

March 22, 2023

The meeting was called to order by Chairman VanRensselaer.

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed all Legislators present.

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There being no amendments or objections thereto, Chairman VanRensselaer noted that the minutes of the March 8, 2023 session stand approved as presented.

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COMMUNICATIONS:

NYS Assemblyman Joseph M. Giglio: Acknowledging receipt of Act Nos. 135-2023, 136-2023 and 137-2023.

Yates County Legislature: Resolution No. 47-23, Supporting NYS Sharing Agricultural Mitigation Fees with Counties to Support County Agriculture and Farmland Protection Initiative; Resolution No. 51-23, Supporting Governor Hochul's Comprehensive Plan to Overhaul New York's Continuum of Mental Health Care and Reduce the Number of Individuals with Unmet Mental Health Needs; Resolution No. 59-23, Calling on the State of New York to Continue to Pass-Through Federal Affordable Care Act Enhanced Federal Medicaid Assistance Percentage Funds; Resolution No. 122-23, Calling on the Governor of New York State to Remove from the 2024 Executive Budget Part M of the Article VII Revenue Bills; Resolution No. 140-23, Resolution Opposing Governor Hochul's Ban of New Fossil Fuel Heating Equipment.

Cattaraugus County Farm Bureau: Thank you note for proclamation in recognition of Agriculture Month and for the opportunity for the Cattaraugus-Little Valley FFA students to present to Legislature.

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PRIVILEGE OF THE FLOOR:

CHAIRMAN VANRENSELAER granted Privilege of the Floor to Legislator Michael Brisky who introduced Elizabeth Tillman, Assistant Professor of Political Science, and Thomas Buttafarro, Director of Government and Community Relations, from St. Bonaventure University. Professor Tillman and Mr. Buttafarro, instructors of the State and Local Government course at SBU, brought their students to Little Valley to speak with various departments and the court to obtain a better understanding of County government and to observe a legislative session. Legislator Brisky also introduced the college students.

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PUBLIC HEARING:

CHAIRMAN VANRENSELAER announced this is the time and place called for a public hearing on **Local Law Number 1-2023**, A Local Law Creating the Cattaraugus County Department of Assigned Counsel, 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. 133-2023, Local Law Number 1-2023**, A Local Law Creating the Cattaraugus County Department of Assigned Counsel, and asked that it be read.

CHAIRMAN VANRENSELAER requested a Roll Call vote on Act No. 133-2023, which disclosed as follows:

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

Nays: none.

Act No. 133-2023, Local Law Number 1-2023, having received a unanimous vote of the Legislature, was declared Adopted.

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ACT NO. 138-2023 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH AND HEALTH RESEARCH, INC. FOR
HEALTH DEPARTMENT STRENGTHENING U.S. PUBLIC HEALTH
INFRASTRUCTURE, WORKFORCE AND DATA SYSTEMS PROGRAM AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Health)**

Pursuant to 42 USCS Section 1786 and
Sections 363, 366 and 450 of the County Law.

WHEREAS, the County Health Department has been awarded a five (5) year grant through the New York State Department of Health and Health Research, Inc., in the total amount of \$696,482.00 for the contract period December 1, 2022 through November 30, 2027, for the Strengthening U.S. Public Health Infrastructure, Workforce and Data Systems Program, and

WHEREAS, the County Health Department has been awarded first year funding for the period December 1, 2022 through November 30, 2023 in the amount of \$139,296.00, and

WHEREAS, the aforementioned grant funding shall be used to strengthen public health workforce and improve outcomes in health among socially and economically marginalized communities, and

WHEREAS, a contract is necessary in order to receive this funding from the New York State Department of Health, and

WHEREAS, this program is 100% federally funded (CFDA #93.967), 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 New York State Department of Health and Health Research, Inc., in order to accept, and receive, the Strengthening U.S. Public Health Infrastructure, Workforce and Data Systems Program funding for a term commencing December 1, 2022 and terminating November 30, 2027, according to the above-described terms, and be it further

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

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

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

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

Increase Estimated Revenue Account:

A.401.4097.0000.4401.15	Federal Aid, Public Health Workforce Grant	\$139,296.40
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Increase Appropriation Accounts:

A.401.4097.0000.11000	Public Health Workforce Grant Full-Time	\$ 68,105.40
A.401.4097.0000.13000	Public Health Workforce Grant Overtime	\$ 6,000.00
A.401.4097.0000.81000	Public Health Workforce Grant FICA	\$ 6,490.00
A.401.4097.0000.82000	Public Health Workforce Grant Retirement	\$ 6,900.00
A.401.4097.0000.83000	Public Health Workforce Grant Health Insurance	\$ 15,972.00
A.401.4097.0000.84000	Public Health Workforce Grant Dental	\$ 329.00
A.401.4097.0000.46102	Public Health Workforce Grant Employee Mileage	\$ 2,250.00
A.401.4097.0000.20006	Public Health Workforce Grant Computers	\$ 4,500.00
A.401.4097.0000.47002	Public Health Workforce Grant Office Supplies	\$ 1,500.00
A.401.4097.0000.46108	Public Health Workforce Grant Cell Phones	\$ 2,500.00
A.401.4097.0000.46106	Public Health Workforce Grant Training	\$ 3,500.00
A.401.4097.0000.20008	Public Health Workforce Grant Tools & Equipment	\$ 10,000.00
A.401.4097.0000.47006	Public Health Workforce Grant Operating Supplies	\$ 4,000.00
A.401.4097.0000.45401	Public Health Workforce Grant Small Equipment	\$ 3,500.00
A.401.4097.0000.45301	Public Health Workforce Grant Van Per Diem	\$ 3,750.00.

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

Adopted March 22, 2023 by voice vote.

ACT NO. 139-2023 by Mr. Benson and Mr. Helmich
and Mr. Boberg¹

BID ACCEPTANCE FOR ROAD STRIPING
(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 road striping for the period commencing May 1, 2023 and terminating April 30, 2024, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications for Method 1, striping and supplying the paint and glass beads, was the bid of O.H. Striping, Inc., 11217 River Road, Corning, New York 14830, as follows:

METHOD #1:

FAST DRY ACRYLIC WATERBORNE PAINT

		<u>Estimated Units</u>	<u>Rate</u>
<u>Centerline Applications (Double Line)</u>			
➤ 33 gallon restripe/net mile and 210 lbs. of beads/net mile) (Approximately 300 net miles)	Per Mile	300	\$422.00
➤ 44 gallon New Asphalt/net mile and 210 lbs. of beads/net mile) (Approximately 30 net miles)	Per Mile	30	\$500.00
➤ 66 gallon Stone Surface/net mile and 210 lbs. of beads/net mile) (Approximately 100 net miles)	Per Mile	100	\$600.00
<u>Acrylic Edgeline Applications</u>			
➤ 33 gallon restripe/net mile and 210 lbs. of beads/net mile) (Approximately 300 net miles)	Per Mile	300	\$262.00 (per side)
➤ 44 gallon New Asphalt/net mile and 210 lbs. of beads/net mile) (Approximately 30 net miles)	Per Mile	30	\$300.00 (per side)
➤ 66 gallon Stone Surface/net mile and 210 lbs. of beads/net mile) (Approximately 100 net miles)	Per Mile	100	\$420.00 (per side)
<u>Additional Items</u>			
No. 3 glass beads per pound			\$.42
Intersection Stop Bar (waterborne w/beads-30 mil)	Each		\$50.00
Railroad Crossing (waterborne w/beads-30 mil)	Each		\$420.00
Standard Pavement Arrows (waterborne w/beads-30 mil)	Each		\$60.00
Standard 12" Median Cross Hatching (waterborne s/beads-30 mil)	Per Foot		\$10.00

Additional Paint Prices

Yellow Acrylic Waterborne traffic line paint	Per Gallon	\$13.00
White Acrylic Waterborne traffic line paint	Per Gallon	\$13.00

now, therefore, be it

RESOLVED, that the bid of O.H. Striping, Inc., be, and the same hereby is, accepted, 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 vouchers submitted in accordance with the provisions of the General Municipal Law §106-b and 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 meeting specifications.

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

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

Adopted March 22, 2023 by voice vote.

ACT NO. 140-2023 by Mr. Benson and Mr. Helmich

**ACCEPTING MATERIAL BIDS FOR ASPHALT CONCRETE, LIQUID BITUMINOUS MATERIALS,
MICRO SURFACING, COLD IN-PLACE RECYCLING OF BITUMINOUS PAVEMENT, SURFACE TREATING,
PAVER PLACED CHIP SEAL, FIBER REINFORCED BITUMINOUS MEMBRANE SURFACE TREATMENT
AND HOT MIX ASPHALT IN-PLACE PAVING PROJECTS
(Department of Public Works)**

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

RESOLVED, that the Commissioner of Public Works is authorized to contract for materials with the bidders recommended by the Public Works Committee for the season 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 all materials at any time during the season for which the bids are taken.

ASPHALT CONCRETE**GERNATT ASPHALT PRODUCTS, INC.****13870 Taylor Hollow Road****Collins, New York 14034**price/ton loaded in truck at Plant

<u>Index No.</u>	<u>Description</u>	<u>Rate</u> <u>Collins Plant</u>	<u>Rate</u> <u>Springville Plant</u>	<u>Rate</u> <u>Delevan Plant</u>
AC-1	402.058904 – HMA, Shim Course F9			
	<u>Loaded in truck @ plant</u>			
	0-500 tons	\$97.95	\$96.95	
	501-1000 tons	\$97.95	\$96.95	
	1001-3000 tons	\$97.95	\$96.95	
	3001 and greater tons	\$95.95	\$94.95	
AC-2	402.068304 – HMA, 6.3 F3 Polymer Modified 80 Series Compaction			
	<u>Loaded in truck @ plant</u>			
	0-500 tons	\$90.95	\$89.95	\$89.45
	501-1000 tons	\$90.95	\$89.95	\$89.45
	1001-3000 tons	\$90.95	\$89.95	\$89.45
	3001 and greater tons	\$88.95	\$87.95	\$87.45
	<u>Delivered to Northeast Quadrant</u>			
	0-500 tons		\$100.15	\$98.75
	501-1000 tons		\$100.15	\$98.75
	1001-3000 tons		\$100.15	\$98.75
	3001 and greater tons		\$98.15	\$96.75
	<u>Delivered to Northwest Quadrant</u>			
	0-500 tons	\$100.25	\$99.85	
	501-1000 tons	\$100.25	\$99.85	
	1001-3000 tons	\$100.25	\$99.85	
	3001 and greater tons	\$98.25	\$97.85	
	<u>Delivered to Southeast Quadrant</u>			
	0-500 tons			\$102.35
	501-1000 tons			\$102.35
	1001-3000 tons			\$102.35
	3001 and greater tons			\$100.35
	<u>Delivered to Southwest Quadrant</u>			
	0-500 tons	\$103.55	\$103.15	
	501-1000 tons	\$103.55	\$103.15	
	1001-3000 tons	\$103.55	\$103.15	
	3001 and greater tons	\$101.55	\$101.15	
AC-3	402.098304 – HMA, 9.5 F3 Top Course 80 series Compaction			
	<u>Loaded in truck @ plant</u>			
	0-500 tons	\$86.35	\$85.35	\$84.85
	501-1000 tons	\$86.35	\$85.35	\$84.85
	1001-3000 tons	\$86.35	\$85.35	\$84.85
	3001 and greater tons	\$84.35	\$83.35	\$82.85
	<u>Delivered to Northeast Quadrant</u>			
	0-500 tons		\$95.55	\$94.15
	501-1000 tons		\$95.55	\$94.15
	1001-3000 tons		\$95.55	\$94.15
	3001 and greater tons		\$93.55	\$94.15
	<u>Delivered to Northwest Quadrant</u>			
	0-500 tons	\$95.65	\$95.25	
	501-1000 tons	\$95.65	\$95.25	
	1001-3000 tons	\$95.65	\$95.25	
	3001 and greater tons	\$93.65	\$93.25	

				<u>Delivered to Southeast Quadrant</u>	
				0-500 tons	\$97.75
				501-1000 tons	\$97.75
				1001-3000 tons	\$97.75
				3001 and greater tons	\$95.75
				<u>Delivered to Southwest Quadrant</u>	
				0-500 tons	\$98.95
				501 – 1000 tons	\$98.95
				1001-3000 tons	\$98.95
				3001 and greater tons	\$96.95
AC-4	402.128304 – HMA, 12.5 F3 Top Course				
	80 Series Compaction				
				<u>Loaded in truck @ plant</u>	
				0-500 tons	\$81.50
				501-1000 tons	\$81.50
				1001-3000 tons	\$81.50
				3001 and greater tons	\$79.50
				<u>Delivered to Northeast Quadrant</u>	
				0-500 tons	\$90.70
				501-1000 tons	\$90.70
				1001-3000 tons	\$90.70
				3001 and greater tons	\$88.70
				<u>Delivered to Northwest Quadrant</u>	
				0-500 tons	\$90.80
				501-1000 tons	\$90.80
				1001-3000 tons	\$90.80
				3001 and greater tons	\$88.80
				<u>Delivered to Southeast Quadrant</u>	
				0-500 tons	\$92.90
				501-1000 tons	\$92.90
				1001-3000 tons	\$92.90
				3001 and greater tons	\$90.90
				<u>Delivered to Southwest Quadrant</u>	
				0-500 tons	\$94.10
				501-1000 tons	\$94.10
				1001-3000 tons	\$94.10
				3001 and greater tons	\$92.10
AC-5	402.198904 – HMA, 19.0 F9 Binder Course				
	80 Series Compaction				
				<u>Loaded in truck @ plant</u>	
				0-500 tons	\$72.75
				501-1000 tons	\$72.75
				1001-3000 tons	\$72.75
				3001 and greater tons	\$70.75
				<u>Delivered to Northeast Quadrant</u>	
				0-500 tons	\$81.95
				501-1000 tons	\$81.95
				1001-3000 tons	\$81.95
				3001 and greater tons	\$79.95
				<u>Delivered to Northwest Quadrant</u>	
				0-500 tons	\$82.05
				501-1000 tons	\$82.05
				1001-3000 tons	\$82.05
				3001 and greater tons	\$80.05
				<u>Delivered to Southeast Quadrant</u>	
				0-500 tons	\$84.15
				501-1000 tons	\$84.15
				1001-3000 tons	\$84.15

		3001 and greater tons			\$82.15
		<u>Delivered to Southwest Quadrant</u>			
		0-500 tons	\$85.35	\$84.95	
		501-1000 tons	\$85.35	\$84.95	
		1001-3000 tons	\$85.35	\$84.95	
		3001 and greater tons	\$83.35	\$82.95	
AC-6	402.258904 – HMA, 25.0 F9 Binder Course				
	80 Series Compacted				
		<u>Loaded in truck @ plant</u>			
		0-500 tons	\$71.30	\$70.30	\$69.80
		501-1000 tons	\$71.30	\$70.30	\$69.80
		1001-3000 tons	\$71.30	\$70.30	\$69.80
		3001 and greater tons	\$69.30	\$68.30	\$67.80
		<u>Delivered to Northeast Quadrant</u>			
		0-500 tons		\$80.50	\$79.10
		501-1000 tons		\$80.50	\$79.10
		1001-3000 tons		\$80.50	\$79.10
		3001 and greater tons		\$78.50	\$77.10
		<u>Delivered to Northwest Quadrant</u>			
		0-500 tons	\$80.60	\$80.20	
		501-1000 tons	\$80.60	\$80.20	
		1001-3000 tons	\$80.60	\$80.20	
		3001 and greater tons	\$78.60	\$78.20	
		<u>Delivered to Southeast Quadrant</u>			
		0-500 tons			\$82.70
		501-1000 tons			\$82.70
		1001-3000 tons			\$82.70
		3001 and greater tons			\$80.70
		<u>Delivered to Southwest Quadrant</u>			
		0-500 tons	\$83.90	\$83.50	
		501-1000 tons	\$83.90	\$83.50	
		1001-3000 tons	\$83.90	\$83.50	
		3001 and greater tons	\$81.90	\$81.50	
AC-7	402.378904 – HMA, 37.5 F9 Base Course				
	80 Series Compaction				
		<u>Loaded in truck @ plant</u>			
		0-500 tons	\$70.40	\$69.40	\$68.90
		501-1000 tons	\$70.40	\$69.40	\$68.90
		1001-3000 tons	\$70.40	\$69.40	\$68.90
		3001 and greater tons	\$68.40	\$67.40	\$66.90
		<u>Delivered to Northeast Quadrant</u>			
		0-500 tons		\$79.60	\$78.20
		501-1000 tons		\$79.60	\$78.20
		1001-3000 tons		\$79.60	\$78.20
		3001 and greater tons		\$77.60	\$76.20
		<u>Delivered to Northwest Quadrant</u>			
		0-500 tons	\$79.70	\$79.30	
		501-1000 tons	\$79.70	\$79.30	
		1001-3000 tons	\$79.70	\$79.30	
		3001 and greater tons	\$77.70	\$77.30	
		<u>Delivered to Southeast Quadrant</u>			
		0-500 tons			\$81.80
		501-1000 tons			\$81.80
		1001-3000 tons			\$81.80
		3001 and greater tons			\$79.80
		<u>Delivered to Southwest Quadrant</u>			
		0-500 tons	\$83.00	\$82.60	
		501-1000 tons	\$83.00	\$82.60	

	1001-3000 tons		\$83.00	\$82.60	
	3001 and greater tons		\$81.00	\$80.60	
AC-8	15402.2030 – Modified Mix Cold Patch				
	<u>Loaded in truck @ plant</u>				
	0-500 tons			\$117.50	
	501-1000 tons			\$117.50	
	1001-3000 tons			\$117.50	
	3001 and greater tons			\$115.50	
	<u>Delivered to Northeast Quadrant</u>				
	0-500 tons			\$127.70	
	501-1000 tons			\$127.70	
	1001-3000 tons			\$127.70	
	3001 and greater tons			\$125.70	
	<u>Delivered to Northwest Quadrant</u>				
	0-500 tons			\$127.40	
	501-1000 tons			\$127.40	
	1001-3000 tons			\$127.40	
	3001 and greater tons			\$125.40	
	<u>Delivered to Southwest Quadrant</u>				
	0-500 tons			\$130.70	
	501-1000 tons			\$130.70	
	1001-3000 tons			\$130.70	
	3001 and greater tons			\$128.70	
	<u>ADDITIVES</u>				
AC-9	HMA Polymer Modifications	Price/Ton	\$3.50	\$3.50	\$3.50
AC-10	WMA (Warm Mix Additive)	Price/Ton	\$2.00	\$2.00	\$2.00
	<u>Delivery Charge "Other Than" to Paver</u>				
	<u>Transportation Rates:</u>				
	All orders will be a minimum of 50 ton				
	(if delivery is requested)				
ACT-10	0 - 5 miles - total cost first 5 miles		\$5.20	\$5.20	\$5.20
ACT-11	6 - 15 miles - above + \$____/net ton mile		\$.35	\$.35	\$.35
ACT-12	16 - 50 miles - above + \$____/net ton mile		\$.30	\$.30	\$.30
OTHER	Hourly Delivery Charges		\$130.00/hour	\$130.00/hour	\$130.00/hour

DOLOMITE PRODUCTS COMPANY, INC. d/b/a A. L. BLADES**7610 County Route 65****P.O. Box 590****Hornell, New York 14843****price/ton loaded in truck at Plant**

<u>Index No.</u>	<u>Description</u>	<u>Rate</u>
AC-1	402.058904 – HMA, Shim Course F9	
	<u>Loaded in truck @ plant</u>	
	0-500 tons	\$95.00
	501-1000 tons	\$95.00
	1001-3000 tons	\$95.00
	3001 and greater tons	\$95.00
AC-2	402.068304 – HMA, 6.3 F3 Polymer Modified 80 Series Compaction	
	<u>Loaded in truck @ plant</u>	
	0-500 tons	\$87.00
	501-1000 tons	\$87.00
	1001-3000 tons	\$86.00
	3001 and greater tons	\$85.50
AC-3	402.098304 – HMA, 9.5 F3 Top Course 80 series Compaction	
	<u>Loaded in truck @ plant</u>	
	0-500 tons	\$81.00

		501-1000 tons	\$81.00
		1001-3000 tons	\$80.00
		3001 and greater tons	\$79.50
AC-4	402.128304 – HMA, 12.5 F3 Top Course 80 Series Compaction		
		<u>Loaded in truck @ plant</u>	\$77.00
		0-500 tons	\$77.00
		501-1000 tons	\$76.00
		1001-3000 tons	\$75.50
		3001 and greater tons	
AC-5	402.198904 – HMA, 19.0 F9 Binder Course 80 Series Compaction		
		<u>Loaded in truck @ plant</u>	
		0-500 tons	\$73.00
		501-1000 tons	\$73.00
		1001-3000 tons	\$73.00
		3001 and greater tons	\$73.00
AC-6	402.258904 – HMA, 25.0 F9 Binder Course 80 Series Compacted		
		<u>Loaded in truck @ plant</u>	
		0-500 tons	\$72.00
		501-1000 tons	\$72.00
		1001-3000 tons	\$72.00
		3001 and greater tons	\$72.00
AC-7	402.378904 – HMA, 37.5 F9 Base Course 80 Series Compaction		
		<u>Loaded in truck @ plant</u>	
		0-500 tons	\$71.00
		501-1000 tons	\$71.00
		1001-3000 tons	\$71.00
		3001 and greater tons	\$71.00
	<u>ADDITIVES</u>		
AC-9	HMA Polymer Modifications	Price/Ton	\$6.00
AC-10	WMA (Warm Mix Additive)	Price/Ton	\$1.50

NEW ENTERPRISE STONE & LIME CO., INC.**500 Como Park Boulevard****Cheektowaga, New York 14227**price/ton loaded in truck at Plant

<u>Index No.</u>	<u>Description</u>	<u>Rate</u> <u>On Plant</u>
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AC-1	402.058904 – HMA, Shim Course F9	
	<u>Loaded in truck @ plant</u>	
	0-500 tons	\$95.00
	501-1000 tons	\$95.00
	1001-3000 tons	\$95.00
	3001 and greater tons	\$95.00
AC-2	402.068304 – HMA, 6.3 F3 Polymer Modified 80 Series Compaction	
	<u>Loaded in truck @ plant</u>	
	0-500 tons	\$86.00
	501-1000 tons	\$85.00
	1001-3000 tons	\$85.00
	3001 and greater tons	\$85.00
AC-3	402.098304 – HMA, 9.5 F3 Top Course 80 series Compaction	
	<u>Loaded in truck @ plant</u>	

		0-500 tons	\$82.00
		501-1000 tons	\$81.00
		1001-3000 tons	\$81.00
		3001 and greater tons	\$81.00
AC-4	402.128304 – HMA, 12.5 F3 Top Course 80 Series Compaction		
		<u>Loaded in truck @ plant</u>	\$75.00
		0-500 tons	\$74.00
		501-1000 tons	\$74.00
		1001-3000 tons	\$74.00
		3001 and greater tons	
AC-5	402.198904 – HMA, 19.0 F9 Binder Course 80 Series Compaction		
		<u>Loaded in truck @ plant</u>	
		0-500 tons	\$73.00
		501-1000 tons	\$72.00
		1001-3000 tons	\$72.00
		3001 and greater tons	\$72.00
AC-6	402.258904 – HMA, 25.0 F9 Binder Course 80 Series Compacted		
		<u>Loaded in truck @ plant</u>	
		0-500 tons	\$65.00
		501-1000 tons	\$64.00
		1001-3000 tons	\$64.00
		3001 and greater tons	\$64.00
AC-7	402.378904 – HMA, 37.5 F9 Base Course 80 Series Compaction		
		<u>Loaded in truck @ plant</u>	
		0-500 tons	\$66.00
		501-1000 tons	\$65.00
		1001-3000 tons	\$65.00
		3001 and greater tons	\$65.00

JAMESTOWN MACADAM, INC.**P.O. Box 518****Walden Avenue****Jamestown, New York 14701**price/ton loaded in truck at Plant

<u>Index No.</u>	<u>Description</u>	<u>Rate</u>
AC-1	402.058904 – HMA, Shim Course F9	
	<u>Loaded in truck @ plant</u>	
	0-500 tons	\$92.90
	501-1000 tons	\$91.90
	1001-3000 tons	\$91.90
	3001 and greater tons	\$91.90
	<u>Delivered to Southwest Quadrant</u>	
	0-500 tons	\$104.90
	501-1000 tons	\$103.90
	1001-3000 tons	\$103.90
	3001 and greater tons	\$103.90
AC-2	402.068304 – HMA, 6.3 F3 Polymer Modified 80 Series Compaction	
	<u>Loaded in truck @ plant</u>	
	0-500 tons	\$82.20
	501-1000 tons	\$81.20
	1001-3000 tons	\$81.20
	3001 and greater tons	\$81.20

		<u>Delivered to Southwest Quadrant</u>	
		0-500 tons	\$94.20
		501-1000 tons	\$93.20
		1001-3000 tons	\$93.20
		3001 and greater tons	\$93.20
AC-3	402.098304 – HMA, 9.5 F3 Top Course 80 series Compaction		
		<u>Loaded in truck @ plant</u>	
		0-500 tons	\$78.60
		501-1000 tons	\$77.60
		1001-3000 tons	\$77.60
		3001 and greater tons	\$77.60
		<u>Delivered to Southwest Quadrant</u>	
		0-500 tons	\$90.60
		501-1000 tons	\$89.60
		1001-3000 tons	\$89.60
		3001 and greater tons	\$89.60
AC-4	402.128304 – HMA, 12.5 F3 Top Course 80 Series Compaction		
		<u>Loaded in truck @ plant</u>	\$73.00
		0-500 tons	\$72.00
		501-1000 tons	\$72.00
		1001-3000 tons	\$72.00
		3001 and greater tons	\$72.00
		<u>Delivered to Southwest Quadrant</u>	
		0-500 tons	\$85.00
		501-1000 tons	\$84.00
		1001-3000 tons	\$84.00
		3001 and greater tons	\$84.00
AC-5	402.198904 – HMA, 19.0 F9 Binder Course 80 Series Compaction		
		<u>Loaded in truck @ plant</u>	
		0-500 tons	\$68.90
		501-1000 tons	\$67.90
		1001-3000 tons	\$67.90
		3001 and greater tons	\$67.90
		<u>Delivered to Southwest Quadrant</u>	
		0-500 tons	\$80.90
		501-1000 tons	\$79.90
		1001-3000 tons	\$79.90
		3001 and greater tons	\$79.90
AC-6	402.258904 – HMA, 25.0 F9 Binder Course 80 Series Compacted		
		<u>Loaded in truck @ plant</u>	
		0-500 tons	\$66.95
		501-1000 tons	\$65.95
		1001-3000 tons	\$65.95
		3001 and greater tons	\$65.95
		<u>Delivered to Southwest Quadrant</u>	
		0-500 tons	\$78.95
		501-1000 tons	\$77.95
		1001-3000 tons	\$77.95
		3001 and greater tons	\$77.95
AC-7	402.378904 – HMA, 37.5 F9 Base Course 80 Series Compaction		
		<u>Loaded in truck @ plant</u>	
		0-500 tons	\$65.40
		501-1000 tons	\$64.40

		1001-3000 tons	\$64.40
		3001 and greater tons	\$64.40
		<u>Delivered to Southwest Quadrant</u>	
		0-500 tons	\$77.40
		501-1000 tons	\$76.40
		1001-3000 tons	\$76.40
		3001 and greater tons	\$76.40
AC-8	15402.2030 – Modified Mix Cold Patch		
		<u>Loaded in truck @ plant</u>	
		0-500 tons	\$130.00
		501-1000 tons	\$129.00
		1001-3000 tons	\$129.00
		3001 and greater tons	\$129.00
		<u>Delivered to Southwest Quadrant</u>	
		0-500 tons	\$142.00
		501-1000 tons	\$141.00
		1001-3000 tons	\$141.00
		3001 and greater tons	\$141.00
	<u>ADDITIVES</u>		
AC-9	HMA Polymer Modifications	Price/Ton	\$3.50
AC-10	WMA (Warm Mix Additive)	Price/Ton	\$2.00
	<u>Delivery Charge "Other Than" to Paver</u>		
	<u>Transportation Rates:</u>		
	All orders will be a minimum of 50 ton (if delivery is requested)		
ACT-10	0 - 5 miles - total cost first 5 miles		\$4.00
ACT-11	6 - 15 miles - above + \$____/net ton mile		\$.40
ACT-12	16 - 50 miles - above + \$____/net ton mile		\$.40
OTHER	Hourly Delivery Charges		\$135.00/hour

H.H. RAUH PAVING, INC.**7 West First Street****P.O. Box 2****Lakewood, New York 14750**price/ton loaded in truck at Plant

<u>Index No.</u>	<u>Description</u>	<u>Rate</u>
AC-1	402.058904 – HMA, Shim Course F9	
	<u>Loaded in truck @ plant</u>	
	0-500 tons	\$88.50
	501-1000 tons	\$87.50
	1001-3000 tons	\$87.50
	3001 and greater tons	\$87.50
	<u>Delivered to Southwest Quadrant</u>	
	0-500 tons	\$96.50
	501-1000 tons	\$95.50
	1001-3000 tons	\$95.50
	3001 and greater tons	\$95.50
AC-2	402.068304 – HMA, 6.3 F3 Polymer Modified 80 Series Compaction	
	<u>Loaded in truck @ plant</u>	
	0-500 tons	\$80.39
	501-1000 tons	\$79.39
	1001-3000 tons	\$79.39
	3001 and greater tons	\$79.39
	<u>Delivered to Southwest Quadrant</u>	
	0-500 tons	\$88.39
	501-1000 tons	\$87.39
	1001-3000 tons	\$87.39

AC-3	402.098304 – HMA, 9.5 F3 Top Course 80 series Compaction	3001 and greater tons	\$87.39
		<u>Loaded in truck @ plant</u>	
		0-500 tons	\$77.77
		501-1000 tons	\$76.77
		1001-3000 tons	\$76.77
		3001 and greater tons	\$76.77
		<u>Delivered to Southwest Quadrant</u>	
		0-500 tons	\$85.77
		501 – 1000 tons	\$84.77
		1001-3000 tons	\$84.77
AC-4	402.128304 – HMA, 12.5 F3 Top Course 80 Series Compaction	3001 and greater tons	\$84.77
		<u>Loaded in truck @ plant</u>	\$76.80
		0-500 tons	\$75.80
		501-1000 tons	\$75.80
		1001-3000 tons	\$75.80
		3001 and greater tons	
		<u>Delivered to Southwest Quadrant</u>	
		0-500 tons	\$84.80
		501-1000 tons	\$83.80
		1001-3000 tons	\$83.80
AC-5	402.198904 – HMA, 19.0 F9 Binder Course 80 Series Compaction	3001 and greater tons	\$83.80
		<u>Loaded in truck @ plant</u>	
		0-500 tons	\$73.05
		501-1000 tons	\$72.05
		1001-3000 tons	\$72.05
		3001 and greater tons	\$72.05
		<u>Delivered to Southwest Quadrant</u>	
		0-500 tons	\$81.05
		501-1000 tons	\$80.05
		1001-3000 tons	\$80.05
AC-6	402.258904 – HMA, 25.0 F9 Binder Course 80 Series Compacted	3001 and greater tons	\$80.05
		<u>Loaded in truck @ plant</u>	
		0-500 tons	\$70.76
		501-1000 tons	\$69.76
		1001-3000 tons	\$69.76
		3001 and greater tons	\$69.76
		<u>Delivered to Southwest Quadrant</u>	
		0-500 tons	\$78.76
		501-1000 tons	\$77.76
		1001-3000 tons	\$77.76
AC-8	15402.2030 – Modified Mix Cold Patch	3001 and greater tons	\$77.76
		<u>Loaded in truck @ plant</u>	
		0-500 tons	\$135.00
		501-1000 tons	\$134.00
		1001-3000 tons	\$134.00
		3001 and greater tons	\$134.00
		<u>Delivered to Southwest Quadrant</u>	
		0-500 tons	\$143.00
		501-1000 tons	\$142.00

	1001-3000 tons	\$142.00
	3001 and greater tons	\$142.00
<u>ADDITIVES</u>		
AC-9	HMA Polymer Modifications Price/Ton	\$6.20
AC-10	WMA (Warm Mix Additive) Price/Ton	\$1.60
<u>Delivery Charge "Other Than" to Paver</u>		
<u>Transportation Rates:</u>		
All orders will be a minimum of 50 ton (if delivery is requested)		
ACT-10	0 - 5 miles - total cost first 5 miles	\$5.30
ACT-11	6 - 15 miles - above + \$____/net ton mile	\$.55
ACT-12	16 - 50 miles - above + \$____/net ton mile	\$.55
OTHER	Hourly Delivery Charges	\$120.00/hour

Asphalt Concrete:

State Bid - The County Department of Public Works will compare the aforementioned "Loaded into Trucks at Plant" bids against the State Contract prices and will purchase from the source most advantageous to the County.

The "Delivery to Quadrant" will be assessed by low vendor, ability to provide product and location.

Ten sets of specifications were sent out.

Five bids were received that met specifications for seven different locations.

LIQUID BITUMINOUS MATERIALS**MIDLAND ASPHALT MATERIALS CORP.**

640 Young Street

P.O. Box 388

Tonawanda, New York 14151

<u>Index No.</u>	<u>Description (Without Guarantee)</u>	<u>Rate</u>
LBM-7	CRS-1	\$3.275
LBM-11	CRS-2	\$3.365
LBM-12	CRS-2L	\$3.615
LBM-13	CRS-2P	\$3.635
LBM-17	CMS-1H	\$3.761
LBM-18	CMS-2	\$3.781
LBM-19	CMS-2H	\$3.781
LBM-20	CSS-1	\$3.529
LBM-21	CSS-1H	\$3.529
LBM-22	Tackcoat	\$6.470
LBM-22A	Tackcoat (5 gal pail) Waterbased 702.90	\$35.00
LBM-26	35% Calcium Chloride Solution (applied)	\$1.780
LBM-27	32% Calcium Chloride Solution to County Storage	\$1.730
LBM-30	Dust Control Emulsion AEDC (applied)	\$2.155
<u>(With Two-Year Guarantee)</u>		
GLBM-7	CRS-1	\$3.275
GLBM-11	CRS-2	\$3.365
GLBM-12	CRS-2L	\$3.615
GLBM-13	CRS-2P	\$3.635
GLBM-17	CMS-1H	\$3.761
GLBM-18	CMS-2	\$3.781
GLBM-19	CMS-2H	\$3.781
GLBM-20	CSS-1	\$3.529
GLBM-21	CSS-1H	\$3.529
GLBM-22	Tackcoat	\$6.470

**Price Per Gallon Applied, including: heat, haul and applied point in Cattaraugus Co.

Price Additions - The following bid prices are for rental of equipment by the gallon or by the hour for various liquid asphalt projects (both with or without guarantee)

<u>Item</u>	<u>Rate</u>
Pugmill	\$.30/gal. not to exceed \$3000/day
Mix Paver	\$.33/gal. not to exceed \$3300/day
Self-Propelled Aggregate Spreader	\$.28/gal. not to exceed \$2800/day
Or	
Self-Propelled Aggregate Spreader	\$280/hour not to exceed \$2800/day
Variable Width Aggregate Spreader	\$.28/gal. not to exceed \$2800/day
Or	
Variable Width Aggregate Spreader	\$280/hour not to exceed \$2800/day
<u>Distributor Rental for Spray Patching or Tack Coat Application with Operator</u>	
0-1000 gallon/day	\$235/hour
1001-2000 gallon/day	\$235/hour
2001-3000 gallon/day	\$235/hour

SUIT-KOTE JAMESTOWN, DIVISION OF SUIT-KOTE CORPORATION**57 Lister Street****Jamestown, New York 14701**

<u>Index No.</u>	<u>Description (Without Guarantee)</u>	<u>Rate</u>
LBM-6	RS-1	\$3.332
LBM-8	RS-2	\$3.382
LBM-9	HFRS-2	\$3.382
LBM-10	HFRS-2P	\$3.652
LBM-14	MS-2	\$3.799
LBM-15	HFMS-2	\$3.799
LBM-16	HFMS-2H	\$3.799
LBM-16A	HFMS-2GH	\$3.869
LBM-23	Winter Mix HFMS-2	\$3.852
LBM-24	Summer Stock Pile HFMS-2P	\$3.832
LBM-25	Recycle HFMS-R	\$3.819
LBM-31	Crack Filling	\$18.570
LBM-32	Crack Sealing	\$20.440
<u>(With Two-Year Guarantee)</u>		
GLBM-6	RS-1	\$3.332
GLBM-8	RS-2	\$3.382
GLBM-9	HFRS-2	\$3.382
GLBM-10	HFRS-2P	\$3.652
GLBM-14	MS-2	\$3.799
GLBM-15	HFMS-2	\$3.799
GLBM-16	HFMS-2H	\$3.799
GLBM-16A	HFMS-2GH	\$3.869
GLBM-23	Winter Mix HFMS-2	\$3.852
GLBM-24	Summer Stock Pile HFMS-2P	\$3.832
GLBM-25	Recycle HRMS-R	\$3.819
GLBM-31	Crack Filling	\$18.570
GLBM-32	Crack Sealing	\$20.440

**Price Per Gallon Applied, including: heat, haul and applied point in Cattaraugus Co.

Additional Bids:

HFMS-2MP	High Float Medium Set Emulsion formulated-Cold Mix Paving	\$3.864/gal.
HFMS-2ST	High Float Medium Set Emulsion formulated-Surface Treating over Gravel	\$3.280/gal.
HFRS-2SE	High Float Rapid Set Emulsion formulated	\$3.208/gal.
Type III Recycling, Single Grind	10,000 sq. yd. min., 10 ft head plus emulsion	\$0.750/sq.yd
Mobilization		\$550.00

E-Flex Microsurfacing

<u>Quantities</u>	<u>Type 2</u>
0-100 Tons	\$417.50
101-300 Tons	\$267.15
301-500 Tons	\$249.50
Over 500 Tons	\$237.38

Price Additions - The following bid prices are for rental of equipment by the gallon or by the hour for various liquid asphalt projects (both with or without guarantee)

<u>Item</u>	<u>Rate</u>
Pugmill	\$.30/gal. not to exceed \$3000/day
Mix Paver	NB
Automated Paver	\$.35/gal. not to exceed \$3500/day
Self-Propelled Aggregate Spreader	\$.28/gal. not to exceed \$2800/day
Variable Width Aggregate Spreader	\$.28/gal. not to exceed \$2800/day
Milling Machine – Self Loading	7 foot width: \$600/hour not to exceed \$6000/day 11 foot width: \$700/hour not to exceed \$7000/day
Pulverization Only	\$610/hour not to exceed \$6100/day
<u>Distributor Rental for Spray Patching or Tack Coat Application with Operator</u>	
	0-1000 gallon/day \$235/hour
	1001-2000 gallon/day \$235/hour
	2001-3000 gallon/day \$235/hour

D & H EXCAVATING, INC.

11939 Route 98 South

Arcade, New York 14009

Price Additions - The following bid prices are for rental of equipment by the gallon or by the hour for various liquid asphalt projects (both with or without guarantee)

<u>Item</u>	<u>Rate</u>
Automated Paver	NB/hour not to exceed \$3600/day
Milling Machine – Self Loading	**4 foot width: \$425/hour not to exceed \$3400/day
**daily minimum will be charged for use up to 8 hours	**7 foot width: \$600/hour not to exceed \$4800/day
Pulverization Only	\$425/hour not to exceed \$3400/day

Distributor Rental

0-1000 gallon/day	\$150/hour
1001-2000 gallon/day	\$150/hour
2001-3000 gallon/day	\$150/hour
*4 hour minimum	
*Tack Coat will be additional – Charged by the Gallon	

LAKE SHORE PAVING, INC.

7 Osmer Street

Jamestown, New York 14701

The following bid prices are for rental of equipment by the gallon or by the hour for various liquid asphalt projects (both with or without guarantee)

<u>Item</u>	<u>Rate</u>
Automated Paver	NB/gal not to exceed \$3500/day
Milling Machine – Self Loading	4 foot width: \$500/hour not to exceed \$3600/day 7 foot width: \$650/hour not to exceed \$4600/day
Pulverization Only	\$650/hour not to exceed \$5000/day
<u>Distributor Rental</u>	

0-1000 gallon/day	\$190/hour
1001-2000 gallon/day	\$190/hour
2001-3000 gallon/day	\$190/hour

DONEGAL CONSTRUCTION CORP.

1235 Marguerite Lake Road

Greensburg, Pennsylvania 15601

The following bid prices are for rental of equipment by the gallon or by the hour for various liquid asphalt projects (both with or without guarantee)

6" or less	\$1.230
Over 6"	\$1.280

SUIT-KOTE JAMESTOWN, DIVISION OF SUIT-KOTE CORPORATION**57 Lister Street****Jamestown, New York 14701****PROJECTS BETWEEN 5,000 & 9,999 SQUARE YARDS****In-Place Recycling with Emulsified Asphalt**(Cutting Depth) Price / Sq. Yard

(1a) 1" up to, but not including 3"

(1b) 3" up to, but not including 6"

Additive

(2) Additive: HFMS-2 Type delivered and added to Mix

Total Square Yard Price for Recycling:

Using 1 Gallon per square yard of Additive:

(1a+2) = (3a)

(1b+2) = (3b)

Alternate: /Ton --Add amount if contractor supplies the aggregate as described in Section 8, a,2, pages 14

Aggregate / Ton

\$31.50

<u>Type 1</u>	<u>Type II</u>
<u>Prices/sq. yd.</u>	<u>Prices/sq. yd.</u>
No Bid	\$2.850
No Bid	\$2.980
<u>Price/Gallon</u>	<u>Price/Gallon</u>
No Bid	\$3.475
No Bid	\$6.325
No Bid	\$6.455

PROJECTS 10,000 SQUARE YARDS AND GREATER**In-Place Recycling with Emulsified Asphalt**(Cutting Depth) Price / Sq. Yard

(1a) 1" up to, but not including 3"

(1b) 3" up to, but not including 6"

Additive

(2) Additive: HFMS-2 Type delivered and added to Mix

Total Square Yard Price for Recycling:

Using 1 Gallon per square yard of Additive:

(1a+2) = (3a)

(1b+2) = (3b)

Alternate: /Ton --Add amount if contractor supplies the aggregate as described in Section 8, a,2, pages 14

Aggregate / Ton

\$31.50

<u>Type 1</u>	<u>Type II</u>
<u>Prices/sq. yd.</u>	<u>Prices/sq. yd.</u>
No Bid	\$2.460
No Bid	\$2.510
<u>Price/Gallon</u>	<u>Price/Gallon</u>
No Bid	\$3.475
No Bid	\$5.935
No Bid	\$5.985

Cold In-Place Recycling of Bituminous Pavement:

State Bid - The County Department of Public Works will compare the aforementioned bids against the State Contract prices and will purchase from the source most advantageous to the County.

Five sets of specifications were sent out.

Two bids were received that met specifications.

SURFACE TREATING**MIDLAND ASPHALT MATERIALS CORP.****640 Young Street****P. O. Box 388****Tonawanda, New York 14151****Bid Item #1 – Travel Way/Pavement**

Aggregates: Per Square Yard "Applied"

<u>Description</u>	<u>Rate</u>
No. 1ST Crushed Gravel	\$.640
No. 1A Crushed Gravel	\$.600
No. 1ST Crushed Limestone	\$.840
No. 1A Crushed Limestone	\$.800

Bid Item #2 – Stabilized Shoulder (2 coats)

Aggregates: Per Square Yard "Applied"

No. 1 Crushed Gravel	\$1.020
No. 1ST Crushed Gravel	\$1.020
No. 1A Crushed Gravel	\$.960
No. 1 Crushed Limestone	\$1.140
No. 1ST Crushed Limestone	\$1.140

No. 1A Crushed Limestone	\$1.040
<u>Bid Item #3 – Stabilized Shoulder (1 coat)</u>	
Aggregates: Per Square Yard "Applied"	
No. 1A Crushed Gravel	\$.960
No. 1A Crushed Limestone	\$1.150
<u>Bituminous Materials: Per Gallon "Applied"</u>	
HFMS-2	\$3.751
RS-2	\$3.335
CRS-2	\$3.315
HFRS-2	\$3.335
HFRS-2P	\$3.605
CRS-2P	\$3.585

Surface Treating:

State Bid - The County Department of Public Works will compare the aforementioned bids against the State Contract prices and will purchase from the source most advantageous to the County.

Three sets of specifications were sent out.

Two bids were received that met specifications.

PAVER PLACED CHIP SEAL**MIDLAND ASPHALT MATERIALS CORP.****640 Young Street****P. O. Box 388****Tonawanda, New York 14151**

price per square yard

Square Yard RangeRate

Type A: 1/4 inch

5,000 – 15,000 square yards

\$6.692

15,001 – 30,000 square yards

\$6.330

30,001 square yards plus

\$6.220

Type C: 1/2 inch

5,000 – 15,000 square yards

\$6.850

15,001 – 30,000 square yards

\$6.270

30,001 square yards plus

\$6.170

Allowable Deductions per square yard if the County elects to supplement operation with their equipment and labor

If County furnishes and operates compaction equipment

deduct \$.08

If County furnishes hauling of Hot Mix from Plant to laydown machine

deduct \$.20

If County furnishes traffic control

deduct \$.22

Paver Placed Chip Seal:

State Bid - The County Department of Public Works will compare the aforementioned bids against the State Contract prices and will purchase from the source most advantageous to the County.

Three sets of specifications were sent out.

One bid was received that met specifications.

FIBER REINFORCED BITUMINOUS MEMBRANE SURFACE TREATMENT**MIDLAND ASPHALT MATERIALS CORP.****640 Young Street****P. O. Box 388****Tonawanda, New York 14151**

Price Per Square Yard

ItemDescriptionRate

Fibermat Type A

1 – 5,000 sq. yd. per day

\$4.180

5,001-10,000 sq. yd. per day

\$2.900

10,001- 20,000 sq. yd. per day

\$2.440

	20,001 – 40,000 sq. yd. per day	\$2.250
	**40,001 & greater sq. yd. per day	\$2.020
Fibermat Type B	1 – 5,000 sq. yd. per day	\$4.130
	5,001-10,000 sq. yd. per day	\$2.850
	10,001- 20,000 sq. yd. per day	\$2.390
	20,001 – 40,000 sq. yd. per day	\$2.200
	**40,001 & greater sq. yd. per day	\$1.970
Options: Per Sq. Yd.	Add if contractor furnishes the following:	ADD
1. If Contractor furnishes & delivers aggregate to aggregate spreader		
	1 – 5,000 sq. yd. per day	\$.740
	5,001-10,000 sq. yd. per day	\$.650
	10,001- 20,000 sq. yd. per day	\$.575
	20,001 – 40,000 sq. yd. per day	\$.575
	**40,001 & greater sq. yd. per day	\$.575
2. If Contractor furnishes & operates self-propelled aggregate spreader		
	1 – 5,000 sq. yd. per day	\$.435
	5,001-10,000 sq. yd. per day	\$.220
	10,001- 20,000 sq. yd. per day	\$.165
	20,001 – 40,000 sq. yd. per day	\$.110
	**40,001 & greater sq. yd. per day	\$.075
3. If Contractor furnishes & operates pneumatic tired roller (per roller)		
	1 – 5,000 sq. yd. per day	\$.370
	5,001-10,000 sq. yd. per day	\$.180
	10,001- 20,000 sq. yd. per day	\$.115
	20,001 – 40,000 sq. yd. per day	\$.080
	**40,001 & greater sq. yd. per day	\$.050
4. If Contractor furnishes Maintenance & Protection of Traffic as per MUTCD		
	1 – 5,000 sq. yd. per day	\$.800
	5,001-10,000 sq. yd. per day	\$.530
	10,001- 20,000 sq. yd. per day	\$.265
	20,001 – 40,000 sq. yd. per day	\$.205
	**40,001 & greater sq. yd. per day	\$.125
5. If Contractor furnishes and operates a steel wheeled roller (Per Roller)		
	1 – 5,000 sq. yd. per day	\$.370
	5,001-10,000 sq. yd. per day	\$.180
	10,001- 20,000 sq. yd. per day	\$.115
	20,001 – 40,000 sq. yd. per day	\$.080
	**40,001 & greater sq. yd. per day	\$.050
6. If Contractor furnishes and operates a self-propelled broom or vacuum sweeper		
	1 – 5,000 sq. yd. per day	\$.620
	5,001-10,000 sq. yd. per day	\$.310
	10,001- 20,000 sq. yd. per day	\$.210
	20,001 – 40,000 sq. yd. per day	\$.130
	**40,001 & greater sq. yd. per day	\$.080
** Voluntary Alternate Pricing for 40,001 & greater sq. yd. per day, in strict conformance to the detailed specifications included in the bid		

Fiber Reinforced Bituminous Membrane Surface Treatment:

State Bid - The County Department of Public Works will compare the aforementioned bids against the State Contract prices and will purchase from the source most advantageous to the County.

Three sets of specifications were sent out.

One bid was received that met specifications.

HOT MIX ASPHALT IN-PLACE PAVING PROJECTS***D & H EXCAVATING, INC.******11939 Route 98 South******Arcade, New York 14009***Price Is Per Ton In-Place Applied In One Working DayQuantities Applied

	<u>NE Quad.</u>	<u>NW Quad.</u>	<u>SE Quad.</u>	<u>SW Quad.</u>
Projects: Less than 50 Tons	\$262.00		\$262.00	
Projects: 50 – 100 Tons	\$170.00	\$170.00	\$170.00	\$170.00
Projects: 101 – 500 Tons	\$115.00	\$115.00	\$115.00	\$115.00
Projects: 501 Tons and Greater	\$99.00	\$99.00	\$99.00	\$99.00

Cost Per Ton – If County Provides The Traffic Control

Projects: Less than 50 Tons	\$230.00	\$230.00	\$230.00	\$230.00
Projects: 50 – 100 Tons	\$175.00	\$175.00	\$175.00	\$175.00
Projects: 101 – 500 Tons	\$108.00	\$108.00	\$108.00	\$108.00
Projects: 501 Tons and Greater	\$97.00	\$97.00	\$97.00	\$97.00

H.H. RAUH PAVING, INC.***2209 Allen Street Ext.******Falconer, New York 14733***Price Is Per Ton In-Place Applied In One Working DayQuantities Applied

	<u>NE Quad.</u>	<u>NW Quad.</u>	<u>SE Quad.</u>	<u>SW Quad.</u>
Projects: Less than 50 Tons		\$255.00		\$250.00

Hot Mix Asphalt In-Place Paving Projects:

No State Bid.

Eleven sets of specifications were sent out.

Five bids were received that met specifications.

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

Adopted March 22, 2023 by voice vote. Mr. Boberg and Mr. Burr abstained from vote.

ACT NO. 141-2023 by Mr. Benson and Mr. Helmich

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

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

RESOLVED, that the Commissioner of Public Works is authorized to contract for galvanized square steel tubing for sign posts with the bidders recommended by the Public Works Committee for the season May 1, 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 all materials at any time during the season for which the bids are taken, and be it further

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

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

<u>Size</u>	<u>Price</u>
1½" x 1½" x 24 ft. w/perforations	12 gauge \$3.26
1¾" x 1¾" x 24 ft. w/perforations	12 gauge \$3.81
2" x 2" x 24 ft. w/perforations	12 gauge \$4.27
2¼" x 2¼" x 24 ft. w/perforations	12 gauge \$4.74

Other Items: price per 100

<u>Telspar or Description</u>	<u>Units</u>	<u>Price</u>
Equivalent		
TN-31 Tuff Nut 5/16" 18 thread	/100	\$78.00
TLO15 T Bracket, used on 1½", 1¾", 2" & 2¼"	/100	\$439.00
TLO16 90 Degree Bracket, used on 1½", 1¾", 2" & 2¼"	/100	\$617.00
TLO18 Straight Bracket, used on 1½", 1¾", 2" & 2¼"	/100	\$510.00
TLO19 Bracket, used on 1½", 1¾", 2" & 2¼"	/100	\$477.00
TLO20 Inside Corner Bracket, used on 1½", 1¾", 2" & 2¼"	/100	\$290.00
<u>Corner Bolts – All 5/16"</u>	<u>Units</u>	<u>Price</u>
TLO50 1½" sq., 1¾" sq., 2" sq.	/100	\$88.00
TLO70 2¼" Sq., 2½" Sq.	/100	\$82.00
TLO62 Heavy Hex Jam Nut for above Bolts	/100	\$18.00
TLO94EG Gravity Lock Pin	/100	\$360.00
SB30CCHG 32" Longbrace with 30" Centers	Each	\$10.46
TL130 Guard Rail Clamp	Each	\$3.90
TL132 Breakaway Plate	Each	\$5.77
HFLW031 Nylon Washer – White	/100	\$19.00
TL3806 3/8" diameter large head multi-grip drive rivet	/100	\$111.00
UC11272HG 1.12 lbs/ft U-channel 72" delineator post – galvanized	Each	\$10.21
UC11296HG 1.12 lbs/ft U-channel 96" delineator post – galvanized	Each	\$13.41

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

State Bid does not meet County specifications.

Four sets of specifications were sent out.

One bid was received which met specifications.

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

Adopted March 22, 2023 by voice vote.

ACT NO. 142-2023 by Mr. Benson and Mr. Helmich

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

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

RESOLVED, that the Commissioner of Public Works is authorized to contract for the following materials with the bidders recommended by the Public Works Committee for the season May 1, 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 all materials at any time during the season for which the bids are taken, and be it further

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

Description	Rate
In 100 pound bags on pallets in 21 ton lots - Pick-up at warehouse	\$21.75
Black Beauty Grade 2040 Fine – Price Picked-Up	
Per Ton Bagged	\$435.00
Per 100 lb. Bag	\$21.75
Per 50 lb. Bag	\$12.50
Black Beauty Grade Medium 1240 – Price Picked-Up	
Per Ton Bagged	\$435.00
Per 100 lb. Bag	\$21.75
Per 50 lb. Bag	\$12.50

Warehouse: 191 Broadway Road, Gowanda, New York

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

No State Bid.

Four sets of specifications were sent out.

One bid was received which met specifications.

Approved by 6 members of the Finance Committee and 7 members of the Public Works Committee. Mr. Burr abstained from approval.

Adopted March 22, 2023 by voice vote. Mr. Burr abstained from vote.

ACT NO. 143-2023 by Mr. Benson and Mr. Helmich

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

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

RESOLVED, that the Commissioner of Public Works is authorized to contract for the purchase of highway signs with the bidder recommended by the Public Works Committee for the season May 1, 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 all materials at any time during the season for which the bids are taken, and be it further

IV. RESOLVED, the only bid received for highway signs was submitted by Garden State Highway Products, Inc., 301 Riverside Drive, Millville, New Jersey 08332, as follows:

Description	Price Per Square Foot	Rate
New Domestic 0.080 inch thick 5052-H38 Alodized Aluminum:		
Blank Aluminum		\$4.08
48" x 96" sheet, blank (no holes)		\$132.11
Signs:		
3M Prismatic High Intensity Grade Aluminum 1 side w/Legend 1 color		\$5.52
3M Prismatic High Intensity Grade Aluminum 1 side w/Legend 2 color		\$5.68
Scotchlite Diamond Grade Aluminum 1 side w/Legend 1 color		\$7.28
Scotchlite Diamond Grade Aluminum 1 side w/Legend 2 color		\$7.49
Scotchlite Diamond Grade Fluorescent Aluminum 1 side w/Legend 1 color		\$7.91
Scotchlite Diamond Grade Fluorescent Aluminum 1 side w/Legend 2 color		\$8.11
6"x12" Delineators, Reflectorized, Double Sided on Aluminum Engineer Grade		\$4.68

No State Bid.

Six sets of specifications were set out.

One bid was received which met specifications.

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

Adopted March 22, 2023 by voice vote.

ACT NO. 144-2023 by Mr. Benson and Mr. Helmich

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

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

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

WHEREAS, the only bid received for the provision of round and elliptical concrete pipe (Class III & IV) was submitted by Jamestown Macadam, Inc., 1801 Washington Street, P.O. Box 0892, Jamestown, New York 14701, as follows:

Round Concrete Pipe (Class III & IV)

<u>Description</u>	<u>Rate</u>
18 Inch (Class III) per foot	\$132.15
18 Inch (Class IV) per foot	\$138.35
18 Inch End Section (each)	\$1,808.00
18 Inch Flared End	\$1,808.00
21 Inch (Class III) per foot	\$138.45
21 Inch (Class IV) per foot	\$150.80
21 Inch End Section (each)	\$2,288.00
21 Inch Flared End	\$2,288.00
24 Inch (Class III) per foot	\$146.10
24 Inch (Class IV) per foot	\$163.75
24 Inch End Section (each)	\$2,888.00
24 Inch Flared End	\$2,888.00
30 Inch (Class III) per foot	\$177.85
30 Inch (Class IV) per foot	\$200.50
30 Inch End Section (each)	\$3,488.00
30 Inch Flared End	\$3,488.00
36 Inch (Class III) per foot	\$206.10
36 Inch (Class IV) per foot	\$244.80
36 Inch End Section (each)	\$4,208.00
36 Inch Flared End	\$4,208.00
42 Inch (Class III) per foot	\$254.05
42 Inch (Class IV) per foot	\$269.25
42 Inch End Section (each)	\$5,288.00
42 Inch Flared End	\$5,288.00
48 Inch (Class III) per foot	\$393.10
48 Inch (Class IV) per foot	\$414.60
48 Inch End Section (each)	\$6,128.00
48 Inch Flared End	\$6,128.00
54 Inch (Class III) per foot	\$457.95
54 Inch (Class IV) per foot	\$550.25
54 Inch End Section (each)	\$7,088.00
54 Inch Flared End	\$7,088.00

60 Inch (Class III) per foot	\$549.50
60 Inch (Class IV) per foot	\$638.15
60 Inch End Section (each)	\$8,168.00
60 Inch Flared End	\$8,168.00
66 Inch (Class III) per foot	\$627.55
66 Inch (Class IV) per foot	\$773.00
72 Inch (Class III) per foot	\$731.25
72 Inch (Class IV) per foot	\$901.00

Elliptical Concrete Pipe (Class III & IV)

<u>Description</u>	<u>Rate</u>
18 Inch (Class III) per foot (14 x 23)	\$178.05
18 Inch (Class IV) per foot	\$184.95
18 Inch Safety Slope Sec. (each)	\$3,488.00
18 Inch Flared End (each)	\$3,488.00
24 Inch (Class III) per foot (19 x 30)	\$218.75
24 Inch (Class IV) per foot	\$230.50
24 Inch Safety Slope Sec. (each)	\$3,968.00
24 Inch Flared End (each)	\$3,968.00
30 Inch (Class III) per foot (24 x 38)	\$257.45
30 Inch (Class IV) per foot	\$241.25
30 Inch Safety Slope Sec. (each)	\$5,828.00
30 Inch Flared End (each)	\$5,828.00
36 Inch (Class III) per foot (29 x 45)	\$316.60
36 Inch (Class IV) per foot	\$359.30
36 Inch Safety Slope Sec. (each)	\$5,888.00
36 Inch Flared End (each)	\$5,888.00
42 Inch (Class III) per foot (34 x 53)	\$393.00
42 Inch (Class IV) per foot	\$452.00
42 Inch Safety Slope Sec. (each)	\$7,208.00
42 Inch Flared End (each)	\$7,208.00
48 Inch (Class III) per foot (38 x 60)	\$503.45
48 Inch (Class IV) per foot	\$712.85
48 Inch Safety Slope Sec. (each)	\$9,008.00
48 Inch Flared End (each)	\$9,008.00
54 Inch (Class III) per foot (43 x 68)	\$629.35
54 Inch (Class IV) per foot	\$823.25
54 Inch Safety Slope Sec. (each)	\$12,248.00
54 Inch Flared End (each)	\$12,248.00
60 Inch (Class III) per foot (48 x 76)	\$788.55
60 Inch (Class IV) per foot	\$1167.00
60 Inch Safety Slope Sec. (each)	\$13,200.00
60 Inch Flared End (each)	\$13,200.00
66 Inch (Class III) per foot (53 x 83)	\$936.05
66 Inch (Class IV) per foot	\$1,322.00
72 Inch (Class III) per foot (58 x 91)	\$1,157.00
72 Inch (Class IV) per foot	\$1,627.00

now, therefore, be it

RESOLVED, that the Commissioner of Public Works is authorized to contract for concrete pipe (Class III & IV) with Jamestown Macadam, Inc., as recommended by the Public Works Committee for the term May 1, 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 and to require suitable bond to guarantee delivery.

No State Bid.

Two sets of specifications were sent out.

One bid was received which met specifications.

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

Adopted March 22, 2023 by voice vote.

ACT NO. 145-2023 by Mr. Benson and Mr. Helmich

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

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

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

WHEREAS, two (2) acceptable bids were received for the provision of plastic and polyethylene corrugated drainage pipe, as follows:

ADVANCED DRAINAGE SYSTEMS, INC.

4640 Trueman Boulevard

Hilliard, Ohio 43026

Plastic & Polyethylene Corrugated Drainage Pipe Or Tubing

<u>Index No.</u>	<u>Diameter</u>	<u>Description</u>	<u>Rate</u>
CPDP4	4	Per foot	\$0.72
CPC4	4	/coupler	\$4.78
CPDP6	6	Per foot	\$1.85
CPC6	6	/coupler	\$9.54
CPDP8	8	Per foot	\$4.70
CPC8	8	/coupler	\$15.94
CPDP10	10	Per foot	\$10.60
CPC10	10	/coupler	\$19.10

CPDP12	12	Per foot	\$12.25
CPC12	12	/coupler	\$12.35
CPFE12	12	Flared End	\$284.00
CPDP15	15	Per foot	\$15.70
CPC15	15	/coupler	\$17.00
CPFE15	15	Flared End	\$284.00
CPDP18	18	Per foot	NB
CPC18	18	/coupler	\$27.25
CPFE18	18	Flared End	\$382.00
CPDP24	24	Per foot	NB
CPC24	24	/coupler	\$38.60
CPFE24	24	Flared End	\$490.00

Polyethylene Corrugated High Capacity Smooth Interior Pipe

CPDP12SI	12	Per foot	\$7.75
CPC12SI	12	/coupler	\$12.35
CPFE12SI	12	Flared End	\$284.00
CPDP15SI	15	Per foot	\$10.20
CPC15SI	15	/coupler	\$17.00
CPFE15SI	15	Flared End	\$284.00
CPDP18SI	18	Per foot	\$14.80
CPC18SI	18	/coupler	\$27.25
CPFE18SI	18	Flared End	\$382.00
CPDP24SI	24	Per foot	\$23.40
CPC24SI	24	/coupler	\$38.60
CPFE24SI	24	Flared End	\$490.00
CPDP30SI	30	Per foot	\$36.20
CPC30SI	30	/coupler	\$91.20
CPDP36SI	36	Per foot	\$47.10
CPC36SI	36	/coupler	\$126.00
CPDP42SI	42	Per foot	\$62.30
CPC42SI	42	/coupler	\$180.75
CPDP48SI	48	Per foot	\$77.80
CPC48SI	48	/coupler	\$210.90

Category II Integral Bell Joint

CPDPSL12	12	Per foot	\$7.90
CPSCP12	12	Split Coupler	\$12.35
CPDPSL15	15	Per foot	\$10.40
CPSCP15	15	Split Coupler	\$17.00
CPDPSL18	18	Per foot	\$15.40
CPSCP18	18	Split Coupler	\$27.25
CPDPSL24	24	Per foot	\$24.80
CPSCP24	24	Split Coupler	\$38.60
CPDPSL30	30	Per foot	\$37.00
CPSCP30	30	Split Coupler	\$91.20
CPDPSL36	36	Per foot	\$47.95
CPSCP36	36	Split Coupler	\$126.00
CPDPSL42	42	Per foot	\$63.75
CPSCP42	42	Split Coupler	\$180.75
CPDPSL48	48	Per foot	\$81.50
CPSCP48	48	Split Coupler	\$210.90

JAMESTOWN MACADAM, INC.**1801 Washington Street****Jamestown, New York 14701****Plastic & Polyethylene Corrugated Drainage Pipe Or Tubing**

<u>Index No.</u>	<u>Diameter</u>	<u>Description</u>	<u>Rate</u>
CPDP4	4	Per foot	\$0.64
CPC4	4	/coupler	\$1.75
CPDP6	6	Per foot	\$1.60
CPC6	6	/coupler	\$5.41
CPDP8	8	Per foot	\$2.90
CPC8	8	/coupler	\$8.27
CPDP12	12	Per foot	\$7.78
CPC12	12	/coupler	\$11.76
CPFE12	12	Flared End	\$179.00
CPDP15	15	Per foot	\$10.17
CPC15	15	/coupler	\$17.64
CPFE15	15	Flared End	\$179.00
CPDP18	18	Per foot	\$15.12
CPC18	18	/coupler	\$24.79
CPFE18	18	Flared End	\$233.00
CPDP24	24	Per foot	\$23.78
CPC24	24	/coupler	\$43.27
CPFE24	24	Flared End	\$299.00

Polyethylene Corrugated High Capacity Smooth Interior Pipe

CPDP12SI	12	Per foot	\$7.78
CPC12SI	12	/coupler	\$11.76
CPFE12SI	12	Flared End	\$179.00
CPDP15SI	15	Per foot	\$10.17
CPC15SI	15	/coupler	\$17.64
CPFE15SI	15	Flared End	\$179.00
CPDP18SI	18	Per foot	\$15.12
CPC18SI	18	/coupler	\$24.79
CPFE18SI	18	Flared End	\$233.00
CPDP24SI	24	Per foot	\$23.78
CPC24SI	24	/coupler	\$43.27
CPFE24SI	24	Flared End	\$299.00
CPDP30SI	30	Per foot	\$36.67
CPC30SI	30	/coupler	\$76.80
CPFE30SI	30	Flared End	\$926.00
CPDP36SI	36	Per foot	\$47.13
CPC36SI	36	/coupler	\$238.00
CPFE36SI	36	Flared End	\$926.00
CPDP42SI	42	Per foot	\$64.23
CPDP48SI	48	Per foot	\$80.86

Category II Integral Bell Joint

CPDPSL12	12	Per foot	\$7.78
CPSCP12	12	Split Coupler	\$11.76
CPBCP12	12	Bell Coupler	\$44.00
CPDPSL15	15	Per foot	\$10.17
CPSCP15	15	Split Coupler	\$17.64
CPBCP15	15	Bell Coupler	\$55.00
CPDPSL18	18	Per foot	\$15.12

CPSCP18	18	Split Coupler	\$24.79
CPBCP18	18	Bell Coupler	\$68.00
CPDPSL24	24	Per foot	\$23.78
CPSCP24	24	Split Coupler	\$43.27
CPBCP24	24	Bell Coupler	\$154.00
CPDPSL30	30	Per foot	\$36.67
CPSCP30	30	Split Coupler	\$76.80
CPBCP30	30	Bell Coupler	\$169.00
CPDPSL36	36	Per foot	\$47.13
CPBCP36	36	Bell Coupler	\$238.00
CPDPSL42	42	Per foot	\$64.23
CPDPSL48	48	Per foot	\$80.86

now, therefore, be it

RESOLVED, that the Commissioner of Public Works is authorized to contract for plastic and polyethylene corrugated drainage pipe with Advanced Drainage Systems, Inc., as recommended by the Public Works Committee for the term May 1, 2023 through April 30, 2024, and be it further

RESOLVED, that the Commissioner of Public Works is authorized to contract for plastic and polyethylene corrugated drainage pipe with Jamestown Macadam, Inc., as 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 and to require suitable bond to guarantee delivery.

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

Six sets of specifications were sent out.

Two bids were received which met specifications.

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

Adopted March 22, 2023 by voice vote.

ACT NO. 146-2023 by Mr. Benson and Mr. Helmich

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

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

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

WHEREAS, two (2) acceptable bids were received for the provision of steel corrugated pipe and pipe arches, as follows:

CHEMUNG SUPPLY CORP., INC.

P.O. Box 527

Elmira, New York 13901

Round Corrugated Steel Pipe And Pipe Arches

Perforated Plain Galvanized, Corrugated Steel Pipe Underdrain

<u>Index No.</u>	<u>Diameter</u>	<u>Description</u>	<u>Rate</u>
CMDP6	6	(18 ga.) per linear foot	\$14.51
CMDP8	8	(16 ga.) per linear foot	\$15.11

Plain Galvanized Helically Corrugated Pipe with Rerolled Ends

CMDP15	15	(16 ga.) per linear foot	\$24.00
CMC1512	15	12" connect. band	\$22.81
CMC1524	15	24" connect. band	\$22.81
CMFE15	15	Flared End	\$176.55

Round Corrugated Steel Pipe & Pipe Arches Class II

CMDP21	21	(16 ga.) per linear foot	\$35.51
CMC2112	21	12" connect. band	\$33.71
CMC2124	21	24" connect. band	\$66.41
CMFE21	21	Flared End	\$291.99
CMDP24	24	(14 ga.) per linear foot	\$48.47
CMC2412	24	12" connect. band	\$37.25
CMC2424	24	24" connect. band	\$74.50
CMFE24	24	Flared End	\$324.69
CMDP30	30	(14 ga.) per linear foot	\$62.72
CMC3012	30	12" connect. band	\$59.58
CMC3024	30	24" connect. band	\$109.16
CMFE30	30	Flared End	\$618.39
CMDP36	36	(12 ga.) per linear foot	\$79.60
CMC3612	36	12" connect. band	\$75.62
CMC3624	36	24" connect. band	\$151.24
CMFE36	36	Flared End	\$823.69
CMDP42	42	(12 ga.) per linear foot	\$121.70
CMC4212	42	12" connect. band	\$131.53
CMC4224	42	24" connect. band	\$263.06
CMFE42	42	Flared End	\$1,413.50
CMDP48	48	(12 ga.) per linear foot	\$136.50
CMC4812	48	12" connect. band	\$147.07
CMC4824	48	24" connect. band	\$194.14
CMFE48	48	Flared End	\$1,719.88
CMDP60	60	(10 ga.) per linear foot	\$255.55
MC6012	60	12" connect. band	\$300.79
CMC6024	60	24" connect. band	\$301.58
CMFE60	60	Flared End	\$2,944.63
CMDP72	72	(10 ga.) per linear foot	\$292.55

CMC7212	72	12" connect. band	\$469.87
CMC7224	72	24" connect. band	\$839.74
CMFE72	72	Flared End	\$4,150.27
CMDP84	84	(8 ga.) per linear foot	\$324.11
CMC8412	84	12" connect. band	\$528.15
CMC8424	84	24" connect. band	\$1,056.30
CMFE84	84	Flared End	\$4,801.53

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

CMDP3524	35" x 24"	Per linear foot	\$54.93
CMSC3524		24" connect. band	\$166.57
CMDP4229	42" x 29"	Per linear foot	\$72.77
CMSC4229		24" connect. band	\$182.00
CMDP4933	49" x 33"	Per linear foot	\$103.56
CMSC4933		24" connect. band	\$219.92
CMDP5738	57" x 38"	Per linear foot	\$115.26
CMSC5738		24" connect. band	\$288.17
CMDP6443	64" x 43"	Per linear foot	\$174.85
CMSC6443		24" connect. band	\$437.12
CMDP7147	71" x 47"	Per linear foot	\$233.35
CMSC7147		24" connect. band	\$476.03
CMDP7752	77" x 52"	Per linear foot	\$285.35
CMSC7752		24" connect. band	\$599.11
CMDP8357	83" x 57"	Per linear foot	\$338.00
CMSC8357		24" connect. band	\$834.92

JAMESTOWN MACADAM, INC.

1801 Washington Street

Jamestown, New York 14701

Round Corrugated Steel Pipe And Pipe Arches

Plain Galvanized Helically Corrugated Pipe with Rerolled Ends

<u>Index No.</u>	<u>Diameter</u>	<u>Description</u>	<u>Rate</u>
CMDP10	10	(16 ga.) per linear foot	\$15.65
CMC1012	10	12" connect. band	\$15.65
CMFE10	10	Flared End	\$162.00
CMDP12	12	(16 ga.) per linear foot	\$19.37
CMC1212	12	12" connect. band	\$29.05
CMC1224	12	24" connect. band	\$38.74
CMFE12	12	Flared End	\$115.00
CMDP18	18	(16 ga.) per linear foot	\$28.04
CMC1812	18	12" connect. band	\$43.42
CMC1824	18	24" connect. band	\$57.89
CMFE18	18	Flared End	\$185.00

now, therefore, be it

RESOLVED, that the Commissioner of Public Works is authorized to contract for steel corrugated pipe and pipe arches with Chemung Supply Corp., as recommended by the Public Works Committee for the term May 1, 2023 through April 30, 2024, and be it further

RESOLVED, that the Commissioner of Public Works is authorized to contract for steel corrugated pipe and pipe arches with Jamestown Macadam, Inc., as 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 and to require suitable bond to guarantee delivery.

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

Four sets of specifications were sent out.

Two bids were received which met specifications.

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

Adopted March 22, 2023 by voice vote.

ACT NO. 147-2023 by Mr. Benson and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE NO-COST TIME EXTENSION WITH
NYSDOT FOR THE STATE-AID PROJECT ADMINISTERED BY THE NYSDOT
(County Road No. 5 / Little Valley Creek Culvert Replacement)**

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

WHEREAS, Act 117-2019 authorized a contract with New York State Department of Transportation (NYSDOT) and participation in the State-Aid Project for the replacement of County Road No. 5/Little Valley Creek culvert replacements, in the Town of New Albion, Cattaraugus County, PIN 5763.01, Comptroller's Contract #D036250 (the "Project"), the term of which expired December 31, 2022, and

WHEREAS, a no-cost time extension to December 31, 2024, has been requested in order 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 no-cost time extension with the NYSDOT, on behalf of Cattaraugus County, in order to extend the term of the contract dated February 11, 2019 to December 31, 2024, according to the above-described terms.

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

Adopted March 22, 2023 by voice vote.

ACT NO. 148-2023 by Mr. Benson and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE FINAL SUPPLEMENTAL WATERSHED
WORK PLAN NO. 5 AND ENVIRONMENTAL EVALUATION WITH
UNITED STATES DEPARTMENT OF AGRICULTURE
NATURAL RESOURCES CONSERVATION SERVICE FOR
CONEWANGO CREEK WATERSHED FLOOD CONTROL SITE 13 DAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 416-2014, as amended by Acts 354-2016 and 457-2017, authorized a contract with the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), for a Supplemental Watershed Work Plan and Environmental Assessment for dams originally constructed with assistance from USDA Watershed programs, and

WHEREAS, it is necessary to approve and accept the Final Supplemental Watershed Work Plan No. 5 and Environmental Evaluation for the Conewango Creek Watershed Flood Control Site 13 Dam (NY-2164), and

WHEREAS, this project is funded through 65% federal and 35% County funds, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a Final Supplemental Watershed Work Plan No. 5 and Environmental Evaluation for the Conewango Creek Watershed Flood Control Site 13 Dam, on behalf of Cattaraugus County, with the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), 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 Finance Committee and 7 members of Public Works Committee.

Adopted March 22, 2023 by voice vote.

ACT NO. 149-2023 by Mr. Boberg and Mr. Klancer

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

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

WHEREAS, Act 515-2021 authorized the Chair to execute a contract with the Cattaraugus County Agricultural Society, Inc., P.O. Box 182, Little Valley, New York 14755, for the provision of security

services at various events at the County Fairgrounds, including the annual Cattaraugus County Fair, and the rental of space, the term of which expired December 31, 2022, and

WHEREAS, it is proposed that the Cattaraugus County Sheriff provide security services at the Cattaraugus County Fairgrounds during the 2023 year, and

WHEREAS, the Agricultural Society will reimburse the County on an hourly basis for the provision of these services, except for the first \$500.00 in services to be provided by the Sheriff's Office in 2023, in accordance with the following: Hourly rates to be reimbursed will range from \$19.75/hr. to \$52.79/hr., plus shift differential (if any), plus the fringe benefits associated with the deputy providing the services, for three (3) to five (5) deputies per afternoon/night as requested by the Agricultural Society, and

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

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

and

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

RESOLVED, the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Cattaraugus County Agricultural Society, Inc., for the above-described security services and space rental, for a term commencing January 1, 2023 and terminating December 31, 2023, according to the above-described terms.

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

Adopted March 22, 2023 by voice vote.

ACT NO. 150-2023 by Mr. Boberg and Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE RECIPROCAL CONTRACT WITH
CHAUTAUQUA COUNTY FOR HOUSING OF COUNTY INMATES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 318-2020 authorized a contract with Chautauqua County for the housing of some of Cattaraugus County inmates at the Chautauqua County Jail, the term of which expires May 31, 2023, and

WHEREAS, Cattaraugus and Chautauqua Counties are desirous of continuing the reciprocal agreement for the housing of county inmates, and

WHEREAS, Chautauqua County, contingent upon available space, shall accept inmates from Cattaraugus County, for an amount of \$90.00 per day per inmate, and

WHEREAS, Cattaraugus County, contingent upon available space, shall accept inmates from Chautauqua County, for an amount of \$90.00 per day per inmate, and

WHEREAS, medical services for such inmates will be paid for by the respective "home-county" Sheriff's Office, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Chautauqua County, for the housing of inmates at the Chautauqua County Jail, for a three (3) year term commencing June 1, 2023 and terminating May 31, 2026, according to the above-described terms.

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

Adopted March 22, 2023 by voice vote.

ACT NO. 151-2023 by Mrs. Andreano and Mr. Helmich

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

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

WHEREAS, Act 137-2022 authorized a contract with Total Senior Care, Inc., 519 North Union Street, Olean, New York 14760, for the provision of social adult day care services through the Daybreak Program, the term of which expires March 31, 2023, and

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

WHEREAS, Total Senior Care, Inc., shall provide social adult day care services through the Daybreak Program for an amount of \$60/full day and \$40/half day, for a total contract amount not to exceed \$5,000.00, to be paid monthly, as invoiced and approved by the Department of Aging, and

WHEREAS, this program is 20% federal (CFDA #93.052), 68% state and 12% county funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Total Senior Care, Inc., for the provision of social adult day care services, for a term commencing April 1, 2023 and terminating March 31, 2024, 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 March 22, 2023 by voice vote.

ACT NO. 152-2023 by Mrs. Andreano and Mr. Helmich

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

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

WHEREAS, Act 139-2022 authorized a contract with Cattaraugus Rehabilitation Center, Inc., d/b/a Intandem, Inc., 1439 Buffalo Street, Olean, New York 14760, for the management, operation and control of the Linwood Center, the term of which expires March 31, 2023, and

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

WHEREAS, Cattaraugus Rehabilitation Center, Inc., d/b/a Intandem, Inc., shall provide for the provision of social adult day services at the Linwood Center Adult Day Services Program for a daily amount of \$100.00, not to exceed a total amount of \$15,000.00, to be paid monthly as invoiced and approved by the Department of Aging, and

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

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Cattaraugus Rehabilitation Center, Inc., d/b/a Intandem, Inc., for the provision of social adult day services at the Linwood Center, for a term commencing April 1, 2023 and terminating March 31, 2024, 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 March 22, 2023 by voice vote.

ACT NO. 153-2023 by Mrs. Andreano and Mr. Helmich

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

Pursuant to Section 450 of the County Law.

WHEREAS, Act 140-2022 authorized a contract with Cattaraugus Rehabilitation Center, Inc., d/b/a Intandem, Inc., 1439 Buffalo Street, Olean, New York 14760, for the provision of meals for the participants of the Linwood Social Adult Day Program who are participating in the County's congregate nutrition day program, the term of which expires March 31, 2023, and

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

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

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

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

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

- Congregate Meal for Lunch \$8.00 per meal, with current Child and Adult Care Food Program reimbursement rates
 - Congregate Meal \$8.00 per meal for a guest,
- now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Cattaraugus Rehabilitation Center, Inc., d/b/a Intandem, Inc., for the provision of the above-described meals, for a term commencing April 1, 2023 and terminating March 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 March 22, 2023 by voice vote.

ACT NO. 154-2023 by Mrs. Andreano and Mr. Helmich

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

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

WHEREAS, Act 142-2022 authorized a contract with Healthy Community Alliance, Inc., One School Street, Suite 100, Gowanda, New York 14070, for the provision of information, counseling and workshops to Cattaraugus County residents in order to help them better understand health insurance and long term care services, the term of which expires March 31, 2023, and

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

WHEREAS, Healthy Community Alliance, Inc., can provide staff persons to the Department of Aging who will provide information, counseling and workshops to Cattaraugus County residents in order to help them better understand health insurance, Medicare benefits, EPIC and other long-term care services, for an amount of \$86,367.00 for staffing, training and travel-related expenses, to be paid on a quarterly basis, as invoiced, and

WHEREAS, this program is 73% federal (CFDA# 93.779 & 93.071), 2% local and 25% county funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Healthy Community Alliance, Inc., for the provision of the above-described services, for a term commencing April 1, 2023 and terminating March 31, 2024, 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 March 22, 2023 by voice vote.

ACT NO. 155-2023 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
TRUSTED CHOICE HOMECARE FOR
CONSUMER DIRECTED HOMECARE SERVICES**

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

WHEREAS, Act 248-2022 authorized a contract with Trusted Choice Homecare, 500 Seneca Street, Suite 501, Buffalo, New York 14204, for the provision of consumer directed homecare services for in-home Personal Care I and Personal Care II services to residents of Cattaraugus County, the term of which expires March 31, 2023, and

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

WHEREAS, Trusted Choice Homecare has agreed to provide consumer directed homecare services for in-home Personal Care I and Personal Care II services to residents of Cattaraugus County for an amount of \$26.50 per hour, \$18.00 per hour of which goes directly to the Personal Care Aide, and

WHEREAS, this program is 90% federally (CFDA #93.044 and #93.052) and 10% state 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 Trusted Choice Homecare, for the provision of the above-described services, for a term commencing April 1, 2023 and terminating March 31, 2024, 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 March 22, 2023 by voice vote.

ACT NO. 156-2023 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
KENNETH W. DAHLGREN, JR. FOR HEALTH DEPARTMENT
CLEAN INDOOR AIR ACT COMPLIANCE CHECKS**

Pursuant to Article 13-F of the Public Health Law,
Section 1399-hh(3) of the Public Health Law and
Section 450 of the County Law.

WHEREAS, Act 100-2022 authorized a contract with Kenneth W. Dahlgren, Jr., 291 Wiltsie Road, Frewsburg, New York 14738, for the provision of Clean Indoor Air Act compliance checks on bars and restaurants within Cattaraugus County, the term of which expires March 31, 2023, and

WHEREAS, the County Health Department is desirous of continuing the aforementioned services for bars only, unless a complaint is received on a facility that is not a bar, and

WHEREAS, Kenneth W. Dahlgren, Jr., has agreed to perform the aforementioned compliance checks on bars, at sites to be determined by the Cattaraugus County Board of Health, for an amount of \$55.00 per site, not to exceed \$6,250.00, to be paid as invoiced and approved by the Health Department, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Kenneth W. Dahlgren, Jr., for the provision of the above-described services, for a term commencing April 1, 2023 and terminating March 31, 2024, 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 March 22, 2023 by voice vote.

ACT NO. 157-2023 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
FAVORITE HEALTHCARE STAFFING, INC. FOR
HEALTHCARE COVERAGE FOR DEPARTMENT OF NURSING HOMES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 221-2020 authorized a contract with Favorite Healthcare Staffing, Inc., 7255 West 98th Terrace, Building 5, Suite 150, Overland Park, Kansas 66212, for the provision of certified occupational therapy assistant (COTA) coverage, registered nurse (RN) and licensed practical nurse (LPN) coverage, and certified nurse aide (CNA) coverage for the residents of The Pines Healthcare and Rehabilitation Centers-Olean and Machias Campuses, and

WHEREAS, Favorite Healthcare Staffing, Inc., has requested an increase in the rates for its RN Charge/Supervisor effective March 4, 2023, with the other rates remaining what they currently are, as follows:

Classification	Weekday			Weekend		
	Day	Evening	Night	Day	Evening	Night
RN Charge/Supervisor	\$75.00	\$75.00	\$75.00	\$75.00	\$75.00	\$75.00

and

WHEREAS, an amended contract is necessary to reflect the revised rate for the RN Charge Nurse/Supervisor, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Favorite Healthcare Staffing, Inc., for the provision of the above-described services, for a term commencing March 4, 2023 to continue in full force and effect at the same rates until amended or terminated by either party, according to the above-described terms.

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

Adopted March 22, 2023 by voice vote.

ACT NO. 158-2023 by Ms. Schröder

**APPROVING MEMBERSHIP IN PROFESSIONAL ORGANIZATION
(County Attorney and Human Resources)**

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

WHEREAS, it is beneficial for various County Departments to be members of the following organization:

Organization of Public Employer Negotiators (O.P.E.N.)	\$75.00/year per member, plus an amount not to exceed \$40.00 per event for up to six educational events per year,
--	--

and

WHEREAS, membership in this organization is beneficial to the County and serves a public purpose by providing access to up-to-date information in collective bargaining, issues in contract administration and best practices for human resources in the public sector; it also serves as a networking and information sharing group, now, therefore, be it

RESOLVED, that Cattaraugus County authorizes membership in the Organization of Public Employer Negotiators (O.P.E.N.).

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

Adopted March 22, 2023 by voice vote.

ACT NO. 159-2023 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR
HEALTH DEPARTMENT SPECIAL SUPPLEMENTAL NUTRITION FOR WIC PROGRAM
(Contract #DOH01-C38273GG-3450000)**

Pursuant to 42 USCS Section 1786 and Section 450 of the County Law.

WHEREAS, the County Health Department has been selected for a five (5) year grant award in the estimated amount of \$3,357,500.00 for the contract period October 1, 2023 through September 30, 2028, for the Special Supplemental Nutrition for Women, Infants and Children (WIC) Program, and

WHEREAS, the County Health Department has been awarded first year funding for the period October 1, 2023 through September 30, 2024 in the amount of \$671,500.00, and

WHEREAS, a contract is necessary in order to receive this funding from the New York State Department of Health, and

WHEREAS, this program is 100% federally funded (CFDA #C38273GG), now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract on behalf of Cattaraugus County, with the New York State Department of Health, in order to accept, and receive, the Special Supplemental Nutrition for Women, Infants and Children (WIC) Program funding for a term commencing October 1, 2023 and terminating September 30, 2024, 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 March 22, 2023 by voice vote.

* * * * *

MR. BRISKY moved, seconded by Mr. Burr, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 160-2023 through Act No. 169-2023. Carried.

* * * * *

ACT NO. 160-2023 by Mr. Benson and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE UTILITY EASEMENT WITH
NIAGARA MOHAWK POWER CORPORATION FOR CONSTRUCTION OF
ELECTRIC LINES AND FACILITIES IN THE TOWN OF MACHIAS**

Pursuant to Sections 219 and 450 of the County Law.

WHEREAS, Niagara Mohawk Power Corporation, 300 Erie Boulevard West, Syracuse, New York 13202, has requested permission to construct a new portion of the electric line and facilities in the Town of Machias at or near property identified as the Machias-Maplehurst #802 line, which is located on Tax Map No. 31.003-1-6, and

WHEREAS, a right-of-way easement, involving approximately 0.44 acres, is necessary to allow Niagara Mohawk to remove, relocate, replace or reconstruct utility facilities across County-owned property, and

WHEREAS, Niagara Mohawk has requested an easement agreement describing the rights and responsibilities of the County and Niagara Mohawk with regard to the aforementioned property access, and

WHEREAS, Niagara Mohawk shall pay to the County the amount of \$1,892.00 for the aforementioned operational utility easement, and

WHEREAS, the County has agreed to allow the above-described easement at no cost to the County, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a utility easement, on behalf of Cattaraugus County, with Niagara Mohawk Power Corporation, for the removal, relocation, replacement or reconstruction of utility facilities in the Town of Machias at or near property identified as the Machias-Maplehurst #802 line, which is located on Tax Map No. 31.003-1-6, for a term commencing March 20, 2023 to continue in full force and effect until terminated by either party hereto, according to the above-described terms.

Adopted March 22, 2023 by voice vote.

ACT NO. 161-2023 by Mr. Benson and Mr. Burr
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CITIZENS ADVOCATING MEMORIAL PRESERVATION, INC.
TO ASSIST WITH HISTORIC DESIGNATION AND TRANSFER OF FUNDS
(Contingent Fund - CAMP)**

Pursuant to Sections 153, 363 and 365 of the County Law.

WHEREAS, Citizens Advocating Memorial Preservation, Inc. (CAMP) was formed for the purpose of preserving the Cattaraugus County Memorial and Historical Building located on Court Street in the Village of Little Valley, and

WHEREAS, the Memorial and Historical Building has tremendous historical significance as Cattaraugus County's most prominent and significant Civil War Memorial, and

WHEREAS, CAMP is seeking assistance from the County to assist with its application to be listed in the National Register of Historic Places, and

WHEREAS, significant grant funds are necessary from New York State Historic Preservation Department, and such funds would make possible placing the property on the historic list, and

WHEREAS, it is important that the County assist CAMP in obtaining this historic designation by contributing an amount of \$10,000.00 to offset expenses associated with the aforementioned application, and

WHEREAS, a transfer of funds is necessary to cover the cost of assistance with the historic designation, 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 Citizens Advocating Memorial Preservation, Inc., to assist with the costs associated in obtaining a historic designation, 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:

Decrease Appropriation Account:

A.901.1990.0000.40601	Contingent Fund	\$10,000.00
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Increase Appropriation Account:

A.298.7520.0000.42062	CAMP	\$10,000.00.
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MR. BRISKY and MR. BURR requested a Roll Call vote on Act No. 161-2023, which disclosed as follows:

Ayes: Andreano, Benson, Boberg, Brisky, Burr, Helmich, Higgins, Hunt, Klancer, Koch, Parker, Schröder, Smith, VanRensselaer -14.

Nays: Marsh, Morrow, Snyder - 3.

Act No. 161-2023, having received a majority vote of the Legislature, was declared Adopted.

ACT NO. 162-2023 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
DEAF ACCESS SERVICES, INC. FOR INTERPRETER SERVICES
(County-Wide)**

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

WHEREAS, Act 54-2018 authorized a contract with Deaf Access Services, Inc., Tri-Main Center, 2495 Main Street, #446, Buffalo, New York 14214, for the provision of interpreter services for deaf

clients, the term of which expired December 31, 2018, with automatic one-year renewals at the same rates, terms and conditions, and

WHEREAS, Deaf Access Services, Inc., has revised its rate schedule effective January 4, 2023, as follows:

<u>Standard Rate:</u>	applies when more than 24 hours' notice is given and service is provided
	Monday - Friday between the hours of 8am – 6pm
\$142.00	Minimum charge covering up to two hours of service
\$ 35.50	Additional time billed in ½ hour increments
<u>Premium Rate:</u>	applies when less than 24 hours' notice is provided for request. Also applies to pre-arranged requests made for services between 6pm - 8am, Monday - Friday plus all day Saturday, Sunday and holidays
\$170.00	Minimum charge covering up to two hours of service
\$ 42.50	Additional time billed in ½ hour increments
<u>Emergency Rate:</u>	for urgent appointments or for Emergency Room and First Responder requests during regular business hours and to requests received after normal business hours
\$198.00	Minimum charge covering up to two hours of service
\$ 49.50	Additional time billed in ½ hour increments
<u>Legal Rate:</u>	applies to court appearances and on-the-record proceedings, including bankruptcy and legal consultations
\$160.00	Minimum charge covering up to two hours of service
\$ 40.00	Additional time billed in ½ hour increments
<u>Video Remote Interpreting Services</u>	
<u>Standard Rate:</u>	
\$ 2.49	Per minute – Video Remote services are billed by the minute, with a 10-minute minimum
<u>Mileage:</u>	If travel time is necessary, it will be billed by the hour and will not exceed \$50/hour,
and	

WHEREAS, the County is in need of interpreting services, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Deaf Access Services, Inc., for the provision of the above-described interpreter services, to be effective January 4, 2023 and terminate December 31, 2024, according to the above-described terms.

Adopted March 22, 2023 by voice vote.

ACT NO. 163-2023 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
WESTERN NEW YORK INTEGRATED CARE COLLABORATIVE, INC.
FOR POST-ACUTE DISCHARGE MEAL DELIVERY PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 557-2021 authorized a contract with the Western New York Integrated Care Collaborative, Inc. (WNYICC), 742 Delaware Avenue, Buffalo, New York 14209, for the provision of in-home, post-acute discharge meal delivery services, the term of which expired December 31, 2022, with the option to renew for additional one year periods under the same rates, terms and conditions, and

WHEREAS, an amendment to the aforementioned contract is needed to accommodate a new rate schedule, and

WHEREAS, the County Department of Aging (DOA) is desirous of continuing the aforementioned program and can provide the aforementioned meal preparation and delivery services for an amount in accordance with the following schedule:

<u>Standard Meals:</u>	<u>Per Day</u>
"Standard": Fresh in-home meal delivery includes face-to-face delivery for 14 calendar days. Includes pre-meal intake and coordination; delivery of (2) fresh meals and all required reports	\$24.75
"Alternate Standard": Alternate meals may be frozen, blast chilled, or shelf-stable. Meals delivered either 1 time or up to 6 times within 14 days. Includes pre-meal intake and coordination; delivery of (2) alternate meals and all required reports	\$19.75
<u>Modified Meals:</u>	<u>Per Day</u>
In the event special dietary needs are identified by the member during the intake assessment, Participating Meal Vendor will attempt to accommodate special dietary needs whenever practical. Examples of modified meals to accommodate special dietary needs include but are not limited to: diabetes-friendly, gluten-free, vegetarian, pureed. The payment schedule for the Modified Meal is:	
"Standard Modified": Fresh in-home meal delivery includes face-to-face delivery for 14 calendar days. Includes pre-meal intake and coordination; delivery of (2) modified meals and all required reports	\$25.25
"Alternate Modified": Alternate meals may be frozen, blast chilled, or shelf-stable. Meals may be delivered either 1 time or up to 6 times within 14 days. Includes pre-meal intake and coordination; delivery of (2) alternate modified meals per day and all required reports,	\$20.75

and

WHEREAS, Western New York Integrated Care Collaborative, Inc., shall reimburse the County Department of Aging an amount in accordance with the above schedule, for the provision of meal preparation and delivery services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with the Western New York Integrated Care Collaborative, Inc. (WNYICC), for the provision of the above-described meal delivery program, for a term commencing January 1, 2023 and terminating December 31, 2023, with the County's option to renew for additional one (1) year periods under the same rates, terms and conditions, according to the above-described terms.

Adopted March 22, 2023 by voice vote.

ACT NO. 164-2023 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
ALFA WASSERMANN DIAGNOSTIC TECHNOLOGIES, LLC FOR
HEALTH DEPARTMENT LABORATORY EQUIPMENT SERVICE AGREEMENT**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 203-2020 authorized a contract with Alfa Wassermann Diagnostic Technologies, LLC, 4 Henderson Drive, West Caldwell, New Jersey 07006, for the provision of a service plan for the Health Department's ALERA W/ISE laboratory equipment, the term of which expires May 31, 2023, and

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

WHEREAS, the firm of Alfa Wassermann Diagnostic Technologies, LLC, can provide a three (3) year service plan for an amount of \$6,300.00 per year, for a total amount of \$18,900.00, 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 Alfa Wassermann Diagnostic Technologies, LLC, for the provision of the above-described service agreement, for a term commencing June 1, 2023 and terminating May 31, 2026, according to the above-described terms.

Adopted March 22, 2023 by voice vote.

ACT NO. 165-2023 by Mrs. Hunt
and Mr. Koch and Mr. Marsh¹
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SALAMANCA RAIL MUSEUM AND
TRANSFER OF FUNDS
(Contingent Fund – Salamanca Rail Museum)**

Pursuant to Sections 224 (12), 363, 365 and 450 of the County Law.

WHEREAS, Act 12-2023 authorized a contract with the Salamanca Rail Museum to assist the Museum with the preservation of the history of railroads in the Southern Tier, and

WHEREAS, the Salamanca Rail Museum is in need of a security system to protect the property from vandalism, and

WHEREAS, the County is desirous of providing the Salamanca Rail Museum with \$10,000.00 to assist with the purchase, installation and maintenance of a security system for the Museum, and

WHEREAS, a transfer of funds is necessary to cover the cost of the aforementioned Museum security system, 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 Salamanca Rail Museum, to assist with the cost of a security system for the Museum, 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:

Decrease Appropriation Account:

A.901.1990.0000.40601	Contingent Fund	\$10,000.00
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Increase Appropriation Account:

A.298.7450.0000.42010	Salamanca Rail Museum	\$10,000.00.
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¹The following Legislators requested their names be listed as additional sponsors: “Mr. Koch and Mr. Marsh”.

Adopted March 22, 2023 by voice vote.

CHAIRMAN VANRENSELAER recognized Jaré Cardinal, Director of the Salamanca Rail Museum, who presented a painting of the Museum created by a local artist to the Legislature.

ACT NO. 166-2023 by Ms. Schröder
who asks immediate consideration

**CREATING ONE (1) FULL-TIME POSITION OF STAFF SOCIAL WORKER (PUBLIC DEFENDER)
AND ESTABLISHING COMPENSATION FOR THE SAME
(Public Defender’s Office)**

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

WHEREAS, Acts 369-2019 and 148-2022 authorized the acceptance and receipt of the Statewide Expansion of Hurrell-Harring Reform Grant for Counsel at Arraignment, Quality Improvement and Caseload Relief to be used to improve the quality of mandated representation to indigent persons within Cattaraugus County, and

WHEREAS, in order to comply with caseload standards established by New York State through this grant, it is necessary to create a new position within the Public Defender’s Office, and

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

WHEREAS, sufficient funds through the Hurrell-Harring Reform Grant are included in the Public Defender’s Office budget for this position, now, therefore, be it

RESOLVED, that effective March 22, 2023, there is hereby created one (1) position of Staff Social Worker (Public Defender) in the Public Defender’s Office to be filled on a full-time basis, General Bargaining Unit Salary Schedule, Pay Grade 30 (\$38.17 per hour), Position No. 117-339-003, and be it further

RESOLVED, that upon termination or reduction of funding through the Hurrell-Harring Reform Grant or Indigent Legal Defense Services for this position, this position will be abolished immediately.

Adopted March 22, 2023 by voice vote.

ACT NO. 167-2023 by Mr. Burr

*and Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky, Mr. Helmich,
Mr. Higgins, Mrs. Hunt, Mr. Klancer, Mr. Marsh, Mr. Morrow, Mr. Parker,
Ms. Schröder, Mr. Smith, Mr. Snyder, Mr. VanRensselaer and Mr. Koch¹*
who ask immediate consideration

**OPPOSING GOVERNOR HOCHUL'S NEW YORK HOUSING COMPACT PROPOSAL
AND STATE GOVERNMENT OVERRIDE OF LOCAL ZONING LAWS**

Pursuant to Section 153 of the County Law.

WHEREAS, Governor Hochul's FY2024 Executive Budget includes the "New York Housing Compact" which is an initiative to build 800,000 homes statewide over the next decade with an inclusion that will allow New York State to ignore local zoning authority in order to achieve the target housing growth, and

WHEREAS, this housing initiative amends General Municipal Law and overrides a local municipalities' land use regulation essentially gutting the home rule authority of local municipalities, and

WHEREAS, it further requires the local municipality to meet or exceed a Residential Dwelling Growth Target or enact by local law two of five "preferred actions" in order to be considered in "Safe Harbor" status, and

WHEREAS, all five "preferred actions" require extreme and substantial amendments to local zoning, including but not limited to, no restrictions on minimum lot size, height limits, setbacks, parking, and no environmental review, planning board review and aesthetic review, and

WHEREAS, appeals can be brought to a new State Housing Review Board usurping the Home Rule authority of local land use boards thereby eliminating local control and input from those whom better understand the community, and

WHEREAS, another collectivist attempt by the Governor in her proposal to limit local control is new zoning would be exempt from SEQRA, and

WHEREAS, the Governor's proposal would prohibit municipalities from adopting reasonable and appropriate development regulations to insure the development is compatible with the surrounding uses, such as lot coverage, open space, building height, setbacks, floor area ratios or parking restrictions, and

WHEREAS, Cattaraugus County residents have had a voice and participated in land use decisions for decades, including but not limited to updating of the County's Comprehensive Plan, participating in public hearings, and volunteering on local municipal boards and committees, and

WHEREAS, Cattaraugus County residents will be disenfranchised from their local elected officials and local volunteer Boards, and it will render all of the residents' input meaningless, and

WHEREAS, the issue of most importance in Cattaraugus County is not new housing but new affordable housing, and

WHEREAS, the Governor's initiative does not require that new units have to be affordable, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature vehemently requests that any further process or action on these proposals be suspended until a transparent, collaborative process can be conducted with the meaningful participation of all local elected officials that would be affected by proposed mandates, and be it further

RESOLVED, that the County of Cattaraugus adamantly opposes the Governor's

Housing Compact and urges the State Legislature to preserve and protect Municipal Home Rule and Local Zoning Powers, 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, and the Inter-County Association of Western New York.

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

Adopted March 22, 2023 by voice vote.

ACT NO. 168-2023 by Mr. Burr and Ms. Schröder
*and Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky, Mr. Helmich,
Mr. Higgins, Mrs. Hunt, Mr. Klancer, Mr. Marsh, Mr. Morrow,
Mr. Parker, Mr. Smith, Mr. Snyder, Mr. VanRensselaer and Mr. Koch¹*
who ask immediate consideration

**CONDEMNING THE STATE OF NEW YORK FOR THE BURDEN IT PLACES ON
COUNTIES THROUGH UNFUNDED MEDICAID MANDATES AND
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, this unprecedented shift in funding that will saddle local taxpayers with up to \$1 billion in new Medicaid costs by keeping Enhanced Federal Medical Assistance Program (eFMAP) funds that were intended to go directly to local governments to help hold costs down, 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% by SFY 2027, 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, despite the State capping the cost of Medicaid, New York State continues to rely on county taxpayers to balance its books, with local taxpayers on track to provide \$12 billion in revenue to fund State programs for this year alone, and

WHEREAS, the majority of that revenue goes toward funding New York State's Medicaid program, and

WHEREAS, in addition to Medicaid, 11 State programs and budget actions account for the \$12 billion which local taxpayers will contribute to the proposed SFY 2024 State budget, as follows:

County/NYC Local Taxpayer Contribution to SFY 24 Budget:

- Medicaid \$7,633,000,000
- Safety Net \$1,530,000,000
- Pre-K Special Education \$ 745,000,000
- Child Welfare \$ 550,000,000
- Early Intervention \$ 213,000,000
- PH Article 6 \$ 130,000,000
- Indigent Defense \$ 490,000,000

SFY 24 Costs from Prior Budget Actions:

- 18-b Attorney Raise \$ 150,000,000
- Safety Net 2023 Shift \$ 45,000,000
- Preschool 11% rate \$ 42,000,000
- Local DSS Admin Funding Elimination \$ 300,000,000
- Foster Care Rates \$ 200,000,000,

and

WHEREAS, State-mandated programs consume nearly 90% of county property tax receipts, and when the State shifts new or more costs to counties, that burden becomes even more challenging to the homeowners, renters and businesses who shoulder the local property tax burden, and

WHEREAS, these cost shifts have been used to provide relief to the State financial plan, but they have a direct and negative impact on local taxpayers and affordability in New York State, and

WHEREAS, the State continues to issue unfunded mandates for programs that the County has to pay for and in return, the County has no input into the State programs with no opt out, and

WHEREAS, any new costs imposed on local governments will come out of New Yorker's pockets in the form of higher property taxes, and

WHEREAS, at a time when New York is facing an affordability crisis, the last thing the Governor should do is burden local taxpayers with more costs that will drive up the cost of homeownership and rent, increase business expenses, and make New York even more unaffordable, and

WHEREAS, counties will have to cut programs and services to absorb this shift in funding, and

WHEREAS, the per capita income in Cattaraugus County is well below the New York State average, and yet the State continues to push regressive taxes on the hard-working citizens of Cattaraugus County through their Medicaid funding program, and

WHEREAS, the County continues to struggle to maintain its roads and bridges and this places additional pressure on County funding of those basic programs, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature condemns New York State for the burden it places on counties through unfunded Medicaid mandates, and be it further

RESOLVED, that the Cattaraugus County Legislature vehemently urges the State 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 the Cattaraugus County Legislature strongly urges New York State to fund its mandates and associated costs instead of forcing powerless counties to pay for its policy choices with the resources of local property taxpayers who do not agree with this, and be it further

RESOLVED, that a copy of this resolution be forwarded to each county in 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 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, 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, Mr. Higgins, Mrs. Hunt, Mr. Klancer, Mr. Marsh, Mr. Morrow, Mr. Parker, Mr. Smith, Mr. Snyder, Mr. VanRensselaer and Mr. Koch”.

Adopted March 22, 2023 by voice vote.

ACT NO. 169-2023 by Mrs. Hunt
*and Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky, Mr. Burr,
Mr. Helmich, Mr. Higgins, Mr. Klancer, Mr. Marsh, Mr. Morrow, Mr. Parker,
Ms. Schröder, Mr. Smith, Mr. Snyder, Mr. VanRensselaer and Mr. Koch¹*
who ask immediate consideration

**CONDEMNING THE NEW YORK STATE PAROLE BOARD FOR
ALLOWING THE RELEASE FROM PRISON OF EDWARD KINDT**

Pursuant to Section 153 of the County Law.

WHEREAS, Edward Kindt is scheduled to be released from prison on March 29, 2023, after pleading guilty, and serving 23 1/2 years, for the brutal murder of Salamanca resident Mrs. Penny Brown, RN/CNM, and

WHEREAS, Penny Brown was brutally raped and murdered on Mother's Day of 1999 while jogging on a trail in the City of Salamanca with her two dogs, and

WHEREAS, Edward Kindt took the innocent life of Penny Brown, a wife, mother of two, and a well-respected nurse-midwife, beloved by the community, and

WHEREAS, Kindt, who was sentenced to nine-years-to-life in prison, the-then maximum sentence available for a juvenile convicted as an adult of second-degree murder in New York State, has previously been denied parole eight times, and should remain in prison to serve his life sentence, and

WHEREAS, prior to the 2003 enactment of Penny's Law (named for Penny Brown), juveniles convicted as adults of second-degree murder in New York State faced a maximum sentence of only nine-years-to-life in prison, and

WHEREAS, now, with Penny's Law in place, those individuals now face a maximum sentence of fifteen-years-to-life, and

WHEREAS, Penny's Law provides a more just punishment for dangerous criminals who commit heinous, depraved acts of murder, and it protects our families and our communities by keeping those individuals in prison, and

WHEREAS, pursuant to Executive Law Section 259-i, the Parole Board shall consider the seriousness of the offense and recommendations of the sentencing court, and

WHEREAS, at sentencing, Edward Kindt was described by the Judge as a sexual predator and “a threat any time [he] is in society,” and

WHEREAS, at sentencing, the Judge further stated that he “hopes and prays” that Kindt is never released from prison, and that “if [Kindt] ever [is] released from prison, someone else will pay for that decision with their life,” and

WHEREAS, upon information and belief, Edward Kindt has engaged in a pattern of deplorable conduct and received multiple disciplinary infractions while incarcerated, including but not limited to making weapons, stalking, multiple instances of lewdness including exposing himself to a female, and repeatedly making and using drugs and alcohol, and

WHEREAS, Edward Kindt remains a sexual predator, a cold-blooded killer, and a threat to society, and

WHEREAS, we, as a society, must respond justly and appropriately to such heinous brutality, and

WHEREAS, given Kindt’s violent history, it is very likely another innocent person will lose his or her life by his hands upon his release from incarceration, and

WHEREAS, Kindt’s release is incompatible with the welfare of society, and

WHEREAS, justice, in this case, requires that Kindt spend the rest of his natural life in prison, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature vehemently condemns the New York State Parole Board for allowing Edward Kindt to be released from prison, and be it further

RESOLVED, that Cattaraugus County Legislature strongly urges the New York State Parole Board to revoke the release and remand Edward Kindt forthwith to New York State Prison to serve the remainder of his life sentence, 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, the New York State Parole Board, 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. Burr, Mr. Helmich, Mr. Higgins, Mr. Klancer, Mr. Marsh, Mr. Morrow, Mr. Parker, Ms. Schröder, Mr. Smith, Mr. Snyder, Mr. VanRensselaer and Mr. Koch”.

Adopted March 22, 2023 by voice vote.

* * * * *

MR. BRISKY moved, seconded by Mr. Burr, to adjourn until April 12, 2023 at 5:00 p.m. Carried.

Meeting adjourned at 5:45 p.m.

Ann M. Giglio
Journal Clerk