovery Options Made Easy, Inc., 75 Jamestown Street, Gowanda, New York 14070, for the provision of (1) full-time Crisis Peer and one (1) full-time Clinic Peer for the Olean Mental Health Clinic, along with, and including, SAMSHA grant services, and

WHEREAS, the Cattaraugus County Community Services Board is desirous of amending the aforementioned contract to include one (1) Crisis Recovery Peer Advocate for the Olean Mental Health Clinic and services for the SAMSHA grant, and

WHEREAS, Housing Options Made Easy, Inc., d/b/a Recovery Options Made Easy, Inc., can provide (1) full-time Crisis Recovery Peer Advocate for the Olean Mental Health Clinic, along with, and including, SAMSHA grant services for an amount not to exceed \$50,382.50, to be paid in installments on a monthly basis, as invoiced, and

WHEREAS, this program is 100% federally funded (CFDA #93.958), and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned additional 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 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 additional services, for a term commencing March 1, 2023 and terminating December 31, 2023, according to the above-described terms, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, further authorized and directed to execute contract amendments, 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.

Adopted March 8, 2023 by voice vote.

ACT NO. 133-2023 by Mr. VanRensselaer
who asks immediate consideration

LOCAL LAW NUMBER 1 - 2023
COUNTY OF CATTARAUGUS, NEW YORK

Pursuant to Sections 722 through 722-e of the County Law and
Section 10 of the Municipal Home Rule Law.

A LOCAL LAW CREATING THE CATTARAUGUS COUNTY DEPARTMENT OF ASSIGNED COUNSEL

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

SECTION 1. Legislative Intent. It is the intent of this Local Law to develop the management infrastructure devoted to the assignment of counsel to represent indigent persons charged with crimes who are financially unable to obtain an adequate defense.

SECTION 2. History of the Cattaraugus County Assigned Counsel Program.

2.1 Act 203-1965 established the Office of Administrator of Private Counsel to provide for the representation of indigent persons accused of a crime and elected to proceed by employing a court-approved Bar Association Plan; and

2.2 Act 161-2009 adopted a modified Plan for Representation of the Indigent and Persons Financially Unable to Afford Counsel in Criminal, Family and Surrogate's Courts in Cattaraugus County; and

2.3 Act 250-2011 appointed a new Administrator of Assigned Counsel and allocated certain functions supporting the assigned counsel program to the County Attorney's Office; and

2.4 The New York State Office of Indigent Legal Services has directed that the Assigned Counsel Program in Cattaraugus County be removed from the County Attorney's Office and that a new Department of Assigned Counsel be created; and

2.5 The assigned counsel functions being performed within the County Attorney's Office are to be performed and incorporated within the newly created Department of Assigned Counsel.

SECTION 3. Creation of Department of Assigned Counsel.

3.1 It is in the best interests of the County to create a Department of Assigned Counsel to be responsible for the representation of indigent persons charged with crimes who are financially unable to obtain an adequate defense, and for the furnishing of investigative, expert and other services necessary to their defense.

3.2 Effective April 1, 2023, there is hereby created a department in Cattaraugus County to be known as the Department of Assigned Counsel.

3.3 The Department of Assigned Counsel shall operate in accordance with the Cattaraugus County Plan for Representation of the Indigent and Persons Financially Unable to Afford Counsel in Criminal, Family and Surrogate's Courts in Cattaraugus County, which was adopted under Act 161-2009 of the Cattaraugus County Legislature.

3.4 The Department of Assigned Counsel shall be under the direction of the Administrator of Assigned Counsel.

3.5 The Administrator of Assigned Counsel shall be appointed and serve at the pleasure of the County Legislature.

3.6 The salary of the Administrator of Assigned Counsel shall be fixed by the County Legislature.

3.7 The Administrator of Assigned Counsel shall be in the exempt class of the Civil Service.

3.8 The Administrator of Assigned Counsel shall possess at the time of appointment, and maintain throughout the term, all qualifications as determined by the Personnel Officer.

SECTION 4. Powers and Duties of Administrator of Assigned Counsel. The Administrator of Assigned Counsel shall have the following powers and duties:

4.1 Authority to perform all the duties herein or hereafter conferred, or imposed by law, upon an Administrator of Assigned Counsel;

4.2 Coordinate the assignment, and efforts, of attorneys participating in the Cattaraugus County Bar Association Assigned Counsel Plan;

4.3 Receive and audit the completed vouchers and claim forms from the assigned attorneys in order to process for payment;

4.4 Authority to employ such persons as required to perform his or her powers and duties, subject to the approval of such employment by the County Legislature, and authority to remove persons from such employment under the provisions of Civil Service Law Section 75, or the Collective Bargaining Agreement, whichever removal process applies;

4.5 Authority to negotiate contracts with such persons or entities, as required to perform his or her powers and duties, subject to approval of such contracts by the County Legislature;

4.6 Authority to adopt rules and regulations not inconsistent with law for conduct of the affairs and business of the Department of Assigned Counsel;

4.7 Have the authority to designate one or more deputies with power to act generally for the Administrator of Assigned Counsel, and in the Administrator's place subject to the approval of such employment by the County Legislature;

4.8 Such other powers and additional duties as may be authorized by local law, resolution or other direction of the County Legislature.

SECTION 5. Department Responsibilities. The employees of the Department of Assigned Counsel shall implement the policies of the County Legislature, under the direction of the Administrator of Assigned Counsel.

SECTION 6. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the particular provision directly involved in the controversy in which such judgment shall have been rendered.

SECTION 7. Effective Date. This Local Law shall take effect April 1, 2023.

No further action taken at this time.

ACT NO. 134-2023 by Mr. VanRensselaer
who asks immediate consideration

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 1 - 2023

Pursuant to Section 10 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on March 8, 2023, a proposed Local Law entitled "A Local Law Creating the Cattaraugus County Department of Assigned Counsel", and

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

RESOLVED, that a public hearing shall be held on the proposed Local Law by this County Legislature on the 22nd day of March, 2023, at 5:01 p.m. at the Legislature's Chambers, Cattaraugus County Center, 303 Court Street, Little Valley, New York, and that at least five days' notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Adopted March 8, 2023 by voice vote.

ACT NO. 135-2023 by Mr. Burr and Ms. Schröder
and Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky,
Mr. Helmich, Mrs. Hunt, Mr. Klancer, Mr. Marsh, Mr. Morrow,
Mr. Parker, Mr. Smith, Mr. Snyder and Mr. VanRensselaer¹
who ask immediate consideration

OPPOSING BAN ON FOSSIL FUELS

Pursuant to Section 153 of the County Law.

WHEREAS, Governor Hochul's Executive Budget calls for a ban on burning fossil fuels in newly constructed buildings within five (5) years, and

WHEREAS, under the Governor's proposal, on-site fossil fuel combustion would be banned in new construction of small buildings by 2025 and in larger buildings by 2028, and

WHEREAS, also included in the proposal is a cap on the consumption of fossil fuels that will decline each year, and further require corporations to purchase permits in order to emit carbon from fossil fuels, and

WHEREAS, fossil fuels are comprised mainly of coal, oil and gas, which were all formed from organic material millions of years ago, and

WHEREAS, fossil fuels are capable of generating huge amounts of electricity in a single location and are cheaper to produce than renewable energy sources, and

WHEREAS, if fossil fuels are banned, the cost of electricity and the cost of heating our homes will rise, which will unfairly affect the poorest people who pay a larger proportion of their income on electricity and are most sensitive to changes in prices, and

WHEREAS, renewable energy sources are less reliable because they rely on the weather for their source of power and cannot generate the quantities of electricity that will be needed if fossil fuels are banned, and

WHEREAS, when water, wind and sunshine are unavailable in the capacity needed, so is the capacity to make energy from them, and

WHEREAS, despite the fact that the United States CO2 emissions have been declining for approximately a decade and the entire CO2 growth can be traced to the Country of China, New York State continues to regulate and pass laws to eliminate fossil fuels, and

WHEREAS, so long as progressive liberal democrats continue to ignore the major contributor to pollution, China, a communist country which continues to support Russian tyranny and brutality, abuses its own people, and recklessly engages in operations that significantly increase pollution on a global level, there will be no meaningful improvement in the New York State carbon footprint to offset the massive global CO2 growth, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby opposes Governor Hochul's proposal to ban fossil fuels, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Governor Kathy Hochul, Senate Majority Leader Andrea Stewart-Cousins, Senate Minority Leader Rob Ortt, Assembly Majority Leader Crystal D. Peoples-Stokes, Assembly Minority Leader William Barclay, Senator George Borrello, Assemblyman Joseph Giglio, the New York State Association of Counties, the Inter-County Association of Western New York, and all others deemed necessary and proper.

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

Adopted March 8, 2023 by voice vote.

ACT NO. 136-2023 by Mr. Burr
and Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky, Mr. Helmich,
Mrs. Hunt, Mr. Klancer, Mr. Marsh, Mr. Morrow, Mr. Parker,
Ms. Schröder, Mr. Smith, Mr. Snyder and Mr. VanRensselaer¹
who asks immediate consideration

**URGING STATE OF NEW YORK TO CONTINUE TO PASS-THROUGH FEDERAL SAVINGS
TO COUNTIES AND NEW YORK CITY PROVIDED BY THE AFFORDABLE CARE ACT
ENHANCED FEDERAL MEDICAID ASSISTANCE PERCENTAGE**

Pursuant to Section 153 of the County Law.

WHEREAS, the Governor's State Fiscal Year (SFY) 2024 Budget proposes to end the practice of passing through federal savings provided by the Affordable Care Act (ACA) enhanced Federal Medical Assistance Percentage (eFMAP) to counties and New York City, and

WHEREAS, the elimination of this ACA eFMAP federal pass-thru will require the counties outside of New York City to spend at least \$280 million more in SFY 2024, and up to \$625 million when New York City is included, according to the Governor's budget, and

WHEREAS, the costs to local taxpayers are even greater when six years of uncompleted ACA eFMAP reconciliations are considered, as the state Department of Health has indicated counties are potentially owed hundreds of millions of dollars from these uncompleted reconciliation payments, and

WHEREAS, the SFY 2024 costs to counties and New York City are scheduled to grow by 30 percent by SFY 2027, and

WHEREAS, the minimum four-year cost to local taxpayers from this administrative proposal is at least \$2.5 billion, according to the Governor's budget, and

WHEREAS, counties strongly disagree with the need to shift new costs to local taxpayers when the Governor's budget proposes to fully fund state reserves two years ahead of schedule by depositing \$5.4 billion into these accounts before the end of SFY 2023, while also projecting a general fund surplus of \$35 billion by the end of SFY 2024, and

WHEREAS, this goes against 20 years of state precedent in sharing these federal savings, as well against Congress' intent for the eFMAP, and

WHEREAS, counties have used these federal savings over the past 20 years to pay for local services and reduce property tax burdens in our communities, as intended by Congress, and

WHEREAS, the State is proposing to permanently intercept all of these federal savings and use them to cover overspending in the Medicaid program, and

WHEREAS, the State imposes a property tax cap yet continues to pass long unjustified costs that most every other State pays completely, and

WHEREAS, while Medicaid spending is set to exceed allowable growth limits established under the state's Medicaid Global Cap, the budget proposes to further expand Medicaid eligibility and benefits and to increase payments to health care providers, and

WHEREAS, the proposed budget fails to offset these new Medicaid costs with common sense program reforms and cost containment actions to ensure Medicaid spending stays under state law limits and on a sustainable path, and

WHEREAS, due to the failure of the State to contain out of control Medicaid costs, it has turned to shifting billions of dollars in new costs to local taxpayers, and

WHEREAS, by SFY 2027, the state cost shift from this single initiative will be equivalent to an average property tax increase of 7% statewide and up to 14% in individual counties outside of New York City, and

WHEREAS, it is the strong view of NYSAC that Congress intends for these federal savings to be shared with counties proportional to the amount they contribute toward the nonfederal Medicaid match, and

WHEREAS, since 2003, the State has shared the funds proportionally based on our analysis of savings counties have received during periods when an enhanced federal Medicaid match was enacted by Congress and confirmed repeatedly by documents the Department of Health has sent to counties regarding Medicaid weekly shares, and

WHEREAS, starting in SFY 2014, New York State began sharing these federal ACA savings directly with counties by lowering the weekly payments each county and New York City made in support of the State-designed and -controlled Medicaid program, and

WHEREAS, through February 1, 2023, the State continues to share the federal savings from the ACA eFMAP with the 57 counties and New York City, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby urges the Legislature to reject the Governor's proposed administrative action and ensure that these federal funds continue to be shared with counties as is Congress' intent and has been the State's precedent and interpretation of the federal statute for over 20 years, and be it further

RESOLVED, that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to send a certified copy of this resolution to Governor Hochul, Senate Majority Leader Stewart-Cousins, NYS Assembly Speaker Heastie, Senator Borrello, Assemblyman Giglio, *U.S. Senators Schumer and Gillibrand, Congressman Langworthy*,² New York State Association of Counties, and Inter-County Association of Western New York, and all others deemed necessary and proper.

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

²MR. BRISKY moved, seconded by Mr. Burr, to amend as follows: In the third Resolved after Giglio, add: "U.S. Senators Schumer and Gillibrand, Congressman Langworthy,". Carried.

Adopted, as amended, March 8, 2023 by voice vote.

ACT NO. 137-2023 by Mr. Burr and Ms. Schröder
and Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky,
Mr. Helmich, Mrs. Hunt, Mr. Klancer, Mr. Marsh, Mr. Morrow,
Mr. Parker, Mr. Smith, Mr. Snyder and Mr. VanRensselaer¹
who ask immediate consideration

**OPPOSING NEW YORK STATE'S POOR FISCAL POLICIES
RESULTING IN PRIVATE EMPLOYER FUTA CREDIT REDUCTIONS**

Pursuant to Section 153 of the County Law.

WHEREAS, the New York State Unemployment Insurance Program (UIP) provides immediate, short-term financial protection for employees who become unemployed through no fault of their own, and

WHEREAS, a UIP fund, administered by the State of New York, was established to provide benefit payments to eligible claimants, and

WHEREAS, the UIP fund is paid for by employers through an unemployment insurance contribution on their payrolls, and

WHEREAS, job losses caused by New York State's terrible pandemic policies, including massive inappropriate and unnecessary employer shut-downs, and failure to properly vet unemployment insurance benefit claims caused a record number of unemployment insurance claims in New York and also resulted in record unemployment insurance fraud, and

WHEREAS, it is estimated by the New York State Comptroller that despite two warnings over more than a decade to the New York State Department of Labor that its UI claim systems were woefully out of date, the UI system became overwhelmed by the impact of the COVID era closedown and over \$11 billion dollars were lost due to fraud, largely because of UI system undetected identity theft, and

WHEREAS, if collective employee claims for unemployment exceed the amount of collective employer contributions, states may take a Federal Unemployment Account (FUA) loan from the federal government to pay such unemployment claims, and

WHEREAS, as detailed by the Office of the State Comptroller, New York's UIP fund did not have sufficient funds to pay the surging legitimate and fraudulent unemployment insurance claims, and began to borrow funds to cover said claims from the federal government starting in May of 2020, and

WHEREAS, while many states had to borrow from the federal government to support UI claims during the pandemic, New York is one of only four states or territories with UI funds that continue to be in debt to the federal government, and the size of the outstanding loan balance—\$8.1 billion—is second only to California, and

WHEREAS, in May of 2022 while New York State paid \$1.2 billion of its federal loan, its UI debt has remained outrageously high despite steady employment gains and State tax rates that have already increased to maximum permissible levels, and

WHEREAS, since New York's outstanding balance was not fully repaid by November 10, 2022, interest costs mounted, as did the federal portion of employers' 2022 tax bills, and

WHEREAS, since New York still has outstanding FUA loans to pay benefits, the amount of the allowable credit to FUTA is now subject to reduction, and

WHEREAS, New York has thus sadly become a "credit reduction state" as it had an outstanding FUA loan that remained unpaid as of the repayment date and thus has become subject to a credit reduction on its Federal Unemployment Tax rate until its loan has been paid off, and

WHEREAS, each year a FUA loan continues to be unpaid, the credit reduction increases by 0.3%, and

WHEREAS, as a result, the U.S. Department of Labor announced that California, Connecticut, Illinois and New York will now be subject to Federal Unemployment Tax Act (FUTA) credit reductions for 2022, and

WHEREAS, as a result, private employers in these four states will pay an additional 0.3% in federal unemployment tax for wages paid to employees in these states, or up to \$21 in additional tax for each employee, based on the FUTA taxable wage base of \$7,000, and

WHEREAS, after notification, on January 25, Illinois Gov. J.B. Pritzker and the Illinois Department of Employment Security announced that the state officially repaid its remaining FUA trust fund loan and as a result the state will likely *not* face a credit reduction for 2023 unless it borrows again and has a loan balance on November 10, 2023, and

WHEREAS, employers in New York State are already subject to high taxes and burdensome regulations and should not have to pay additional FUTA tax because the State of New York was fiscally irresponsible in managing the COVID Pandemic UI claims and its resulting FUA loan, now, therefore, be it

RESOLVED, that Cattaraugus County states that New York State should immediately pay its FUA balance as required and not subject New York employers to additional expenditures to operate their businesses due to the State's ill-conceived fiscal policies and deficient oversight, and be it further

RESOLVED, that a copy of this resolution be forwarded to each county in New York State, encouraging counties to enact similar resolutions, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to Governor Kathy Hochul, Senate Majority Leader Andrea Stewart-Cousins, Senate Minority Leader Rob Ortt, Assembly Majority Leader Crystal D. Peoples-Stokes, Assembly Minority Leader William Barclay, Senator George Borrello, Assemblyman Joseph Giglio, *U.S. Senators Schumer and Gillibrand, Congressman Langworthy*,² New York State Association of Counties, the Inter-County Association of Western New York, and all others deemed necessary and proper.

¹The following Legislators requested their names be listed as additional sponsors: "Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky, Mr. Helmich, Mrs. Hunt, Mr. Klancer, Mr. Marsh, Mr. Morrow, Mr. Parker, Mr. Smith, Mr. Snyder and Mr. VanRensselaer".

²MR. BRISKY moved, seconded by Mr. Burr, to amend as follows: In the third Resolved after Giglio, add: "U.S. Senators Schumer and Gillibrand, Congressman Langworthy,". Carried.

Adopted, as amended, March 8, 2023 by voice vote.

* * * * *

MR. BOBERG moved, seconded by Mr. Morrow, to adjourn until March 22, 2023 at 5:00 p.m. Carried.

Meeting adjourned at 6:12 p.m.

Ann M. Giglio
Journal Clerk