

October 25, 2023

The meeting was called to order by Chairman VanRensselaer.

The invocation was given by Legislator Andreano.

The Attendance Roll Call disclosed two Legislators absent – Burr and Schröder.

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There being no amendments or objections thereto, Chairman VanRensselaer noted that the minutes of the October 11, 2023 session stand approved as presented.

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PUBLIC HEARING:

CHAIRMAN VANRENSELAER announced this is the time and place called for a public hearing on Requests for Inclusion into a Certified Agricultural District of Agricultural Parcels Submitted During the 2023 Thirty-Day Inclusion Period, 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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RECOGNITION:

CHAIRMAN VANRENSELAER recognized Brian McClellan on his completion of the Adirondack 46er challenge on the summit of Basin Mountain on September 2, 2023.

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ACT NO. 430-2023 by Mr. Benson and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
GREENMAN-PEDERSEN, INC. FOR CONSULTANT DESIGN SERVICES FOR
MANSFIELD CULVERT NO. 45 FEDERAL-AID REPLACEMENT PROJECT**

Pursuant to Section 131-b of the Highway Law and
Section 450 of the County Law.

WHEREAS, Act 256-2022 authorized a contract with Greenman-Pedersen, Inc., 403 Main Street, Suite 330, Buffalo, New York 14225, for the provision of consultant design services for the Mansfield Culvert No. 45 federal-aid replacement project, located on County Road No. 14 (Toad Hollow Road) over unnamed tributary of Mansfield Creek, PIN 5763.84, in the Town of Mansfield, and

WHEREAS, the term of the aforementioned contract expires December 31, 2023 and should be extended to June 30, 2024, and

WHEREAS, Greenman-Pedersen, Inc., has agreed to the aforementioned contract extension at no additional 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 extension, on behalf of Cattaraugus County, with Greenman-Pedersen, Inc., for the provision of the above-described services, to extend the term of the contract which commenced June 8, 2022 to terminate June 30, 2024, according to the above-described terms.

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

Adopted October 25, 2023 by voice vote.

ACT NO. 431-2023 by Mr. Benson and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
GREENMAN-PEDERSEN, INC. FOR
LANDFILL WATER MONITORING REPORTING AT
FARWELL AND FIVE POINTS LANDFILLS**

Pursuant to Sections 226-b and 450 of the County Law.

WHEREAS, Act 500-2017, as amended, authorized a contract with Greenman-Pedersen, Inc., 4950 Genesee Street, Suite 100, Buffalo, New York 14225, for the provision of water monitoring reporting at both the Farwell (Town of Ischua) and Five Points (Town of Mansfield) Landfills, the term of which expires December 31, 2023, and

WHEREAS, the County Department of Public Works is desirous of continuing the post-closure water quality monitoring reporting at the aforementioned landfills, and

WHEREAS, Greenman-Pedersen, Inc., can provide evaluation and reporting services for water quality monitoring information generated during the four annual/biennial monitoring events at the Farwell Landfill and four annual events at the Five Points Landfill as requested by the County for a total amount not to exceed \$41,200.00 for the four-year period, as follows:

<u>Report</u>	<u>Report Description</u>	<u>Total Cost</u>
Farwell	2024 Combined PRR and Water Quality Monitoring (1 annual report)	\$ 6,600.00
Farwell	2025 Combined PRR and Water Quality Monitoring (1 annual report)	\$ 6,800.00
Farwell	2026 Combined PRR and Water Quality Monitoring (1 annual report)	\$ 7,000.00
Farwell	2027 Combined PRR and Water Quality Monitoring (1 annual report)	\$ 7,200.00
Five Points	2024 Landfill Reporting (1 annual report)	\$ 3,250.00
Five Points	2025 Landfill Reporting (1 annual report)	\$ 3,350.00
Five Points	2026 Landfill Reporting (1 annual report)	\$ 3,450.00
Five Points	2027 Landfill Reporting (1 annual report)	<u>\$ 3,550.00</u>
	Total Project Cost	\$41,200.00

now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Greenman-Pedersen, Inc., for the provision of the above-described services, contingent upon and subject to inclusion in the 2024 budget and subsequent budgets of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2024 and terminating December 31, 2027.

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

Adopted October 25, 2023 by voice vote.

ACT NO. 432-2023 by Mr. Benson and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH COLLIERS ENGINEERING & DESIGN FOR
EVALUATION AND INSPECTION OF COUNTY-OWNED DAMS**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 409-2020 authorized a contract with Bergmann Associates for the provision of evaluation and inspection services for County-owned dams, including the Ischua and Conewango (Cattaraugus County-owned) watershed dams, the term of which expires December 31, 2023, and

WHEREAS, the County Department of Public Works is desirous of continuing the aforementioned services, and

WHEREAS, Colliers Engineering & Design f/k/a Bergmann Associates, 280 East Broad Street, Suite 200, Rochester, New York 14604, can provide the necessary evaluation and inspection services for a total amount not to exceed \$23,250.00, to be paid as invoiced as follows:

<u>Task</u>	<u>Description</u>	<u>Cost</u>
1	Inspection Program for 2024	\$ 5,000.00
2	Inspection Program for 2025	\$ 5,150.00
3	Inspection Program for 2026	\$ 5,300.00
4	On Call Services (15 hours ±) Annually-only as needed	\$ 6,000.00
	Expenses (Mileage)	\$ 600.00
	Conewango 13 Review Time (2023)	<u>\$ 1,200.00</u>
	Total	\$23,250.00

now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Colliers Engineering & Design f/k/a Bergmann Associates, for the provision of the above-described services, contingent upon and subject to inclusion in the 2024 budget and subsequent budgets of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2024 and terminating December 31, 2026, according to the above-described terms.

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

Adopted October 25, 2023 by voice vote.

ACT NO. 433-2023 by Mr. Benson and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
VILLAGE OF LITTLE VALLEY FOR LEACHATE DISPOSAL SERVICES**

Pursuant to Sections 226-b and 450 of the County Law.

WHEREAS, Act 230-2018, as amended by Act 291-2023, authorized a contract with the Village of Little Valley for the provision of leachate disposal services from the Five Points Landfill at the Little Valley Wastewater Treatment Plant, the term of which expires December 31, 2023, and

WHEREAS, the County currently pays the Village of Little Valley the sum of \$.0059 per gallon of waste (\$5.90 per 1000 gallons), and

WHEREAS, the Village of Little Valley has agreed to renew the aforementioned contract according to the following rates:

<u>Contract Year</u>	<u>Rate/1,000 Gallons of Waste</u>
Year 1 - 2024	\$6.00
Year 2 – 2025	\$6.10
Year 3 – 2026	\$6.20
Year 4 – 2027	\$6.30
Year 5 – 2028	\$6.40

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 Village of Little Valley, for the provision of the above-described disposal services, contingent upon and subject to inclusion in the 2024 budget and subsequent budgets of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2024 and terminating December 31, 2028, according to the above-described terms.

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

Adopted October 25, 2023 by voice vote.

ACT NO. 434-2023 by Mr. Benson and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
ROCHESTER COMPUTER RECYCLING & RECOVERY, LLC
D/B/A EWASTE FOR RECYCLING OF ELECTRONIC EQUIPMENT**

Pursuant to Section 450 of the County Law and
Section 103 (3) of the General Municipal Law.

WHEREAS, Act 557-2022 authorized a contract with Rochester Computer Recycling & Recovery, LLC, d/b/a EWaste, 7318 Victor Mendon Road, Victor, New York 14564, for the collection, transportation and disposal of electronic equipment at all Cattaraugus County Transfer Stations, the term of which expires December 31, 2023, and

WHEREAS, the Department of Public Works is desirous of renewing the aforementioned contract, and

WHEREAS, Rochester Computer Recycling & Recovery, LLC, d/b/a E-Waste, can provide for the collection, transportation and disposal of the following electronic equipment at all Cattaraugus County Transfer Stations, at no cost to the County:

Material Pricing:

Class/Sub Class

Recycling Fee

Freon Units	\$25.000 Per Item
Media	\$ 0.500 Per lb.
Medical Waste	\$25.000 Per Item
Mercury Containing Devices	\$50.000 Per Item
Non-CEE	\$ 0.200 Per lb.
Smoke Detectors	\$25.000 Per Item
UW-Batteries-Alkaline	\$ 0.750 Per lb.
UW-Batteries-Carbon Air	\$ 8.000 Per lb.
UW-Batteries-Carbon Air With Mercury	\$14.500 Per lb.
UW-Batteries-Carbon Zinc	\$ 1.150 Per lb.
UW-Batteries-E-Cig Charger	\$ 1.500 Per lb.
UW-Batteries-Lithium Button Cell	\$ 6.500 Per lb.
UW-Batteries-Lithium Ion Damaged	\$10.500 Per lb.
UW-Batteries-Lithium Iron Phosphate	\$ 6.500 Per lb.
UW-Batteries-Lithium Manganese Dioxide	\$ 6.000 Per lb.
UW-Batteries-Lithium Nickel Manganese Cobalt Oxide	\$ 3.500 Per lb.
UW-Batteries-Lithium Polymer	\$ 6.000 Per lb.
UW-Batteries-Lithium Primary	\$ 7.350 Per lb.
UW-Batteries-Lithium Sulphur Dioxide	\$ 7.350 Per lb.
UW-Batteries-Lithium Thionyl Chloride	\$ 9.200 Per lb.
UW-Batteries-Mercury Dry	\$13.500 Per lb.
UW-Batteries-Mercury Wet Cell	\$14.500 Per lb.
UW-Batteries-Nickel Cadmium	\$ 0.750 Per lb.
UW-Batteries-Nickel Cadmium Wet	\$ 3.500 Per lb.
UW-Batteries-Nickel Metal Wet	\$ 0.950 Per lb.
UW-Batteries-Secure ID Tags/Price Tags	\$ 7.000 Per lb.
UW-Batteries-Silver Oxide	\$ 0.250 Per lb.
UW-Batteries-Zinc Air With Mercury	\$ 9.500 Per lb.
UW-Batteries-Zinc Chloride	\$ 1.400 Per lb.
UW-Electronic Ballasts	\$ 0.200 Per lb.
UW-Light Bulbs-Broken	\$ 2.500 Per lb.
UW-Light Bulbs-Coated, ShatterShield, PowerGroove	\$ 2.700 Per Item
UW-Light Bulbs-Compact CFL, Biax, Par, Halogen	\$ 0.850 Per Item
UW-Light Bulbs-Fluorescent/HID Fixtures	\$10.600 Per Item
UW-Light Bulbs-Fluorescent 2 ft	\$ 0.290 Per Item
UW-Light Bulbs-Fluorescent 3 ft	\$ 0.435 Per Item
UW-Light Bulbs-Fluorescent 4 ft	\$ 0.580 Per Item
UW-Light Bulbs-Fluorescent 5 ft	\$ 0.725 Per Item
UW-Light Bulbs-Fluorescent 6 ft	\$ 0.870 Per Item
UW-Light Bulbs-Fluorescent 8 ft	\$ 1.160 Per Item
UW-Light Bulbs-Fluorescent U Shape, Circular	\$ 0.850 Per Item

UW-Light Bulbs-HID, High Pressure Sodium, Mercury Vapor	\$ 1.700 Per Item
UW-Light Bulbs-Incandescent	\$ 0.550 Per Item
UW-Light Bulbs-LED	\$ 0.450 Per Item
UW-Light Bulbs-Metal Halide	\$ 1.700 Per Item
UW-Light Bulbs-Projector Lamps	\$ 0.850 Per Item
UW-Light Bulbs-Shielded Fluorescent	\$ 2.700 Per Item
UW-Light Bulbs-Shielded HID	\$ 2.700 Per Item
UW-Light Bulbs-UV	\$ 3.700 Per Item
UW-Non PCB Ballast	\$ 1.150 Per lb.
UW-PCB Ballast	\$ 2.750 Per lb.

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 Rochester Computer Recycling & Recovery, LLC, d/b/a EWaste, for the collection, transportation and disposal of electronic equipment at all Cattaraugus County Transfer Stations, contingent upon and subject to inclusion in the 2024 budget and subsequent budgets of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2024 and terminating December 31, 2025, with the option to renew for one (1) additional two-year term, upon mutual agreement of the parties, according to the above-described terms.

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

Adopted October 25, 2023 by voice vote.

ACT NO. 435-2023 by Mr. Benson and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH BIOSAN DISPOSAL, LLC FOR
PICKUP, REMOVAL AND DISPOSAL OF REGULATED
MEDICAL WASTE FROM VARIOUS COUNTY LOCATIONS**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 442-2019 authorized a contract with Cyntox, LLC, for the pickup, removal and disposal of regulated medical waste from various County locations, the term of which expires December 31, 2023, and

WHEREAS, the Department of Public Works has solicited proposals from four (4) companies for the provision of the aforementioned services, and

WHEREAS, Biosan Disposal, LLC, 155 Great Arrow Avenue, Buffalo, New York 14207, can provide the services necessary for the pickup, removal and disposal of regulated medical waste from various County locations for an amount of \$1.25 per pound of regulated medical waste, 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 Biosan Disposal, LLC, for the pickup, removal and disposal of regulated medical waste from various County locations, contingent upon and subject to inclusion in the 2024 budget and subsequent budgets of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2024 and terminating December 31, 2025,

with the option to renew for one (1) additional two-year term, upon mutual agreement of the parties, according to the above-described terms.

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

Adopted October 25, 2023 by voice vote.

ACT NO. 436-2023 by Mr. Boberg and Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE INDUSTRIES FOR THE DISABLED, INC. AND INTANDEM
D/B/A CATTARAUGUS REHABILITATION CENTER, INC. FOR
JANITORIAL SERVICES FOR OLEAN OFFICE FACILITY**

Pursuant to Section 162 of the Finance Law and
Sections 215 and 450 of the County Law.

WHEREAS, Act 378-2021, as amended by Act 415-2022, authorized a contract with the New York State Industries for the Disabled, Inc., 11 Columbia Circle Drive, Albany, New York 12203, through Intandem d/b/a Cattaraugus Rehabilitation Center, Inc., for the provision of janitorial services for the Olean Office Facility, the term of which expires December 31, 2023, and

WHEREAS, the County is desirous of renewing the aforementioned contract to continue the provision of janitorial services for the term January 1, 2024 through December 31, 2025, and

WHEREAS, the County has also been advised that the New York State Department of Labor has increased the prevailing wage schedule effective July 1, 2023, and

WHEREAS, the New York State Industries for the Disabled, Inc., through Intandem d/b/a Cattaraugus Rehabilitation Center, Inc., has agreed to provide janitorial services for the County's Olean Office Facility, for an amount as follows:

7/1/2023 – 12/31/2023	\$21,834.01/month
1/1/2024 – 12/31/2025	\$24,486.64/month

(subject to increase based upon NYSDOL Prevailing Wage Rates),

and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned janitorial 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 New York State Industries for the Disabled, Inc., through Intandem d/b/a Cattaraugus Rehabilitation Center, Inc., for the provision of the above-described janitorial services, for a term commencing July 1, 2023 and terminating December 31, 2025, according to the above-described terms, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, further authorized and directed to execute contract amendments, upon notification of price adjustments due to increases in the prevailing wage for these services.

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

Adopted October 25, 2023 by voice vote.

ACT NO. 437-2023 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
STATEWIDE MACHINERY, INC. FOR UNIMAC LAUNDRY EQUIPMENT FOR
THE PINES HEALTHCARE AND REHABILITATION CENTERS AND
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Department of Nursing Homes)**

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

WHEREAS, the Department of Nursing Homes is in need of one (1) washer-extractor for The Pines Healthcare and Rehabilitation Centers, and

WHEREAS, Statewide Machinery, Inc., 319 West Main Street, Suite 5, Batavia, New York 14020, is the sole source provider for the UniMac equipment that the Department of Nursing Homes uses to operate the laundry, and

WHEREAS, Statewide Machinery, Inc., can provide and install at The Pines Healthcare and Rehabilitation Centers, one (1) UniMac 160 lb. Industrial Hard Mount Washer-Extractor and remove the old 150 lb. washer, for a total amount of \$37,900.00, to be paid as invoiced, and

WHEREAS, various appropriation accounts must be adjusted to cover the cost of the aforementioned laundry 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 Statewide Machinery, Inc., for the provision of the above-described laundry equipment, for a term commencing October 22, 2023 and terminating upon installation and acceptance of the 160 lb. washer-extractor by the County, 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:

EF.453.4530.1160.20002	Capital-Building Improvements	\$37,900.00
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Increase Appropriation Account:

EF.453.4530.1190.20008	Tools & Equipment	\$37,900.00.
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Approved by 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted October 25, 2023 by voice vote.

ACT NO. 438-2023 by Mrs. Andreano and Mr. Helmich

**ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Department of Nursing Homes)**

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

WHEREAS, two (2) automatic sliding doors located at The Pines Healthcare and Rehabilitation Center-Machias Campus need to be repaired, and

WHEREAS, Imperial Door Controls, Inc., 85 Oriskany Drive, Tonawanda, New York 14150, provided the materials and labor to complete the necessary repairs for an amount of \$22,790.00, and

WHEREAS, various appropriation accounts must be adjusted to cover the cost of the aforementioned door repairs, now, therefore, be it

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

Decease Appropriation Account:

El.453.4530.1160.20002	Capital-Building Improvements	\$22,790.00
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Increase Appropriation Account:

El.453.4530.8220.44401	Building Repair and Maintenance	\$22,790.00.
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Approved by 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted October 25, 2023 by voice vote.

ACT NO. 439-2023 by Mr. Boberg and Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE FOR
SHERIFF'S DEPARTMENT TRAFFIC SAFETY PARTNERSHIP PROGRAM**

Pursuant to Section 1229-c of the Vehicle and
Traffic Law and Section 450 of the County Law.

WHEREAS, Act 437-2022 authorized the Chairman to execute grant documents for the receipt of funding through the New York State Governor's Traffic Safety Committee for a Traffic Safety Enforcement Program for the 2022-2023 program year, and

WHEREAS, the Sheriff's Office has been awarded funding in the amount of \$13,480.00 through the New York State Governor's Traffic Safety Committee for a Traffic Safety Enforcement Program for the 2023-2024 program year, for the following components:

Child Passenger Safety Program	\$2,400.00
Police Traffic Services Program	\$7,080.00
Traffic Safety Education Program	\$4,000.00,

and

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

WHEREAS, this program includes federal funding (CFDA #20.600 and #20.616) and State funding from the New York State Governor's Traffic Safety Committee, 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 Governor's Traffic Safety Committee, in order to receive the aforementioned funding, for a term commencing October 1, 2023 and terminating September 30, 2024, according to the above-described terms, and be it further

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

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

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

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

Adopted October 25, 2023 by voice vote.

ACT NO. 440-2023 by Mr. Higgins and Mr. Marsh

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CROWDRIFF, INC. FOR VISUAL MARKETING PLATFORM LICENSES FOR
DEPARTMENT OF ECONOMIC DEVELOPMENT, PLANNING & TOURISM**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Department of Economic Development, Planning and Tourism is desirous of marketing the County in an effort to promote tourism, and

WHEREAS, CrowdRiff, Inc., 1200-225 King Street West, Toronto, Ontario M5V 3M2, can provide a visual marketing software platform, and up to 3 user licenses, that uses data to discover and deliver visuals that can motivate visitors to Cattaraugus County for an amount of \$6,000.00, to be paid as invoiced, and

WHEREAS, annual renewals may be subject to an increase of no more than 5%, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned licenses, 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 CrowdRiff, Inc., for the provision of the above-described Visual Marketing Platform Licenses, for a term commencing November 1, 2023 and terminating October 31, 2024, with automatic renewals for additional 12 month periods, unless terminated at least thirty (30) days prior to the end of the current license period, according to the above-described terms.

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

Adopted October 25, 2023 by voice vote.

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MRS. ANDREANO moved, seconded by Mr. Marsh, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 441-2023 through Act No. 453-2023. Carried.

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ACT NO. 441-2023 by Mr. Benson, Mr. Brisky, Mr. Burr and Mr. Parker
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
TOWN OF ALLEGANY FOR ASSISTANCE WITH SEWER LINE EXTENSION
(Route 417 Sanitary Sewer Line Extension/Exit 24)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 334-2022 authorized a contract with the Town of Allegany for assistance in funding a sewer line extension to the former Kmart Plaza at the intersection of Route 417 and West Five Mile Road (Allegany Crossings/Exit 24), by contributing an amount not to exceed \$800,000.00 to the Town, and

WHEREAS, the term of the aforementioned contract expires December 31, 2023, and

WHEREAS, it is necessary to extend the aforementioned contract as the project is not completed, now, therefore, be it

RESOLVED, that the County shall provide funding in an amount not to exceed \$800,000.00 to the Town of Allegany for the purpose of extending a sewer line to the Exit 24 area to assist with both ongoing and future economic development, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract extension, on behalf of Cattaraugus County, with the Town of Allegany, for the contribution of an amount not to exceed \$800,000.00 for the sewer line extension project, to extend the term of the contract which commenced August 1, 2022 to terminate December 31, 2024, according to the above-described terms.

Adopted October 25, 2023 by voice vote.

ACT NO. 442-2023 by Mr. Benson and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
NEW YORK STATE INDUSTRIES FOR THE DISABLED, INC. FOR
JANITORIAL SERVICES FOR DEPARTMENT OF COMMUNITY SERVICES
PROS AND CARE MANAGEMENT FACILITIES**

Pursuant to Section 162 of the Finance Law and
Sections 215 and 450 of the County Law.

WHEREAS, Act 58-2023 authorized a contract with New York State Industries for the Disabled, Inc., 11 Columbia Circle Drive, Albany, New York 12203, for the provision of janitorial services for the Department of Community Services PROS and Care Management Facilities, the term of which expires December 31, 2023, and

WHEREAS, the New York State Department of Labor has increased the prevailing wage schedule, which results in an amendment to the aforementioned contract, and

WHEREAS, the New York State Industries for the Disabled, Inc., through Intandem d/b/a Cattaraugus Rehabilitation Center, Inc., has agreed to provide janitorial services for the aforementioned facilities, as follows:

PROS Facility	January 1, 2023 – June 30, 2023	\$1,664.46/month
203 Laurens Street	July 1, 2023 – December 31, 2023	\$1,734.53/month
Olean, New York 14760	(subject to increase based upon NYSDOL Prevailing Wage Rates)	
Care Management Facility	January 1, 2023 – June 30, 2023	\$949.10/month
212 Laurens Street	July 1, 2023 – December 31, 2023	\$984.13/month
Olean, New York 14760	(subject to increase based upon NYSDOL Prevailing Wage Rates),	

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 New York State Industries for the Disabled, Inc., through Intandem d/b/a Cattaraugus Rehabilitation Center, Inc., for the provision of the above-described services, to amend the contract which commenced January 1, 2023 and terminates December 31, 2023, according to the above-described terms, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, further authorized and directed to execute contract amendments, upon notification of price adjustments due to increases in the prevailing wage for these services.

Adopted October 25, 2023 by voice vote.

ACT NO. 443-2023 by Mr. Boberg and Mr. Klancer
who ask immediate consideration

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(LV Grand Jury Room)**

Pursuant to Chapter 686 of the Laws of 1996, 22 NYCRR Part 34.1
and Sections 363, 366 and 450 of the County Law.

WHEREAS, the Grand Jury room in the Little Valley County Center, located at 303 Court Street in Little Valley, is in need of renovation, repairs, maintenance and furnishing, and

WHEREAS, Act 293-2023 authorized a contract with the NYS Unified Court System for the cleaning of court facilities, which included repairs and maintenance for the period April 1, 2023 through March 31, 2024, and

WHEREAS, various appropriation and revenue accounts must be adjusted to cover the cost of renovation, repairs, maintenance and furnishing for the Little Valley Grand Jury room, now, therefore, be it

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

Increase Estimated Revenue Account:

H.504.1620.0000.21061.3021	State Aid, Court Facilities	\$36,750.00
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Increase Appropriation Account:

H.504.1620.0000.21061.41603	Court Facilities Renovation	\$36,750.00.
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Adopted October 25, 2023 by voice vote.

ACT NO. 444-2023 by Mr. VanRensselaer
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
PETRUZZI INSURANCE AGENCY, LLC FOR BROKER OF RECORD SERVICES
FOR COUNTY INSURANCE PROGRAM**

Pursuant to Sections 52 and 78 of the General Municipal Law and
Sections 215 and 450 of the County Law.

WHEREAS, Act 28-2022 authorized a contract with Petruzzi Insurance Agency, LLC, 825 East State Street, Olean, New York 14760, for the provision of brokerage services for the County's Commercial Property, Boiler & Machinery, Commercial Crime, Excess Workers' Compensation & Employer's Liability, Excess Public Entity Liability 1st Layer, Excess Public Entity Liability 2nd Layer, Cyber Security Liability Policy, Nursing Home Policy Renewal, and Marina Coverages, as well as Risk Management Consulting services, the term of which expires December 31, 2023, and

WHEREAS, the County Attorney's Office, Risk Management Division, is desirous of renewing the aforementioned contract for the provision of brokerage services, and

WHEREAS, Petruzzi Insurance Agency, LLC, can provide brokerage services for the County's Commercial Property, Boiler & Machinery, Commercial Crime, Excess Workers' Compensation & Employer's Liability, Excess Public Entity Liability 1st Layer, Excess Public Entity Liability 2nd Layer, Cyber Security Liability Policy, Nursing Home Policy Renewal, and Marina Coverages, as well as Risk Management Consulting services, for an annual amount of \$70,000.00, minus a 5% discount, for a total contract amount of \$66,500.00 per year, 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 Petruzzi Insurance Agency, LLC, for the provision of the above-described brokerage 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, 2023 and terminating January 1, 2024, with a second year option for the term commencing January 1, 2024 and terminating January 1, 2025, according to the above-described terms.

Adopted October 25, 2023 by voice vote.

ACT NO. 445-2023 by Mr. Higgins and Mr. Marsh
who ask immediate consideration

**ADOPTION OF MODIFIED AGRICULTURAL DISTRICT IN VARIOUS TOWNS
RESULTING FROM REQUESTS FOR INCLUSION SUBMITTED
DURING THE 2023 THIRTY-DAY INCLUSION PERIOD
(Towns of Allegany, Ashford, Lyndon, Machias, Mansfield, Napoli and Perrysburg)**

Pursuant to Section 303-b of the Agriculture and Markets Law.

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law requires counties with state certified agricultural districts to designate an annual thirty-day period to allow a landowner to submit a request for inclusion of his or her land, which is predominantly viable agricultural land, into a certified agricultural district, and

WHEREAS, the Cattaraugus County Legislature has received the recommendation of the Agricultural and Farmland Protection Board to include those parcels requesting inclusion into the appropriate agricultural district, and

WHEREAS, the inclusion of these parcels would serve the public interest by assisting in maintaining a viable agricultural industry within each applicable district, and

WHEREAS, after due notice, the Cattaraugus County Legislature held a public hearing on Wednesday, October 25, 2023, concerning the modified district at the Cattaraugus County Legislature's Chambers, 303 Court Street, Little Valley, New York, a place readily accessible to the residents of the proposed modified district, and

WHEREAS, all interested persons were given an opportunity to be heard and the further opportunity to submit written statements concerning the modified district, and

WHEREAS, after due consideration, the Cattaraugus County Legislature does hereby determine that Consolidated Agricultural District No. 5 be modified to include the following described parcels, now, therefore, be it

RESOLVED, that Consolidated Agricultural District No. 5 shall be modified to include the following parcels:

<u>Town</u>	<u>Tax Map No.</u>	<u>Acreage</u>
Allegany	75.004-1-47.3	57.7
Allegany	75.004-1-47.14	1.25
Perrysburg	2.013-2-28	8.95
Lyndon	50.004-1-41.3	80
Mansfield	46.003-1-41.2	61.7
Napoli	71.001-3-18.7	13.5
Napoli	71.001-1-7.1	0.36
Napoli	71.001-1-8.1	9.65
Napoli	71.001-3-18.4	10.9
Machias	30.001-1-13	295.5
Ashford	11.002-2-20	27.25

and be it further

RESOLVED, that the Director of the Cattaraugus County Department of Economic Development, Planning and Tourism be, and hereby is, authorized and directed to submit these modifications, together with all the papers and records pertaining to the same, to the Commissioner of the New York State Department of Agriculture and Markets for certification and, upon the approval of the inclusions, to file a description thereof with the Cattaraugus County Clerk and the New York State Commissioner of Agriculture and Markets.

CHAIRMAN VANRENSELAER requested a Roll Call vote on Act No. 445-2023, which disclosed as follows:

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

Nays: none.

Act No. 445-2023, having received a unanimous vote of the Legislature, was declared Adopted.

ACT NO. 446-2023 by Mr. Boberg and Mr. Klancer
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CH2M HILL BWXT WEST VALLEY, LLC FOR
ON-SITE SECURITY LAW ENFORCEMENT SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 431-2022 authorized a contract with CH2M Hill BWXT West Valley, LLC, 10282 Rock Springs Road, West Valley, New York 14171-9799, for the provision of on-site security law enforcement services for its facility and surrounding areas, the term of which expired September 30, 2023, and

WHEREAS, CH2M Hill BWXT West Valley, LLC, is desirous of renewing the aforementioned contract, and

WHEREAS, the Cattaraugus County Sheriff's Office can provide the aforementioned on-site security law enforcement services for an amount based on actual costs, which are estimated to be \$350,000.00 for the period October 1, 2023 through September 30, 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 CH2M Hill BWXT West Valley, LLC, for the provision of the above-described security law enforcement services, for a term commencing October 1, 2023 and terminating September 30, 2024, according to the above-described terms.

Adopted October 25, 2023 by voice vote.

ACT NO. 447-2023 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CHAUTAUQUA COUNTY FOR
SNAP EDUCATION PROGRAMMING**

Pursuant to Section 450 of the County Law.

WHEREAS, the Chautauqua County Office for Aging Services (OFAS) has been awarded a grant to provide SNAP educational programming in the counties of Chautauqua and Cattaraugus, and

WHEREAS, Chautauqua County's OFAS is desirous of subcontracting with Cattaraugus County for the provision of SNAP educational programming, and

WHEREAS, the Cattaraugus County Department of Aging has agreed to work with Chautauqua County to advance the outreach of SNAP education through indirect education opportunities by providing staff who will offer SNAP education programming consistent with the New York State curriculum, and

WHEREAS, Chautauqua County will pay Cattaraugus County a maximum amount of \$40,000.00 to cover wages and fringe benefits for staff teaching SNAP education programming, including mileage and travel costs and other approved expenses, now, therefore, be it

RESOLVED, that the Chairman 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 SNAP education programming, for a term commencing July 1, 2023 and terminating September 30, 2025, according to the above-described terms.

Adopted October 25, 2023 by voice vote.

ACT NO. 448-2023 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
ALZHEIMER'S DISEASE AND RELATED DISORDERS ASSOCIATION, INC.
FOR ALZHEIMER'S DISEASE CAREGIVER SUPPORT INITIATIVE**

Pursuant to Section 450 of the County Law.

WHEREAS, funding is available through the Alzheimer's Disease and Related Disorders Association, Inc., d/b/a Alzheimer's Association, for the Alzheimer's Disease Caregiver Support Initiative, and

WHEREAS, the County Department of the Aging has been awarded grant funding in an amount not to exceed \$125,000.00 for the period July 1, 2023 through June 30, 2024, which is the 2nd year of a five (5) year renewable grant, and

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

WHEREAS, the grant for the Alzheimer's Disease Caregiver Support Initiative 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 Alzheimer's Disease and Related Disorders Association, Inc., d/b/a Alzheimer's Association, in order to accept 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 October 25, 2023 by voice vote.

ACT NO. 449-2023 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

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

Pursuant to Section 450 of the County Law.

WHEREAS, Act 221-2020, as amended by Act 157-2023, authorized a contract with Favorite Healthcare Staffing, Inc., 7255 West 98th Terrace, Building 5, Suite 150, Overland Park, Kansas 66212, for the provision of certified occupational therapy assistant (COTA) coverage, registered nurse (RN) and licensed practical nurse (LPN) coverage, and certified nurse aide (CNA) coverage for the residents of The Pines Healthcare and Rehabilitation Centers-Olean and Machias Campuses, and

WHEREAS, Favorite Healthcare Staffing, Inc., has requested an increase in the rates for its healthcare staff effective October 18, 2023, with the other rates remaining what they currently are, as follows:

<u>Classification</u>	<u>Tier 1</u>	<u>Tier 2</u>	<u>Tier 3</u>	<u>Tier 4</u>
RN	\$65.00	\$71.50	\$84.50	\$104.00
RN Supervisor/Charge	\$70.00	\$77.00	\$91.00	\$112.00
LPN/LVN	\$55.00	\$60.50	\$71.50	\$ 88.00

*Tier 1 is the Standard Rate. Client may designate certain specialties as urgent, immediate, or special for which Client may expressly approve in the Assignment Request the use of the Tier 2, 3 or 4 rates as set forth in the rate schedule for the duration of such assignment to fill a Client need. Tier 2, 3 and 4 rates are dependent upon State laws or restrictions, and only applicable when permitted.

Overtime: Hours in Excess of 40 billed at 1.50

<u>Holidays</u>	<u>Shifts</u>
Thanksgiving Day Eve	11-7
New Year's Eve; Christmas Eve	3-11, 11-7
Easter Day; Thanksgiving Day	7-3, 3-11
New Year's Day; Memorial Day;	7-3, 3-11, 11-7
July 4 th ; Labor Day; Christmas Day	

and

WHEREAS, an amended contract is necessary to reflect the revised rates, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Favorite Healthcare Staffing, Inc., for the provision of the above-described services, for a term commencing October 18, 2023 to continue in full force and effect at the same rates until amended or terminated by either party, according to the above-described terms.

Adopted October 25, 2023 by voice vote.

ACT NO. 450-2023 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

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

Pursuant to Section 450 of the County Law.

WHEREAS, Act 391-2023 authorized a contract with WorkFit Medical Staffing, PLLC, 1160 Chili Avenue, Rochester, New York 14624, for the provision of health care services staffing 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, the Department of Nursing Homes is also in need of food service workers for dietary needs at The Pines Healthcare and Rehabilitation Center-Machias Campus, and

WHEREAS, WorkFit Medical Staffing, PLLC, can provide the aforementioned health care services staffing coverage and food service workers 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
Dietary (Food Service personnel)	\$32.00 - \$34.00/hour

Holidays:

New Year's Eve	Labor Day
New Year's Day	Thanksgiving Day
Memorial Day	Christmas Eve
Independence Day	Christmas Day

****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, an amended contract is necessary to reflect the revised rates, 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 an amended contract, on behalf of Cattaraugus County, with WorkFit Medical Staffing, PLLC, for the provision of the above-described health care services staffing coverage and food service workers, for a term commencing October 18, 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.

Adopted October 25, 2023 by voice vote.

ACT NO. 451-2023 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
HCA EDUCATION AND RESEARCH FOR THE
VIRTUAL SENIOR CENTER-STATEWIDE EXPANSION TO SUPPORT ISOLATED
ELDERLY AND MEDICALLY VULNERABLE PROJECT GRANT FUNDING AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Health)**

Pursuant to Section 95-a of the General Municipal Law and
Sections 363, 366 and 450 of the County Law.

WHEREAS, the County Health Department is desirous of providing services to homebound and medically needy adult residents of Cattaraugus County through online community interaction, and

WHEREAS, the County Health Department has been awarded a grant in the amount of \$10,000.00 through the HCA Mother Cabrini Health Foundation (MCHF) for the Virtual Senior Center – Statewide Expansion to Support Isolated Elderly and Medically Vulnerable project, and

WHEREAS, the virtual senior center community streams interactive, live-programs led by subject matter experts and provides person-to-person chat for members to talk directly to each other, and

WHEREAS, the County Health Department should accept the aforementioned grant, and

WHEREAS, an agreement is necessary with HCA Education and Research, 388 Broadway Fourth Floor, Albany, New York 12207, in order to accept, and receive grant funding through the HCA Mother Cabrini Health Foundation, and

WHEREAS, the aforementioned project is 100% funded through the HCA Mother Cabrini Health Foundation, and

WHEREAS, various appropriation and revenue accounts must be adjusted to cover costs of the aforementioned project, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with HCA Education and Research, in order to accept the above-described grant, for the term commencing October 17, 2023 and terminating December 31, 2023, 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.401.4017.4036.2705	Gifts and Donations	\$10,000.00
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Increase Appropriation Account:

A.401.4017.4036.20006	Computer Equipment/Software	\$10,000.00.
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Adopted October 25, 2023 by voice vote.

ACT NO. 452-2023 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
FOR PURCHASE OF COMPUTER EQUIPMENT FOR
DEPARTMENT OF COMMUNITY SERVICES
(DSRIP FUNDS)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, the Department of Community Services would like to utilize a portion of DSRIP funds to purchase computer equipment to replace computer equipment which was previously leased, and

WHEREAS, various appropriation and revenue funds must be adjusted in order to utilize DSRIP funds now, therefore, be it

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

Increase Estimated Revenue Account:

A.431.4310.0890.4401.01	LGU Admin DSRIP	\$123,206.00
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Increase Appropriation Accounts:

A.431.4352.2620.20006	Adult Case Mgmt Non-Medicaid Comp Equip	\$ 24,996.00
A.431.4352.2620.45401	Adult Case Mgmt Non-Medicaid Small Equip	\$ 4,647.00
A.431.4340.6340.20006	PROS Comp Equip & Software	\$ 6,795.00
A.431.4340.6340.45401	PROS Small Equip	\$ 20,691.00
A.431.4335.2100.20006	Clinic Treatment Comp Equip & Software	\$ 48,327.00
A.431.4335.2100.45401	Clinic Treatment Small Equip	\$ 7,792.00
A.431.4310.0890.20006	LGU Admin Comp Equip & Software	\$ 2,438.00
A.431.4310.0890.45401	LGU Admin Small Equip	\$ 7,520.00.

Adopted October 25, 2023 by voice vote.

ACT NO. 453-2023 by Mr. Benson and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
CONSTELLATION NEWENERGY, INC. FOR
PARTICIPATION IN ENERGY PURCHASE PROGRAM**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 476-2006, as amended by Acts 607-2009, 231-2015, 237-2016 and 354-2020, authorized the County to be a member of the Municipal Electric and Gas Alliance (MEGA), for participation in an energy purchase program, and

WHEREAS, Municipal Electric and Gas Alliance (MEGA), P.O. Box 88, Ithaca, New York 14851-0088, acts as an aggregator of power usage at no cost to the County, and

WHEREAS, MEGA has an agreement with Constellation NewEnergy, Inc., which allows the County to take advantage of the low market rate of \$0.07245/kWh until November 6, 2026, and

WHEREAS, a contract extension is necessary with Constellation NewEnergy, Inc., in order to lock in at the lowest market rates available for the period October 30, 2023 through November 6, 2026, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract extension, on behalf of Cattaraugus County, with Constellation NewEnergy, Inc., in order to lock in the lowest market rates in the above-described energy purchase program, for a term commencing October 30, 2023 and terminating November 6, 2026, according to the above-described terms.

Adopted October 25, 2023 by voice vote.

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MR. SNYDER moved, seconded by Mr. Koch, to adjourn until November 8, 2023 at 5:00 p.m. Carried.

Meeting adjourned at 5:16 p.m.

Lori Pangborn
Deputy Clerk of the Legislature