



CATTARAUGUS COUNTY

John R. Searles, County Administrator

303 Court Street
Little Valley, New York 14755

Phone: (716) 938-2577
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Contingent Fund Balance: \$76,566

The following committees will meet on **Wednesday, May 15, 2019**, at the County Center in Little Valley, New York, at the indicated times:

Labor Relations	4:00 p.m.
Public Works	4:15 p.m.
Human Services	4:45 p.m.
County Operations/Public Safety	5:15 p.m.
Development & Agriculture	5:30 p.m.
Finance	5:45 p.m.

ACT NO.

PREFILED RESOLUTIONS

- 233-19 Mr. Giardini and Mr. Helmich
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Olean Court Room Renovations Project - Court Rooms 1 and 2) (Fund Balance - Court Room Renovations)
- 234-19 Mr. Giardini and Mr. Helmich
BID ACCEPTANCE FOR CATTARAUGUS COUNTY COURT ROOM RENOVATIONS OLEAN COURT ROOMS 1 AND 2 (General Construction and Electrical)
- 235-19 Mr. Giardini and Mr. Helmich
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH GHD CONSULTING SERVICES, INC. FOR FARWELL AND FIVE POINTS LANDFILLS GROUNDWATER MONITORING VARIANCE REQUESTS
- 236-19 Mr. Boberg, Mr. Helmich, Mr. Snyder, Jr., Mr. Giardini and Mr. Koch
AUTHORIZING PERMANENT EASEMENT WITH TOWN OF ASHFORD FOR SALT/SAND BUILDING
- 237-19 Mr. Giardini and Mr. Helmich
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CLEAN HARBORS ENVIRONMENTAL SERVICES, INC. FOR HOUSEHOLD HAZARDOUS WASTE PROGRAM
- 238-19 Mr. Giardini and Mr. Helmich
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH BERGMANN ASSOCIATES FOR LEON BRIDGE NO. 40 ENGINEERING DESIGN SERVICES
- 239-19 Mr. Giardini and Mr. Helmich
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH WATTS ARCHITECTURE & ENGINEERING FOR LEON BRIDGE NO. 8 ENGINEERING DESIGN SERVICES

- 240-19 Mr. Giardini and Mr. Helmich
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH ERDMAN, ANTHONY AND ASSOCIATES, INC. FOR NEW ALBION CULVERT NOS. 46 AND 47 ENGINEERING DESIGN SERVICES
- 241-19 Public Works Committee: Mr. Giardini, Mr. Helmich, Mr. Boberg, Mr. Breton, Mr. Klancer, Mr. Snyder, Jr. and Mr. Koch
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH TETRA TECH, INC. FOR ASSISTANCE IN EMERGENCY PLANNING, TRAINING AND EXERCISES (Hazard Mitigation Plan)
- 242-19 Mr. Breton, Mr. Hale, Mr. Higgins, Ms. Vickman, Ms. Hastings and Mrs. Labuhn
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH OLEAN MEDICAL GROUP FOR BABY & ME-TOBACCO FREE PROGRAM
- 243-19 Ms. Vickman and Ms. Hastings
AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT WITH CITY OF OLEAN FOR DEPARTMENT OF AGING SENIOR WELLNESS AND NUTRITION PROGRAM SITE
- 244-19 Ms. Vickman and Ms. Hastings
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH VNA HOMECARE OPTIONS, LLC D/B/A NASCENTIA HEALTH OPTIONS FOR PROVISION OF HOME DELIVERED AND/OR CONGREGATE MEALS
- 245-19 Ms. Vickman and Ms. Hastings
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH NEW YORK STATE CATHOLIC HEALTH PLAN, INC. D/B/A FIDELIS CARE NEW YORK FOR PROVISION OF HOME DELIVERED AND/OR CONGREGATE MEALS
- 246-19 Ms. Vickman and Ms. Hastings
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH ICIRCLE OF THE FINGER LAKES, INC. FOR PROVISION OF HOME DELIVERED MEALS AND/OR CONGREGATE MEALS AND NUTRITION COUNSELING
- 247-19 Mr. Snyder, Sr.
RESOLUTION AUTHORIZING THE CHAIR OF THE LEGISLATURE TO APPROVE THE PROPOSED ACTION BY COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY IN CONNECTION WITH A CERTAIN COMMERCIAL PROJECT FOR SUNNY OLEAN, LLC
- 248-19 Mr. VanRensselaer and Mr. Koch
AUTHORIZING PUBLIC HEARING ON COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION (Ellicottville Brewery-Little Valley Project)

Committee Referrals May 15, 2019 Committee Meetings

Act #	Finance	County Ops/Pub Safety	DPW	Human Services	Dev & Ag	Labor Relations
233	X		X			
234	X		X			
235	X		X			
236	X		X			
237	X		X			
238	X		X			
239	X		X			
240	X		X			
241	X					
242	X			X		
243	X			X		
244	X			X		
245	X			X		
246	X			X		
247	X				X	
248	X				X	
TOTAL	16	0	8	5	2	0

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Olean Court Room Renovations Project- Court Rooms 1 and 2)
(Fund Balance – Court Room Renovations)**

Pursuant to Sections 363 and 366 of the County Law.

I. WHEREAS, an additional \$500,000.00 is needed from Fund Balance in order to cover the expected expenses related to the Olean Court Room Renovations Project involving Court Rooms 1 and 2, and

II. WHEREAS, various appropriation and revenue accounts must be adjusted to cover the cost of the aforementioned project, and

III. WHEREAS, upon receipt of reimbursement from New York State for the aforementioned Project, such funds shall be placed back into the Undesignated Fund Balance Account A.909.0000, now, therefore, be it

I. RESOLVED, that the County Administrator is hereby directed to appropriate \$500,000.00 from Undesignated Fund Balance Account A.909.0000 and make the following budgetary changes:

Increase Appropriation Accounts:

H.504.1623.0000.21061.41603	Olean Court Facilities Renovations	\$500,000.00
A.990.9950.0000.90504	Transfer to Capital Projects Fund	\$500,000.00

Increase Revenue Account:

H.990.9950.0000.5031	Interfund Transfer	\$500,000.00.
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Resolution Referred to:

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|------------------------------|-------------------------------------|--------------------|--------------------------|
| 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"/> |

**BID ACCEPTANCE FOR CATTARAUGUS COUNTY COURT ROOM RENOVATIONS
OLEAN COURT ROOMS 1 AND 2
(General Construction and Electrical)**

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

I. WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of General Construction and Electrical Services for the Olean County Court Room Renovations Project – Olean Court Rooms 1 and 2, according to specifications provided by the Public Works Committee, and

II. WHEREAS, the lowest bid received meeting specifications for the General Construction portion of the project was the bid of Duggan & Duggan General Contractors, Inc., 85 West Main Street, P.O. Box 5, Allegany, New York 14706, for an amount of \$214,360.00, to be paid on a percent-of-completion basis, as invoiced and approved by the Department of Public Works, and

III. WHEREAS, the lowest bid received meeting specifications for the Electrical portion of the project was the bid of Ahlstrom Schaeffer Electrical Corp., 49 Hopkins Avenue, Jamestown, New York 14701, for an amount of \$71,500.00, to be paid on a percent-of-completion basis, as invoiced and approved by the Department of Public Works, and

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

I. RESOLVED, that the bid of Duggan & Duggan General Contractors, Inc., be, and the same hereby is, accepted, for a term commencing within five (5) days of the Notice to Proceed, and terminating 210 days thereafter, with the project being completed no later than December 31, 2019, and be it further

II. RESOLVED, that the bid of Ahlstrom Schaeffer Electrical Corp., be, and the same hereby is, accepted, for a term commencing within five (5) days of the Notice to Proceed, and terminating 210 days thereafter, with the project being completed no later than December 31, 2019, and be it further

III. 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.

General Construction Portion

Four sets of specifications were sent out.

Two bids were received meeting specifications.

Electrical Portion

One set of specifications was sent out.

One bid was received.

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 CHAIR TO EXECUTE CONTRACT EXTENSION WITH
GHD CONSULTING SERVICES, INC. FOR FARWELL AND FIVE POINTS LANDFILLS
GROUNDWATER MONITORING VARIANCE REQUESTS**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 113-2018 authorized a contract with GHD Consulting Services, Inc., 285 Delaware Avenue, Suite 500, Buffalo, New York 14202, for a review of the monitoring data and the development of a separate groundwater monitoring variance request for the Farwell and Five Points Landfills, the term of which expired December 31, 2018, and

II. WHEREAS, a contract extension to December 31, 2019 is necessary in order to complete the review and obtain a groundwater monitoring variance, at no additional cost to 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 extension, on behalf of Cattaraugus County, with GHD Consulting Services, Inc., for the provision of the above-described services, to extend the term of the original contract which commenced March 1, 2018 to terminate December 31, 2019, according to the above-described terms.

Resolution Referred to:

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|------------------------------|-------------------------------------|--------------------|--------------------------|
| 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 PERMANENT EASEMENT WITH
TOWN OF ASHFORD FOR SALT/SAND BUILDING**

Pursuant to Sections 215 and 450 of the County Law.

- I. WHEREAS, the Department of Public Works is desirous of constructing a new salt/sand building and access on property owned by the Town of Ashford, and
- II. WHEREAS, the Town of Ashford, 9377 Route 240, West Valley, New York 14171, has agreed to allow the County to construct, repair and maintain, use and remove a salt/sand building and all appurtenances therein in, under and across said easement on its property, and
- III. WHEREAS, a permanent non-exclusive easement with the Town of Ashford is necessary for the construction, repair and maintenance of, and access to, the salt/sand building, at no cost to the County, and
- IV. WHEREAS, the permanent easement shall be described as follows:

PARCEL WVBARN

ALL THAT PARCEL OF LAND situate in the Town of Ashford, County of Cattaraugus, State of New York, being part of Lot 49, Town 6, Range 6 of the Holland Land Company's survey bounded and described as follows:

BEGINNING at the intersection of the southerly bounds of Cattaraugus County as described in a deed recorded in the Cattaraugus County Clerk's Office in Liber 915 Page 952 and northerly and easterly bounds of the Town of Ashford as described in a deed recorded in the Cattaraugus County Clerk's Office in Liber 504 Page 267. Said point also lying at a distance of 452.69± feet, measured radially, from station 3+76.76± of the centerline of Fox Valley Road as established by the Cattaraugus County Department of Public Works for the right, privilege, and authority to construct, reconstruct, locate and relocate, operate, repair and maintain, use and remove a salt/sand building and all appurtenances thereto in, under and across said easement;

THENCE southeasterly along the easterly bounds of the Town of Ashford, 479.30± feet to the centerline of Fox Valley Road. Said point located at station 0+38.33± of said centerline;

THENCE southwesterly along the centerline of Fox Valley Road, 186.19± feet to a point located at station 2+24.52± of said centerline;

THENCE northwesterly through the lands of the Town of Ashford (reputed owner) and parallel to the easterly bounds of the Town of Ashford (reputed owner) as described in a deed recorded in the Cattaraugus County Clerk's Office in Liber 504 Page 267, 435.72± feet to the southerly bounds of Cattaraugus County. Said point is located 334.75± feet, measured at right angles northerly, from station 5+16.26± of said centerline;

THENCE northeasterly along the southerly bounds of Cattaraugus County as described in a deed recorded in the Cattaraugus County Clerk's Office in Liber 915 Page 952, 178.56± feet to the POINT OF BEGINNING, containing 83133.08± square feet (1.91± acres) of land, more or less.,

and

- V. WHEREAS, the County and the Town of Ashford shall share jointly the salt/sand facility, as well as, the maintenance of such facility and the purchase and storage of salt and sand materials in such facility, now, therefore, be it

- I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease agreement, on behalf of Cattaraugus County, with the Town of Ashford, for the construction, repair and maintain of a salt/sand building, for a term on the date the Easement Agreement is fully executed and continuing in full force and effect until terminated by the parties hereto, according to the above-described terms, and be it further

II. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute all documents deemed necessary to create a permanent easement in favor of the County across, over and through the above-described property for the purpose of construction, repair and maintain of a salt/sand building.

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
CLEAN HARBORS ENVIRONMENTAL SERVICES, INC. FOR
HOUSEHOLD HAZARDOUS WASTE PROGRAM**

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

I. WHEREAS, Act 237-2017, as amended by Act 287-2018, authorized a contract with Clean Harbors Environmental Services, Inc., 42 Longwater Drive, Norwell, Massachusetts 02061, for the collection, transportation and disposal of household hazardous waste for Cattaraugus County residents, the term of which expires May 31, 2019, and

II. WHEREAS, the County Department of Public Works has solicited proposals from four (4) companies for the provision of the above-described disposal services, and

III. WHEREAS, the County Department of Public Works is desirous of conducting one (1) Household Hazardous Waste Collection day per year for the collection of limited quantities of non-usable oil-based paint, select nonchlorinated solvents, corrosives, pesticides and miscellaneous other home chemicals, such as chemistry sets, pool chemicals and photograph chemicals, and

IV. WHEREAS, Clean Harbors Environmental Services, Inc., has been recommended to provide for the collection, transportation and disposal of household hazardous waste for Cattaraugus County residents, for an estimated amount of \$20,000.00 per year based on estimated quantities, in accordance with the following rate schedule:

Based on 200 vehicles participating in each event

<u>Operations</u>	<u>Price</u>
Site Set-up Fee - This fee shall include all contractor costs associated with the operation of each event, such as personnel, equipment, supplies, analytical, emergency response fee, and document preparation charge	\$3,920.00 Flat fee per event

<u>Item for Disposal (includes Transportation)</u>	<u>Contractor's Estimated Generation</u>	<u>Minimum Weight of Filled Container</u>	<u>Price Rate/Unit</u>
Processable Paints & Varnishes LPTP	5 Flex Bins	675 Minimum pounds Per Flex Bin	\$375.00/cu.yd.box
	1 55 gal. Drums	180 Minimum pounds Per 55 gal. Drums	\$168.00/55 Drum
Flammable Resins & Adhesives LPTN	2 Flex Bins	675 Minimum pounds Per Flex Bin	\$705.00/cu.yd.box
	0 55 gal. Drums	180 Minimum pounds Per 55 gal. Drums	\$205.00/55 Drum
Organic Liquids, Flammable FB1	0 Flex Bins	N/B Minimum pounds Per Flex Bin	N/A /55 Drum
Liquids and Solvents (other than 55 gal. Drum, indicate size)	5 55 gal. Drums	350 Minimum pounds Per 55 gal. Drums	\$118.00 /55 Drum
Aerosols	1 Flex Bins	675 Minimum pounds Per Flex Bin	\$980.00/cu.yd.box
LCCRQ	1 55 gal. Drums	180 Minimum pounds Per 55 gal. Drums	\$297.00/55 Drum
Chemicals: Oxidizers, Acids and Bases	5 55 gal. Drums	180 Minimum pounds Per 55 gal. Drums	\$297.00/55 Drum
	0 30 gal. Drums	100 Minimum pounds Per 30 gal. Drums	\$223.00/30 Drum
LCCR	1 5 gal. Drums	25 Minimum pounds	\$89.00/5 Drum

Pesticides – Liquid & Solid LCCR	5 55 gal. Drums or N/A Pounds	Per 5 gal. Drums 180 Minimum pounds Per 55 gal. Drums N/A	\$297.00/55 Drum or N/A / Pound
Pesticides – Dioxin Precursors LCCRC	1 5 gal. Drum	*if HHW Exempt	\$89.00*/5 gal. Drum
Antifreeze B35	2 55 gal. Drums	350 Minimum pounds Per 55 gal. Drums	\$140.00/55 Drum
Mercury LCHG2 and	1 5 gal. Drum	25 Minimum pounds Per 55 gal. Drums	\$420.00/5 Drum

V. WHEREAS, sufficient funds are included in the budget to cover the costs 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 Clean Harbors Environmental Services, Inc., for the provision of the above-described services, for a term commencing June 1, 2019 and terminating May 31, 2020, with the mutual option to renew for two (2) additional one (1) year periods, under the same terms, rates and conditions, 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 BERGMANN ASSOCIATES FOR
LEON BRIDGE NO. 40 ENGINEERING DESIGN SERVICES**

Pursuant to Sections 215 and 450 of the County Law.

I. WHEREAS, the County Department of Public Works is in need of engineering design services for the Leon Bridge No. 40 Replacement Project, located on Dredge Road over Conewango Creek in the Town of Leon, and

II. WHEREAS, Bergmann Associates, 40 LaRiviere Drive, Suite 150, Waterfront Village Center, Buffalo, New York 14202, can provide the aforementioned engineering design services for a total amount not to exceed \$224,745.00, to be paid on a percent-of-completion basis, as invoiced and approved by the Department of Public Works, and

III. WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned engineering design 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 Bergmann Associates, for the provision of the above-described engineering design services, for a term commencing May 9, 2019 and terminating April 30, 2021, according to the above-described terms.

Resolution Referred to:

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|------------------------------|-------------------------------------|--------------------|--------------------------|
| 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 WATTS ARCHITECTURE & ENGINEERING FOR
LEON BRIDGE NO. 8 ENGINEERING DESIGN SERVICES**

Pursuant to Sections 215 and 450 of the County Law.

I. WHEREAS, the County Department of Public Works is in need of engineering design services for the Leon Bridge No. 8 Replacement Project, located on County Road No. 6 over Mud Creek in the Town of Leon, and

II. WHEREAS, Watts Architecture & Engineering, 95 Perry Street, Suite 300, Buffalo, New York 14203, can provide the aforementioned engineering design services for a total amount not to exceed \$217,216.00, to be paid on a percent-of-completion basis, as invoiced and approved by the Department of Public Works, and

III. WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned engineering design 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 Watts Architecture & Engineering, for the provision of the above-described engineering design services, for a term commencing May 9, 2019 and terminating October 30, 2020, according to the above-described terms.

Resolution Referred to:

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|------------------------------|-------------------------------------|--------------------|--------------------------|
| 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 ERDMAN, ANTHONY AND ASSOCIATES, INC. FOR
NEW ALBION CULVERT NOS. 46 AND 47 ENGINEERING DESIGN SERVICES**

Pursuant to Sections 215 and 450 of the County Law.

I. WHEREAS, the County Department of Public Works is in need of engineering design services for the New Albion Culvert No. 46 Replacement Project, located on County Road No. 5 over Little Valley Creek in the Town of New Albion, and

II. WHEREAS, the County Department of Public Works is also in need of engineering design services for the New Albion Culvert No. 47 Replacement Project, located on County Road No. 5 over Unnamed Branch Little Valley Creek in the Town of New Albion, and

III. WHEREAS, Erdman, Anthony and Associates, Inc., 8608 Main Street, Buffalo, New York 14221, can provide the aforementioned engineering design services for a total amount not to exceed \$203,700.00, to be paid on a percent-of-completion basis, as invoiced and approved by the Department of Public Works, and

IV. WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned engineering design 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 Erdman, Anthony and Associates, Inc., for the provision of the above-described engineering design services, for a term commencing May 9, 2019 and terminating October 30, 2020, 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"/> | | <input type="checkbox"/> |

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH TETRA TECH, INC. FOR
ASSISTANCE IN EMERGENCY PLANNING, TRAINING AND EXERCISES
(Hazard Mitigation Plan)**

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

- I. WHEREAS, Act 73-2014 authorized the adoption of the Cattaraugus County Multi-Jurisdictional Hazard Mitigation Plan, and
- II. WHEREAS, the aforementioned Hazard Mitigation Plan must be updated no less than every five (5) years, and
- III. WHEREAS, the Department of Public Works is desirous of updating the Cattaraugus County Multi-Jurisdictional Hazard Mitigation Plan, and
- IV. WHEREAS, pursuant to Section 103(3) of the General Municipal Law, the County is desirous of piggybacking on a contract between Warren County and Tetra Tech, Inc., for the provision of assistance and support, on an as-needed basis, to the Cattaraugus County Department of Public Works with Disaster/Emergency planning activities, training, exercises program development and support, and
- V. WHEREAS, Tetra Tech, Inc., 240 Continental Drive, Suite 200, Newark, Delaware 19713, can provide the aforementioned professional services in accordance with the proposal RFP# WC 11-16 submitted to Warren County on April 7, 2016, for an amount of \$112,000.00, to be paid on a percent-of- completion basis, in accordance with the following schedule, as invoiced:

<u>Task</u>	<u>Cost</u>
Task 1: Organize the Resources	\$12,000.00
Task 2: Risk Assessment	\$24,000.00
Task 3: Mitigation Strategy	\$50,500.00
Task 4: Plan Maintenance	\$ 4,000.00
Task 5: Draft and Final Plans	\$21,500.00,

and

- VI. 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 Tetra Tech, Inc., for the provision of the above-described services pursuant to the terms and provisions of the proposal submitted to Warren County, for a term commencing May 22, 2019 and terminating May 31, 2020, according to the above-described terms.

Resolution Referred to:

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|------------------------------|-------------------------------------|--------------------|--------------------------|
| 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"/> | | <input type="checkbox"/> |

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH OLEAN MEDICAL GROUP FOR BABY & ME-TOBACCO FREE PROGRAM**

Pursuant to Section 450 of the County Law.

I. WHEREAS, the Baby & Me-Tobacco Free Program is a smoking cessation program created to reduce the tobacco use by pregnant and post-partum women, and

II. WHEREAS, the above-described program is strictly for moms who are pregnant or post-delivery and it "rewards" new moms by giving them a year supply of diapers if they stop smoking, and

III. WHEREAS, the Olean Medical Group, 535 Main Street, Olean, New York 14760, currently offers the Baby & Me-Tobacco Free program to women in Cattaraugus County, and

IV. WHEREAS, the County is desirous of providing \$6,000.00 to the Olean Medical Group to assist with the operation of the Baby & Me-Tobacco Free Program in Cattaraugus County, 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 County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Olean Medical Group, for the provision of the above-described Baby & Me-Tobacco Free Program, for a term commencing June 1, 2019 and terminating May 31, 2020, 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
CITY OF OLEAN FOR DEPARTMENT OF AGING
SENIOR WELLNESS AND NUTRITION PROGRAM SITE**

Pursuant to Section 95-a of the General Municipal Law, Title III-C
of the Older Americans Act of 1965, as amended and
Sections 215 and 450 of the County Law.

I. WHEREAS, Act 215-2017 authorized a lease agreement with the City of Olean, 101 East State Street, P.O. Box 668, Olean, New York 14760, for a County Department of Aging Senior Wellness and Nutrition (SWAN) Program site, the term of which expires May 31, 2019, and

II. WHEREAS, the County Department of Aging is desirous of renewing the aforementioned lease, and

III. WHEREAS, the City of Olean has agreed to lease approximately 2,211 square feet of space, located in the John J. Ash Community Center, to the County for a SWAN Program site for an amount of \$5,304.60 per year to be paid on a quarterly basis at an amount of \$1,326.15 per quarter, and

IV. WHEREAS, this program is 90% federal (CFDA #93.045) and 10% county funded, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease agreement, on behalf of Cattaraugus County, with the City of Olean, for the leasing of a Senior Wellness and Nutrition Program site, for a term commencing June 1, 2019 and terminating May 31, 2021, 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"/> |

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
VNA HOMECARE OPTIONS, LLC D/B/A NASCENTIA HEALTH OPTIONS FOR
PROVISION OF HOME DELIVERED AND/OR CONGREGATE MEALS**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 201-2015 authorized a contract with VNA Homecare Options, LLC, 1050 West Genesee Street, Syracuse, New York 13204, for the provision of home delivered meals and congregate meals for eligible patients, and

II. WHEREAS, a contract amendment is necessary due to an increase in the rate per meal for home delivered meals, and

III. WHEREAS, the Department of Aging can provide home delivered meals and congregate meals for an amount of \$8.00 per meal, now, therefore, be it

I. 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 VNA Homecare Options, LLC, d/b/a Nascentia Health Options, to allow for an increase in the home delivered and/or congregate meals, for a term commencing June 1, 2019 to continue in full force and effect until terminated by either party hereto.

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 AMENDED CONTRACT WITH
NEW YORK STATE CATHOLIC HEALTH PLAN, INC. D/B/A
FIDELIS CARE NEW YORK FOR PROVISION OF
HOME DELIVERED AND/OR CONGREGATE MEALS**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 366-2011 authorized a contract with New York State Catholic Health Plan, Inc., d/b/a Fidelis Care New York, 480 CrossPoint Parkway, Getzville, New York 14068, for the provision of home delivered meals and/or congregate meals for eligible patients, and

II. WHEREAS, a contract amendment is necessary due to an increase in the rate per meal for home delivered meals, and

III. WHEREAS, the Department of Aging can provide home delivered meals and/or congregate meals for the Managed Medicaid and Managed Long Term Care Programs and the Health and Recovery Plan Program (HARP) for an amount as follows:

<u>HCPCS</u>	<u>Description</u>	<u>Rate</u>
S5170	Home Delivered Meals	\$8.00 per meal
S9977	Congregate Meals	\$8.00 per meal
	Combined 2 Daily Meals	\$16.00 per day,

now, therefore, be it

I. 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 Catholic Health Plan, Inc., d/b/a Fidelis Care New York, to allow for an increase in the home delivered and/or congregate meals, for a term commencing June 1, 2019 to continue in full force and effect until terminated by either party hereto.

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
iCIRCLE OF THE FINGER LAKES, INC. FOR PROVISION OF
HOME DELIVERED MEALS AND/OR CONGREGATE MEALS AND
NUTRITION COUNSELING**

Pursuant to Section 450 of the County Law.

I. WHEREAS, iCircle of the Finger Lakes, Inc., 860 Hard Road, Webster, New York 14580, is in need of nutrition counseling, home delivered meals and congregate meals for eligible patients, and

II. WHEREAS, the Department of Aging can provide the aforementioned services to eligible patients at the following rates:

Home Delivered & Congregate Meals \$8.50/meal
Registered Dietician Counseling/Home Visit \$60.00 per visit,

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 iCircle of the Finger Lakes, Inc., for the provision of the above-described meals and nutrition counseling, for a term commencing June 1, 2019 to continue in full force and effect until terminated by either party hereto.

Resolution Referred to:

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|------------------------------|-------------------------------------|--------------------|-------------------------------------|
| 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"/> |

**RESOLUTION AUTHORIZING THE CHAIR OF THE LEGISLATURE TO APPROVE THE
PROPOSED ACTION BY COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY
IN CONNECTION WITH A CERTAIN COMMERCIAL PROJECT FOR
SUNNY OLEAN, LLC**

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

- I. WHEREAS, pursuant to Article 18-A of the General Municipal Law of the State of New York and Chapter 536 of the 1971 Laws of New York (collectively, the "Act"), the Legislature of Cattaraugus County (the "County Legislature") has heretofore appointed the members of County of Cattaraugus Industrial Development Agency (the "Agency") and has duly caused to be filed in the office of the Secretary of the State of New York the certificates required by Section 856 of the General Municipal Law of the State of New York, and
- II. WHEREAS, pursuant to the Act, the Agency is authorized and empowered to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and recreation facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration, and
- III. WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct and install one or more "projects" (as defined in the Act), or to cause said projects to be acquired, constructed and installed, and to convey said projects or to lease said projects with the obligation to purchase, and
- IV. WHEREAS, in March, 2019, Sunny Olean LLC, a New York State limited liability company (the "Company") submitted an application (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, which Application requested that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately 5,500 square foot parcel of land located at 106-108 W. State Street (currently Tax ID #94.253-1-26.2) in the City of Olean, Cattaraugus County, New York (the "Land"), together with an approximately 11,300 square foot building located thereon (the "Facility"), (2) the renovation and reconstruction of the Facility, and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property, including without limitation, tenant improvement and finish (collectively, the "Equipment") (the Land, the Facility, and the Equipment being collectively referred to as the "Project Facility"); all of the foregoing to constitute a retail and market rate apartment facility and any other directly and indirectly related uses; (B) the granting of certain other "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency, and
- V. WHEREAS, pursuant to Section 862(2)(a) of the Act, no financial assistance of the Agency shall be provided in respect of any project where facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities constitute more than one-third of the total project cost, unless certain exceptions apply, one of which is that the Project is located in a highly distressed area, and

VI. WHEREAS, pursuant to Section 862(2)(c) of the Act, the Agency may not provide financial assistance to the Project unless the Agency shall, after satisfaction of the public hearing requirements of Section 859 of the Act, make a finding that undertaking the Project will serve the public purposes of the Act by preserving permanent, private sector jobs in the State or increasing the overall number of permanent, private sector jobs in the State, and

VII. WHEREAS, by resolution adopted by the members of the Agency on March 19, 2019 (the “Public Hearing Resolution”), the Agency authorized a public hearing to be held pursuant to Section 859-a of the Act with respect to the Project, and

VIII. WHEREAS, pursuant to the authorization contained in the Public Hearing Resolution, the Executive Director of the Agency (A) caused notice of public hearing of the Agency (the “Public Hearing”) pursuant to Section 859-a of the Act, to hear all persons interested in the Project and the Financial Assistance being contemplated by the Agency with respect to the Project, to be mailed on March 21, 2019 to the chief executive officers of the county and of each city, town, village and school district in which the Project is or is to be located, (B) caused notice of the Public Hearing to be posted on March 21, 2019 (1) on a bulletin board located at the Agency offices located at 9 East Washington Street in the Town of Ellicottville, Cattaraugus County, New York, (2) on a bulletin board located at the Olean Municipal Building located at 101 E. State Street in the City of Olean, Cattaraugus County, New York, and (3) on the Agency’s website, (C) caused notice of the Public Hearing to be published on March 22, 2019 in the Olean Time Herald, a newspaper of general circulation available to the residents of City of Olean, Cattaraugus County, New York, (D) conducted the Public Hearing on April 9, 2019 at 11:30 a.m., local time in Conference Room #119 of the Olean Municipal Building located at 101 East State Street in the City of Olean, Cattaraugus County, New York, and (E) prepared a report of the Public Hearing (the “Hearing Report”) which fairly summarized the views presented at said Public Hearing and distributed same to the members of the Agency, and

IX. WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the “SEQR Act”) and the regulations (the “Regulations”) adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, “SEQRA”), by resolution adopted by the members of the Agency on March 19, 2019 (the “Preliminary SEQR Resolution”), the Agency (A) determined (1) that the Project involves more than one “involved agency”, and (2) that, although the Project may constitute an “unlisted action”, and coordinated review and notification of other involved agencies is strictly optional with respect to the Project, the Agency wished to investigate the advisability of undertaking a coordinated review with respect to the Project, and (B) authorized the Executive Director of the Agency to contact all other “involved agencies” for the purpose of ascertaining whether such “involved agencies” were interested in undertaking a coordinated review of the Project and, if so, designating a “lead agency” with respect to the Project (as such quoted terms are defined in SEQRA), and

X. WHEREAS, further pursuant to SEQRA, by resolution adopted by the members of the Agency on April 30, 2019 (the “Final SEQR Resolution”), Agency determined that the Project constitutes a “Type II Action” (as such quoted term is defined under SEQRA), and therefore that no further action with respect to the Project was required under SEQRA, and

XI. WHEREAS, by further resolution adopted by the members of the Agency on April 30, 2019 (the “Commercial/Retail Finding Resolution”), the Agency (A) determined that the Project constituted a “commercial project” within the meaning of the Act, (B) found that although the Project Facility appears to constitute a project where facilities or properties that are primarily used in making the retail sales of goods or services to customers who personally

visit such facilities may constitute more than one-third of the costs of the Project, the Agency is authorized to provide financial assistance in respect of the Project pursuant to Section 862(2)(a) of the Act because the Project Facility is located in census tract 9617, which is considered to be a distressed census tract and, therefore, is in a “highly distressed area”, as that term is defined in Section 854(18) of the Act, (C) determined, following a review of the Hearing Report, that the Project would serve the public purposes of the Act by preserving permanent private sector jobs in the State of New York, and (D) determined that the Agency would proceed with the Project and the granting of the Financial Assistance; provided however, that no financial assistance would be provided to the Project by the Agency unless and until the County Legislature of Cattaraugus County, as chief executive officer of Cattaraugus County, New York, pursuant to Section 862(2)(c) of the Act, confirmed the proposed action of the Agency with respect to the Project, and

XII. WHEREAS, for the sole purpose of allowing the Agency to proceed with the Project, this Legislature desires to empower the Chairman of this Legislature, as the chief executive officer of Cattaraugus County, to confirm the proposed action of the Agency with respect to the Project, pursuant to Section 862(2)(c) of the Act, and

XIII. WHEREAS, Section 870 of the General Municipal Law of the State of New York specifically provides that any obligation of the Agency shall not be a debt of Cattaraugus County, New York, nor shall Cattaraugus County, New York be liable thereon, now, therefore, be it

I. RESOLVED, that, for the sole purpose of allowing the Agency to proceed with the Project and the granting of the financial assistance described in the notice of the Public Hearing, the County Legislature hereby authorizes the Chairman of this County Legislature, as the chief executive officer of Cattaraugus County, New York, to either confirm or refuse to confirm the proposed action of the Agency with respect to the Project, pursuant to Section 862(2)(c) of the Act, and be it further

II. RESOLVED, that this resolution shall take effect immediately.

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 PUBLIC HEARING ON
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION
(Ellicottville Brewery-Little Valley Project)**

Pursuant to Section 10 of the Municipal Home Rule Law.

I. WHEREAS, Acts 445-2016 and 426-2018 authorized public hearings to consider citizen comments regarding the Community Development Block Grant (“CDBG”) application to the New York State Office of Community Renewal for funding to support the development of a brewery that will include bottling operations, a restaurant and a museum to be located at 202 Second Street in the Village of Little Valley, New York (the “Project”), and

II. WHEREAS, the County is required to hold subsequent public hearings on the Ellicottville Brewery-Little Valley project to give an update on the progress of the project, now, therefore, be it

I. RESOLVED, that a public hearing shall be held by this County Legislature to give an update on the progress of the bottling operations, a restaurant and a museum to be located at 202 Second Street in the Village of Little Valley, New York, on the 12th day of June, 2019, at 4:01 p.m. at the Legislature's Chambers, County Center, 303 Court Street, Little Valley, New York, and that at least ten (10) 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 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"/> |