



CATTARAUGUS COUNTY

John R. Searles, County Administrator

303 Court Street
Little Valley, New York 14755

Phone: (716) 938-2577
Fax (716) 938-2760
jrsearles@cattco.org

Contingent Fund Balance: \$237,737

The following committees will meet on **Wednesday, February 21, 2018**, at the County Center in Little Valley, New York, at the indicated times:

Labor Relations	4:00 p.m.
Public Works	4:30 p.m.
Human Services	5:00 p.m.
County Operations/Public Safety	5:15 p.m.
Development & Agriculture	5:30 p.m.
Finance	6:00 p.m.

ACT NO.

PREFILED RESOLUTIONS

- 94-18 Mr. Snyder, Sr.
APPOINTMENT TO CATTARAUGUS COUNTY JURY BOARD
- 95-18 Mr. Giardini and Mr. Helmich
REJECTING CERTAIN DEPARTMENT OF PUBLIC WORKS BIDS FOR PURCHASE OF ARTICULATED WHEEL LOADER (Department of Public Works)
- 96-18 Mr. Boberg, Mr. Breton, Mr. Burr, Mr. Hale, Mr. Helmich, Mr. Higgins, Mr. Klancer, Mr. Neal, Mr. Snyder, Jr., Mr. Snyder, Sr., Mr. VanRensselaer, Ms. Vickman and Mr. Giardini
APPOINTMENT OF PUBLIC DEFENDER
- 97-18 Mr. Boberg, Mr. Breton, Mr. Burr, Mr. Hale, Mr. Helmich, Mr. Higgins, Mr. Klancer, Mr. Neal, Mr. Snyder, Jr., Mr. Snyder, Sr., Mr. VanRensselaer, Ms. Vickman and Mr. Giardini
APPOINTMENT OF COMMISSIONER OF PUBLIC WORKS
- 98-18 Mr. Giardini and Mr. Helmich
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH LABELLA ASSOCIATES FOR ENGINEERING DESIGN SERVICES FOR HINSDALE BRIDGE NO. 62
- 99-18 Mr. Giardini and Mr. Helmich
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH HOUSTON-GALVESTON AREA COUNCIL FOR COOPERATIVE PURCHASING PROGRAM

- 100-18 Mr. Giardini and Mr. Helmich
DECLARING COUNTY-OWNED PROPERTY IN THE VILLAGE OF LITTLE VALLEY NO LONGER NECESSARY FOR PUBLIC USE AND AUTHORIZING EXECUTION OF A QUIT-CLAIM DEED (Former Department of Social Services, Health Department and Youth Bureau Offices)
- 101-18 Mr. Snyder, Jr., Mr. Snyder, Sr., and Ms. Hastings
AUTHORIZING THE SALE OF CURTIS STREET RESIDENTIAL PROPERTY OWNED BY JAMESTOWN COMMUNITY COLLEGE
- 102-18 Mr. VanRensselaer and Mr. Koch
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH SENECA-SALAMANCA AREA CHAMBER OF COMMERCE, INC. FOR INFORMATION CENTER MANAGER/COORDINATOR
- 103-18 Mr. Helmich, Mr. Higgins and Mrs. Labuhn
AUTHORIZING TRANSFER OF UNEXPENDED GRANT FUNDS TO CATTARAUGUS COUNTY LAND BANK CORPORATION AND TRANSFER OF FUNDS (Cattaraugus County Land Bank)
- 104-18 Mr. Snyder Sr.
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS REHABILITATION CENTER, INC. FOR SHREDDING SERVICES AND RESCINDING ACT 55-2018
- 105-18 Ms. Vickman and Mr. Snyder, Jr.
AUTHORIZING CERTAIN CHARGE-OFFS OF CERTAIN ACCOUNTS RECEIVABLE IN THE DEPARTMENT OF HEALTH
- 106-18 Ms. Vickman
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS (Department of Health)
- 107-18 Ms. Vickman and Mr. Snyder, Jr.
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CAROLINE J. WOODHEAD PAINTER, M.S. CCC-SLP, FOR HEALTH DEPARTMENT SPEECH THERAPY SERVICES
- 108-18 Ms. Vickman, Mr. Snyder, Jr., and Mr. Padlo
LOCAL LAW NUMBER 2-2018 - A LOCAL LAW DECLARING THE OPIOID EPIDEMIC AND ITS EFFECTS ON CATTARAUGUS COUNTY A PUBLIC NUISANCE AND FURTHER ESTABLISHING A COST RECOVERY PROCEDURE FOR THE COUNTY'S EXPENDITURES INCURRED IN PROVIDING SERVICES RELATED TO THE OPIOID EPIDEMIC

- 109-18 Ms. Vickman, Mr. Snyder, Jr., and Mr. Padlo
AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 2-2018
- 110-18 Ms. Vickman and Mr. Snyder, Jr.
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH SALAMANCA YOUTH BUREAU FOR NATIONAL ASSOCIATION OF CHRONIC DISEASE DIRECTORS REACHING PEOPLE WITH DISABILITIES THROUGH HEALTHY COMMUNITIES PROJECT
- 111-18 Ms. Vickman and Mr. Snyder, Jr.
APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND CHILDREN'S HEALTH HOMES OF UPSTATE NEW YORK, LLC FOR DEPARTMENT OF COMMUNITY SERVICES HEALTH HOME BILLING AND ACCOUNTS RECEIVABLE MANAGEMENT SERVICES
- 112-18 Ms. Vickman and Mr. Snyder, Jr.
AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT WITH CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND OLEAN MEDICAL GROUP, LLP FOR DEPARTMENT OF COMMUNITY SERVICES OFFICE SPACE
- 113-18 Mr. Boberg, Mr. Breton, Mr. Klancer, Mr. Snyder, Jr., Mr. Giardini and Mr. Koch
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH GHD CONSULTING SERVICES, INC. FOR FARWELL AND FIVE POINTS LANDFILLS GROUNDWATER MONITORING VARIANCE REQUESTS AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS (Department of Public Works)

Committee Referrals for February 21, 2018 Committee Meetings

Act #	Finance	County Ops/Pub Safety	DPW	Human Services	Dev & Ag	Strategic Planning
94	X	X				
95	X		X			
96	X	X				
97	X		X			
98	X		X			
99	X		X			
100	X		X			
101	X					
102	X				X	
103	X				X	
104	X	X				
105	X			X		
106	X			X		
107	X			X		
108	X			X		
109	X			X		
110	X			X		
111	X			X		
112	X			X		
113	X		X			
TOTALS	20	3	6	8	2	0

APPOINTMENT TO CATTARAUGUS COUNTY JURY BOARD

Pursuant to Section 503 of the Judiciary Law.

I. RESOLVED, that James J. Snyder, Sr., 1116 W. Henley Street, P.O. Box 1, Olean, New York 14760, is hereby appointed to the Cattaraugus County Jury Board to fill the unexpired term of Paula J. Stockman, the term of which expires on December 31, 2019, and be it further

II. RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to Andrew B. Isenberg, District Executive, Unified Court System, Eighth Judicial District, 206 Erie County Hall, Buffalo, New York 14202.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input type="checkbox"/>
DPW	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
Labor Relations	<input type="checkbox"/>	Strategic Planning	<input type="checkbox"/>
Co. Operations/Public Safety			<input checked="" type="checkbox"/>

**REJECTING CERTAIN DEPARTMENT OF PUBLIC WORKS BIDS
FOR PURCHASE OF ARTICULATED WHEEL LOADER
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law.

I. WHEREAS, the Department of Public Works advertised for sealed bids for the purchase of one (1) new and unused, 2018, 4 to 4.5 cubic yard, 4 wheel drive, articulated wheel loader with two (2) year buyback guarantee, according to bid specifications and general information provided by the Public Works Committee, and

II. WHEREAS, due to budgetary constraints, the bids received should be rejected, now, therefore, be it

I. RESOLVED, that the Cattaraugus County Legislature hereby rejects the bids received for the purchase of one (1) new and unused, 2018, 4 to 4.5 cubic yard, 4 wheel drive, articulated wheel loader, which were opened on February 7, 2018, and authorizes all actions previously taken by the Department of Public Works regarding such rejection nunc pro tunc.

Resolution Referred to:

- | | | | |
|------------------------------|-------------------------------------|--------------------|--------------------------|
| Finance | <input checked="" type="checkbox"/> | Human Services | <input type="checkbox"/> |
| DPW | <input checked="" type="checkbox"/> | Develop. & Ag | <input type="checkbox"/> |
| Labor Relations | <input type="checkbox"/> | Strategic Planning | <input type="checkbox"/> |
| Co. Operations/Public Safety | | | <input type="checkbox"/> |

ACT NO. 96-2018

by Mr. Boberg, Mr. Breton, Mr. Burr, Mr. Hale, Mr. Helmich,
Mr. Higgins, Mr. Klancer, Mr. Neal, Mr. Snyder, Jr.,
Mr. Snyder, Sr., Mr. VanRensselaer, Ms. Vickman and Mr. Giardini

APPOINTMENT OF PUBLIC DEFENDER

Pursuant to Local Law Number 30-2002 and
Section 716 of the County Law.

I. RESOLVED, that Darryl Bloom, 3 Skyview Drive, Olean, New York 14760 be, and hereby is, appointed Public Defender in the Office of Public Defender for a term of four (4) years commencing February 28, 2018 and terminating February 27, 2022, to be compensated at a bi-weekly salary of \$4,131.01, or such other salary as may hereafter be established, and be it further

II. RESOLVED, that Darryl Bloom be afforded all benefits in such compensation and benefit package as established for Managerial and Confidential Officers and Employees.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input type="checkbox"/>
DPW	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
Labor Relations	<input type="checkbox"/>	Strategic Planning	<input type="checkbox"/>
Co. Operations/Public Safety	<input checked="" type="checkbox"/>		

ACT NO. 97-2018

by Mr. Boberg, Mr. Breton, Mr. Burr, Mr. Helmich,
Mr. Klancer, Mr. Neal, Mr. Snyder, Jr., Mr. Snyder, Sr.,
Mr. VanRensselaer, Ms. Vickman and Mr. Giardini

APPOINTMENT OF COMMISSIONER OF PUBLIC WORKS

Pursuant to Sections 204 and 205 of the County Law.

- I. RESOLVED, that Kathleen M. Ellis, 506 Fair Oak Street, Little Valley, New York 14755 be, and hereby is, appointed Commissioner of Public Works, for a term commencing February 28, 2018 and terminating February 27, 2022, to be compensated at a bi-weekly salary of \$3,339.15, or such other salary as may hereafter be established, and be it further
- II. RESOLVED, that Kathleen M. Ellis be afforded all benefits in such compensation and benefit package as established for Managerial and Confidential Officers and Employees.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input type="checkbox"/>
DPW	<input checked="" type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
Labor Relations	<input type="checkbox"/>	Strategic Planning	<input type="checkbox"/>
Co. Operations/Public Safety			<input type="checkbox"/>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
LABELLA ASSOCIATES FOR ENGINEERING DESIGN SERVICES
FOR HINSDALE BRIDGE NO. 62**

Pursuant to Section 450 of the County Law.

I. WHEREAS, the Department of Public Works is in need of engineering services for the design of Hinsdale Bridge No. 62, located on County Road No. 26 (Gile Hollow Road) over Ischua Creek, and

II. WHEREAS, Labella Associates, 500 East 6th Street, Jamestown, New York 14701, can provide the necessary engineering design services for an amount not to exceed \$89,500.00, to be paid on a percent-of-completion basis, as invoiced, and

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

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Labella Associates for the provision of the above-described engineering services, for a term commencing March 1, 2018 and terminating December 31, 2019, according to the above-described terms.

Resolution Referred to:

- | | | | |
|------------------------------|-------------------------------------|--------------------|--------------------------|
| Finance | <input checked="" type="checkbox"/> | Human Services | <input type="checkbox"/> |
| DPW | <input checked="" type="checkbox"/> | Develop. & Ag | <input type="checkbox"/> |
| Labor Relations | <input type="checkbox"/> | Strategic Planning | <input type="checkbox"/> |
| Co. Operations/Public Safety | | | <input type="checkbox"/> |

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH HOUSTON-GALVESTON AREA COUNCIL
FOR COOPERATIVE PURCHASING PROGRAM**

Pursuant to Section 103 of the General Municipal Law,
Section 163 of the Finance Law and Section 450 of the County Law.

I. WHEREAS, the Houston-Galveston Area Council (H-GAC), 3555 Timmons Lane, Suite 120, Houston, Texas 77027, is a regional planning commission and political subdivision of the State of Texas, and

II. WHEREAS, the H-GAC is authorized to contract with eligible entities to perform governmental functions and services, including the purchase of goods and services, and

III. WHEREAS, the H-GAC has instituted a cooperative purchasing program under which it contracts with eligible entities, and

IV. WHEREAS, the County is an eligible entity and is desirous of contracting with the H-GAC to be the County's purchasing agent for the purchase of certain products and services through the H-GAC Cooperative Purchasing Program, and

V. WHEREAS, there is no cost, obligation or minimum contract purchasing requirement to join or participate in the H-GAC Cooperative Purchasing Program, and

VI. WHEREAS, it is necessary to execute an "Interlocal Contract for Cooperative Purchasing" in order to participate in the aforementioned purchasing cooperative, now, therefore, be it

I. 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 Houston-Galveston Area Council, in order to become a member of the above-described H-GAC Cooperative Purchasing Program, for a term commencing March 1, 2018 and terminating February 28, 2019, with automatic renewals for one-year periods, according to the above-described terms.

Resolution Referred to:

- | | | | |
|------------------------------|-------------------------------------|--------------------|--------------------------|
| Finance | <input checked="" type="checkbox"/> | Human Services | <input type="checkbox"/> |
| DPW | <input checked="" type="checkbox"/> | Develop. & Ag | <input type="checkbox"/> |
| Labor Relations | <input type="checkbox"/> | Strategic Planning | <input type="checkbox"/> |
| Co. Operations/Public Safety | | | <input type="checkbox"/> |

**DECLARING COUNTY-OWNED PROPERTY IN THE
VILLAGE OF LITTLE VALLEY NO LONGER NECESSARY FOR PUBLIC USE
AND AUTHORIZING EXECUTION OF A QUIT-CLAIM DEED
(Former Department of Social Services, Health Department and Youth Bureau Offices)**

Pursuant to Section 72-h of the General Municipal Law
and Section 215 of the County Law.

I. WHEREAS, the County owns an office building located at 200 Erie Street in the Village of Little Valley, previously used for Department of Social Services, Health Department and Youth Bureau offices, identified as Tax Map No. 54.071-3-6, and

II. WHEREAS, the County has occupied the building since 1941, however the building has been condemned and is no longer safe for use without substantial renovation, and is, therefore, no longer necessary for public use, and

III. WHEREAS, pursuant to a Deed recorded in the Cattaraugus County Clerk's Office in Liber 378 of Deeds at Page 164, this property will revert back to the Town of Little Valley in the event the County ceases or discontinues such use for a continuous period of two (2) years, and

IV. WHEREAS, pursuant to a Deed recorded in the Cattaraugus County Clerk's Office in Liber 378 of Deeds at Page 166, this property will revert back to the Village of Little Valley in the event the County ceases or discontinues such use for a continuous period of two (2) years, and

V. WHEREAS, the County, in accordance with the terms and conditions of the aforementioned Deeds, should quit-claim its interest in the aforementioned property back to the Town of Little Valley and the Village of Little Valley accordingly, now, therefore, be it

I. RESOLVED, that the Chairman of the Legislature is hereby authorized to convey, by Quit-Claim Deed, any interest Cattaraugus County may have in the aforementioned property to the Town of Little Valley and the Village of Little Valley.

Resolution Referred to:

- | | | | |
|------------------------------|-------------------------------------|--------------------|--------------------------|
| Finance | <input checked="" type="checkbox"/> | Human Services | <input type="checkbox"/> |
| DPW | <input checked="" type="checkbox"/> | Develop. & Ag | <input type="checkbox"/> |
| Labor Relations | <input type="checkbox"/> | Strategic Planning | <input type="checkbox"/> |
| Co. Operations/Public Safety | <input type="checkbox"/> | | <input type="checkbox"/> |

AUTHORIZING THE SALE OF CURTIS STREET RESIDENTIAL PROPERTY OWNED BY JAMESTOWN COMMUNITY COLLEGE

Pursuant to 8 NYCRR §603.5(d) and Section 450 of the County Law.

I. WHEREAS, pursuant to Article 126 of New York State Education Law, the County of Cattaraugus is one of three municipal sponsors, along with the City of Jamestown and County of Chautauqua, that constitute a “community college region” which acts as the local sponsor of Jamestown Community College (JCC), and

II. WHEREAS, Jamestown Community College (JCC) currently owns 50 acres of property located on the Jamestown campus at 2835 Curtis Street Extension (the “Property”) in the Town of Ellicott, and designated on the Chautauqua County Tax Map as Tax Parcel No. 370.00-1-19, and

III. WHEREAS, the Property includes a small pole barn and single family home of approximately 5,131 square feet which was utilized by JCC as office space but is not practical for college use now or in the future, and

IV. WHEREAS, the sale of a portion of the Property consisting of the pole barn, single family home, and 8 acres of land adjacent to said buildings on the Property provides the opportunity to reduce operating costs of JCC, now, therefore, be it

I. RESOLVED, that the Cattaraugus County Legislature hereby finds that the pole barn, single family residence, and 8 acres of land adjacent to said buildings on the Property are no longer useful or required for community college purposes by JCC, and be it further

II. RESOLVED, that pursuant to 8 NYCRR §603.5(d), the Cattaraugus County Legislature authorizes JCC to effectuate the divestment of the aforementioned Property at a sales price of not less than \$300,000.00, not including closing and other related costs, with the foregoing dependent on SUNY Board of Trustee approval.

Resolution Referred to:

- | | | | |
|------------------------------|-------------------------------------|--------------------|--------------------------|
| Finance | <input checked="" type="checkbox"/> | Human Services | <input type="checkbox"/> |
| DPW | <input type="checkbox"/> | Develop. & Ag | <input type="checkbox"/> |
| Labor Relations | <input type="checkbox"/> | Strategic Planning | <input type="checkbox"/> |
| Co. Operations/Public Safety | | | <input type="checkbox"/> |

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SENECA-SALAMANCA AREA CHAMBER OF COMMERCE, INC. FOR
INFORMATION CENTER MANAGER/COORDINATOR**

Pursuant to Sections 224(14) and 450 of the County Law.

I. WHEREAS, Act 70-2016, as amended by Acts 216-2016, 364-2016, 620-2016, 219-2017 and 394-2017, authorized a contract with the Seneca-Salamanca Area Chamber of Commerce, Inc., 734 Broad Street, Suite 103, Salamanca, New York 14779, for the provision of an information center manager for the I-86 (westbound) rest area, the term of which expired December 31, 2017, and

II. WHEREAS, the County is responsible for staffing the rest area on I-86 (westbound) in the Town of Allegany for a minimum of five (5) hours per day for 151 days per year, plus additional hours per day during the holiday periods of Thanksgiving, Christmas and Easter, and

III. WHEREAS, the County Department of Economic Development, Planning and Tourism does not have sufficient staff to provide management of the information center, and

IV. WHEREAS, the Seneca-Salamanca Area Chamber of Commerce, Inc., can provide an information center manager/coordinator for a minimum of 15 hours per week, with at least six (6) hours on Sundays (mandatory), as well as holiday periods, for an amount not to exceed \$5,625.00 for six (6) months, to be paid as invoiced, and

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

I. 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 Seneca-Salamanca Area Chamber of Commerce, Inc., for the provision of the above-described services, for a term commencing January 1, 2018 and terminating June 30, 2018, with the option by Cattaraugus County to renew for additional six (6) month periods at the same rate, according to the above-described terms.

Resolution Referred to:

- | | | | |
|------------------------------|-------------------------------------|--------------------|-------------------------------------|
| Finance | <input checked="" type="checkbox"/> | Human Services | <input type="checkbox"/> |
| DPW | <input type="checkbox"/> | Develop. & Ag | <input checked="" type="checkbox"/> |
| Labor Relations | <input type="checkbox"/> | Strategic Planning | <input type="checkbox"/> |
| Co. Operations/Public Safety | | | <input type="checkbox"/> |

**AUTHORIZING TRANSFER OF UNEXPENDED GRANT FUNDS TO
CATTARAUGUS COUNTY LAND BANK CORPORATION AND
TRANSFER OF FUNDS
(Cattaraugus County Land Bank)**

Pursuant to Sections 363 and 366 of the County Law.

I. WHEREAS, the County Department of Economic Development, Planning and Tourism received funding through the Local Initiative Support Corporation (LISC) for a capacity building/start-up grant program, and

II. WHEREAS, the amount of \$20,605.29 of the \$100,000.00 grant remains unspent, and

III. WHEREAS, in accordance with the LISC grant regulations, the County may transfer the remaining grant funds to the Cattaraugus County Land Bank Corporation to use as the original grant application required, and

IV. WHEREAS, the \$20,605.29 will be used for programmatic activities, such as stabilization, pre-development, rehabilitation and/or demolition, and

V. WHEREAS, a transfer of funds is necessary in order to transfer the remaining unspent funds to the Cattaraugus County Land Bank accounts, now, therefore, be it

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

Increase Estimated Revenue Account:

A.642.8020.8021.3902.01 LISC Capacity Grant \$20,605.29

Increase Appropriation Account:

A.642.8020.8021.41603 Contracted Services \$20,605.29.

Resolution Referred to:

- | | | | |
|------------------------------|-------------------------------------|--------------------|-------------------------------------|
| Finance | <input checked="" type="checkbox"/> | Human Services | <input type="checkbox"/> |
| DPW | <input type="checkbox"/> | Develop. & Ag | <input checked="" type="checkbox"/> |
| Labor Relations | <input type="checkbox"/> | Strategic Planning | <input type="checkbox"/> |
| Co. Operations/Public Safety | | | <input type="checkbox"/> |

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS REHABILITATION CENTER, INC. FOR SHREDDING SERVICES
AND RESCINDING ACT 55-2018**

Pursuant to Section 450 of the County Law.

I. WHEREAS, the County Records Manager is in need of shredding services for obsolete boxed records which are stored at the County's records storage area, and

II. WHEREAS, various County departments are also in need of shredding services for obsolete files and records which are located in their respective departments, and

III. WHEREAS, Cattaraugus Rehabilitation Center, Inc., 1439 Buffalo Street, Olean, New York 14760, can provide the necessary shredding services in accordance with the following rate schedule:

2017 Off-site shredding services	\$.16 per pound
2018 Off-site shredding services	\$.18 per pound
(*Off-site - boxed records are picked up and shredded at their own facility),	

and

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

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Cattaraugus Rehabilitation Center, Inc., for the provision of the above-described services, for a term commencing January 1, 2017 and terminating December 31, 2018, according to the above-described terms, and be it further

II. RESOLVED, that Act 55-2018 be, and hereby is, rescinded.

Resolution Referred to:

- | | | | |
|------------------------------|-------------------------------------|--------------------|--------------------------|
| Finance | <input checked="" type="checkbox"/> | Human Services | <input type="checkbox"/> |
| DPW | <input type="checkbox"/> | Develop. & Ag | <input type="checkbox"/> |
| Labor Relations | <input type="checkbox"/> | Strategic Planning | <input type="checkbox"/> |
| Co. Operations/Public Safety | <input checked="" type="checkbox"/> | | |

**AUTHORIZING CERTAIN CHARGE-OFFS OF CERTAIN ACCOUNTS
RECEIVABLE IN THE DEPARTMENT OF HEALTH**

Pursuant to Section 153 of the County Law.

I. WHEREAS, the Department of Health has accounts receivable related to the homecare and family planning programs and the clinics for 2018 in which there has been no recent action and the accounts are deemed to be uncollectible after numerous attempts to collect the amounts owed, and

II. WHEREAS, the Cattaraugus County Board of Health has recommended that the County remove these bad debts from the records of the Department of Health, now, therefore, be it

I. RESOLVED, that the Cattaraugus County Legislature hereby authorizes the removal of the debts from the accounts receivable records of the Department of Health in the total amount of \$8,298.96, as follows:

Homecare	\$4,615.39
Family Planning	\$1,002.28
Immunization Clinic	\$ 781.29
Water	<u>\$1,900.00</u>
	\$8,298.96

Resolution Referred to:

- | | | | |
|------------------------------|-------------------------------------|--------------------|-------------------------------------|
| Finance | <input checked="" type="checkbox"/> | Human Services | <input checked="" type="checkbox"/> |
| DPW | <input type="checkbox"/> | Develop. & Ag | <input type="checkbox"/> |
| Labor Relations | <input type="checkbox"/> | Strategic Planning | <input type="checkbox"/> |
| Co. Operations/Public Safety | <input type="checkbox"/> | | <input type="checkbox"/> |

**ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Department of Health)**

Pursuant to Sections 363 and 366 of the County Law.

I. WHEREAS, various payroll accounts must be reallocated in order to access additional State Aid funds for the Health Department, now, therefore, be it

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

Increase Appropriation Accounts:

A.401.4017.4034.11000	Full Time Wages	\$55,773.00
A.401.4017.4034.81000	FICA	\$ 4,268.00
A.401.4017.4034.82000	Retirement	\$ 8,842.00
A.401.4017.4034.83000	Health Insurance	\$12,212.00
A.401.4017.4034.84000	Dental Insurance	\$ 137.00
A.401.4017.4034.11000	Full Time Wages	\$21,010.00
A.401.4017.4035.11000	Full Time Wages	\$13,828.00
A.401.4090.0000.11000	Full Time Wages	\$12,402.00
A.401.4017.4034.81000	FICA	\$ 1,608.00
A.401.4017.4035.81000	FICA	\$ 1,058.00
A.401.4090.0000.81000	FICA	\$ 949.00
A.401.4017.4034.82000	Retirement	\$ 3,088.00
A.401.4017.4035.82000	Retirement	\$ 1,993.00
A.401.4090.0000.82000	Retirement	\$ 1,917.00
A.401.4017.4034.83000	Health Insurance	\$ 4,948.00
A.401.4017.4035.83000	Health Insurance	\$ 4,416.00
A.401.4090.0000.83000	Health Insurance	\$ 4,150.00
A.401.4017.4035.84000	Dental Insurance	\$ 50.00
A.401.4017.4034.84000	Dental Insurance	\$ 72.00
A.401.4090.0000.84000	Dental Insurance	\$ 43.00

Decrease Appropriation Accounts:

A.401.4017.4035.11000	Full Time Wages	\$55,773.00
A.401.4017.4035.81000	FICA	\$ 4,268.00
A.401.4017.4035.82000	Retirement	\$ 8,842.00
A.401.4017.4035.83000	Health Insurance	\$12,212.00
A.401.4017.4035.84000	Dental Insurance	\$ 137.00
A.401.4017.4036.11000	Full Time Wages	\$47,240.00
A.401.4017.4036.81000	FICA	\$ 3,615.00
A.401.4017.4036.83000	Health Insurance	\$13,514.00
A.401.4017.4036.84000	Dental Insurance	\$ 165.00
A.401.4017.4036.82000	Retirement	\$ 6,998.00.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input checked="" type="checkbox"/>
DPW	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
Labor Relations	<input type="checkbox"/>	Strategic Planning	<input type="checkbox"/>
Co. Operations/Public Safety			<input type="checkbox"/>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CAROLINE J. WOODHEAD PAINTER, M.S. CCC-SLP, FOR
HEALTH DEPARTMENT SPEECH THERAPY SERVICES**

Pursuant to 10 NYCRR 763.3, Section 3602 of the Public Health Law
and Section 450 of the County Law.

I. WHEREAS, 548-2016 authorized a contract with Caroline J. Woodhead, M.S. CCC-SLP, 13 Temple Street, P.O. Box 136, Portville, New York 14770, for the provision of speech therapy services for the patients of the Health Department Home Health Care Program, the term of which expired December 31, 2017, and

II. WHEREAS, the County Health Department is desirous of renewing the aforementioned contract, and

III. WHEREAS, Caroline J. Woodhead Painter, M.S. CCC-SLP, has agreed to continue providing speech therapy services to Cattaraugus County Health Department patients at the rate of \$72.83 per visit, and

IV. WHEREAS, this program is funded through a variety of sources, including, but not limited to, state and federal funding, private pay, private and third-party insurance and the County, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Caroline J. Woodhead Painter, M.S. CCC-SLP, for the provision of the above-described services, for a term commencing January 1, 2018 and terminating December 31, 2018, according to the above-described terms, and be it further

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

III. 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

IV. 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.

Resolution Referred to:

- | | | | |
|------------------------------|-------------------------------------|--------------------|-------------------------------------|
| Finance | <input checked="" type="checkbox"/> | Human Services | <input checked="" type="checkbox"/> |
| DPW | <input type="checkbox"/> | Develop. & Ag | <input type="checkbox"/> |
| Labor Relations | <input type="checkbox"/> | Strategic Planning | <input type="checkbox"/> |
| Co. Operations/Public Safety | <input type="checkbox"/> | | <input type="checkbox"/> |

**LOCAL LAW NUMBER 2 - 2018
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW DECLARING THE OPIOID EPIDEMIC AND ITS EFFECTS ON
CATTARAUGUS COUNTY A PUBLIC NUISANCE AND FURTHER ESTABLISHING A
COST RECOVERY PROCEDURE FOR THE COUNTY'S EXPENDITURES INCURRED
IN PROVIDING SERVICES RELATED TO THE OPIOID EPIDEMIC**

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

Section 1. Title. This Local Law shall be known as "A LOCAL LAW DECLARING THE OPIOID EPIDEMIC AND ITS EFFECTS ON CATTARAUGUS COUNTY A PUBLIC NUISANCE AND FURTHER ESTABLISHING A COST RECOVERY PROCEDURE FOR THE COUNTY'S EXPENDITURES INCURRED IN PROVIDING SERVICES RELATED TO THE OPIOID EPIDEMIC".

Section 2. Purpose and Intent.

2.1 The opioid epidemic is sweeping the country. Indeed, addiction to and abuse of opioids is one of the greatest challenges facing Cattaraugus County, New York (the "County"). A cause of this increasing crisis is the overabundance of prescription opioids. Vast amounts of prescription opioids were sold, distributed, and prescribed in the County over the past several years, a practice that continues today. The selling, distributing, and prescribing of large amounts of opioids in our community has created a public health and safety hazard affecting the residents of the County. This crisis has devastated families, wreaked havoc on our economy, and produced a generation of narcotic dependence. As a result of the opioid epidemic, costs related to healthcare, family and social services, criminal justice, addiction and rehabilitation, and many other areas have significantly increased. Many of these costs are paid by the County.

2.2 The purpose and intent of this legislation is to allow the County to recover these costs, despite the existence of the common-law municipal cost recovery rule (a.k.a. free public services doctrine) and declare the opioid epidemic and its effects on the County a public nuisance. Specifically, the County provides services related to the opioid epidemic, which are funded by tax revenues. This statute clarifies that reimbursement may be sought for the costs of providing such services, whenever practicable, from the responsible party. To accomplish this, the County establishes this cost recovery procedure and declares the opioid epidemic and its effects on the County a public nuisance.

Section 3. Definitions.

3.1 “Costs” means all expenditures related to the opioid epidemic that directly or indirectly arise from the County’s response to a responsible party’s action or inaction.

3.2 “Responsible party” means any person or corporation whose negligent, intentional, or otherwise wrongful conduct causes the incident resulting in the County incurring costs or who is found liable or made responsible by a court for the costs incurred by the County in the form of damages, regardless of the cause of action.

Section 4. Governmental Function Cost Recovery. The County may recover the costs of governmental functions related to opioids marketed, sold, manufactured, dispensed, prescribed, and/or distributed by the responsible party. If a responsible party fails to pay the costs demanded, the County may initiate and recover costs through administrative, civil, and/or criminal action against the responsible party. In that case, the County may also recover attorney’s fees, interest, and any other payment or type of damages the court deems proper.

Section 5. Effect of Criminal or Civil Proceedings on Governmental Function Cost Recovery. The initiation of administrative or civil proceedings for governmental function cost recovery does not bar the criminal prosecution of a responsible party for any associated violation. Similarly, criminal prosecution does not bar civil collection of costs for the violation giving rise to the criminal prosecution.

Section 6. Public Nuisance. The County hereby finds and declares the following:

6.1 That addiction to and abuse of opioids is one of the greatest challenges facing the County;

6.2 A cause of this increasing crisis is the overabundance of prescription opioids. Vast amounts of prescription opioid pain pills were sold, distributed and prescribed in the County over the past several years which practice continues today;

6.3 There is evidence showing that approximately four in five heroin users began their addiction by first using and then misusing prescription pain medications containing opioids;

6.4 The selling, distributing, and prescribing of large amounts of opioid pain pills in the County has created a public health and safety hazard affecting the residents of the County, resulting in devastation to County families, a negative effect on the County economy, wasted public resources, and a generation of narcotic dependence;

6.5 That selling, distributing, and prescribing of prescription opioid pain pills is a hazard to public health and safety, which has created a public nuisance to the citizens of the County, and said nuisance remains unabated;

6.6 That, in addition to all other powers and duties now conferred by law upon the County, the County is authorized to enact ordinances, issue orders, and take other appropriate and necessary actions for the elimination of hazards to public health and safety and to abate or cause to be abated anything which the commission determines to be a public nuisance;

6.7 That manufacturers of prescription opioids and those in the chain of distribution have wrongfully abused the privilege of selling and/or providing medication to our residents and must be held accountable; and

6.8 That it is the duty of the County to vindicate the rights of the citizens of the County and take action to abate this public nuisance.

Section 7. Retroactive Application. This legislation applies retroactively.

Section 8. Severability. If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, or business shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not effect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its specific application.

Section 9. Effective Date. This Local Law shall become effective as provided in Municipal Home Rule Law Section 27.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input checked="" type="checkbox"/>
DPW	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
Labor Relations	<input type="checkbox"/>	Strategic Planning	<input type="checkbox"/>
Co. Operations/Public Safety			<input type="checkbox"/>

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 2 - 2018

Pursuant to Section 10 of the Municipal Home Rule Law.

I. WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on February 28, 2018, a proposed Local Law entitled, "A Local Law Declaring the Opioid Epidemic and its Effects on Cattaraugus County a Public Nuisance and Further Establishing a Cost Recovery Procedure for the County's Expenditures Incurred in Providing Services Related to the Opioid Epidemic", and

II. 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

I. RESOLVED, that a public hearing shall be held on the proposed local law by this County Legislature on the 14th day of March, 2018, at 4:01 p.m. at the Legislature's Chambers, 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.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input checked="" type="checkbox"/>
DPW	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
Labor Relations	<input type="checkbox"/>	Strategic Planning	<input type="checkbox"/>
Co. Operations/Public Safety			<input type="checkbox"/>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SALAMANCA YOUTH BUREAU FOR NATIONAL ASSOCIATION OF CHRONIC DISEASE DIRECTORS
REACHING PEOPLE WITH DISABILITIES THROUGH HEALTHY COMMUNITIES PROJECT**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 415-2017 authorized the Chair to execute grant documents with the National Association of Chronic Disease Directors for the Reaching People with Disabilities through Healthy Communities program, and

II. WHEREAS, the aforementioned grant program will promote linkages between disability services and public health to increase awareness and support for the inclusion of people with disabilities in existing health promotion programs, and

III. WHEREAS, the project will yield healthier policies, systems and environments to address poor nutrition, physical inactivity, tobacco use, and chronic conditions with a priority on disability inclusion, and

IV. WHEREAS, the Health Department is desirous of contracting with various agencies for the provision of services under the aforementioned grant, and

V. WHEREAS, the Salamanca Youth Bureau, 155 Wildwood Avenue, Salamanca, New York 14779, can collaborate with, and assist, the County Health Department to address leading risk factors for many chronic conditions, such as unhealthy eating, physical inactivity and tobacco use, so that persons with disabilities are included in policy and environmental initiatives, for an amount not to exceed \$4,500.00, to be paid as invoiced, and

VI. WHEREAS, this project is 100% federally funded (CFDA #93.524), now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Salamanca Youth Bureau, for the provision of the above-described services, for a term commencing November 1, 2017 and terminating June 30, 2018, according to the above-described terms.

Resolution Referred to:

- | | | | |
|------------------------------|-------------------------------------|--------------------|-------------------------------------|
| Finance | <input checked="" type="checkbox"/> | Human Services | <input checked="" type="checkbox"/> |
| DPW | <input type="checkbox"/> | Develop. & Ag | <input type="checkbox"/> |
| Labor Relations | <input type="checkbox"/> | Strategic Planning | <input type="checkbox"/> |
| Co. Operations/Public Safety | | | <input type="checkbox"/> |

**APPROVING CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
CHILDREN'S HEALTH HOMES OF UPSTATE NEW YORK, LLC FOR
DEPARTMENT OF COMMUNITY SERVICES HEALTH HOME BILLING AND
ACCOUNTS RECEIVABLE MANAGEMENT SERVICES**

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

I. WHEREAS, Act 333-2016 authorized contracts with various entities for the provision of Health Home services, which are provided through a network of organizations – providers, health plans and community-based organizations, and

II. WHEREAS, a Health Home is a care management service model whereby all of an individual's caregivers communicate with one another electronically in real time so that all of a patient's needs are addressed in a comprehensive manner, primarily through a "care coordinator", and

III. WHEREAS, the Children's Health Homes of Upstate New York, LLC (CHHUNY), 290 Elwood Davis Road, Suite 290, Liverpool, New York 13088, is a Health Home designated by the NYS Department of Health to provide Care Management services to adolescents and children through care management agencies, and

IV. WHEREAS, the County Department of Community Services is desirous of contracting with CHHUNY in order to bill for care management services provided within the Health Home network in Cattaraugus County, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, between the Cattaraugus County Community Services Board and the Children's Health Homes of Upstate New York, LLC, to signify the County's approval, for the participation in the above-described Health Home program, for a term commencing January 1, 2018 and terminating December 31, 2018, according to the above-described terms.

Resolution Referred to:

- | | | | |
|------------------------------|-------------------------------------|--------------------|-------------------------------------|
| Finance | <input checked="" type="checkbox"/> | Human Services | <input checked="" type="checkbox"/> |
| DPW | <input type="checkbox"/> | Develop. & Ag | <input type="checkbox"/> |
| Labor Relations | <input type="checkbox"/> | Strategic Planning | <input type="checkbox"/> |
| Co. Operations/Public Safety | <input type="checkbox"/> | | <input type="checkbox"/> |

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

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

I. WHEREAS, Act 518-2013, as amended by Act 147-2016, 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 expires February 28, 2018, and

II. WHEREAS, additional medical office space and an additional therapist is needed thereby increasing the lease amount from \$2,400.00 per year to \$4,800.00 per year commencing March 1, 2018, and

III. WHEREAS, the new therapist started on January 16, 2018 resulting in the additional lease amount of \$400.00 for January and February, and

IV. WHEREAS, the Olean Medical Group, LLP, shall lease approximately 240 square feet of general medical space and grant access to approximately 1,260 square feet of common area space in its facility to the Cattaraugus County Community Services Board for an amount of \$400.00 per month, for a total of \$4,800.00 for twelve months, to be paid on a monthly basis, as invoiced, now, therefore, be it

I. 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 Group, LLP, to signify the County’s approval, for the provision of the above-described leased space, for a term commencing January 16, 2018 and terminating February 28, 2019, with the option to extend the lease for one (1) additional year to February 28, 2020, if acceptable to both parties, according to the above-described terms.

Resolution Referred to:

- | | | | |
|------------------------------|-------------------------------------|--------------------|-------------------------------------|
| Finance | <input checked="" type="checkbox"/> | Human Services | <input checked="" type="checkbox"/> |
| DPW | <input type="checkbox"/> | Develop. & Ag | <input type="checkbox"/> |
| Labor Relations | <input type="checkbox"/> | Strategic Planning | <input type="checkbox"/> |
| Co. Operations/Public Safety | <input type="checkbox"/> | | <input type="checkbox"/> |

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
GHD CONSULTING SERVICES, INC. FOR FARWELL AND FIVE POINTS LANDFILLS
GROUNDWATER MONITORING VARIANCE REQUESTS AND
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Department of Public Works)**

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

I. WHEREAS, the consent order agreements between the County and the New York State Department of Environmental Conservation (NYSDEC) require leachate, surface and groundwater monitoring at both the Farwell and Five Points Landfills, and

II. WHEREAS, the Department of Public Works would like to reduce the frequency of monitoring from quarterly to semi-annually, and

III. WHEREAS, GHD Consulting Services, Inc., 285 Delaware Avenue, Suite 500, Buffalo, New York 14202, can review historical monitoring data and develop separate groundwater monitoring variance requests for the Farwell and Five Points Landfills for an amount of \$11,100.00 to be paid as invoiced, and

IV. WHEREAS, various appropriation accounts must be adjusted to cover the cost of the aforementioned services, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with GHD Consulting Services, Inc., for the provision of the above-described services, for a term commencing March 1, 2018 and terminating December 31, 2018, according to the above-described terms, and be it further

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

Decrease Appropriation Account:
A.816.8162.0000.20507 \$11,100.00

Increase Appropriation Account:
A.816.8162.0000.41213 \$11,100.00.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input type="checkbox"/>
DPW	<input checked="" type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
Labor Relations	<input type="checkbox"/>	Strategic Planning	<input type="checkbox"/>
Co. Operations/Public Safety	<input type="checkbox"/>		<input type="checkbox"/>