



September 13, 2023

The meeting was called to order by Chairman VanRensselaer.

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed five Legislators absent – Benson, Brisky, Hunt, Koch, Morrow.

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There being no amendments or objections thereto, Chairman VanRensselaer noted that the minutes of the August 23, 2023 session stand approved as presented.

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**COMMUNICATIONS:**

Legislator Kip Morrow: Congratulations to the Hinsdale School Board on the recent hiring of a new Superintendent, Mrs. Tiffany Giannicchi, and Principal, Mrs. Sara Centanni. They bring a fresh, vibrant, new look to the Hinsdale School District. Welcome to both of you.

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**PUBLIC HEARING:**

CHAIRMAN VANRENSELAER announced this is the time and place called for a public hearing on **Local Law Number 2-2023**, A Local Law Banning Smoking and Vaping of Products on County Property, 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. 359-2023, Local Law Number 2-2023**, A Local Law Banning Smoking and Vaping of Products on County Property, and asked that it be read.

CHAIRMAN VANRENSELAER requested a Roll Call vote on Act No. 359-2023, which disclosed as follows:

Ayes: Andreano, Boberg, Burr, Helmich, Higgins, Klancer, Marsh, Parker, Schröder, Smith, Snyder, VanRensselaer -12.

Nays: none.

Act No. 359-2023, Local Law Number 2-2023, having received a 2/3 majority vote of the Legislature, was declared Adopted.

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ACT NO. 376-2023 by Mr. Benson and Mr. Helmich

**BID ACCEPTANCE FOR CUTTING EDGES AND SHOES FOR GRADERS, PLOWS AND WINGS (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 cutting edges and shoes for graders, plows and wings for the Department of Public Works, according to specifications provided by the Public Works Committee, and

WHEREAS, the bids meeting specifications for the aforementioned items are as follows:

**CHEMUNG SUPPLY CORP.**

P.O. Box 527

Elmira, New York 14902

<u>Index #</u>	<u>Size</u>	<u>Quantity</u>	<u>Rate</u>
<u>Carbon Grader - double bevel curved item, Price/Foot</u>			
A-8L	5/8" x 8"	Less than 10 Sets	\$19.10
A-8G	5/8" x 8"	10 Sets or Greater	\$18.10
<u>Carbon Plow and Wing Blades, Item - Price/Foot</u>			
B-6L	3/4" x 6"	Less than 50 Blades	\$15.11
B-6G	3/4" x 6"	50 Blades or Greater	\$14.11
<u>Cover Blade for Wings 5/8" – Price/Foot</u>			
C-8L	5/8" x 8"	Less than 50 Blades	\$14.44
C-8G	5/8" x 8"	50 Blades or Greater	\$13.44
<u>Cover Blade for Wings 3/4" – Price/Foot</u>			
D-8L	3/4" x 8"	Less than 50 Blades	\$20.03
D-8G	3/4" x 8"	50 Blades or Greater	\$19.03
<u>Evolution Blade System – Evolution Edges</u>			
E6-3	Cost per 3' Blade Section		\$597.00
E6-4	Cost per 4' Blade Section		\$796.00
<u>Armored Carbide Plowblade System – Sabre</u>			
E7-3S	Cost per 3' Blade Section		\$405.00
E7-3HD	Cost per 3' Blade Section – Heavy Duty		\$495.00
E7-4S	Cost per 4' Blade Section		\$540.00
E7-4HD	Cost per 4' Blade Section – Heavy Duty		\$660.00
<u>Evolution Edges – Tungsten Carbide Tipped Snow Plow Blades</u>			
F2-3	Cost per 3' Blade Section		\$178.56
F2-4	Cost per 4' Blade Section		\$238.17
<u>Tungsten Carbide Blades for Plows and Graders</u>			
G-2	Cost per set		\$686.53
<u>Rubber Blades</u>			
H1-RL	Cost per Blade / Less than 50 Blades		\$321.90
H1-RG	Cost per Blade / 50 Blades & Greater		\$321.90
<u>NiHard Wing Shoes (8" Center Punched, 3/4" x 12" O/C, 75 degree, min weight 37 lbs)</u>			
N-NL	NiHard-cost per shoe/less than 50 shoes		\$53.76
N-NG	NiHard-cost per shoe/50 shoes & greater		\$52.76
<u>NiHard Mushroom Shoe (Ni-Hard Casting, 12" outside diameter x 2 3/4" high w/ two hex-head bolt holes</u>			
R-NL	NiHard-cost per shoe/less than 50 shoes		\$111.21

R-NG	NiHard-cost per shoe/50 shoes & greater	\$109.05
<u>Nose Piece for Viking Plow – Older Model Plows (Viking Model #10803091 or equal)</u>		
W-NL	Cost per Blade / less than 50 Blades	\$36.45
W-NG	Cost per Blade / 50 Blades & Greater	\$33.51
<u>Nose Piece – used for Newer Model Plows *Two separate pieces (not welded together) (Viking Model \$10805373 or equal)</u>		
X-NL	Cost per Blade / less than 50 Blades	\$36.48
X-NG	Cost per Blade / 50 Blades or Greater	\$33.41

**RUSERT EQUIPMENT, LLC**

P.O. Box 11317

Orchard Park, New York 14127

<u>Index #</u>	<u>Description</u>	<u>Rate</u>
<u>Flexible Plow Blade System – Polar Flex</u>		
E2-3	Cost per 3' Blade Section	\$778.00
E2-4	Cost per 4' Blade Section	\$1,038.00
E2-NP	Nose Piece XWS-115FM-F – Cost Per Piece	\$375.00
E2-RS	Cost per 12" Replacement Segment XWS-12F	\$160.00
<u>Sectional Carbide Tipped Snow Plow Blade C/W Wear Plate – Valley Blades, Ltd.</u>		
E8-3	Cost per 3' Blade Section	\$227.00
E8-4	Cost per 4' Blade Section	\$302.00

**NORTHERN SUPPLY, INC.**

P.O. Box 69

Bloomfield, New York 14469

<u>Index #</u>	<u>Description</u>	<u>Rate</u>	
<u>Carbide Combination Plow Blades – Kuper SX</u>			
E3-3	Cost per 3' Blade Section	\$750.00	
E3-4	Cost per 4' Blade Section	\$1,000.00	
<u>Enhanced Carbide Insert Snowplow Blade - Kuper XT</u>			
E4-3	Cost per 3' Blade Section	\$330.00	
E4-4	Cost per 4' Blade Section	\$440.00	
<u>Kennemetal Carbide Blades</u>			
F1-3	Cost per 3' Blade Section	\$225.00	
F1-4	Cost per 4' Blade Section	\$300.00	
<u>Blended Extruded Rubber Blades</u>			
H3-RL	Cost per Blade / Less than 50 Blades	\$423.50	
H3-RG	Cost per Blade / 50 blades or Greater	\$410.00	
<u>Steel Wing Shoes (Model MSCO MSO60)</u>			
M-SL	Steel – Cost per shoe / Less than 50 shoes	\$78.00	
M-SG	Steel – Cost per shoe / 50 shoes or greater	\$76.00	
<u>NiHard, Snow Plow Frame Shoe</u>			
O-NL	NiHard – cost per shoe	Less than 50 Shoes	\$85.00
O-NG	NiHard – cost per shoe	50 Shoes or Greater	\$80.00
<u>NiHard Moldboard Shoe (65 degree)</u>			
P-NL	NiHard – cost per shoe	Less than 50 Shoes	\$95.00
P-NG	NiHard – cost per shoe	50 Shoes or Greater	\$90.00
<u>AR500 Moldboard Shoe (60 degrees)</u>			
Q-NL	AR500 – cost per shoe	Less than 50 Shoes	\$90.00
Q-NG	AR500 – cost per shoe	50 Shoes or Greater	\$85.00
<u>Nose Piece (8" Top Punch)</u>			
V-NL	Cost per Blade	Less than 50 Blades	\$60.00
V-NG	Cost per Blade	50 Blades or Greater	\$55.00

**WINTER EQUIPMENT COMPANY, INC.**

1900 Joseph Lloyd Parkway  
Willoughby, OH 44094

<u>Index #</u>	<u>Description</u>	<u>Rate</u>
<u>Carbide Insert Plow Blade System – Raxor XL – Full System Prices</u>		
E5-SYS-RZXL9	Cost per 9' Razor XL System	\$1,890.00
E5-SYS-RZXL10	Cost per 10' Razor XL System	\$2,100.00
E5-SYS-RZXL11	Cost per 11' Razor XL System	\$2,310.00
E5-SYS-RZXL12	Cost per 12' Razor XL System	\$2,520.00
E5-SYS-RZXL14	Cost per 14' Razor XL System	\$2,940.00
<u>Carbide Insert Plow Blade System – Raxor XL – Component Prices</u>		
<u>Enhanced Carbide Insert Snowplow Blade - Kuper XT</u>		
E5-3	Cost per 3' Blade Section	\$436.65
E5-4	Cost per 4' Blade Section	\$582.21
E5-HW	Cost of Grade 8 Hardware Kit	\$66.38

now, therefore, be it

RESOLVED, that the aforementioned bids be, and hereby are, accepted, for a term commencing October 1, 2023 and terminating September 30, 2024, and be it further

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

The cutting edges and shoes that the County uses are not offered on State Bid; however, there are shoes on State Bid that the County may purchase.

Eight sets of specifications were sent out.

Five bids were received meeting specifications.

Approved by 5 members of the Finance Committee and 7 members of the Public Works Committee.

Adopted September 13, 2023 by voice vote.

**ACT NO. 377-2023** by Mr. Benson and Mr. Helmich

**BID ACCEPTANCE FOR SAND/SALT PREMIX  
(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 sand/salt premix for the 2023-2024 season requirements, according to specifications provided by the Public Works Committee, and

WHEREAS, the only bid received meeting specifications for sand/salt premix was the bid of Gernatt Asphalt Products, Inc., 13870 Taylor Hollow Road, Collins, New York 14034 (Benz Drive Plant, Springville, New York) as follows:

Ratio of Sand to Salt <u>Per Ton</u>	2022-2023 Price Per Ton Premixed Material <u>F.O.B. Plant</u>	2023-2024 Price Per Ton Premixed Material <u>F.O.B. Plant</u>
4-1	\$22.90	\$23.80
5-1	\$21.20	\$22.00
6-1	\$19.90	\$20.60
7-1	\$19.00	\$19.60
8-1	\$18.30	\$18.80
9-1	\$17.70	\$18.20
10-1	\$17.20	\$17.70

now, therefore, be it

RESOLVED, that the bid of Gernatt Asphalt Products, Inc., be, and the same hereby is, accepted, for a term commencing September 1, 2023 and terminating April 30, 2024, and be it further

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

No State Bid.

Three sets of specifications were sent out.

One bid was received.

Approved by 4 members of the Finance Committee and 7 members of the Public Works Committee. Mr. Burr abstained from approval.

Adopted September 13, 2023 by voice vote. Mr. Burr abstained from vote.

**ACT NO. 378-2023** by Mr. Benson and Mr. Helmich

**BID ACCEPTANCE FOR GENERATOR MAINTENANCE FOR COUNTY BUILDINGS  
(Department of Buildings & Grounds)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for generator maintenance for County Buildings, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications was the bid of Penn Power Group, LLC, d/b/a Penn Power Systems, 8330 State Road, Philadelphia, Pennsylvania 19136, with a local office at 7044 Interstate Island Road, Syracuse, New York 13209, as follows:

Semi-Annual Service:	<u>(8/1/2023– 7/31/2024)</u>	<u>(8/1/2024– 7/31/2025)</u>	<u>(8/1/2025– 7/31/2026)</u>
DPW Facility	\$880.00	\$1,695.00	\$950.00
Pump Station	\$640.00	\$1,130.00	\$645.00
County Center-LV & Jail	\$880.00	\$2,195.00	\$890.00
County Office Building-Olean	\$1,020.00	\$1,560.00	\$1,040.00
Five Points Landfill (lower pump station)	\$610.00	\$910.00	\$695.00
Allegany Highway Barn	\$565.00	\$775.00	\$605.00

Franklinville Highway Barn	\$685.00	\$870.00	\$685.00
The Pines – Olean	\$1,245.00	\$1,925.00	\$1,245.00
The Pines – Machias	\$795.00	\$1,870.00	\$1,595.00
Radio Towers:			
Dutch Hill	\$572.00	\$900.00	\$775.00
McCarty	\$572.00	\$900.00	\$775.00
Yorkshire	\$572.00	\$900.00	\$775.00
Dayton	\$572.00	\$900.00	\$775.00
Knapp Creek	\$572.00	\$900.00	\$775.00
4 <sup>th</sup> Street	\$550.00	\$595.00	\$620.00
Lyndon	\$572.00	\$900.00	\$775.00
Nicholas	\$572.00	\$900.00	\$775.00
Allegany State Park	\$572.00	\$900.00	\$775.00
Oldro Hill Tower (Cold Spring)	<u>\$572.00</u>	<u>\$900.00</u>	<u>\$775.00</u>
Total	\$13,018.00	\$21,625.00	\$15,945.00
Straight Time Labor Charges: M-F 8:00 am – 4:30 pm	\$170.00	\$170.00	\$170.00
Not Covered by Contract Overtime	\$255.00	\$255.00	\$255.00
Sundays & Holidays	\$325.00	\$325.00	\$325.00
Mileage Rate: Per mile	\$2.75	\$2.75	\$2.75

and

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

RESOLVED, that the bid of Penn Power Group, LLC, d/b/a Penn Power Systems be, and the same hereby is, accepted, for a term commencing August 1, 2023 and terminating July 31, 2026, and be it further

RESOLVED, that the vouchers accordingly certified by the Director of the Department of Buildings & Grounds be audited by the Auditor and paid by the County Treasurer.

No State Bid.

Three (3) sets of specifications were sent out.

Two bids were received.

Approved by 5 members of the Finance Committee and 7 members of the Public Works Committee.

Adopted September 13, 2023 by voice vote.

**ACT NO. 379-2023** by Mr. Benson and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT  
WITH ERDMAN, ANTHONY AND ASSOCIATES, INC. FOR  
NEW ALBION CULVERT NOS. 46 AND 47 ENGINEERING DESIGN SERVICES**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 240-2019, as amended by Acts 415-2020, 512-2021 and 467-2022, authorized a contract with Erdman, Anthony and Associates, Inc., 8608 Main Street, Buffalo, New York 14221, for the provision of engineering design services for the New Albion Culvert No. 46 Replacement Project, located on County Road No. 5 (New Albion Road) over Little Valley Creek in the Town of New Albion, and the New Albion Culvert No. 47 Replacement Project, located on County Road No. 5 (New Albion Road) over Unnamed Branch Little Valley Creek in the Town of New Albion, the term of which expires December 31, 2023, and

WHEREAS, additional environmental re-evaluation and project updating are required in order to complete the aforementioned projects, and

WHEREAS, Erdman, Anthony and Associates, Inc., can provide the additional environmental re-evaluation and project updating services for an amount of \$17,000.00, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Erdman, Anthony and Associates, Inc., for the provision of the above-described engineering services, to amend and extend the term of the original contract which commenced May 9, 2019 to terminate December 31, 2024, according to the above-described terms.

Approved by 5 members of the Finance Committee and 7 members of the Public Works Committee.

Adopted September 13, 2023 by voice vote.

**ACT NO. 380-2023** by Mr. Benson and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
E & M ENGINEERS AND SURVEYORS, P.C. FOR  
ENGINEERING SERVICES FOR REHABILITATION OF HINMAN HOLLOW ROAD BRIDGE  
AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS  
(Department of Public Works)**

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

WHEREAS, the Department of Public Works is desirous of rehabilitating Hinman Hollow Road Bridge (BIN 3-32125-0) that carries Mansfield Creek under Hinman Hollow Road in the Town of Ellicottville, and

WHEREAS, engineering services are necessary to prepare construction documents for the installation of a concrete invert in the existing steel culvert, and

WHEREAS, E & M Engineers and Surveyors, P.C., 24 Derrick Road, Bradford, Pennsylvania 16701, can provide the engineering services necessary for the preparation of construction documents for the Hinman Hollow Road Bridge Rehabilitation Project for an amount of \$34,000.00, to be paid as invoiced, and

WHEREAS, various appropriation accounts must be adjusted in order 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 E & M Engineers and Surveyors, P.C., for the



provision of the above-described engineering services, for a term commencing September 14, 2023 and terminating December 31, 2024, 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:		
H.504.5197.5198.25107.41603	OT03-Contracted Services	\$15,000.00
Increase Appropriation Account:		
H.504.5197.5198.25106.41603	EL38-Contracted Services	\$15,000.00.

Approved by 5 members of the Finance Committee and 7 members of the Public Works Committee.

Adopted September 13, 2023 by voice vote.

**ACT NO. 381-2023** by Mr. Benson and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH CHAUTAUQUA COUNTY REGARDING  
CONEWANGO CREEK WATERSHED PROTECTION PROJECTS**

Pursuant to Section 450 of the County Law.

WHEREAS, Chautauqua County established a Chautauqua County Conewango Watershed Protection Project by Resolution No. 263-66, and

WHEREAS, Act 262-1973 established the Cattaraugus County County-Wide Watershed Protection Project, and Act 494-2013 continued funding for the operation and maintenance thereof, and

WHEREAS, Chautauqua and Cattaraugus Counties entered into a contract dated October 24, 1973, as amended, for the construction, financing, operation and maintenance of a joint Watershed Protection Project ("the Project") for the Conewango Creek Watershed, and

WHEREAS, Act 161-2018 authorized a contract with Chautauqua County to continue the operation and maintenance of the joint Watershed Protection Project for the Conewango Creek Watershed, the term of which expires December 31, 2023, and

WHEREAS, due to the age of the flood control structures and the continuing need to ensure that they are in compliance with state and federal legislations, the County should take an active role in the management of the Project, and

WHEREAS, the cost of such operation and maintenance shall be paid from the Project's funds and thereafter each County shall contribute the amount of \$7,500.00 per year for such purpose, 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 provision of the above-described services, for a term commencing January 1, 2024 and terminating December 31, 2028, according to the above-described terms.

Approved by 5 members of the Finance Committee and 7 members of the Public Works Committee.

Adopted September 13, 2023 by voice vote.

**ACT NO. 382-2023** by Mr. Boberg and Mr. Klancer

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH  
VARIOUS EMERGENCY MEDICAL SERVICES INSTRUCTORS**

Pursuant to Article 30-A of the Public Health Law  
and Section 450 of the County Law.

WHEREAS, Act 31-2022 authorized the County Administrator to execute contracts with various emergency medical services instructors, the terms of which expire December 31, 2023, and

WHEREAS, the Office of Emergency Services is desirous of renewing the aforementioned contracts for a term commencing January 1, 2024 and terminating December 31, 2025, and

WHEREAS, it is proposed that the County contract with various individuals to provide instruction services according to the following rate schedule:

<u>Title</u>	<u>2024-2025 Hourly Rate</u>
NYS Certified Instructor Coordinator (CIC)	\$35.00
NYS Certified Lab Instructor (CLI)	\$25.00
AHA Certified Instructor	\$20.00
EMS/First Aid/CPR Course Assistant	\$15.00
Medical & Health Professionals (Physicians, Registered Nurses, competent in the management of patients requiring advanced life support care)	\$35.00
NYS Certified Instructor Coordinator (CIC) - Review of content for Learning Management System,	\$350.00/year

and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with various individuals, for the provision of emergency medical services training, for a term commencing January 1, 2024 and terminating December 31, 2025, according to the above-described terms.

Approved by 5 members of the Finance Committee and 4 members of the County Operations/  
Public Safety Committee.

Adopted September 13, 2023 by voice vote.

**ACT NO. 383-2023** by Mr. Boberg and Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH  
VARIOUS AGENCIES FOR EMERGENCY MEDICAL DIRECTOR SERVICES**

Pursuant to Article 30-A of the Public Health Law.

WHEREAS, Act 64-2021 authorized contracts with various agencies for emergency medical director services, the terms of which expired December 31, 2022, and

WHEREAS, the New York State Department of Health (NYSDOH) requires that every emergency medical services (EMS) agency providing pre-hospital emergency medical care have a physician medical director, and

WHEREAS, various EMS agencies desire to have the County provide the services of a qualified physician to act as their medical director, and

WHEREAS, the County Office of Emergency Services has the ability to provide the services of a qualified physician to act as a medical director for EMS agencies, and

WHEREAS, each EMS agency agrees to pay the County an annual fee based on the average number of EMS incident types the agency is dispatched to on an annual basis, 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 EMS agencies, for the provision of EMS medical director services, for a program term commencing January 1, 2023, with individual contracts to be effective on different dates, and all contracts terminating December 31, 2025, according to the above-described terms.

Approved by 5 members of the Finance Committee and 4 members of the County Operations/ Public Safety Committee.

Adopted September 13, 2023 by voice vote.

**ACT NO. 384-2023** by Mr. Boberg and Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
GOVERNMENTJOBS.COM, INC. D/B/A NEOGOV AND  
POWERDMS FOR SOFTWARE SUBSCRIPTION, TRAINING AND SUPPORT SERVICES  
AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS  
(Sheriff's Office)**

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

WHEREAS, the County Sheriff's Office is desirous of purchasing a policy and compliance management platform that allows for creation, edits, organization and distribution of content from a secure, cloud-based site, and

WHEREAS, Governmentjobs.com/Inc. d/b/a NeoGov, as the parent company of PowerDMS, can provide the following components of the aforementioned policy and compliance management platform, for a total amount of \$31,988.71, to be paid as invoiced:

<u>Item</u>	<u>Start Date - End Date</u>	<u>Quantity</u>	<u>Total</u>
<u>Year 1</u>			
PowerPolicy Professional Subscription	9/15/2023 – 9/14/2024	249	\$5,180.46
PowerTraining	9/15/2023 – 9/14/2024	249	\$1,376.38
NYSDCJS Manual (NY LE Standards)	9/15/2023 – 9/14/2024	1	\$0
PowerDMS Standards for NYSDCJS	9/15/2023 – 9/14/2024	1	\$1,150.00
PowerPolicy Professional Setup (Onboarding)		1	<u>\$1,000.00</u>
		Year 1 Total	<u>\$8,706.84</u>

Year 2

PowerPolicy Professional Subscription	9/15/2024 – 9/14/2025	249	\$7,770.69
PowerTraining	9/15/2024 – 9/14/2025	249	\$2,064.56
NYSDCJS Manual (NY LE Standards)	9/15/2024 – 9/14/2025	1	\$0
PowerDMS Standards for NYSDCJS	9/15/2024 – 9/14/2025	1	<u>\$1,150.00</u>
		Year 2 Total	\$10,985.25

Year 3

PowerPolicy Professional Subscription	9/15/2025 – 9/14/2026	249	\$8,806.78
PowerTraining	9/15/2025 – 9/14/2026	249	\$2,339.84
NYSDCJS Manual (NY LE Standards)	9/15/2025 – 9/14/2026	1	\$0
PowerDMS Standards for NYSDCJS	9/15/2025 – 9/14/2026	1	<u>\$1,150.00</u>
		Year 3 Total	\$12,296.62

and

WHEREAS, various appropriation accounts must be adjusted to cover the costs of the aforementioned software subscription and support 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 Governmentjobs.com/Inc. d/b/a NeoGov, as the parent company of PowerDMS, for the provision of the above-described software subscription and support service, for a term commencing September 15, 2023 and terminating September 14, 2026, 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.311.3110.0000.41641 Contracted Services, LATCF Grant \$31,988.71

Increase Appropriation Account:

A.311.3110.0000.20006.LTCF Computer Equipment/Software LATCF Grant \$31,988.71.

Approved by 5 members of the Finance Committee and 4 members of the County Operations/ Public Safety Committee.

Adopted September 13, 2023 by voice vote.

**ACT NO. 385-2023** by Mr. Boberg and Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
AXON ENTERPRISE, INC. FOR SHERIFF'S OFFICE TASER**

Pursuant to Section 450 of the County Law.

WHEREAS, Acts 407-2022 and 268-2023 authorized contracts with Axon Enterprise, Inc. for the provision of tasers for the Sheriff's Office for the safety of its officers, and

WHEREAS, the Sheriff's Office is desirous of purchasing three (3) additional tasers, plus related hardware and accessories, support, maintenance and licenses, and

WHEREAS, Axon Enterprise, Inc., 17800 North 85<sup>th</sup> Street, Scottsdale, Arizona 85255, has agreed to provide three (3) additional tasers, plus related hardware and accessories, support, maintenance and licenses, for an amount of \$62,332.02, over a 94-month period, as follows:

<u>Year of Contract</u>	<u>Payment Amount</u>
October 2023	\$5,889.93
August 2024	\$6,125.54
August 2025	\$6,370.56
August 2026	\$6,625.38
August 2027	\$6,890.40
August 2028	\$7,166.01
August 2029	\$7,452.65
August 2030	\$7,750.76
August 2031	\$8,060.79

and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned equipment, 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 Axon Enterprise, Inc., for the provision of the above-described tasers, hardware and accessories, support, maintenance and licenses, for a term commencing upon October 1, 2023 and terminating 94 months after delivery, acceptance and activation of the above-described equipment and hardware, according to the above-described terms.

Approved by 5 members of the Finance Committee and 4 members of the County Operations/ Public Safety Committee.

Adopted September 13, 2023 by voice vote.

**ACT NO. 386-2023** by Mr. Boberg and Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH  
NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR  
DISTRICT ATTORNEY AID TO PROSECUTION PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, the District Attorney has been awarded the amount of \$261,678.00 by the New York State Division of Criminal Justice Services for the Aid to Prosecution Program for the period April 1, 2023 to March 31, 2024, and

WHEREAS, the purpose of this program is to expedite the processing of repeat and serious felony offenders, to maintain increased levels of experienced prosecution personnel, to seek the imposition of maximum sentences and minimum plea bargaining options for defendants, to limit the caseloads of experienced attorneys in order to maintain a policy of vertical prosecution, and to screen all potentially Aid to Prosecution-eligible felony cases, and

WHEREAS, it is necessary to execute grant documents with the New York State Division of Criminal Justice Services in order to accept and receive the aforementioned additional 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 grant documents, on behalf of Cattaraugus County, with the New York State Division of Criminal Justice Services, in order to accept and receive the above-described 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 5 members of the Finance Committee and 4 members of the County Operations/ Public Safety Committee.

Adopted September 13, 2023 by voice vote.

**ACT NO. 387-2023** by Mrs. Andreano and Mr. Burr

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
CITY OF OLEAN FOR FORNESS PARK LIGHTING PROJECT**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 445-2022 authorized a contract to assist the City of Olean with the costs of upgrades/improvements for lighting at Forness Park on Fields 1 and 2 and new lighting on Fields 9 and 10, in order to improve youth activities for evening use of the facilities, and

WHEREAS, the City of Olean is desirous of changing the fields where the new lighting will be installed, and

WHEREAS, the City is desirous of installing new lighting on Fields 8 and 9, rather than on Fields 9 and 10, and

WHEREAS, the aforementioned contract should be amended to reflect which fields the new lighting will be installed on, 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 City of Olean, for the provision of ARPA funds to assist the City with the costs of upgrades/improvements to lighting at Forness Park on Fields 1 and 2 and new lighting on Fields 8 and 9, according to the above-described terms.

Approved by 5 members of the Finance Committee.

Adopted September 13, 2023 by voice vote.

**ACT NO. 388-2023** by Ms. Schröder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
DAVIS VISION, INC. FOR  
EMPLOYEE VISION PROGRAM**

Pursuant to 10 NYCRR Section 415.17 and Section 450 of the County Law.

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

WHEREAS, Premier Consulting Associates, LLC, has recommended that the County renew its contract with Davis Vision, Inc. for the provision of vision coverage for County employees, and

WHEREAS, Davis Vision, Inc. shall provide vision coverage for County employees in accordance with the following fee schedule:

	<u>2024 Rates</u>	<u>2025 Rates</u>	<u>2026 Rates</u>	<u>2027 Rates</u>
ASO Fee (PEPM)	\$0.34	\$0.34	\$0.34	\$0.34
Single Vision Complete	\$89.44	\$89.44	\$89.44	\$89.44
Bifocal Complete	\$111.67	\$111.67	\$111.67	\$111.67
Trifocal Complete	\$145.00	\$145.00	\$145.00	\$145.00
Single Vision Lenses	\$44.44	\$44.44	\$44.44	\$44.44
Bifocal Lenses	\$66.67	\$66.67	\$66.67	\$66.67
Trifocal Lenses	\$100.00	\$100.00	\$100.00	\$100.00
Plan Frame	\$45.00	\$45.00	\$45.00	\$45.00
Change as a % of Overall Claims	0%	0%	0%	0%
Region 1	\$25.00	\$25.00	\$25.00	\$25.00
Region 2	\$30.00	\$30.00	\$30.00	\$30.00
Region 3	\$30.00	\$30.00	\$30.00	\$30.00
Region 4	\$30.00	\$30.00	\$30.00	\$30.00
Region 5	\$40.00	\$40.00	\$40.00	\$40.00

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 Davis Vision, Inc., for the provision of the above-described vision coverage, 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, 2027, according to the above-described terms.

Approved by 5 members of the Finance Committee and 4 members of the Labor Relations Committee.

Adopted September 13, 2023 by voice vote.

**ACT NO. 389-2023** by Ms. Schröder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
GUARDIAN LIFE INSURANCE COMPANY OF AMERICA FOR  
ADMINISTRATION OF EMPLOYEE DENTAL COVERAGE**

Pursuant to Section 92-a of the General Municipal Law and  
Section 450 of the County Law.

WHEREAS, Act 224-2021 authorized a contract with Guardian Life Insurance Company of America for administration of dental coverage for County employees, the term of which expires December 31, 2023, and

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

WHEREAS, the Guardian Life Insurance Company of America can provide administration services for the employee dental coverage program for an administrative fee of \$6.40 PEPM to be paid on a monthly basis, as invoiced, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Guardian Life Insurance Company of America, for the provision of the above-described administration services for the employee dental coverage program, for a term commencing January 1, 2024 and terminating December 31, 2025, according to the above-described terms.

Approved by 5 members of the Finance Committee and 4 members of the Labor Relations Committee.

Adopted September 13, 2023 by voice vote.

**ACT NO. 390-2023** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT WITH  
8889 BURTON HOLDINGS, LLC FOR  
AGING/MEALS ON WHEELS CENTRAL KITCHEN**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of the Aging is desirous of leasing space located at 3 East Main Street, Allegany, New York, for the Aging/Meals on Wheels central kitchen, and

WHEREAS, 8889 Burton Holdings, LLC, 11 Main Street, Hamburg, New York 14075, has agreed to lease space located at 3 East Main Street, Allegany, New York, to the Department of the Aging for the operation of the Aging/Meals on Wheels central kitchen, for an amount of \$2,100 per month plus utilities, and

WHEREAS, the aforementioned lease is subject to a 3% annual increase, and

WHEREAS, the costs associated with the Aging/Meals on Wheels central kitchen are 42% federal, 54% state and 4% County funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease agreement, on behalf of Cattaraugus County, with 8889 Burton Holdings, LLC, for the leasing of space located at 3 East Main Street, Allegany, New York, for a term commencing upon October 1, 2023 and terminating December 31, 2028, 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 5 members of the Finance Committee, 6 members of the Public Works Committee, and 6 members of the Human Services Committee.

Adopted September 13, 2023 by voice vote.

**ACT NO. 391-2023** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
WORKFIT MEDICAL STAFFING, PLLC FOR  
HEALTH CARE STAFFING COVERAGE FOR  
DEPARTMENT OF NURSING HOMES**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Nursing Homes is in need of coverage for certified nurse aide (CNA), licensed practical nurse (LPN) and registered nurse (RN) services for the residents of The Pines Healthcare and Rehabilitation Centers – Machias and Olean Campuses, and

WHEREAS, WorkFit Medical Staffing, PLLC, 1160 Chili Avenue, Rochester, New York 14624, can provide the aforementioned health care services staffing coverage for an amount as follows:

<u>Position</u>	<u>Basic Rates</u>
Registered Nurse	\$70.00 - \$75.00/hour
Licensed Practical Nurse	\$60.00 - \$65.00/hour
Certified Nurse Aide	\$45.00 - \$50.00/hour

\*\*Overtime / Holiday Pay is Time and a Half. Minimum billing rate of 40 hours per week with a minimum of 13 weeks

\*\*Minimum 3-hours,

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 WorkFit Medical Staffing, PLLC, for the provision of the above-described health care coverage services, for a term commencing August 24, 2023 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 5 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted September 13, 2023 by voice vote.

**ACT NO. 392-2023** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATHOLIC CHARITIES OF WESTERN NEW YORK, INC., FOR  
DEPARTMENT OF SOCIAL SERVICES KINSHIP PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 387-2022 authorized a contract with Catholic Charities of Western New York, Inc., 2636 West State Street, Suite 301, Olean, New York 14760, for the provision of a Kinship Program for grandparents or other relatives who obtain custody of children, the term of which expires September 30, 2023, and

WHEREAS, the County Department of Social Services is desirous of continuing the aforementioned program, and

WHEREAS, the Kinship Program will serve approximately 55 participants and is for those children who are placed with relatives in lieu of foster care, and

WHEREAS, Catholic Charities of Western New York, Inc., can provide the aforementioned Kinship Program for a total amount not to exceed \$68,179.00, to be paid as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Catholic Charities of Western New York, Inc., for the provision of the above-described services, 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 5 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted September 13, 2023 by voice vote.

**ACT NO. 393-2023** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
MELISSA BALL D/B/A MW MENTAL HEALTH COUNSELING SERVICES  
FOR FAMILIES WITH CHILDREN AT RISK OF PLACEMENT  
PSYCHOLOGICAL ASSESSMENTS**

Pursuant to 42 USC Sections 672 and 675a, Section 409-h of the Social Services Law and Section 450 of the County Law.

WHEREAS, effective October 1, 2021, New York State regulations required the County Department of Social Services to conduct psychological assessments for children who are placed in a qualified residential treatment program, so that the Family Court Judge can ensure that the level of care is sufficient to meet the needs of the child, and

WHEREAS, Act 570-2022 authorized a contract with Melissa Ball d/b/a MW Mental Health Counseling Services, 5659 West Shore Road, Cuba, New York 14727, for the provision of the aforementioned psychological assessments for children, the term of which expires September 30, 2023, and

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

WHEREAS, Melissa Ball d/b/a MW Mental Health Counseling Services has agreed to provide the aforementioned psychological assessments for children for an amount not to exceed \$50,000.00, to be paid as invoiced, and

WHEREAS, this program is 62% state and 38% County funded, however, without the aforementioned psychological assessment services, the Department of Social Services will not be eligible for Title IV-E 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 Melissa Ball d/b/a MW Mental Health Counseling Services, for the provision of the above-described services, 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 5 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted September 13, 2023 by voice vote.

**ACT NO. 394-2023** by Mr. Helmich<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATTARAUGUS COMMUNITY ACTION, INC. D/B/A  
CONNECTING COMMUNITIES IN ACTION FOR  
DEPARTMENT OF SOCIAL SERVICES TRUANCY PREVENTION PROGRAM**

Pursuant to Public Law 104-193 and Section 450 of the County Law.

WHEREAS, Act 384-2022 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the implementation of a truancy prevention program

in Cattaraugus County, in an attempt to reduce the percentage of poor attendance and chronic absenteeism in area school districts, the term of which expires September 30, 2023, and

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

WHEREAS, Cattaraugus Community Action, Inc., d/b/a Connecting Communities in Action, has agreed to provide a truancy prevention program in Cattaraugus County for an amount not to exceed \$186,206.00, to be paid on a monthly basis for services provided during the preceding month, as invoiced, and

WHEREAS, this program is 62% state funded and 38% county funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Cattaraugus Community Action, Inc., d/b/a Connecting Communities in Action, for the provision of the above-described services, 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 4 members of the Finance Committee and 5 members of the Human Services Committee. Mrs. Andreano abstained from approval.

<sup>1</sup>The following Legislator requested her name be removed as a sponsor: "Mrs. Andreano".

Adopted September 13, 2023 by voice vote. Mrs. Andreano abstained from vote.

**ACT NO. 395-2023** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH  
VARIOUS ENTITIES FOR DEPARTMENT OF SOCIAL SERVICES  
FAMILY GROUP CONFERENCING PROGRAM**

Pursuant to 18 NYCRR Parts 405 and 423 and  
Section 450 of the County Law.

WHEREAS, Act 516-2022 authorized contracts with various entities for a family group conferencing program in Cattaraugus County, the terms of which expire September 30, 2023, and

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

WHEREAS, the following various entities have agreed to provide family group conferencing program services, for a total annual program amount not to exceed \$54,600.00, to be paid as invoiced:

<u>Agency</u>	<u>Amount</u>
Cattaraugus Community Action, Inc. d/b/a Connecting Communities in Action 25 Jefferson Street Salamanca, New York 14779	\$28,600.00
Parent Education Program, Inc. 234 North Union Street Olean, New York 14760,	\$26,000.00

and

WHEREAS, a portion of this program is 62% state funded and 38% County funded, and the other portion is 100% federally funded (CFDA #93.558), 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 contracts, on behalf of Cattaraugus County, with the above-listed entities, for the provision of the above-described services, 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 5 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted September 13, 2023 by voice vote.

**ACT NO. 396-2023** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
OLEAN YMCA, INC. FOR YMCA MEMBERSHIPS FOR  
FAMILIES WITH CHILDREN AT RISK OF PLACEMENT**

Pursuant to 9 NYCRR Sections 771.6 and 771.7,  
Public Law 104-193 and Section 450 of the County Law.

WHEREAS, Act 386-2022 authorized a contract with the Olean YMCA, Inc., 1011 Wayne Street, Olean, New York 14760, for the provision of YMCA memberships for family activities for at-risk

youth and families in an effort to reduce at-risk factors and out-of-home placement, the term of which expires September 30, 2023, and

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

WHEREAS, the Olean YMCA, Inc., has agreed to continue the provision of the above-described services for a total amount not to exceed \$16,000.00 to be paid on a monthly basis for memberships provided during the preceding month, 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 Olean YMCA, Inc., for the provision of the above-described services, 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 5 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted September 13, 2023 by voice vote.

**ACT NO. 397-2023** by Mr. Burr

**LOCAL LAW NUMBER 3 - 2023  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Chapter 98 of the Laws of 2009 and Section 253-x of the Tax Law.

**A LOCAL LAW IMPOSING AN ADDITIONAL MORTGAGE RECORDING TAX  
WITHIN THE COUNTY OF CATTARAUGUS**

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

**SECTION 1. Legislative Intent.** It is the intent of this Local Law to impose an additional mortgage recording tax.

**SECTION 2. Imposition of Tax.** Effective December 1, 2023 and terminating December 1, 2025, there is hereby imposed, in the County of Cattaraugus, a tax of 25 cents for each \$100 and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within Cattaraugus County and recorded on or after December 1, 2023, and a tax of 25 cents on such mortgage

if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than \$100.

SECTION 3. Applicability. The taxes imposed under the authority of this section shall be administered and collected in the same manner as the taxes imposed under Section 253(1) and Section 255(1)(b) of the Tax Law. Except as otherwise provided in this section, all the provisions of the Tax Law relating to or applicable to the administration and collection of the taxes imposed by such subdivisions shall apply to the taxes imposed under the authority of this section with such modifications as may be necessary to adapt such language to the tax so authorized. Such provisions shall apply with the same force and effect as if those provisions had been set forth in full in this section except to the extent that any provision is either inconsistent with a provision of this section or not relevant to the tax authorized by this section. For purposes of this section, any reference in the Tax Law to the tax or taxes imposed by the Tax Law shall be deemed to refer to a tax imposed pursuant to this section, and any reference to the phrase "within this state" shall be read as "within Cattaraugus County", unless a different meaning is clearly required.

SECTION 4. Real Property Located in More than One County. Where the real property covered by the mortgage subject to the tax imposed pursuant to the authority of this section is situated in this state but within and without the county imposing such tax, the amount of such tax due and payable to such county shall be determined in a manner similar to that prescribed in the first undesignated paragraph of Section 260 of the Tax Law which concerns real property situated in two or more counties. Where such property is situated both within such county and without the state, the amount due and payable to such county shall be determined in the manner prescribed in the second undesignated paragraph of such Section 260 which concerns property situated within and without the state. Where real property is situated within and without the county imposing such tax, the recording officer of the jurisdiction in which the mortgage is first recorded shall be required to collect the taxes imposed pursuant to this section.

SECTION 5. Additional Taxes. A tax imposed pursuant to the authority of this section shall be in addition to the taxes imposed by Section 253 of the Tax Law.

SECTION 6. Disposition of Taxes. Notwithstanding any provision of the Tax Law to the contrary, the balance of all moneys paid to the recording officer of the County of Cattaraugus during each month upon account of the tax imposed pursuant to the authority of this section, after deducting the necessary expenses of his or her office as provided in Section 262 of the Tax Law, except taxes paid upon mortgages which under the provisions of this section or Section 260 of the Tax Law are first to be apportioned by the commissioner, shall be paid over by such officer on or before the 10<sup>th</sup> day of each succeeding month to the treasurer of Cattaraugus County and, after the deduction by such treasurer of the necessary expenses of his or her office provided in Section 262 of the Tax Law shall be deposited in the general fund of the County of Cattaraugus. Notwithstanding the provisions of the preceding sentence, the tax so imposed and paid upon mortgages covering real property situated in two or more counties, which under the provisions of this section or Section 260 of the Tax Law are first to be apportioned by the commissioner, shall be paid over by the recording officer receiving the same as provided by the determination of the commissioner.

SECTION 7. Payment of Taxes. The tax imposed pursuant to this Local Law will be payable on the recording of each mortgage or real property subject to taxes thereunder. The tax will be paid to the recording officer of the county in which the real property or any part thereof is situated, except where real property is situated within and without the county, the recording officer of the county in which the mortgage is first recorded will collect the tax imposed by this Local Law. It will be the duty of the recording

officer to endorse upon each mortgage a receipt for the amount paid. Any mortgage so endorsed may thereupon or thereafter be recorded by any recording officer and the receipt of the tax endorsed upon each mortgage will be recorded therewith. The record of the receipt will be conclusive proof that the amount of the tax stated therein has been paid upon the mortgage.

SECTION 8. Effective Date. This local law shall take effect immediately.

Approved by 5 members of the Finance Committee.

No further action taken at this time.

**ACT NO. 398-2023** by Mr. Burr

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 3 - 2023**

Pursuant to Section 20 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on September 13, 2023, a proposed Local Law entitled "A Local Law Imposing an Additional Mortgage Recording Tax within the County of Cattaraugus", and

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

RESOLVED, that a public hearing shall be held on the proposed Local Law by this County Legislature on the 27<sup>th</sup> day of September, 2023, at 5:01 p.m. at the Legislature's Chambers, Cattaraugus County Center, 303 Court Street, Little Valley, New York, and that at least five days' notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Approved by 5 members of the Finance Committee.

Adopted September 13, 2023 by voice vote.

\* \* \* \* \*

MR. HELMICH moved, seconded by Mr. Parker, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 399-2023 through Act No. 407-2023. Carried.

\* \* \* \* \*



**ACT NO. 399-2023** by Mr. VanRensselaer  
who asks immediate consideration

**APPOINTMENT TO JAMESTOWN COMMUNITY COLLEGE  
REGIONAL BOARD OF TRUSTEES**

Pursuant to Section 6310(1-a) of the Education Law.

RESOLVED, that Kate Rauber is hereby appointed to the Jamestown Community College Regional Board of Trustees for a seven-year term to expire June 30, 2030, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the President’s Office of Jamestown Community College, 525 Falconer Street, Jamestown, New York 14702.

Adopted September 13, 2023 by voice vote.

**ACT NO. 400-2023** by Mr. VanRensselaer  
who asks immediate consideration

**APPOINTMENT TO COMMUNITY SERVICES BOARD**

Pursuant to Section 41.11 of the Mental Hygiene Law.

RESOLVED, that Erin L. Whitcomb, Commissioner of the Department of Social Services, is hereby appointed to the Community Services Board effective July 28, 2023, for a term to expire December 31, 2024, and be it further

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

Adopted September 13, 2023 by voice vote.

**ACT NO. 401-2023** by Mr. VanRensselaer  
who asks immediate consideration

**APPOINTMENT TO COMMUNITY SERVICES BOARD  
ADDICTIONS SERVICES AND SUPPORTS SUBCOMMITTEE**

Pursuant to Section 41.11 of the Mental Hygiene Law.

RESOLVED, that Erin L. Whitcomb, Commissioner of the Department of Social Services, is hereby appointed to the Community Services Board Addictions Services and Supports Subcommittee effective July 28, 2023, for a term to expire December 31, 2024, and be it further

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

Adopted September 13, 2023 by voice vote.

**ACT NO. 402-2023** by Mr. VanRensselaer  
who asks immediate consideration

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

Pursuant to Section 41.11 of the Mental Hygiene Law.

RESOLVED, that Camille Putnam is hereby appointed to the Community Services Board People with Developmental Disabilities Subcommittee, effective July 28, 2023, replacing Peggy Keller who resigned, with a term to expire December 31, 2024, and be it further

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

Adopted September 13, 2023 by voice vote.

**ACT NO. 403-2023** by Mrs. Andreano and Mr. Helmich  
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
HEALTH RESEARCH, INC. FOR PUBLIC HEALTH  
PREPAREDNESS AND RESPONSE TO BIOTERRORISM**

Pursuant to Section 301 et seq. of the Public Health Service Act and  
Section 450 of the County Law.

WHEREAS, Act 56-2023 authorized a contract with Health Research, Inc., in order to accept funding for the next phase of the terrorism emergency response and preparedness plan, the term of which expired June 30, 2023, and

WHEREAS, the County Health Department has been awarded funding through Health Research, Inc., Riverview Center, 150 Broadway, Suite 280, Menands, New York 12204, in the total contract amount of \$1,077,196.00, with a maximum reimbursement of \$77,196.00, for the period commencing July 1, 2023 and terminating June 30, 2024, and

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

WHEREAS, this program is 100% federally funded (CFDA# 93.069), 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 Health Research, Inc., in order to accept and receive the aforementioned grant funding, 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.

Adopted September 13, 2023 by voice vote.

**ACT NO. 404-2023** by Mrs. Andreano and Mr. Helmich  
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
QUEST DIAGNOSTICS CLINICAL LABORATORIES, INC. FOR  
HEALTH DEPARTMENT SUBSTANCE ABUSE TESTING SERVICES**

Pursuant to 10 NYCRR Part 763 and Section 450 of the County Law.

WHEREAS, Act 32-2019, as amended by Act 314-2023, authorized a contract with Quest Diagnostics Clinical Laboratories, Inc., 875 Greentree Road, Four Parkway Center, Pittsburgh, Pennsylvania 15220, for the provision of substance abuse testing services for the County Health Department, and

WHEREAS, the County is desirous of amending the aforementioned contract to include Fentanyl testing services, and

WHEREAS, Quest Diagnostics Clinical Laboratories, Inc., can provide Fentanyl testing services in accordance with the following rate schedule:

PRICING FOR "LAB BASED" TESTING AND SERVICES

<u>Description</u>	<u>Test Code</u>	<u>Client Test Code Price</u>
SAP 10-50/2000 W/TS + Fentanyl	59387N	\$31.30
SAP 10-50/2K+ALC W/TS + Fentanyl	59573N	\$32.40

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 Quest Diagnostics Clinical Laboratories, Inc., for the provision of the above-described services, for a term commencing August 1, 2023 to continue in full force and effect under the same rates, terms and conditions, until terminated by either party hereto, according to the above-described terms.

Adopted September 13, 2023 by voice vote.

**ACT NO. 405-2023** by Mrs. Andreano and Ms. Schröder  
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
FAVORITE HEALTHCARE STAFFING, INC. FOR  
PEDIATRIC SKILLED NURSING SERVICES FOR  
CHILDREN WITH SPECIAL NEEDS PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, the Youth Bureau is desirous of providing pediatric skilled nursing services during transport to and from school or program for the Children with Special Needs Program, and

WHEREAS, Favorite Healthcare Staffing, Inc., 9800 Metcalf Avenue, 4<sup>th</sup> Floor, Overland Park, Kansas 66212, has personnel who can provide the aforementioned services, as requested by the County, for an amount in accordance with the following rate schedule:

<u>Classification</u>	<u>Tier 1</u>	<u>Tier 2</u>	<u>Tier 3</u>	<u>Tier 4</u>
LPN/LVN	\$48.00/hr.	\$52.80/hr.	\$62.40/hr.	\$76.80/hr.

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Favorite Healthcare Staffing, Inc., for the provision of the above-described services, for a term commencing August 30, 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 September 13, 2023 by voice vote.

**ACT NO. 406-2023** by Mrs. Andreano and Mr. Helmich  
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
NEW YORK STATE OFFICE OF MENTAL HEALTH FOR  
DEVELOPMENT OF BEHAVIORAL HEALTH MOBILE CRISIS SERVICES**

Pursuant to Section 75.13 of the Mental Hygiene Law  
and Section 450 of the County Law.

WHEREAS, the New York State Office of Mental Health is providing one-time start-up funding to help support the development of behavioral health Mobile Crisis services, and

WHEREAS, the Department of Community Services has been awarded an amount of \$300,000 annually for two (2) years starting July 1, 2023 for the development of behavioral health Mobile Crisis services in Cattaraugus County, and

WHEREAS, Mobile Crisis services are comprised Telephonic Triage and Response; Mobile Crisis Response; Telephonic Crisis Follow-Up; and Mobile Crisis Follow-Up which focuses on in-community support for continued stabilization in the community, 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 the New York State Office of Mental Health, in order to accept, and receive, state aid funding for Mobile Crisis services, for a term commencing July 1, 2023 and terminating June 30, 2025, 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 September 13, 2023 by voice vote.

**ACT NO. 407-2023** by Mr. Helmich  
who asks immediate consideration

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
FOR COUNTY ROAD NO. 71 AND COUNTY ROAD NO. 90 PROJECTS  
(Department of Public Works)**

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

WHEREAS, a transfer of funds is required in order to complete the County Road No. 71 and County Road No. 90 Projects, and

WHEREAS, various appropriation and revenue accounts must be adjusted to cover the costs associated with the aforementioned road projects, now, therefore, be it

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

Increase Estimated Revenue Account:

D.502.0000.0000.1110.3	County Road Fund Sales Tax	\$250,000.00
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Increase Appropriation Accounts:

H.504.5197.5194.27054.41603	County Road No. 71	\$125,000.00
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H.504.5197.5194.27078.41603	County Road No. 90	\$125,000.00.
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Adopted September 13, 2023 by voice vote.

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MR. SNYDER moved, seconded by Mr. Boberg, to adjourn until September 27, 2023 at 5:00 p.m.  
Carried.

Meeting adjourned at 5:15 p.m.

Ann M. Giglio  
Journal Clerk