

April 10, 2024

The meeting was called to order by Chairman Burr.

The invocation was given by Kelly Andreano.

The Attendance Roll Call disclosed all Legislators present.

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There being no amendments or objections thereto, Chairman Burr noted that the minutes of the March 27, 2024 session stand approved as presented.

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COMMUNICATIONS:

Genesee County Legislature: Resolution No. 143 entitled, "Approval of Rescuing Emergency Medical Services".

Family of Wayne Stephen: Thank you note for flowers in memory of Wayne.

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MR. STOLTENBERG moved, seconded by Mr. Teachman, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 187-2024 through Act No. 193-2024. Carried.

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ACT NO. 187-2024 by Mr. Benson, Mr. Brisky and Mr. Helmich
who ask immediate consideration

**BID ACCEPTANCE FOR PRECAST CONCRETE BOX CULVERT
FOR LEON CULVERT NO. 19
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of a precast concrete box culvert for Leon Culvert No. 19, located on County Road No. 5 (Mosher Hollow Road) in the Town of Leon, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications was the bid of Lakelands Concrete Products, Inc., 7520 Main Street, Lima, New York 14485, for the provision of a precast concrete box culvert for Leon Culvert No. 19, for an amount of \$123,036.00, to be paid as invoiced, and

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

RESOLVED, that the bid of Lakelands Concrete Products, Inc., be, and the same hereby is, accepted, for a term commencing upon Notice of Award with shop drawings submitted within thirty (30) working days after the execution of the contract with delivery anticipated on August 6, 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.

Four sets of specifications were sent out.

Three bids were received which met specifications.

Adopted April 10, 2024 by voice vote.

ACT NO. 188-2024 by Mr. Benson and Mr. Helmich
who ask immediate consideration

**BID ACCEPTANCE FOR ROAD STRIPING
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for road striping for the period commencing May 1, 2024 and terminating April 30, 2025, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications for striping and supplying the paint and glass beads was the bid of Zebra Paint Striping, 7590 Airport Road, Hornell, New York 14843, as follows:

All prices are all inclusive to include the price for materials such as paint and glass beads, all services, labor, tools, equipment, transportation and incidentals necessary to perform the work in its entirety

<u>Description of Work</u>	<u>Unit of Measurement</u>	<u>Quantity</u>	<u>Unit Bid Price</u>	<u>Total Bid Amount</u>
4 Inch Yellow Centerline Stripe – 15 mils <i>(2) - 4" restripe centerlines @ 15 mils thickness</i>	Miles	340	\$465.00	\$158,100.00
4 Inch White Edge Line Stripe – 15 mils <i>(1) - 4" restripe edgeline @ 15 mils thickness</i>	Miles	400	\$329.00	\$131,600.00
4 Inch Yellow Centerline Stripe – 20 mils <i>(2) - 4" new centerline @ 20 mils</i>	Miles	28	\$499.00	\$ 13,972.00
4 Inch White Edge Line Stripe – 20 mils <i>(1) - 4" new edgeline @ 20 mils</i>	Miles	56	\$364.00	\$ 20,384.00
Intersection Stop Bars – 20 mils thickness <i>(1) - 18" wide by lane width @ 20 mils, lane width varies</i>	Each	110	\$ 50.00	\$ 5,500.00
RR Crossings – 20 mils thickness <i>(1) – each location: includes symbols, stripes and letters as required - 20 mils</i>	Each Location	30	\$425.00	\$ 12,750.00
Pavement Arrows – 20 mils thickness <i>(1) – each pavement arrow - 20 mils</i>	Each	10	\$100.00	\$ 1,000.00

Median Hatching (Yellow or White) – 20 mils thickness (1) - 12" wide white or yellow line, measure along centerline of marking - 20 mils	Feet	500	\$ 3.00	\$ 1,500.00
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TOTAL = \$344,806.00

now, therefore, be it

RESOLVED, that the bid of Zebra Paint Striping, be, and the same hereby is, accepted, and be it further

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

RESOLVED, that vouchers submitted in accordance with the provisions of the General Municipal Law §106-b and certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

No State Bid.

Three sets of specifications were sent out.

Three bids were received meeting specifications.

Adopted April 10, 2024 by voice vote.

ACT NO. 189-2024 by Mr. Benson and Mr. Helmich
who ask immediate consideration

**BID ACCEPTANCE FOR 2024 BRIDGE PAINTING PROGRAM
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and
Section 131-b of the Highway Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the painting of various County bridges, according to bid specifications and general information provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications for the painting of various County bridges was the bid of Erie Painting and Maintenance, Inc., 999 Rein Road, Cheektowaga, New York 14225, for an amount of \$258,200.00 for three (3) bridges, which include: Freedom Bridge No. 2, Delevan-Elton Road (CR#21) over Tributary of Elton Creek; Napoli Bridge No. 4, Pigeon Valley Road (CR#7) over Peaslee Hollow Brook; and Mansfield Bridge No. 12, Dublin Road (CR#15) over Dublin Creek, and

WHEREAS, the aforementioned bridge painting services are subject to approval by NYSDOT and shall commence upon notice to proceed and be completed by August 31, 2024, and

WHEREAS, this program is 80% federal (CFDA #20.205), 15% state and 5% county funded, and

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

RESOLVED, that the bid of Erie Painting and Maintenance, Inc., be, and the same hereby is, accepted, 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.
Fourteen sets of specifications were sent out.
Two bids were received which met specifications.

Adopted April 10, 2024 by voice vote.

ACT NO. 190-2024 by Mr. Benson and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH GREENMAN-PEDERSEN, INC. FOR
CONSTRUCTION INSPECTION SERVICES AND CONTRACT ADMINISTRATION
FOR 2024 BRIDGE PAINTING PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Public Works is in need of construction inspection services and contract administration for the 2024 Bridge Painting program, which includes the following three (3) structures:

Freedom Bridge No. 2 (BIN 3-32152-0) Delevan-Elton Road (CR#21) over Tributary of Elton Creek
Napoli Bridge No. 4 (BIN 3-32265-0) Pigeon Valley Road (CR#7) over Peaslee Hollow Brook
Mansfield Bridge No. 12 (BIN 3-36045-0) Dublin Road (CR#15) over Dublin Creek,

and

WHEREAS, Greenman-Pedersen, Inc., 403 Main Street, Suite 330, Buffalo, New York 14203, can provide the aforementioned construction inspection services and contract administration for an amount not to exceed \$70,000.00, to be paid as invoiced and approved by the Commissioner of the Department of Public Works, and

WHEREAS, this program is 80% federal (CFDA #20.205), 15% state and 5% 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 Greenman-Pedersen, Inc., for the provision of the above-described services, for a term commencing April 24, 2024 and terminating December 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.

Adopted April 10, 2024 by voice vote.

ACT NO. 191-2024 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT WITH
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
OLEAN MEDICAL PRACTICE, PLLC, FOR
DEPARTMENT OF COMMUNITY SERVICES OFFICE SPACE**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 328-2021 authorized a lease agreement with the Olean Medical Group, LLP, 535 Main Street, Olean, New York 14760, for the leasing of general medical office space and access to common area space in its facility for individual counseling services to children, adolescents and adults at the Olean Medical Group, the term of which expired August 31, 2023, and

WHEREAS, the Cattaraugus County Community Services Board is desirous of continuing the lease of the aforementioned space, and

WHEREAS, the Olean Medical Group, LLP is now known as the Olean Medical Practice, PLLC, and

WHEREAS, the Olean Medical Practice, PLLC, shall lease approximately 153 square feet of general medical space and grant access to approximately 1,890 square feet of common area space in its facility to the Cattaraugus County Community Services Board for an amount as follows:

Nov 1, 2023 – Oct 31, 2024 \$2,754.00

Nov 1, 2024 – Oct 31, 2025 \$2,809.08

Nov 1, 2025 – Oct 31, 2026 \$2,865.69,

to be paid on a monthly basis in installments, as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease agreement, between the Cattaraugus County Community Services Board and Olean Medical Practice, PLLC, to signify the County's approval, for the provision of the above-described leased space, for a term commencing November 1, 2023 and terminating October 31, 2026, according to the above-described terms.

Adopted April 10, 2024 by voice vote.

ACT NO. 192-2024 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CITY OF OLEAN FOR REIMBURSEMENT FOR
OLEAN AREA TRANSIT SYSTEM (O.A.T.S.) BUS SERVICES**

Pursuant to Public Law 104-1993, Section 119-o of the
General Municipal Law and Section 450 of the County Law.

WHEREAS, Act 298-2023 authorized a contract with the City of Olean for the operation of the O.A.T.S. bus service within the City, the term of which expires May 31, 2024, and

WHEREAS, the County Department of Social Services is desirous of continuing the aforementioned bus service within the City of Olean, and

WHEREAS, the City of Olean has agreed to provide the O.A.T.S. bus transportation services to DSS-eligible recipients if the County agrees to reimburse the City an amount not to exceed \$25,000.00 for transportation services provided to DSS-eligible recipients during the period June 1, 2024 through May 31, 2025, and

WHEREAS, these services are 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 City of Olean, for reimbursement for the provision of transportation services to DSS-eligible recipients, for a term commencing June 1, 2024 and terminating May 31, 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 April 10, 2024 by voice vote.

ACT NO. 193-2024 by Mr. Burr, Mr. Brisky, Mrs. Andreano, Mr. Marsh and Mr. Benson
and Mr. Higgins, Mr. Smith and Mr. Teachman¹
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CITY OF OLEAN FOR FUNDING REIMBURSEMENT FOR
OLEAN AREA TRANSIT SYSTEM (O.A.T.S.) AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS**

Pursuant to Public Law 104-1993, Section 119-o of the General
Municipal Law and Sections 363, 366 and 450 of the County Law.

WHEREAS, the City of Olean is the lead sponsor of the Olean Area Transit System (O.A.T.S.), and

WHEREAS, the County is desirous of continuing and supporting the transportation service provided by O.A.T.S. to County constituents, and

WHEREAS, the County has agreed to pay to the City of Olean an amount of \$40,000.00 per month to ensure the continued operation of the O.A.T.S. bus transportation services, and

WHEREAS, the City of Olean shall continue to provide the O.A.T.S. bus transportation services for an amount not to exceed \$40,000.00 per month during the period June 1, 2024 through November 30, 2024, with an option for one-month extensions not to exceed three months, and

WHEREAS, the City shall reimburse the County the total amount of payments made by the County to the City upon the City's receipt of funds from the New York State Department of Transportation, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order 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 City of Olean, for the provision of O.A.T.S. bus transportation services, for a term commencing June 1, 2024 and terminating November 30, 2024, with an option of one-month extensions not to exceed three months, according to the above-described terms, and be it further

RESOLVED, that such contract shall provide that either the County or the City may terminate the contract on thirty (30) days' written notice, and be it further

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

Increase Estimated Revenue Account:

A.901.1910.0000.2701.02	Loan Repayments	\$280,000.00
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Increase Appropriation Account:

A.901.1910.0000.40824	City of Olean OATS Loan	\$280,000.00.
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¹The following Legislators requested their names be listed as additional sponsors: "Mr. Higgins, Mr. Smith and Mr. Teachman".

Adopted April 10, 2024 by voice vote.

MOTION TO ADJOURN IN MEMORY OF CHARLES W. COUTURE

WHEREAS, Charles W. Couture, 81, of West Valley, passed away on March 27, 2024, and
WHEREAS, Mr. Couture served as a Cattaraugus County Legislator from May 24, 2006 until December 31, 2007, representing District #5, and

WHEREAS, Mr. Couture was a retired teacher from Springville-Griffith Institute and the owner of Fox Valley Greenhouse in West Valley, and

WHEREAS, Mr. Couture served on the Cattaraugus County Planning Board from July 28, 1999 until his passing, holding the position of Chairman since September 2008, and

WHEREAS, throughout his lifetime, Mr. Couture also served on the following boards: Ag & Farmland Protection Board; Southern Tier West Regional Planning & Development Board; Cattaraugus County Farm Bureau and President; President of West Valley Chamber of Commerce; NYS Association of Agricultural Teachers President; Councilman, Town of Ashford; Cattaraugus County 4-H; Cooperative Extension; and member/trustee/finance chair for St. Paul's United Methodist Church in West Valley, and

WHEREAS, Mr. Couture was an FFA Advisor and earned many Empire and American FFA degrees, and

WHEREAS, Mr. Couture earned a Bachelor's Degree in Soil Science from Michigan University and did graduate work at Cornell University, and

WHEREAS, Mr. Couture is survived by his wife of 58 years, Phyllis; his children: Curt of Oneida; Brian of Colchester, Connecticut; and Stacy Taylor of Panama; three siblings; eight grandchildren; six great-grandchildren; and several nieces and nephews, and

WHEREAS, the loss of his presence will be sadly felt by his many friends and colleagues in Cattaraugus County, now, therefore, Legislators Boberg, Brisky, Helmich and Schröder hereby

MOVE, that the Cattaraugus County Legislature hereby adjourns, and stands adjourned, in memory of Charles W. Couture, and this Motion be seconded by the rest of the Legislature, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby adjourns, and stands adjourned, until its next meeting, unless specially convened, in memory of Charles W. Couture, and be it further

RESOLVED, that the Clerk of the Legislature be, and hereby is, directed to forward a certified copy of this Motion to his wife.

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MR. BRISKY moved, seconded by Mr. Benson, to adjourn until April 24, 2024 at 5:00 p.m. Carried.

Meeting adjourned at 5:08 p.m.

Ann M. Giglio
Journal Clerk