

July 26, 2023

The meeting was called to order by Chairman VanRensselaer.

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed two Legislators absent – Helmich and Klancer.

\* \* \* \* \*

There being no amendments or objections thereto, Chairman VanRensselaer noted that the minutes of the June 28, 2023 session stand approved as presented.

\* \* \* \* \*

**PRIVILEGE OF THE FLOOR:**

CHAIRMAN VANRENSEALER granted Privilege of the Floor to Legislator Marsh who introduced Kelly McDonald, the new Executive Director of Cornell Cooperative Extension. Jocelyn Sikorski, Interim Executive Director of Cornell Cooperative Extension, also in attendance, provided an update on the 2023 programs.

\* \* \* \* \*

**PROCLAMATION:**

CHAIRMAN VANRENSELAER proclaimed the week of July 16 – 23, 2023 as **Pretrial, Probation and Parole Week** in Cattaraugus County. The proclamation was presented to Michael Sharbaugh, Probation Director, and Tonya Kilby, Deputy Probation Director.

\* \* \* \* \*

**ACT NO. 324-2023** by Mr. Benson and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
MDA CONSULTING ENGINEERS, PLLC FOR  
ENGINEERING SERVICES FOR COUNTY ROAD NO. 32  
DRAINAGE IMPROVEMENTS & OVERLAY PROJECT**

Pursuant to the Section 450 of the County Law.

WHEREAS, the Department of Public Works is in need of engineering services for the drainage improvements and overlay project for County Road No. 32 (Depot Street) in the Town of Ashford, and

WHEREAS, engineering consultation services are necessary to design the aforementioned project, and

WHEREAS, MDA Consulting Engineers, PLLC, P.O. Box 604, Three Bristol Lane, Ellicottville, New York 14731, can provide the engineering consultant services necessary for the drainage

improvements and overlay project for County Road No. 32 (Depot Street), for an amount not to exceed \$29,000.00, which includes reimbursable costs, to be paid as invoiced, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned engineering consultant 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 MDA Consulting Engineers, PLLC, for the provision of the above-described engineering consultant services, for a term commencing July 10, 2023 and terminating December 30, 2024, according to the above-described terms.

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

Adopted July 26, 2023 by voice vote.

**ACT NO. 325-2023** by Mr. Benson and Mr. Helmich

**REJECTING CERTAIN DEPARTMENT OF BUILDINGS AND GROUNDS BIDS FOR  
GENERATOR INSPECTION, TESTING AND MAINTENANCE  
(Department of Buildings and Grounds)**

Pursuant to Section 103 of the General Municipal Law.

WHEREAS, the Department of Buildings and Grounds advertised for sealed bids for generator inspection, testing and maintenance for the Department of Buildings and Grounds, according to bid specifications and general information provided by the Public Works Committee, and

WHEREAS, only one (1) bid was received, which was opened on July 6, 2023, and it did not meet specifications, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby rejects the bid which was received for generator inspection, testing and maintenance for the Department of Buildings and Grounds, with the understanding that the services will be rebid.

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

Adopted July 26, 2023 by voice vote.

**ACT NO. 326-2023** by Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
SYSTEMS EAST, INC. FOR  
APPLICATION SOFTWARE AND SUPPORT SERVICES FOR  
REAL PROPERTY TAX MANAGEMENT**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 380-2022 authorized a contract with Systems East, Inc., 50 Clinton Avenue, Cortland, New York 13045, for the provision of application maintenance and support services for the Total Collection Solution (TCS.web), the term of which expires December 31, 2023, and

WHEREAS, the Treasurer's Office is desirous of continuing annual application maintenance and support services, and

WHEREAS, Systems East, Inc., can provide application maintenance and support services for an amount of \$2,031.00 per month for a total contract amount of \$24,372.00, for the period January 1, 2024 through December 31, 2024, 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 Systems East, Inc., for the provision of the above-described application maintenance and support services, contingent upon and subject to inclusion in the 2024 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2024 and terminating December 31, 2024, according to the above-described terms.

Approved by 7 members of the Finance Committee.

Adopted July 26, 2023 by voice vote.

**ACT NO. 327-2023** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
GLC ON-THE-GO, INC. FOR  
HEALTH CARE STAFFING COVERAGE FOR  
DEPARTMENT OF NURSING HOMES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 367-2021 authorized a contract with GLC On-the-Go, Inc., 1290 Weston Road, Suite 316, Weston, Florida 33326, for the provision of health care staffing coverage for licensed practical nurse (LPN) and registered nurse (RN) services, as well as certified nurse aides (CNA), for the residents of The Pines Healthcare and Rehabilitation Centers - Olean and Machias Campuses, and

WHEREAS, the aforementioned contract should be amended to include overtime pay and clarification for observed holidays and contract assignments, as follows:

- Contract assignments for each respective GLC On-the-Go staff are a minimum of 12 weeks (guaranteed) each;
- Each part of an hour beyond 40 hours in a single payroll week (Sunday through Saturday) will be billed at time and a half (1½) of the hourly rate (and be subject to adjustment for Holidays);
- The facilities are separate entities and overtime pay will be calculated by facility hours;
- The following days are billed at time and a half (1½) of the hourly rate:
  - New Year's Eve 3:00 pm through New Year's Day
  - Martin Luther King, Jr. Day
  - Easter Day
  - Memorial Day
  - Independence Day

- Labor Day
- Thanksgiving Day
- Christmas Eve 3:00 pm through Christmas Day,

and

WHEREAS, the aforementioned contract should also be amended to include that two (2) hours' notice of shift cancellation by the County is required for all shifts including PRN; if no notice is given, or if the contracted staff is cancelled after they have reported for shift, GLC On-the-Go, Inc. will bill the entire shift, 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 GLC On-the-Go, Inc., for the provision of the above-described health care services, to amend the contract dated September 24, 2021, to continue in full force and effect at the same rates until amended or terminated by either party hereto, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted July 26, 2023 by voice vote.

**ACT NO. 328-2023** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
MCCARTHY & CONLON, LLP FOR PREPARATION AND REVIEW OF SKILLED NURSING FACILITY  
MEDICARE COST REPORTS FOR DEPARTMENT OF NURSING HOMES**

Pursuant to Sections 210 and 450 of the County Law.

WHEREAS, Act 404-2021 authorized a contract with McCarthy & Conlon, LLP, 11 South Street, Suite 105, Glens Falls, New York 12801, for the preparation and review of Medicare cost reports for the Department of Nursing Homes for the period ending December 31, 2022, the term of which expires December 31, 2023, and

WHEREAS, the County is in need of the aforementioned services for the years ending 2023 and 2024, and

WHEREAS, McCarthy & Conlon, LLP, has agreed to provide the services necessary for the preparation and review of Skilled Nursing Facility Medicare cost reports for the years ending December 31, 2023 and 2024, for an amount of \$9,000.00 per year, for a total amount of \$18,000.00, to be paid as invoiced, and

WHEREAS, the aforementioned services must be conducted in order for the County to receive any State reimbursement, 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 McCarthy & Conlon, LLP, for the provision of the above-described services, for a term commencing August 1, 2023 and terminating December 31, 2025, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted July 26, 2023 by voice vote.

**ACT NO. 329-2023** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
NETSMART TECHNOLOGIES, INC. FOR HEALTH DEPARTMENT  
NETSMART HOMECARE APPLICATION AND  
SERVER MIGRATION SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 460-2022 authorized a contract with Netsmart Technologies, Inc., for the provision of homecare subscription services for its home health care clients, and

WHEREAS, in addition to the services already provided by Netsmart Technologies, Inc., a new instance of Netsmart Homecare needs to be installed onto new servers, and

WHEREAS, Netsmart Technologies, Inc., 11100 Nall Avenue, Overland Park, Kansas 66211, has agreed to provide consulting services and assistance in support of the project in an amount not to exceed \$8,000.00, to be paid as invoiced, 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 Netsmart Technologies, Inc. for the provision of the above-described services, for a term commencing July 5, 2023 and terminating December 31, 2023, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted July 26, 2023 by voice vote.

**ACT NO. 330-2023** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
NEW YORK STATE DEPARTMENT OF HEALTH  
FOR EARLY INTERVENTION RESPITE ALLOCATION**

Pursuant to 10 NYCRR Part 69 and Section 450 of the County Law.

WHEREAS, the 2023-2024 State Budget provides an allocation for respite services for families of eligible children in the Early Intervention Program, and

WHEREAS, the allocation for Cattaraugus County for the period April 1, 2023 through March 31, 2024, will be \$2,649.29, and

WHEREAS, a contract is necessary with the New York State Department of Health in order to accept, and receive, the aforementioned Early Intervention respite funding, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the New York State Department of Health, for the provision of the above-described Early Intervention respite funding, 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 5 members of the Human Services Committee.

Adopted July 26, 2023 by voice vote.

**ACT NO. 331-2023** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
HOMECARE AND HOSPICE FOR DRUG TESTING SERVICES  
THROUGH HEALTH DEPARTMENT LABORATORY**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 269-2021 authorized a contract with Homecare and Hospice, 1225 West State Street, Olean, New York 14760, for drug testing services for its employees, through the County Health Department with the County Health Department Laboratory performing the testing services, and

WHEREAS, the aforementioned contract needs to be revised to incorporate the increase in the County test service rate, and

WHEREAS, the County Health Department, through the County Health Department Laboratory, has agreed to provide 10 panel drug screen plus alcohol urinalysis testing services as requested by Homecare and Hospice for an amount of \$50.40 per test, and

WHEREAS, Homecare and Hospice shall pay to the County Health Department an amount of \$50.40 per test performed, 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 Homecare and Hospice, for the provision of the above-described drug testing services, for a term commencing July 10, 2023 to continue in full force and effect until terminated by either party hereto upon thirty (30) days written notice, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted July 26, 2023 by voice vote.

**ACT NO. 332-2023** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH CITY OF OLEAN FOR  
USE OF WAR VETERANS PARK FOR  
WORLD BREAST FEEDING EVENT WEEK PICNIC**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Health is desirous of hosting a picnic for WIC participants who support breastfeeding in our communities, and

WHEREAS, the City of Olean, 101 East State Street, Municipal Building, Olean, New York 14760, has agreed to allow the County Health Department to use a pavilion at War Veterans Park for the World Breast Feeding Event Week picnic for an amount of \$210.00, to be paid as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the City of Olean, for use of the above-described pavilion at War Veterans Park, for a term commencing August 1, 2023 and terminating August 1, 2023, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted July 26, 2023 by voice vote.

**ACT NO. 333-2023** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
HEATHER HALE, PLLC, LPC, RPT FOR  
MENTAL HEALTH THERAPIST PLAY THERAPY TRAINING**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Community Services is desirous of training a Mental Health Therapist in Play Therapy, and

WHEREAS, Heather Hale, PLLC, LPC, RPT, 206 High House Road, Suite 108, Cary, North Carolina 27513, can provide 29 training sessions at \$100.00 each, for an amount not to exceed \$2,900.00, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned training 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 Heather Hale, PLLC, LPC, RPT for the provision of the above-described training services, for a term commencing August 1, 2023 and terminating December 31, 2024, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted July 26, 2023 by voice vote.

**ACT NO. 334-2023** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
JAMESTOWN COMMUNITY COLLEGE FOR  
VARIOUS FIELD INSTRUCTION PROGRAMS**

Pursuant to Section 450 of the County Law.

WHEREAS, the County is desirous of contracting with Jamestown Community College to work collaboratively for the implementation of various field instruction programs for students pursuing an Associate's Degree, and

WHEREAS, Jamestown Community College (JCC), 260 North Union Street, Olean, New York 14760, has agreed to provide interns in various County departments where JCC students are pursuing an Associate's Degree, 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 contract on behalf of Cattaraugus County, with Jamestown Community College, for the provision of the above-described field instruction program, for a term commencing August 1, 2023 to continue in full force and effect until terminated by either party hereto, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted July 26, 2023 by voice vote.

**ACT NO. 335-2023** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATTARAUGUS-ALLEGANY WORKFORCE INVESTMENT BOARD, INC.  
FOR WIOA CAREER SERVICES**

Pursuant to P.L. 105-220, Workforce Investment Act of 1998,  
20 USC 9201 and Section 450 of the County Law.



WHEREAS, Act 391-2022 authorized a contract with the Cattaraugus-Allegany Workforce Investment Board, Inc., One Blue Bird Square, Lower Level, Olean, New York 14760, (CAWIB), for the operation of the WIOA One-Stop Career Services program, the term of which expired June 30, 2023, and

WHEREAS, the County Department of Social Services is desirous of continuing the One Stop Operator Career Services program, and

WHEREAS, the CAWIB will pay the County for the administration of the above-described program the sum of \$417,531.00 for the program year July 1, 2023 through June 30, 2024, to be paid on a monthly basis, as invoiced, and as follows:

Adult	\$186,066.00
Dislocated Worker	\$231,465.00,

and

WHEREAS, this program is 100% federally funded (CFDA #17.250), 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 Cattaraugus-Allegany Workforce Investment Board, Inc., for the provision of the above-described services, for a term commencing July 1, 2023 and terminating June 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 5 members of the Human Services Committee.

Adopted July 26, 2023 by voice vote.

**ACT NO. 336-2023** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATTARAUGUS-ALLEGANY WORKFORCE INVESTMENT BOARD, INC.  
FOR YEAR-ROUND YOUTH PROGRAMS (2023-2024)**

Pursuant to Workforce Innovation and Opportunity Act (Public Law 113-128)  
and Section 450 of the County Law.

WHEREAS, Act 392-2022 authorized a contract with the Cattaraugus-Allegany Workforce Investment Board, Inc. (CAWIB), for the provision of services necessary to operate year-round youth programs, the term of which expired June 30, 2023, and

WHEREAS, the County Department of Social Services is desirous of continuing the provision of services to youth and can make available all necessary qualified personnel, licenses, facilities and expertise to perform, or have performed, the services required, and

WHEREAS, the CAWIB will pay to the County an amount not to exceed \$235,778.00 for the provision of the above-described youth services for the period July 1, 2023 through June 30, 2024, and

WHEREAS, this program is 100% federally funded (CFDA# 17.250), 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 Cattaraugus-Allegany Workforce Investment Board, Inc., for the provision of the above-described services, for a term commencing July 1, 2023 and terminating June 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 5 members of the Human Services Committee.

Adopted July 26, 2023 by voice vote.

**ACT NO. 337-2023** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH LEVANT WESLEYAN CHURCH  
FOR FATHERS SUPPORT/PARENTING GROUP**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 388-2022 authorized a contract with the Levant Wesleyan Church for the provision of a weekly support/parenting group for fathers who are currently working with or under the supervision of the Department of Social Services to focus on family, child and service engagement, the term of which expires August 31, 2023, and

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

WHEREAS, the purpose of the aforementioned program is to reduce re-involvement with Child Protective Services, the Support Collection Unit, and Family Court, and

WHEREAS, the Levant Wesleyan Church, 1670 Lundquist Drive, Falconer, New York 14733, can provide a weekly two-hour support/parenting group for male residents of Cattaraugus County who are involved with the Department of Social Services through Child Protective Services, the Child Welfare Unit, Adult Protection Unit, Support Collection Unit, and as parents to youth involved in the juvenile justice/probation system by providing education, parenting services and support, and

WHEREAS, the Levant Wesleyan Church can provide the aforementioned services for a total amount not to exceed \$18,000.00, to be paid on a monthly basis, as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Levant Wesleyan Church, for the provision of the above-described services, for a term commencing September 1, 2023 and terminating August 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 5 members of the Human Services Committee.

Adopted July 26, 2023 by voice vote.

**ACT NO. 338-2023** by Mr. Burr

**AUTHORIZING THE CHAIR TO EXECUTE LOAN DOCUMENTS WITH  
ONTARIO KNIFE MANUFACTURING COMPANY, INC. FOR  
ACQUISITION OF ONTARIO KNIFE COMPANY**

Pursuant to Section 99-h of the State Finance Law and Section 450 of the County Law.

WHEREAS, Cattaraugus County has designated casino funds for economic development in the approved spending plan to address projects such as business retention and expansion by providing incentives to companies that retain and expand employment within Cattaraugus County, and

WHEREAS, the County is desirous of retaining and expanding employment in Cattaraugus County, and

WHEREAS, Ontario Knife Manufacturing Company, Inc., 26 Empire Street, Franklinville, New York 14737, has plans to purchase Ontario Knife Company, and

WHEREAS, the County administers its economic development loan program, using casino funds for economic development projects in the County, and

WHEREAS, it is proposed that the County loan to Ontario Knife Manufacturing Company, Inc., the sum of \$300,000.00, at a 6% fixed interest rate per annum, to be repaid in monthly installments over a seven (7) year period, and

WHEREAS, sufficient funds are included in the economic development fund from casino proceeds for this project, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute loan documents, on behalf of Cattaraugus County, with Ontario Knife Manufacturing Company, Inc., for a term commencing upon signing of the loan documents and terminating seven (7) years thereafter, according to the above-described terms.

Held in the Finance Committee and the Development and Agriculture Committee.

\* \* \* \* \*

MR. KOCH moved, seconded by Mr. Snyder, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 339-2023 through Act No. 352-2023. Carried.

\* \* \* \* \*

**ACT NO. 339-2023** by Ms. Schröder  
who asks immediate consideration

**ADJUSTING VARIOUS APPROPRIATION ACCOUNTS FOR  
EXCESS WORKERS' COMPENSATION INSURANCE COVERAGE  
(Human Resources)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, Act 28-2022 authorized a contract with Petruzzi Insurance Agency, LLC, for broker of record services for the County's Insurance Program, and

WHEREAS, Petruzzi Insurance Agency, LLC, has recommended that the County obtain excess workers' compensation insurance coverage through Midwest Employers Casualty Company for the amount of \$457,879.00 per year for a two year term commencing July 1, 2023 and terminating June 30, 2025, and

WHEREAS, various appropriation and revenue accounts must be adjusted to cover the cost of the aforementioned excess workers' compensation insurance coverage, now, therefore, be it

RESOLVED, that the County Administrator is hereby directed to appropriate \$88,879.00 from WC Reserve Account A.814.0000 and make the following budgetary changes:

Increase Appropriation Account:

A.171.1722.0000.40609	WC Excess Insurance Premium	\$88,879.00.
-----------------------	-----------------------------	--------------

Adopted July 26, 2023 by voice vote.

**ACT NO. 340-2023** by Mrs. Hunt and Mr. Koch  
who ask immediate consideration

**WAIVING TAXES, FEES AND INTEREST ON CERTAIN PROPERTY  
(Town of Great Valley)**

Pursuant to Rule 40.9 of the Cattaraugus County Legislature Rules of Order.

WHEREAS, the Town of Great Valley is interested in taking ownership of property located at 4985 US Route 219 in the Town of Great Valley, identified as Tax Map No. 65.013-2-18.2, on the condition that the Town reimburse the County the amount of \$264.28 (Town & Fire) and the County forgive the accrued taxes, fees and interest against the property, and

WHEREAS, it is in the County's best interest for the Town of Great Valley to obtain ownership of the aforementioned property, now, therefore, be it

RESOLVED, that the accrued taxes, fees and interest against property located at 4985 US Route 219 in the Town of Great Valley, identified as Tax Map No. 65.013-2-18.2, be forgiven and the County's tax lien cancelled only if the County Treasurer receives reimbursement from the Town in the amount of \$264.28 and proof that a deed transferring the property to the Town of Great Valley has been recorded in the Cattaraugus County Clerk's Office.

Adopted July 26, 2023 by voice vote.

**ACT NO. 341-2023** by Mr. Marsh and Mr. VanRensselaer  
who ask immediate consideration

**DECLARING COUNTY-OWNED PROPERTY IN THE  
TOWN OF RANDOLPH NO LONGER NECESSARY FOR PUBLIC USE  
AND AUTHORIZING SALE TO ADJACENT OWNER**

Pursuant to Section 215 (5) of the County Law.

WHEREAS, Cattaraugus County owns a parcel of land located at 2-8 Sheldon Street in the Town of Randolph, County of Cattaraugus, New York, designated as Tax Map No. 70.071-3-16, and  
WHEREAS, the metes and bounds description of the aforementioned property is as follows:

All That Tract or Parcel of Land situate in the Village of Randolph, Town of Randolph, County of Cattaraugus, State of New York, being part of Lot 23, Town 2, Range 9 of the Holland Land Company's survey, bounded and described as follows:

Beginning at the point of intersection of the northerly bounds of Sheldon Street with the southwesterly bounds of lands owned by the Southern Tier Rail Authority and being also the southwesterly bounds of lands formerly owned by the Erie-Lackawanna Railroad Company;

Thence North 39° 36' 21" West along said southwesterly bounds 243.82 feet;

Thence South 82° 24' 12" West 51.75 feet;

Thence South 08° 56' 17" East 70.25 feet;

Thence South 12° 11' 20" East 48.00 feet;

Thence South 05° 14' 10" East 80.00 feet to the northerly bounds of Sheldon Street;

Thence North 85° 12' 09" East along said northerly bounds 179.01 feet to the point or place of beginning, containing 0.5217 acre (22,723 ± square feet) of land more or less.

All Bearings referred to True North at 78° 35' 00" meridian of West longitude.

Subject to the easements, agreements and rights of way of record and also subject to the rights of the public and others in and to any portion of the premises within the bounds of the public highway.,

Also Subject to the following restrictive covenants and easements:

1) Groundwater may not be used unless treated in accordance with the requirements of New York State Department of Health or the Cattaraugus County Health Department;

2) Environmental Easement recorded under Instrument No. 160467-01 in the Cattaraugus County Clerk's Office, which includes adherence to the Site Management Plan,  
and

WHEREAS, the aforementioned parcel is no longer necessary for public use and may be sold "As Is" to the adjacent property owner for an amount of \$500.00, and

WHEREAS, the purchaser shall be responsible for any and all closing costs, transfers fees and recording fees, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby declares the aforementioned parcel no longer necessary for public use and authorizes the conveyance of such parcel to the adjacent property owner Timothy Nagle.

CHAIRMAN VANRENSELAER requested a Roll Call vote, which disclosed as follows:

Ayes: Andreano, Benson, Boberg, Brisky, Burr, Higgins, Hunt, Koch, Marsh, Morrow, Parker, Schröder, Smith, Snyder, VanRensselaer -15.

Nays: none.

Act No. 341-2023, having received a unanimous vote of the Legislature, was declared Adopted.

**ACT NO. 342-2023** by Mrs. Andreano and Mr. Helmich  
who ask immediate consideration

**ADJUSTING VARIOUS APPROPRIATION ACCOUNTS  
(Department of Community Services)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, various appropriation accounts must be adjusted within the budget for the SAMSHA Grant Program through the Department of Community Services, now, therefore, be it

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

Decrease Appropriation Account:

A.431.4335.2110.41261	Peer Specialist	\$7,500.00
-----------------------	-----------------	------------

Increase Appropriation Account:

A.431.4335.2110.45401	Small Equipment/Tools	\$7,500.00.
-----------------------	-----------------------	-------------

Adopted July 26, 2023 by voice vote.

**ACT NO. 343-2023** by Mrs. Andreano and Ms. Schröder  
who ask immediate consideration

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

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

WHEREAS, in order to provide more efficient oversight of the programs administered by the Department of Social Services, administrative restructuring has been necessary creating the need for a First Deputy Commissioner, and

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

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

RESOLVED, that effective July 30, 2023, there is hereby created one (1) position of First Deputy Commissioner in the Department of Social Services to be filled on a full-time basis, Managerial and Confidential Officers and Employees, Salary Table MCDHO, Grade 6, Position No. 601-418-001.

Adopted July 26, 2023 by voice vote.

**ACT NO. 344-2023** by Mrs. Andreano and Mr. Helmich  
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH  
HIGHMARK BLUE CROSS BLUE SHIELD OF WESTERN NEW YORK  
2022 BLUE FUND COMPETITIVE APPLICATION PROCESS FOR  
VEGGIE WHEELS – ROLLING INTO RURAL COMMUNITIES PROGRAM AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Health Department)**

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

WHEREAS, Act 308-2022 authorized the Chair to apply for funding through the Highmark Blue Cross Blue Shield of Western New York 2022 Blue Fund Competitive Application Process for the Veggie Wheels – Rolling into Rural Communities Program, and

WHEREAS, the County Health Department has been awarded funding in the amount of \$250,000.00 through the aforementioned program, and

WHEREAS, the purpose of the aforementioned program is to help provide residents in Cattaraugus County, residing in the most rural areas, access to fresh fruits and vegetables and healthy food options, nutrition education and experiential learning opportunities through the use of a mobile unit, and

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

WHEREAS, the aforementioned grant program is 100% funded through Highmark Blue Cross Blue Shield of Western New York 2022 Blue Fund Competitive Application Process, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with Highmark Blue Cross Blue Shield of Western New York 2022 Blue Fund Competitive Application Process, in order to accept, and receive, the above-described grant, 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.401.4015.4018.2705	Veggie Wheels Gifts & Donations	\$250,000.00
----------------------	---------------------------------	--------------

Increase Appropriation Accounts:

A.401.4015.4018.20101	Veggie Wheels - Vehicles	\$230,000.00
A.401.4015.4018.41603	Veggie Wheels - Contracted Services	\$ 6,000.00
A.401.4015.4018.47006	Veggie Wheels – Operating Supplies	\$ 6,000.00
A.401.4015.4018.48001	Veggie Wheels – Advertising	\$ 6,000.00
A.401.4015.4018.45101	Veggie Wheels – Gasoline	\$ 2,000.00.

Adopted July 26, 2023 by voice vote.

**ACT NO. 345-2023** by Mrs. Andreano and Mr. Helmich  
who ask immediate consideration

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH  
NEW YORK STATE DEPARTMENT OF HEALTH AND HEALTH RESEARCH, INC.  
FOR CDC COVID-19 HEALTH DISPARITIES GRANT: MOBILE HEALTH VEHICLE**

Pursuant to Section 450 of the County Law.

WHEREAS, funding up to \$384,000.00 is available through the New York State Department of Health and Health Research, Inc., to purchase a mobile health vehicle that will facilitate health care access for medically underserved communities, and

WHEREAS, the County Health Department is desirous of applying for the aforementioned funding, and

WHEREAS, it is necessary to execute a grant application with the New York State Department of Health in order to apply for the aforementioned funding, 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 grant application, on behalf of Cattaraugus County, with the New York State Department of Health and Health Research, Inc., in order to apply for the aforementioned funding, according to the above-described terms, and be it further

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

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



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

Adopted July 26, 2023 by voice vote.

**ACT NO. 346-2023** by Mrs. Andreano and Mr. Helmich  
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH  
VARIOUS ENTITIES FOR YOUTH PLACEMENT PURSUANT TO  
COURT ORDER AND POLICE ADMISSION PLACEMENTS  
(Youth Bureau)**

Pursuant to Sections 218-a and 450 of the County Law.

WHEREAS, Act 153-2019 authorized contracts with various entities for the provision of secure and non-secure detention services for juvenile delinquency court-ordered placements and police admission placements, and

WHEREAS, the aforementioned contracts need to be revised to include rate increases,  
and

WHEREAS, various entities have agreed to provide secure and non-secure detention services, as ordered by the Cattaraugus County Family Court for persons in need of supervision, juvenile delinquency court-ordered placements and police admission placements in accordance with the following rates:

Secure Detention Services                      Not to Exceed    \$855.00/day/bed  
plus \$20.00 per child health assessment fee, as requested

Non-Secure Detention Services                Not to Exceed    \$855.00/day/bed  
plus \$20.00 per child health assessment fee, as requested

Additional One-On-One Services                Not to Exceed    \$35.00/hour,

and

WHEREAS, this program is 50% reimbursable through the New York State Office of Children and Family Services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with various entities for the provision of secure and non-secure detention services, for a term commencing January 1, 2023 to continue in full force and effect until terminated by either party hereto, according to the above-described terms, and be it further

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

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

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

Adopted July 26, 2023 by voice vote.

**ACT NO. 347-2023** by Mr. Boberg and Mr. Klancer  
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
SECURUS TECHNOLOGIES® FOR INMATE TELEPHONE SYSTEM**

Pursuant to Sections 217 and 450 of the County Law.

WHEREAS, Act 99-2019, as amended, authorized a contract with Global Tel\*Link Corporation for participation in the Inmate Telephone Service Program, the term of which expires May 20, 2024, and

WHEREAS, the County Sheriff's Office is desirous of terminating the aforementioned contract with Global Tel\*Link Corporation in order to update the inmate calling program system for the Jail, and

WHEREAS, Securus Technologies®, Securus Contact Center, P.O. Box 1109, Dallas, Texas 75001, can provide an inmate telephone system, including video visitation kiosks, inmate tablets and E-messaging services, for inmates at the Cattaraugus County Jail, and be the primary carrier for operator assisted (0+) local, and IntraLATA and InterLATA, Interstate and International calls placed from inmate telephones at the County Jail, and

WHEREAS, Securus Technologies shall pay to the County an amount in accordance with the following:

Inmate Telephone System:

- 55% Commissions paid on Inmate Telephone Calls including interstate calling
- Maintain rates at \$.15 a minute across all call types
- Annual \$10,000 Technology Grant for Sheriff's Office starting in years 4 and 5 and continuing for all contract renewals

Securus Video Visitation (Off-Site Family and Friend Video Sessions):

- 20% Commissions paid on Remote Video Sessions
- Maintain current video rates

SecureView Inmate Tablets:

- 10% Commissions on E-messaging and all tablet content,

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 Securus Technologies, for the provision of the above-described services, for a five-year term commencing November 1, 2023 and terminating October 31, 2028, according to the above-described terms.

Adopted July 26, 2023 by voice vote.

**ACT NO. 348-2023** by Mr. Boberg and Mr. Klancer  
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATALIS COURTS & LAND RECORDS, LLC FOR  
CASELOAD EXPLORER CE CONNECTS SOFTWARE AND MAINTENANCE**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 90-2016 authorized a contract with AutoMon, LLC, for the provision of Ce Check-In (Web Reporting Version) Caseload Explorer software for the Probation Department in order to more efficiently supervise offenders, and

WHEREAS, Catalis Courts & Land Records, LLC, f/k/a AutoMon, LLC, 3025 Windward Plaza, Suite 200, Alpharetta, Georgia 30005, is the sole source provider of Caseload Explorer and shall provide the software and maintenance for a base amount of \$5,298.34, plus a fee of \$259.47 for each registered user of the software, for a total annual amount of \$12,822.97, to be paid as invoiced, and

WHEREAS, the software program, Caseload Explorer, meets the qualifications of 9 NYCRR Part 345, which mandates probation departments to use a software program that automatically sends presentence investigation completed in the software program to the DCJS PSI Repository in Albany, New York, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned software and maintenance, 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 Catalis Courts & Land Records, LLC, for the provision of Caseload Explorer software and maintenance, for a term commencing June 11, 2023 and terminating June 12, 2024, with automatic annual renewals, contingent upon sufficient funds being included in each year's budget to cover such cost, according to the above-described terms.

Adopted July 26, 2023 by voice vote.

**ACT NO. 349-2023** by Labor Relations Committee:  
Ms. Schröder, Mr. Marsh, Mr. Brisky,  
Mr. Helmich and Mr. Koch  
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
GOVERNMENTJOBS.COM, INC. D/B/A NEOGOV AND  
CATALOG & COMMERCE SOLUTIONS, LLC FOR MAINTENANCE OF  
CATTARAUGUS COUNTY CIVIL SERVICE ONLINE APPLICATION SYSTEM**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Department of Human Resources operates a digital and automated system to handle the processing of civil service job applications developed by Governmentjobs.com/Inc. d/b/a NeoGov, which provides administrators and users the opportunity to use the system from a variety of globally accepted devices and to include Americans with Disabilities (ADA) compliancy, and

WHEREAS, the County is desirous of obtaining upgrades, support and maintenance for the aforementioned online application system, and

WHEREAS, NeoGov subcontracts with Catalog & Commerce Solutions, LLC, 263 East Street, Pittsford, New York 14534, for the provision of the necessary upgrades, support and maintenance for the existing civil service application software to enable users to utilize the system from electronic devices, such as smartphones and tablets, for an amount of \$5,985.00, to be paid as invoiced, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Governmentjobs.com/Inc. d/b/a NeoGov, who subcontracts with Catalog & Commerce Solutions, LLC, for the provision of the above-described civil service application software and support services, contingent upon and subject to inclusion in the 2024 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2024 and terminating December 31, 2024, according to the above-described terms.

Adopted July 26, 2023 by voice vote.

**ACT NO. 350-2023** by Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky, Mr. Burr, Mr. Helmich, Mr. Higgins, Mrs. Hunt, Mr. Klancer, Mr. Koch, Mr. Marsh, Mr. Morrow, Mr. Parker, Ms. Schröder, Mr. Smith, Mr. Snyder, Jr. and Mr. VanRensselaer who ask immediate consideration

**URGING GOVERNOR HOCHUL AND THE NEW YORK STATE LEGISLATURE  
TO PROPERLY FUND NEW YORK STATE MANDATED LOCAL PROGRAMS**

Pursuant to Section 153 of the County Law.

WHEREAS, the State Legislature has set a 2% property tax cap to limit the amount local governments in New York can raise the tax levy for 2024, and

WHEREAS, this is the third consecutive year that a 2% tax cap has been imposed, and

WHEREAS, counties are already facing a huge deficit due to the elimination of Affordable Care Act enhanced Federal Medical Assistance Percentage (eFMAP) funds, which is equivalent to a 4% tax increase, and

WHEREAS, counties are also facing a devastating loss of revenue through the Governor's change in the In Rem Foreclosure process, which is equivalent to approximately a 1% tax increase, and

WHEREAS, State-mandated costs are increasing well in excess of the proposed 2% cap for property taxes and that spending on county programs statewide falls below the proposed 2% property tax cap, and

WHEREAS, County spending on State programs, dominated by unfunded State mandates (State costs that local taxpayers are forced to pay), is what drives up property taxes, and

WHEREAS, mandated expenses will account for 100% of the levy increase in 2024, and by necessity, cause reductions in critical, but non-mandated expenses like highway maintenance and public safety expenditures, and

WHEREAS, a property tax cap is untenable without reducing or eliminating State mandates and if the State wants to bring property taxes under control, it must first bring spending on the programs the State mandates to counties under control, 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, now, therefore, be it

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

RESOLVED, that the Cattaraugus County Legislature urges the Governor, the Senate and the Assembly to fully fund New York State mandated local programs at sufficient levels, and exercise good-sound judgment in implementing effective controls over State-mandated programs instead of passing the burden onto counties or other municipalities, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to Governor Hochul, Senator Borrello, Assembly Member Giglio, the New York State Association of Counties, and the Western New York Inter-County Association.

Adopted July 26, 2023 by voice vote.

**ACT NO. 351-2023** by Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky, Mr. Burr, Mr. Helmich, Mr. Higgins, Mrs. Hunt, Mr. Klancer, Mr. Marsh, Mr. Morrow, Mr. Parker, Ms. Schröder, Mr. Smith, Mr. Snyder, Jr., Mr. VanRensselaer and Mr. Koch who ask immediate consideration

**SUPPORTING SENATE BILL S.7579 AND ASSEMBLY BILL A.7771  
URGING GOVERNOR HOCHUL TO CONTINUE A  
NATION-STATE GAMING COMPACT WITH THE SENECA NATION OF INDIANS**

Pursuant to Section 153 of the County Law.

WHEREAS, in 2002, the Seneca Nation of Indians (SNI) and the State of New York entered into a Gaming Compact that has produced approximately \$1.1 billion of New York's gross state product, as well as 10,000 jobs and \$172.8 million in income, sales, excise, social insurance and other New York State taxes, and

WHEREAS, the aforementioned Gaming Compact expires December 31, 2023, and

WHEREAS, the SNI has made significant contributions to the State of New York, and

WHEREAS, their historical, cultural and economic relevance warrants our respect and appreciation, and

WHEREAS, an equitable and fair compact is one of the most effective means by which the State can honor its obligation to the Seneca Nation, and

WHEREAS, the SNI has no taxation authority and relies on the revenue they generate through the Compact to fund essential government services including health care, infrastructure, education and environmental initiatives, and

WHEREAS, the economic benefits generated by the SNI are significant economic drivers for the region and critical to the health, welfare and safety of their members; New York State is a major beneficiary of the collective economic outcomes from a healthy and vibrant SNI and needs to ensure that a beneficial arrangement is passed timely, well before the expiration of the current compact, and

WHEREAS, Senate Bill S.7579 and Assembly Bill A.7771 provide the Governor with the authority to enter into good faith negotiations with the Seneca Nation to renew and restore the centuries' old relationship between our governments through the execution of a fair and equitable Gaming Contact, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature urges the Governor and the State Legislature to exercise due diligence and immediately resume negotiations in good faith to bring about a resolution acceptable to all stakeholders as quickly as possible, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to Governor Hochul, Senator Borrello, Assembly Member Giglio, and Seneca Nation of Indians President Armstrong.

Adopted July 26, 2023 by voice vote.

**ACT NO. 352-2023** by Public Works Committee:  
Mr. Benson, Mr. Boberg, Mr. Brisky, Mr. Helmich,  
Mr. Morrow, Mr. Parker and Mr. Snyder  
who ask immediate consideration

**BID ACCEPTANCE AND AUTHORIZING THE CHAIR TO  
EXECUTE CONTRACT FOR SALE OF TIMBER  
(Lyndon Softwoods Timber Sale - Town of Lyndon)**

Pursuant to Sections 219 and 450 of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the sale of softwoods timber from Cattaraugus County Lyndon Softwoods Timber Tract No. 9, located between Cemetery Hill Road and Livingston Road in the Town of Lyndon, according to specifications provided by Generations Forestry, and

WHEREAS, the highest bid received meeting specifications for the sale of marked timber from the aforementioned property was the bid of 3B Timber Co., Inc., P.O. Box 761, 8745 Industrial Drive, Boonville, New York 13309, in the amount of \$182,000.00, and

WHEREAS, 3B Timber Co., Inc., shall pay to the County 50% at the closing of the Timber Sale contract and 50% by November 1, 2023, and

WHEREAS, Generations Forestry, the County's Forest Manager, has indicated that the price offered is fair and reasonable and should therefore be accepted, and

WHEREAS, 3B Timber Co., Inc., will complete the harvest and cleanup/restoration of the property by February 28, 2025, now, therefore, be it

RESOLVED, that the bid of 3B Timber Co., Inc., be, and the same hereby is, accepted, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with 3B Timber Co., Inc., for the above-described sale of timber.

49 sets of specifications were sent out.  
3 bids were received meeting specifications.

Adopted July 26, 2023 by voice vote.

\* \* \* \* \*

MR. MORROW moved, seconded by Mr. Smith, to adjourn until August 23, 2023 at 5:00 p.m.  
Carried.

Meeting adjourned at 5:22 p.m.

Ann M. Giglio  
Journal Clerk