



# CATTARAUGUS COUNTY

John R. Searles, County Administrator

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Little Valley, New York 14755

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Contingent Fund Balance: \$76,566

The following committees will meet on **Wednesday, August 21, 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.

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## ACT NO.

## REFERRED RESOLUTION

317-19

Ms. Vickman and Ms. Hastings

AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH WESTERN REGION HEALTH CORP. D/B/A WILLCARE, INC. FOR HEALTH DEPARTMENT HOME CARE SERVICES PROGRAM

## PREFILED RESOLUTIONS

336-19

Mr. Giardini and Mr. Helmich

BID ACCEPTANCE FOR FIRE ALARM SYSTEM UPGRADES AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (The Pines Healthcare and Rehabilitation Center-Machias Campus)

337-19

Mr. Giardini and Mr. Helmich

BID ACCEPTANCE FOR 2019 PARKING LOT IMPROVEMENTS AT THE PINES HEALTHCARE AND REHABILITATION CENTER - MACHIAS CAMPUS (Department of Public Works)

338-19

Mr. Burr, Mr. Helmich, Mr. Klancer and Mr. Giardini

AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH MCMAHON & MANN CONSULTING ENGINEERING AND GEOLOGY, P.C. FOR GEOTECHNICAL ENGINEERING SERVICES FOR COUNTY ROAD NO. 12 SLOPE FAILURE AREA

339-19

Mr. Helmich, Mr. Snyder, Sr. and Mr. Giardini

AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH WENDEL WD ARCHITECTURE, ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C. FOR HEALTH DEPARTMENT SPACE PLANNING

- 340-19 Mr. Giardini and Mr. Helmich  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NYSDOT AND AUTHORIZING CATTARAUGUS COUNTY TO PARTICIPATE IN FEDERAL-AID PROJECT ADMINISTERED BY THE NYSDOT AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Bridge Painting-Department of Public Works)
- 341-19 Mr. Giardini and Mr. Helmich  
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH GREENMAN-PEDERSEN, INC. FOR FRANKLINVILLE BRIDGE NO. 22 REPLACEMENT PROJECT CONSTRUCTION INSPECTION SERVICES
- 342-19 Mr. Giardini and Mr. Helmich  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH GENERATIONS FORESTRY, INC. FOR FORESTRY MANAGEMENT SERVICES
- 343-19 Mr. Higgins, Mr. Snyder, Sr., Mr. Koch, Mrs. Labuhn and Mr. Padlo  
SALE OF TAX TITLE PROPERTY TO FORMER OWNERS (City of Olean and Town of Great Valley)
- 344-19 Mr. Klancer, Mr. Snyder, Sr. and Ms. Vickman  
APPOINTMENT OF DIRECTOR OF REAL PROPERTY TAX SERVICES
- 345-19 Mr. Klancer and Mr. Padlo  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NEW YORK STATE BOARD OF ELECTIONS FOR ELECTRONIC POLL BOOKS CAPITAL GRANT PROJECT AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Board of Elections - Contract No. BOE01-C004013-1110000)
- 346-19 Mr. Breton and Ms. Vickman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH BPAS (FORMERLY HARBRIDGE CONSULTING GROUP, LLC) FOR GASB 75 ACTUARIAL, CONSULTING AND ADMINISTRATIVE SERVICES FOR POST-RETIREMENT HEALTH CARE BENEFITS
- 347-19 Mr. Klancer and Mr. Padlo  
AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE FOR SHERIFF'S DEPARTMENT TRAFFIC SAFETY PARTNERSHIP PROGRAM
- 348-19 Mr. Klancer and Mr. Padlo  
AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR STATEWIDE INTEROPERABLE COMMUNICATIONS FORMULA-BASED GRANT (2019 SICG-Formula Program)
- 349-19 Mr. Klancer and Mr. Padlo  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NEW YORK STATE OFFICE OF GENERAL SERVICES FOR RADIO TOWER SPACE USE BY NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

- 350-19 Ms. Vickman  
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH ZIRMED, INC. D/B/A WAYSTAR HEALTH, INC. FOR ELECTRONIC BILLING SERVICES FOR MEDICARE (Department of Nursing Homes)
- 351-19 Ms. Vickman  
ADOPTION OF CATTARAUGUS COUNTY DEPARTMENT OF NURSING HOMES POLICY AND PROCEDURE ON MEDICAID BED-HOLD AND READMISSION
- 352-19 Ms. Vickman and Ms. Hastings  
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS (Department of Nursing Homes)
- 353-19 Ms. Vickman and Ms. Hastings  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH TOTAL SENIOR CARE, INC. FOR PACE AND DAYBREAK PROGRAM HOME DELIVERED AND CONGREGATE MEALS
- 354-19 Mr. Helmich, Ms. Labuhn, Mr. Marsh, Mr. Snyder, Sr., Ms. Vickman and Ms. Hastings  
LOCAL LAW NUMBER 9-2019 - A LOCAL LAW AMENDING LOCAL LAW NUMBER 10-2011, AS AMENDED, ENTITLED "A LOCAL LAW REGULATING ELECTRONIC CIGARETTES [E-CIGARETTES] AND HERBAL CIGARETTES" TO PROHIBIT THE SALE AND DISTRIBUTION OF FLAVORED E-LIQUID FOR USE IN E-CIGARETTES SOLD IN CATTARAUGUS COUNTY
- 355-19 Mr. Snyder, Sr., Ms. Vickman and Ms. Hastings  
AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 9-2019
- 356-19 Ms. Vickman and Ms. Hastings  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS COMMUNITY ACTION, INC. FOR DEPARTMENT OF SOCIAL SERVICES COMMUNITY-BASED CASEWORKER PROGRAM
- 357-19 Ms. Vickman and Ms. Hastings  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH PIONEER CENTRAL SCHOOL DISTRICT FOR DEPARTMENT OF SOCIAL SERVICES COMMUNITY-BASED CASEWORKER PROGRAM
- 358-19 Ms. Vickman and Ms. Hastings  
APPROVING AMENDED CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND COUNCIL ON ADDICTION RECOVERY SERVICES, INC. FOR SUBSTANCE ABUSE PROGRAM FUNDS AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Department of Community Services)
- 359-19 Mr. VanRensselaer and Mr. Koch  
AUTHORIZING THE CHAIR TO EXECUTE GRANT APPLICATION AND CONTRACT WITH DEFENSE LOGISTICS AGENCY FOR PROCUREMENT TECHNICAL ASSISTANCE PROGRAM
- 360-19 Mr. VanRensselaer and Mr. Koch  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NITTANY VALLEY OFFSET FOR PRINTING OF 2019 AMISH TRAIL BROCHURES

- 361-19 Mr. VanRensselaer and Mr. Koch  
AUTHORIZING APPLICATION FOR TOURISM PROMOTION AND DESIGNATING GRANT ADMINISTRATOR
- 362-19 Ms. Vickman and Ms. Hastings  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS-ALLEGANY WORKFORCE DEVELOPMENT BOARD FOR WIOA CAREER SERVICES
- 363-19 Ms. Vickman and Ms. Hastings  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS-ALLEGANY WORKFORCE INVESTMENT BOARD, INC. FOR YEAR-ROUND YOUTH PROGRAMS (2019-2020)
- 364-19 Mr. VanRensselaer, Ms. Vickman, Ms. Hastings and Mr. Koch  
AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH THE NEW YORK STATE OFFICE FOR THE AGING FOR THE NEW YORK STATE AGE-FRIENDLY PLANNING GRANT PROGRAM
- 365-19 Mr. Giardini and Mr. Helmich  
AMENDING ACT 206-2018 REGARDING RESERVE ACCOUNT FOR REFORESTATION
- 366-19 Mr. Snyder, Sr.  
AUTHORIZING COUNTY TREASURER TO TRANSFER UNEXPENDED CASINO FUNDS AND NET PROCEEDS RECEIVED FROM SALE OF TIMBER AND ESTABLISHING COMMITTED FUND BALANCE ACCOUNT
- 367-19 Mr. Boberg, Mr. Helmich, Mr. Snyder, Jr., Mr. VanRensselaer, Ms. Vickman and Mr. Giardini  
AUTHORIZING ASSISTANCE TO TOWN OF EAST OTTO FOR MUNICIPAL IMPROVEMENT PROJECT AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Department of Economic Development, Planning & Tourism)
- 368-19 Mr. Boberg, Mr. Helmich, Mr. Giardini, Ms. Hastings, Mr. Koch and Mrs. Labuhn  
CANCELING UNENFORCEABLE LIENS (Towns of Allegany, Ashford and Red House)
- 369-19 Mr. Klancer  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NEW YORK STATE OFFICE OF INDIGENT SERVICES FOR STATEWIDE EXPANSION OF HURRELL-HARRING REFORM GRANT AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Indigent Legal Services)

### Committee Referrals August 21, 2019 Committee Meetings

Act #	Finance	County Ops/Pub Safety	DPW	Human Services	Dev & Ag	Labor Relations
317	X			X		
336	X		X			
337	X		X			
338	X		X			
339	X		X	X		
340	X		X			
341	X		X			
342	X		X			
343	X	X				
344	X	X				X
345	X	X				
346	X					X
347	X	X				
348	X	X				
349	X	X				
350	X			X		
351	X			X		
352	X			X		
353	X			X		
354	X			X		
355	X			X		
356	X			X		
357	X			X		
358	X			X		
359	X				X	
360	X				X	
361	X				X	
362	X			X		
363	X			X		
364	X			X		
365	X		X			

<b>Act #</b>	<b>Finance</b>	<b>County Ops/Pub Safety</b>	<b>DPW</b>	<b>Human Services</b>	<b>Dev &amp; Ag</b>	<b>Labor Relations</b>
<b>366</b>	X					
<b>367</b>	X				X	
<b>368</b>	X	X				
<b>369</b>	X	X				
<b>TOTAL</b>	<b>34</b>	<b>8</b>	<b>8</b>	<b>14</b>	<b>4</b>	<b>2</b>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
WESTERN REGION HEALTH CORP. D/B/A WILLCARE, INC.  
FOR HEALTH DEPARTMENT  
HOME CARE SERVICES PROGRAM**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Western Region Health Corp. d/b/a Willcare, Inc., c/o LHC Group, Inc., 901 Hugh Wallis Road South, Lafayette, Louisiana 70508, is desirous of providing home care services to the Tanglewood Group for its new assisted living facility located in the Town of Allegany known as the Field of Dreams, and

II. WHEREAS, the aforementioned home care services are required to be provided by a Certified Home Health Agency, and

III. WHEREAS, Willcare, Inc., is desirous of contracting with the County Health Department, which is a Certified Home Health Agency, for the provision of home care services to Tanglewood's Field of Dreams Assisted Living Facility, and

IV. WHEREAS, the Cattaraugus County Health Department is able to provide the aforementioned home care services for Willcare, Inc., to the Field of Dreams Assisted Living Facility for an amount as follows:

RN	\$175.00/visit	LPN/LVN	\$175.00/visit
PT/OT/SLP	\$125.00/visit	PTA/COTA	\$125.00/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 Western Region Health Corp. d/b/a Willcare, Inc., for the provision of the above-described home care services, for a term commencing July 5, 2019 and terminating July 4, 2020, according to the above-described terms.

**Referred to Finance and Human Services at 7/24/19 Board Meeting.**

**BID ACCEPTANCE FOR FIRE ALARM SYSTEM UPGRADES AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(The Pines Healthcare and Rehabilitation Center-Machias Campus)**

Pursuant to Section 103 of the General Municipal Law and  
Sections 363, 366, 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 fire alarm system upgrades at The Pines Healthcare and Rehabilitation Center-Machias Campus, according to specifications provided by the Public Works Committee, and

II. WHEREAS, the lowest bid received meeting specifications for the aforementioned fire alarm system upgrades was the bid of Ahlstrom Schaeffer Electrical Corp., 49 Hopkins Avenue, Jamestown, New York 14701, for a Base Bid amount of \$206,600.00, plus Alternate #1 in the amount of \$14,000.00, for a total contract amount of \$220,600.00, to be paid on a percent-of-completion basis, as invoiced and approved by the Department of Public Works, and

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

I. RESOLVED, that the bid of Ahlstrom Schaeffer Electrical Corp., be, and the same hereby is, accepted, for a term commencing within ten (10) days of the effective date of the contract, and terminating December 31, 2019, and be it further

II. 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, and be it further

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

Decrease Appropriation Account:		
EI.453.4530.1224.20002	Parking Lot – Building Improvements	\$150,000.00
Increase Appropriation Account:		
EI.453.4530.1225.20002	Fire Alarm System – Building Improvements	\$150,000.00.

No State Bid.  
Four sets of specifications were sent out.  
Three bids were received that met specifications.

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"/> |



**BID ACCEPTANCE FOR 2019 PARKING LOT IMPROVEMENTS AT  
THE PINES HEALTHCARE AND REHABILITATION CENTER-MACHIAS CAMPUS  
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and  
Sections 215, 363 and 366 of the County Law.

I. WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the 2019 Parking Lot Improvements at The Pines Healthcare and Rehabilitation Center-Machias Campus, according to specifications provided by the Public Works Committee, and

II. WHEREAS, the lowest responsible bid received meeting specifications for the aforementioned parking lot improvement project was the bid of D & H Excavating, Inc., 11939 Route 98 South, Arcade, New York 14009, in the amount of \$128,136.50, to be paid as invoiced, and

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

I. RESOLVED, that the bid of D & H Excavating, Inc., be, and the same hereby is, accepted, for a term commencing within ten (10) days of the effective date of the contract and terminating on or before October 1, 2019, and be it further

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

No State Bid.

Three sets of specifications were sent out.

Two bids were received that met specifications.

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  
MCMAHON & MANN CONSULTING ENGINEERING AND GEOLOGY, P.C.  
FOR GEOTECHNICAL ENGINEERING SERVICES FOR  
COUNTY ROAD NO. 12 SLOPE FAILURE AREA**

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

I. WHEREAS, the Department of Public Works is desirous of obtaining geotechnical engineering services to explore the subsurface conditions, install instrumentation and provide recommendations to address a creeping slope on County Road No. 12 in the Town of New Albion, and

II. WHEREAS, McMahon & Mann Consulting Engineering and Geology, P.C., 2495 Main Street, Suite 432, Buffalo, New York 14214, can provide the aforementioned geotechnical engineering services for an amount not to exceed \$50,575.00, to be paid as invoiced, and

III. 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 McMahon & Mann Consulting Engineering and Geology, P.C., for the provision of the above-described services, for a term commencing August 29, 2019 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  
WENDEL WD ARCHITECTURE, ENGINEERING, SURVEYING & LANDSCAPE  
ARCHITECTURE, P.C. FOR HEALTH DEPARTMENT SPACE PLANNING**

Pursuant to Sections 215 and 450 of the County Law.

I. WHEREAS, the County Health Department is relocating its health clinic, which it operates in the City of Salamanca, and

II. WHEREAS, assistance in planning the space at the health clinic is needed, and

III. WHEREAS, Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C., Centerpointe Corporate Park, 375 Essjay Road, Suite 200, Williamsville, New York 14221, can provide clinic space planning services for the leased space located at 465 Broad Street in the City of Salamanca, for a total amount of \$8,900.00, which includes reimbursable expenses, 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 Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C., for the provision of the above-described clinic space planning services, for a term commencing August 1, 2019 and terminating November 1, 2019, according to the above-described terms.

Resolution Referred to:

- |                              |                                     |                    |                                     |
|------------------------------|-------------------------------------|--------------------|-------------------------------------|
| Finance                      | <input checked="" type="checkbox"/> | Human Services     | <input checked="" 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 NYSDOT AND  
AUTHORIZING CATTARAUGUS COUNTY TO PARTICIPATE IN  
FEDERAL-AID PROJECT ADMINISTERED BY THE NYSDOT AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Bridge Painting-Department of Public Works)**

Pursuant to Title 23 U.S. Code and  
Sections 363, 366 and 450 of the County Law.

I. WHEREAS, the Cattaraugus County Bridge Painting Project: four (4) bridges located within Cattaraugus County, BIN 3323210, 3321310, 3360260 and 3320960, PIN 5761.99, (the "Project"), is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% federal funds and 20% non-federal funds, and

II. WHEREAS, the County desires to advance the above Project by making a commitment of 100% of the non-federal share of the costs of the Construction & Construction Inspection phase of the Project, PIN 5761.99, now, therefore, be it

I. RESOLVED, that the Cattaraugus County Legislature hereby approves the above-described Project, and be it further

II. RESOLVED, that the Cattaraugus County Legislature hereby authorizes the County of Cattaraugus to pay in the first instance 100% of the federal and non-federal shares of the cost of the Construction & Construction Inspection phase of the Project, or portions thereof, and be it further

III. RESOLVED, that the sum of \$375,000.00 is hereby appropriated and made available to cover the cost of participation in the above phase of the Project, and be it further

IV. RESOLVED, that in the event the amount required to pay the full federal and non-federal shares of the cost of the Project's Construction & Construction Inspection phase exceeds the amount appropriated above, the County of Cattaraugus shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof, and be it further

V. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute all necessary documents, on behalf of Cattaraugus County, with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and be it further

VI. RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project, and be it further

VII. RESOLVED, that this Resolution shall take effect immediately, and be it further

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

Increase Estimated Revenue Account:

D.502.0000.0000.3589.01 State Aid, Other Transportation \$45,000.00

Increase Appropriation Account:

D.502.5111.5112.41425 Bridge Painting Contracted \$45,000.00.

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"/> |

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
GREENMAN-PEDERSEN, INC. FOR  
FRANKLINVILLE BRIDGE NO. 22 REPLACEMENT PROJECT  
CONSTRUCTION INSPECTION SERVICES**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 454-2018 authorized a contract with Greenman-Pedersen, Inc., 4950 Genesee Street, Suite 100, Buffalo, New York 14225, for the provision of construction inspection services for the Franklinville Bridge No. 22 replacement project, located on Five Mile Road (County Road No. 19) over Ischua Creek, and

II. WHEREAS, additional inspection services are necessary to complete the aforementioned project, and

III. WHEREAS, Greenman-Pedersen, Inc., can provide the necessary additional construction inspection services for the construction phase of the aforementioned project for an additional amount of \$44,450.00 not to exceed a total amended contract price of \$195,450.00 to be paid periodically on a cost-plus basis as determined 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 Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Greenman-Pedersen, Inc., for the provision of the above-described construction inspection services for the construction phase of the above-described replacement project, to amend the contract which commenced October 10, 2018 and terminates 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 EXTENSION  
WITH GENERATIONS FORESTRY, INC.  
FOR FORESTRY MANAGEMENT SERVICES**

Pursuant to Sections 215 and 450 of the County Law.

I. WHEREAS, Act 651-2016 authorized a contract with Generations Forestry, Inc., P.O. Box 319, 26 Paynes Road, Kane, Pennsylvania 16735, for the provision of forestry management services, the term of which expires November 30, 2019, and

II. WHEREAS, the County Department of Public Works is desirous of extending the term of the aforementioned contract to November 30, 2021, and

III. WHEREAS, Generations Forestry, Inc., has agreed to extend the term of the aforementioned contract at the same terms, rates and conditions, 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 Generations Forestry, Inc., for the provision of the above-described forestry management services, to extend the contract which commenced January 1, 2017, to terminate November 30, 2021, 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"/> |

**SALE OF TAX TITLE PROPERTY TO FORMER OWNERS  
(City of Olean and Town of Great Valley)**

Pursuant to Section 215 of the County Law and Rule 40 of the Rules of Order of the Cattaraugus County Legislature.

I. WHEREAS, Cattaraugus County has tax title to certain properties situate in the City of Olean and Town of Great Valley, and

II. WHEREAS, the former owners of the properties have offered to purchase the same at a cost which will cover the County’s financial involvement in these premises, and

III. WHEREAS, the costs involved for these premises have been tendered to the County Treasurer’s Office, now, therefore, be it

I. RESOLVED, that the County Treasurer be, and hereby is, authorized and directed, on behalf of Cattaraugus County, to execute County Treasurer’s Deeds conveying these properties to the following individuals:

**CITY OF OLEAN**

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
21	94.072-1-19.2	Joshua B. Dulmus Rebecca C. Dulmus	1121 W. Henley Street Olean, NY 14760	\$1,803.16

**TOWN OF GREAT VALLEY**

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
269	64.004-1-27.1	Russell Ulmer	7135 Cadiz Road Franklinville, NY 14737	\$5,764.17

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"/> |                    |                          |



**APPOINTMENT OF DIRECTOR OF REAL PROPERTY TAX SERVICES**

Pursuant to Section 201 of the County Law and  
Section 1530 of the Real Property Tax Law.

I. RESOLVED, that Daniel T. Martonis, 10095 Route 242, Little Valley, New York 14755, be, and hereby is, appointed Director of Real Property Tax Services for a six-year term commencing October 1, 2019 and terminating September 30, 2025, at such salary which has heretofore been, or may hereafter be, established.

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 checked="" type="checkbox"/>	Strategic Planning	<input type="checkbox"/>
Co. Operations/Public Safety			<input checked="" type="checkbox"/>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
NEW YORK STATE BOARD OF ELECTIONS FOR  
ELECTRONIC POLL BOOKS CAPITAL GRANT PROJECT AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Board of Elections – Contract No. BOE01-C004013-1110000)**

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

I. WHEREAS, reimbursement is available through the New York State Board of Elections Electronic Poll Books Capital Grant Project to County Boards for local dollars spent to further implement capital purchase of e-poll books and associated software, on-demand ballot printers and related cybersecurity software, and

II. WHEREAS, the Cattaraugus County Board of Elections is eligible to receive reimbursement in the amount of \$69,509.96 for the Electronic Poll Books Capital Grant Project, and

III. WHEREAS, a contract is necessary with the New York State Board of Elections in order to receive the aforementioned reimbursement grant, and

IV. WHEREAS, the aforementioned program is 100% state funded, and

V. WHEREAS, various appropriation and revenue accounts must be adjusted, 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 New York State Board of Elections, in order to receive the aforementioned Electronic Poll Books Capital Grant Project funding, for a term commencing April 1, 2019 and terminating December 31, 2020, 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:

Increase Estimated Revenue Account:

H.145.1450.0000.21088.3089.04	State Aid, Other – E-Poll Books Grant	\$69,509.96
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Increase Appropriation Account:

H.145.1450.0000.21088.41603	Contracted Services	\$69,509.96.
-----------------------------	---------------------	--------------

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

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
BPAS (FORMERLY HARBRIDGE CONSULTING GROUP, LLC)  
FOR GASB 75 ACTUARIAL, CONSULTING AND ADMINISTRATIVE  
SERVICES FOR POST-RETIREMENT HEALTH CARE BENEFITS**

Pursuant to Section 1860D-22 of the Social Security Act,  
42 CFR Section 423.880, 42 USC Section 1395w-101 and  
Section 450 of the County Law.

I. WHEREAS, Act 341-2017 authorized a contract with BPAS (formerly Harbridge Consulting Group, LLC), 706 North Clinton Street, Suite 200, Syracuse, New York 13204, for the provision of GASB 75 actuarial, consulting and administrative services for post-retirement health care benefits valuations for fiscal year 2018, the term of which expires December 31, 2019, and

II. WHEREAS, the County is desirous of obtaining actuarial, consulting and administrative services for post-retirement health care benefits valuations through fiscal year 2020, and

III. WHEREAS, BPAS (formerly Harbridge Consulting Group, LLC), can provide the aforementioned post-retirement health care benefits valuations for fiscal years ending December 31, 2019 and December 31, 2020, for an amount as follows, to be paid as invoiced:

GASB 75 Full Actuarial Valuation for Fiscal Year ending December 31, 2019	\$9,500.00
GASB 75 Interim Actuarial Valuation for Fiscal Year ending December 31, 2020	\$4,000.00,

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 BPAS, for the provision of the actuarial, consulting and administrative services for post-retirement health care benefits valuations services, for a term commencing December 1, 2019 and terminating December 31, 2020, 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 type="checkbox"/> |
| Labor Relations              | <input checked="" type="checkbox"/> | Strategic Planning | <input type="checkbox"/> |
| Co. Operations/Public Safety |                                     |                    | <input type="checkbox"/> |

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

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

I. WHEREAS, Act 404-2018 authorized the Chairman to apply for funding through the New York State Governor's Traffic Safety Committee for a Traffic Safety Enforcement Program for the 2018-2019 program year, and

II. WHEREAS, the Sheriff's Department has been awarded funding in the amount of \$15,490.00 through the New York State Governor's Traffic Safety Committee for a Traffic Safety Enforcement Program for the 2019-2020 program year, for the following components:

Child Passenger Safety Program	\$4,000.00
Police Traffic Services Program	\$9,990.00
Highway Safety Program	\$1,500.00,

and

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

IV. WHEREAS, this program includes funding from the New York State Governor's Traffic Safety Committee, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Governor's Traffic Safety Committee, in order to receive the aforementioned funding, for a term commencing October 1, 2019 and terminating September 30, 2020, 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 type="checkbox"/>
Labor Relations	<input type="checkbox"/>	Strategic Planning	<input type="checkbox"/>
Co. Operations/Public Safety	<input checked="" type="checkbox"/>		

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH  
NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES  
FOR STATEWIDE INTEROPERABLE COMMUNICATIONS FORMULA-BASED GRANT  
(2019 SICG-Formula Program)**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 379-2018 authorized the Chairman to apply for funding through the New York State Division of Homeland Security and Emergency Services for the Statewide Interoperable Communications Formula-Based Grant (SICG), and

II. WHEREAS, funding is again available through the New York State Division of Homeland Security and Emergency Services for the aforementioned grant, and

III. WHEREAS, the aforementioned program will enable local governments to make improvements by expanding the ability for their systems to communicate, exchange valuable data, and streamline information to enhance collaboration and assist first responders, and

IV. WHEREAS, this funding will help counties access next generation technology and improve their ability to connect, communicate and respond to disasters and other threats to our communities, and

V. WHEREAS, the 2019 SICG-Formula Program will focus on further minimizing gaps in interoperable communication by aligning technology acquisitions with operational use by first responders, which provides the foundation necessary to accomplish a high level of interoperability, and

VI. WHEREAS, the Sheriff's Office is desirous of applying for the aforementioned funding, and

VII. WHEREAS, it is necessary to execute grant documents in order to apply for the aforementioned funding, and

VIII. WHEREAS, this program is 100% state funded, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Division of Homeland Security and Emergency Services, in order to apply for the aforementioned grant funding, 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 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 THE CHAIR TO EXECUTE CONTRACT WITH  
NEW YORK STATE OFFICE OF GENERAL SERVICES FOR RADIO TOWER SPACE USE BY  
NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES**

Pursuant to Sections 215 and 450 of the County Law.

I. WHEREAS, the County currently operates and maintains a communications radio tower site on land owned by the New York State Department of Environmental Conservation (NYSDEC) located in the McCarty Hill State Forest, and

II. WHEREAS, Act 397-2017 authorized a contract with the New York State Emergency Management Office, 1220 Washington Avenue, Suite 101, Building 22, Albany, New York 12226-2251, for the use of space at the 140 foot and 170 foot levels of the County's radio tower located on McCarty Hill, the term of the aforementioned contract expires January 31, 2020, and

III. WHEREAS, the New York State Division of Homeland Security and Emergency Services has continued to utilize the aforementioned tower space since February 1, 2015 and is desirous of continuing such usage, and

IV. WHEREAS, the County should continue to allow the New York State Division of Homeland Security and Emergency Services to use space at the 140 foot and 170 foot levels of the County's radio tower located on McCarty Hill at no cost, 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 New York State Office of General Services for radio tower space use by New York State Division of Homeland Security and Emergency Services, for use of the above-described space, for a term commencing February 1, 2020 to continue in full force and effect for a term of five (5) years with the option to renew for an additional five (5) year term, 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 type="checkbox"/>            |
| Labor Relations              | <input type="checkbox"/>            | Strategic Planning | <input type="checkbox"/>            |
| Co. Operations/Public Safety |                                     |                    | <input checked="" type="checkbox"/> |

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
ZIRMED, INC. D/B/A WAYSTAR HEALTH, INC.  
FOR ELECTRONIC BILLING SERVICES FOR MEDICARE  
(Department of Nursing Homes)**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 293-2018 authorized a contract with ZirMed, Inc. d/b/a Waystar Health Inc., 888 West Market Street, Louisville, Kentucky 40202, for the provision of the software, software licenses, product support services and professional services necessary to participate in electronic billing for Medicare, Medicaid and commercial insurance companies, and

II. WHEREAS, the County Department of Nursing Homes is desirous of upgrading the aforementioned software and adding the following electronic solutions: Starter Bundle, Claims Monitoring and EOB Conversion components, and

III. WHEREAS, ZirMed, Inc., can provide the aforementioned upgrade and additional software components for an additional \$469.00 per month, plus an implementation fee of \$500.00, as follows:

<u>Solution</u>	<u>Monthly Fee</u>	<u>Implementation Fee</u>
<b>Waystar Bundle</b>		
Claim Management Starter Bundle – Instructional Claims (500)	\$319.00	\$0.00
<b>Claims Management</b>		
Claims Monitoring	\$50.00	\$0.00
<b>EOB Conversion</b>		
	\$100.00	\$500.00

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 an amended contract, on behalf of Cattaraugus County, with ZirMed, Inc., d/b/a Waystar Health, Inc., for the provision of the above-described services, for a two-year (2) term commencing upon installation and when the County has access to, and full use of, the ZirMed software, with automatic annual renewals, until terminated by either party hereto, 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"/>            |

**ADOPTION OF CATTARAUGUS COUNTY DEPARTMENT OF NURSING HOMES  
POLICY AND PROCEDURE ON MEDICAID BED-HOLD AND READMISSION**

Pursuant to Section 153 of the County Law.

I. RESOLVED, that the following Cattaraugus County Policy and Procedure on Medicaid Bed-Hold and Readmission for the Department of Nursing Homes is hereby adopted by the Cattaraugus County Legislature, and all prior bed-hold and readmission policies are hereby superceded:

**POLICY AND PROCEDURE ON MEDICAID BED-HOLD AND READMISSION**  
Effective 7/24/2019

1. Effective May 29, 2019, Medicaid and Medicaid Managed Care reimbursements will no longer be made for hospitalization bed holds other than for residents under 21 and those on therapeutic leave.

(i) At the time of admission and again at the time of transfer for any reason, the facility shall verbally inform and provide written information to the resident and the designated representative that specifies:

- a) The duration of the bed-hold policy during which the resident is permitted to return and resume residence in the facility; and
- b) The facility's policies regarding bed-hold periods, which must be consistent with subparagraph (iii) of this paragraph, permitting a resident to return.

(ii) At the time of transfer of a resident for hospitalization or for therapeutic leave, a nursing home shall provide written notice to the resident and the designated representative, which specifies the duration of the bed-hold policy described in subparagraph (i) of this paragraph.

(iii) A nursing home shall establish and follow a written policy under which a resident whose hospitalization or therapeutic leave exceeds the bed-hold period is readmitted to the facility, from the hospital, immediately upon the first availability of a bed in a semi-private room if the resident:

- a) requires the services provided by the facility and
- b) is eligible for Medicaid nursing home services.

(iv) A nursing home shall establish and follow a written policy under which a resident who has resided in the nursing home for 30 days or more and who has been hospitalized or who has been transferred or discharged on therapeutic leave without being given a bed-hold is readmitted to the facility immediately upon the first availability of a bed in a semi-private room if the resident:

- a) requires the services provided by the facility and
- b) is eligible for Medicaid nursing home services.

2. The Pines Healthcare and Rehabilitation Centers will adopt the above Bed-Hold and Readmission Policy regarding temporary hospitalization leave for all Medicaid and Medicaid Managed Care residents with the exception to those resident accounts that are in arrears of payment over 30 days.

3. Under (i)(a), the duration will be 72 hours per each occurrence. Within a twelve-month period, the resident will be allowed four (4) occurrences. On Day Four, if the resident is still on temporary leave, then a payment is due to the Resident's Trust account for 50% of the current Medicaid Rate per each day of temporary leave.



4. This policy only applies to Medicaid and Medicaid Managed Care residents who are in good standing at The Pines Healthcare and Rehabilitation Centers at Machias and at Olean. This policy does not apply to Private Pay or other insurance payers.

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"/>

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

Pursuant to Sections 363 and 366 of the County Law.

I. WHEREAS, it has been determined necessary to remove approximately 30 trees from County-owned property at or near The Pines Healthcare and Rehabilitation Center-Machias Campus, and

II. WHEREAS, the County entered into a contract with Good Neighbor Services dated October 24, 2018 for tree removal services, and

III. WHEREAS, various appropriation accounts must be adjusted to cover the cost of the tree removal services conducted at The Pines Healthcare and Rehabilitation Center-Machias Campus, now, therefore, be it

I. RESOLVED, that the County Administrator is hereby directed to appropriate \$24,125.50 from Fund Balance Account EI.909.0000 and make the following budgetary changes:

Increase Appropriation Account:

EI.453.4530.1160.41603 Contracted Services \$24,125.50.

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  
TOTAL SENIOR CARE, INC. FOR  
PACE AND DAYBREAK PROGRAM HOME DELIVERED AND CONGREGATE MEALS**

Pursuant to Section 95-a of the General Municipal Law and  
Section 450 of the County Law.

I. WHEREAS, Act 328-2018 authorized a contract with Total Senior Care, Inc., 519 North Union Street, Olean, New York 14760, to purchase home delivered meals and congregate meals from the County Department of Aging for PACE and DayBreak Program participants as part of a comprehensive program of services to participants, the term of which expires August 31, 2019, and

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

III. WHEREAS, the Department of Aging has agreed to provide the aforementioned meals through its Senior Nutrition Program to PACE and DayBreak Program participants at a rate of \$8.00 per home delivered and/or congregate meal, 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 Total Senior Care, Inc., for the provision of the above-described meal services, for a term commencing September 1, 2019 and terminating August 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"/>            |

**LOCAL LAW NUMBER 9 - 2019  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW AMENDING LOCAL LAW NUMBER 10-2011, AS AMENDED,  
ENTITLED "A LOCAL LAW REGULATING ELECTRONIC CIGARETTES [E-CIGARETTES] AND  
HERBAL CIGARETTES" TO PROHIBIT THE SALE AND DISTRIBUTION OF FLAVORED E-LIQUID  
FOR USE IN E-CIGARETTES SOLD IN CATTARAUGUS COUNTY**

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

Section 1. Intent. It is the intent of this Local Law to amend Local Law Number 10-2011 (Intro Number 16-2011), as amended by Local Law 4-2015 (Intro Number 6-2015), to prohibit the sale and distribution of flavored e-liquid for use in e-cigarettes sold in Cattaraugus County.

Section 2. Findings and Determinations. The Legislature hereby makes the following findings and determinations:

a) The Legislature hereby finds that many e-cigarette and liquid nicotine products come in flavors that are attractive to young people, such as cherry, fruit punch, chocolate and cola.

b) The Legislature also finds that recent studies by the Food and Drug Administration and the Centers for Disease Control and Prevention show a marked increase in the use of e-cigarettes and liquid nicotine by middle and high-school students. In the past year, the percentage of middle school students using e-cigarettes has increased by 50%, with use by high school students increasing by 80%.

c) The Legislature determines that the most commonly cited reasons for using e-cigarettes among both youth and young adults are curiosity, fruit and candy flavorings offered by liquid nicotine manufacturers and the low-perceived harm compared to other tobacco products.

d) The Legislature finds that limiting liquid nicotine to tobacco flavor available for purchase would reduce children's interest in using these products while allowing adults the option to continuing e-cigarettes as a replacement for traditional tobacco products or for smoking cessation purposes.

e) The Legislature further finds that major e-cigarette and liquid nicotine manufacturers, such as Juul, are voluntarily removing fruit and candy based flavors from their product offerings as a means to reduce their improper use by children.

f) The Legislature determines that Cattaraugus County should limit the sale and distribution of e-cigarettes and flavored liquid nicotine to tobacco flavor to combat the rising tide of liquid nicotine use by minors.

g) Therefore, the purpose of this Local Law is to amend Local Law Number 10-2011 (Intro Number 16-2011), as amended by Local Law 4-2015 (Intro Number 6-2015), entitled "A Local Law Regulating Electronic Cigarettes ["E-Cigarettes"] and Herbal Cigarettes" to only allow for the sale of e-cigarette and liquid nicotine products that are tobacco flavored.

Section 3. Amendments. Local Law Number 10-2011 (Intro Number 16-2011), as amended by Local Law 4-2015 (Intro Number 6-2015), entitled "A Local Law Regulating Electronic Cigarettes ["E-Cigarettes"] and Herbal Cigarettes" is hereby amended as follows:

A. A new Section 3 is hereby added as follows:

"Section 3. Sale Restrictions. E-cigarette and liquid nicotine products may only be offered for sale within the County of Cattaraugus if they are flavorless or tobacco flavored."

B. By renumbering the remaining sections of such Local Law as Sections 4 through 12, respectively.

Section 4. Applicability. This local law shall apply to all e-cigarettes or liquid nicotine product sales occurring within the County of Cattaraugus on or after the effective date of this law.

Section 5. Severability. If any clause, sentence, paragraph, subdivision, section or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, 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 application to the person, individual, corporation, firm partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be entered.

Section 6. SEQRA Determination: This Legislature, being the state environmental quality review act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II Action pursuant to Section 617.5 (c) (20), (21), and/or (27) of Title VI of the New York Code of Rules and Regulations and within the meaning of Section 8-0109 (2) of the New York Environmental Conservation Law as a promulgation of regulations, rules, policies, procedures and legislative decisions in connection with continuing agency administration, management and information collection. The County Administrator is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 7. Effective Date: This law shall take effect sixty (60) days after its filing in the Office of the Secretary of State.

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 PUBLIC HEARING ON LOCAL LAW NUMBER 9 - 2019**

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 August 28, 2019, a proposed Local Law amending Local Law No. 10-2011 (Intro No. 16-2011), as amended, entitled "A Local Law Regulating Electronic Cigarettes [E-Cigarettes] and Herbal Cigarettes", 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 (5) 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 11th day of September, 2019, at 4:01 p.m. at the Legislature's Chambers, County Center, 303 Court Street, Little Valley, New York, and that at least five (5) 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  
CATTARAUGUS COMMUNITY ACTION, INC. FOR DEPARTMENT OF SOCIAL SERVICES  
COMMUNITY-BASED CASEWORKER PROGRAM**

Pursuant to Section 450 of the County Law.

I. WHEREAS, the County Department of Social Services is desirous of placing two (2) Child Protection Services (CPS) caseworkers at Cattaraugus Community Action, Inc., and

II. WHEREAS, the community-based caseworker program will provide for effective communication between Cattaraugus Community Action, Inc., and the County Department of Social Services, and the coordination of direct contact between the caseworker and participants in programs operated by Cattaraugus Community Action, Inc., and

III. WHEREAS, Cattaraugus Community Action, Inc., 25 Jefferson Street, #1, Salamanca, New York 14779, has agreed to allow the County to place two (2) Department of Social Services CPS caseworkers in its offices at no cost to Community Action, 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 Community Action, Inc., for the provision of the above-described community-based caseworker program, for a term commencing September 1, 2019 and terminating June 30, 2020, with the County's option to renew for one-year periods thereafter, 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"/>            |

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
PIONEER CENTRAL SCHOOL DISTRICT FOR DEPARTMENT OF SOCIAL SERVICES  
COMMUNITY-BASED CASEWORKER PROGRAM**

Pursuant to Section 450 of the County Law.

I. WHEREAS, the County Department of Social Services is desirous of providing Child Protection Services (CPS) caseworkers in the Pioneer Central School District, and

II. WHEREAS, the community-based caseworker program will provide for effective communication between the school district and the County Department of Social Services, and the coordination of direct contact between the caseworker and students of the District, and

III. WHEREAS, Pioneer Central School District, 12125 County Line Road, P.O. Box 579, Yorkshire, New York 14173, has agreed to allow the County to place two (2) Department of Social Services CPS caseworkers in its facilities at no cost to the school district, 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 Pioneer Central School District, for the provision of the above-described community-based caseworker program, for a term commencing September 1, 2019 and terminating June 30, 2020, with the County's option to renew for one-year periods thereafter, 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 AMENDED CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
COUNCIL ON ADDICTION RECOVERY SERVICES, INC. FOR  
SUBSTANCE ABUSE PROGRAM FUNDS AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Community Services)**

Pursuant to Articles 1, 19, 23 and 25 of the Mental Hygiene Law  
and Sections 363, 366 and 450 of the County Law.

I. WHEREAS, Act 632-2018, as amended by Act 121-2019, authorized approval of a contract with Council on Addiction Recovery Services, Inc., for the provision of a substance abuse program in the County, the term of which expires December 31, 2019, and

II. WHEREAS, New York State has awarded additional funds for a new Part 820 residential program associated with the Rapid Capital Project in Cattaraugus County in an amount of \$200,000.00 for the period August 1, 2019 through December 31, 2019, and

III. WHEREAS, an amended contract is necessary in order to accept, and receive, the aforementioned additional funding, and

IV. WHEREAS, the additional Part 820 residential program is 100% state funded (total contract is 24.7% federally (CFDA #93.959), 73.2% state and 2.1% county funded), and

V. WHEREAS, various appropriation and revenue accounts must be adjusted in order to accommodate the aforementioned funding, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract between the Cattaraugus County Community Services Board and the Council on Addiction Recovery Services, Inc., to signify the County’s approval, for the provision of the above-described services, to amend the contract which commenced January 1, 2019 and terminates December 31, 2019, according to the above-described terms, and be it further

II. RESOLVED, that the Chair of the Legislature be, and hereby is, further authorized and directed to execute contract amendments, upon notification of award, for the allocation of additional state aid funding or cost of living adjustments (COLAs) for this program, and be it further

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

IV. 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

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

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

Increase Estimated Revenue Account:

A.433.4322.3600.3492.013S State Aid, Continual 100% State Aid \$200,000.00

Increase Appropriation Account:

A.433.4322.3600.42019.013S      Cares, State Local Assistance

\$200,000.00.

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

**AUTHORIZING THE CHAIR TO EXECUTE GRANT APPLICATION AND  
CONTRACT WITH DEFENSE LOGISTICS AGENCY FOR  
PROCUREMENT TECHNICAL ASSISTANCE PROGRAM**

Pursuant to 10 USCS Section 2411, et seq., and  
Section 450 of the County Law.

I. WHEREAS, Act 356-2018 authorized the Chair to execute a grant application and contract with the Defense Logistics Agency, 8725 John J. Kingman Road, Ft. Belvoir, Virginia 22060-6221, in order to secure funding for the continuation of the Procurement Technical Assistance Program and such funding was received, and

II. WHEREAS, Cattaraugus County is again eligible for funding through the Defense Logistics Agency in order to maintain the Procurement Technical Assistance Program, and

III. WHEREAS, it is estimated that the project cost will not exceed \$183,240.00, of which Cattaraugus County's cash contribution and in-kind contribution will not exceed \$45,810.00, and

IV. WHEREAS, Cattaraugus County will be responsible for the share of any third-party agency which fails to contribute its portion to the program, and

V. WHEREAS, this program is 75% federally funded (CFDA #12.002) and 25% County funded, and sufficient funds are included in the budget to cover the County's cost of the aforementioned program, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a grant application and contract, on behalf of Cattaraugus County, with the Defense Logistics Agency in order to secure funding for the continuation of the Procurement Technical Assistance Program, and be it further

II. RESOLVED, that the Procurement Technical Assistance Program will commence January 16, 2020 and terminate January 15, 2021, and be it further

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

IV. 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

V. 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 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  
NITTANY VALLEY OFFSET FOR  
PRINTING OF 2019 AMISH TRAIL BROCHURES**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 237-2018 authorized a contract with Nittany Valley Offset, 1015 Benner Pike, State College, Pennsylvania 16801-7319, for the provision of brochures for the Amish Trail, the term of which expired July 31, 2018, and

II. WHEREAS, the Department of Economic Development, Planning and Tourism is desirous of purchasing brochures to promote the Amish trail in Cattaraugus County, and

III. WHEREAS, Nittany Valley Offset, can provide 40,000 copies of the 2019 Amish Trail brochure for an amount of \$11,390.00, to be paid as invoiced, and

IV. WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned brochures, 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 Nittany Valley Offset, for the provision of the above-described brochures, for a term commencing August 1, 2019 and terminating September 30, 2019, 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 APPLICATION FOR TOURISM PROMOTION AND  
DESIGNATING GRANT ADMINISTRATOR**

Pursuant to Section 164 of the Economic Development Law.

I. WHEREAS, Act 357-2018 authorized an application for tourism promotion and designated the grant administrator, and

II. WHEREAS, the New York State Tourist Promotion Act provides that the Commissioner of Economic Development may, upon application, match the funds expended by tourist promotion agencies and provide other assistance to local organizations for the promotion of tourist travel, resorts, and vacation businesses of the State of New York, and

III. WHEREAS, before an application for matching funds for the promotion of tourism can be submitted, it is required that the Cattaraugus County Legislature designate a tourist promotion agency to make such application and to receive grants for the purposes specified in the law, and

IV. WHEREAS, Cattaraugus County should contribute a local share of \$70,000.00 in Fiscal Year 2019 to leverage additional funds from the New York State I Love New York Matching Funds Program, now, therefore, be it

I. RESOLVED, that the Cattaraugus County Department of Economic Development, Planning and Tourism, is hereby authorized and directed to submit all the required applications and other documents, on behalf of Cattaraugus County, necessary for the purpose of receiving these funds, and be it further

II. RESOLVED, that the Cattaraugus County Department of Economic Development, Planning and Tourism, is hereby authorized and directed to receive grants from the State of New York for, and on behalf of, Cattaraugus County for the purposes herein specified, and be it further

III. RESOLVED, that the Cattaraugus County Department of Economic Development, Planning and Tourism is hereby designated as the administrator of these funds, and be it further

IV. RESOLVED, that the Cattaraugus County Department of Economic Development, Planning and Tourism is authorized to apply for state matching funds up to \$500,000.00 for the program year October 1, 2019 through September 30, 2020, and be it further

V. RESOLVED, that if the application for such funding is approved, then the Cattaraugus County Department of Economic Development, Planning and Tourism shall submit the grant agreement to the Legislature for approval and appropriation prior to the commencement of any work, and be it further

VI. RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Commissioner of Economic Development of the State of New York and the Marketing Manager, Matching Funds, New York State Department of Economic Development, and be it further

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

VIII. 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

IX. 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 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-ALLEGANY WORKFORCE DEVELOPMENT BOARD  
FOR WIOA CAREER SERVICES**

Pursuant to P.L. 105-220, Workforce Investment Act of 1998,  
20 USC 9201 and Section 450 of the County Law.

I. WHEREAS, Act 397-2018 authorized a contract with the Cattaraugus-Allegany Workforce Development Board, Inc., One Blue Bird Square, Lower Level, Olean, New York 14760, (CAWDB), for the operation of the WIOA One-Stop Career Services program, the term of which expired June 30, 2019, and

II. WHEREAS, the County Department of Social Services is desirous of continuing the One Stop Operator Career Services program, and

III. WHEREAS, the CAWDB will pay the County for the administration of the above-described program the sum of \$378,005.00 for the program year July 1, 2019 through June 30, 2020, to be paid on a monthly basis, as invoiced, and as follows:

Adult	\$226,645.00
Dislocated Worker	\$120,723.00
Administration	\$ 30,637.00,

and

IV. WHEREAS, this program is 100% federally funded (CFDA #17.250), 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 Cattaraugus-Allegany Workforce Development Board, Inc., for the provision of the above-described services, for a term commencing July 1, 2019 and terminating June 30, 2020, 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"/>            |

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATTARAUGUS-ALLEGANY WORKFORCE INVESTMENT BOARD, INC.  
FOR YEAR-ROUND YOUTH PROGRAMS (2019-2020)**

Pursuant to Workforce Innovation and Opportunity Act (Public Law 113-128)  
and Section 450 of the County Law.

I. WHEREAS, Act 398-2018 authorized a contract with the Cattaraugus-Allegany Workforce Development Board, Inc. (CAWDB), for the provision of services necessary to operate year-round youth programs, the term of which expired June 30, 2019, and

II. WHEREAS, the County Department of Social Services is desirous of continuing the provision of services to youth and can make available all necessary qualified personnel, licenses, facilities and expertise to perform, or have performed, the services required, and

III. WHEREAS, the Cattaraugus-Allegany Workforce Investment Board, Inc. (WIB) will pay to the County an amount not to exceed \$288,440.00 for the provision of the above-described youth services for the period July 1, 2019 through June 30, 2020, and

IV. WHEREAS, this program is 100% federally funded (CFDA# 17.250), 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 Cattaraugus-Allegany Workforce Investment Board, Inc., for the provision of the above-described services, for a term commencing July 1, 2019 and terminating June 30, 2020, 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"/>            |



**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH THE  
NEW YORK STATE OFFICE FOR THE AGING FOR THE  
NEW YORK STATE AGE-FRIENDLY PLANNING GRANT PROGRAM**

Pursuant to Section 153 of the County Law.

I. WHEREAS, funding is available through the New York State Office for the Aging for the New York State Age-Friendly Planning Grant Program, which will promote age-friendly and healthy aging concepts designed to improve the health and wellness of people of all ages, and

II. WHEREAS, the Program will fund communities that seek age-friendly community certification from AARP and the World Health Organization (WHO), and

III. WHEREAS, the Departments of Aging and Health are desirous of applying for the aforementioned funding, and

IV. WHEREAS, the New York State Age-Friendly Planning Grant Program is 100% state funded, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Office for the Aging, in order to apply for the aforementioned funding, for a term commencing January 1, 2020 and terminating December 31, 2022, 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"/>            |

**AMENDING ACT 206-2018 REGARDING RESERVE ACCOUNT FOR REFORESTATION**

Pursuant to Section 6-c of the General Municipal Law.

- I. WHEREAS, Act 206-2018 established a reserve account for reforestation activities, and
- II. WHEREAS, effective January 1, 2019, the net proceeds received from timber sales should no longer be used to fund the Reforestation Reserve account, now, therefore, be it
- I. RESOLVED, that the County Administrator is hereby directed to apply the existing balance in such reserve account to and for reforestation activities, as needed, in and after the year 2019, and be it further
- II. RESOLVED, that effective January 1, 2019, Act 206-2018 is hereby amended by deleting the following language therefrom:

"and be it further

II. RESOLVED, that the County Administrator is hereby directed to modify the Reforestation Reserve balance at the end of each fiscal year by the difference between revenues and expenditures in the reforestation accounts beginning with A.873.8730 in the County financial system unless doing so would create a negative balance in the reserve."

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 COUNTY TREASURER TO TRANSFER UNEXPENDED CASINO FUNDS  
AND NET PROCEEDS RECEIVED FROM SALE OF TIMBER  
AND ESTABLISHING COMMITTED FUND BALANCE ACCOUNT**

Pursuant to Sections 363 and 366 of the County Law.

I. WHEREAS, the Cattaraugus County Legislature is desirous of committing net proceeds received from the unexpended portions of Tier 1 and Tier 2 Casino Funds received in 2013 and from the sale of timber in year 2019 and thereafter, to be used for economic and community development purposes, and

II. WHEREAS, a Committed Fund Balance Account must be established in order to do so, now, therefore, be it

I. RESOLVED, that Account A.913.0000 Fund Balance Committed-Economic & Community Development is hereby established within the General Fund, and be it further

II. RESOLVED, that the County Treasurer be, and hereby is, authorized and directed to transfer the net proceeds received from the sale of timber and the unexpended portions of Tier 1 and Tier 2 Casino Funds received by the County into such account.

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 ASSISTANCE TO TOWN OF EAST OTTO  
FOR MUNICIPAL IMPROVEMENT PROJECT AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Economic Development, Planning & Tourism)**

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

I. WHEREAS, the Town of East Otto is desirous of making improvements to property located in the Town which will benefit the residents of the County within the region, and

II. WHEREAS, the Town of East Otto proposes to move the baseball field from its current location on Swamp Road to the property adjacent to the current Town Hall and expand the parking area, and

III. WHEREAS, when completed, the baseball field will be available for use by all Little League teams in the County, as well as for use by neighboring fire departments for fundraising activities, and

IV. WHEREAS, the Town of East Otto has requested \$20,000.00 from the County to assist with preparation of the property for implementation of the aforementioned improvement project, and

V. WHEREAS, it is beneficial to the County and serves a County purpose to assist with the development of green space and recreational opportunities within Cattaraugus County, and

VI. WHEREAS, various appropriation and revenue accounts must be adjusted to cover the cost of the aforementioned municipal assistance, now, therefore, be it

I. RESOLVED, that the Cattaraugus County Legislature shall provide an amount of \$20,000.00 to the Town of East Otto, so that the Town may complete the above-described municipal improvement project, and be it further

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

Increase Estimated Revenue Account:

A.873.8730.0000.2652	Sales of Forest Products	\$20,000.00
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Increase Appropriation Account:

A.298.8510.0000.42061	Community Beautification – Town of East Otto	\$20,000.00.
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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"/>            |

**CANCELING UNENFORCEABLE LIENS  
(Towns of Allegany, Ashford and Red House)**

Pursuant to Section 558 of the Real Property Tax Law.

I. WHEREAS, it is necessary and prudent for the Cattaraugus County Legislature to cancel unpaid taxes where the lien of such taxes is unenforceable, now, therefore, be it

I. RESOLVED, that the Cattaraugus County Legislature hereby cancels the lien of taxes on the following properties, as being unenforceable:

<u>Town/Village</u>	<u>Owner</u>	<u>Tax Map No.</u>	<u>Amount</u>
Allegany	New York State	84.001-1-30.1	\$2,395.24 (2018)
Ashford	Town of Ashford	522.000-9905-999.987/188	\$1,912.93 (2015) \$1,716.92 (2016) \$1,867.12 (2017)
	Town of Ashford	622.000-9905-249.400/188	\$ 928.01 (2015) \$ 781.00 (2016) \$1,020.16 (2017)
Red House	New York State	90.001-1-9	\$ 611.05 (2017)

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 THE CHAIR TO EXECUTE CONTRACT  
WITH NEW YORK STATE OFFICE OF INDIGENT SERVICES FOR  
STATEWIDE EXPANSION OF HURRELL-HARRING REFORM GRANT AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Indigent Legal Services)**

Pursuant to Executive Law Section 832 (4), Article 18-B of the County Law  
and Sections 363, 366 and 450 of the County Law.

I. WHEREAS, Cattaraugus County has been allocated \$10,273,307.16, over a five (5) year period, through the New York State Office of Indigent Services (ILS) for the Statewide Expansion of the Hurrell-Harring Reform Grant for Counsel at Arraignment, Quality Improvement and Caseload Relief, and

II. WHEREAS, the aforementioned Statewide Expansion Grant must be used to improve the quality of mandated representation to indigent persons within Cattaraugus County, and

III. WHEREAS, the Public Defender's Office and the Assigned Counsel Program have worked closely with ILS to develop a Work Plan for the first year of the Statewide Expansion Grant that meets mandated performance measures, and

IV. WHEREAS, work plans for the subsequent four (4) years of the Grant must also be developed and approved by ILS, and

V. WHEREAS, a contract is necessary with ILS in order to accept and receive the aforementioned Statewide Expansion Grant, and

VI. WHEREAS, the first year of the Grant commenced April 1, 2018 and terminated March 31, 2019, for which Cattaraugus County will receive an amount as follows:

Public Defender's Office	\$573,949.14
Assigned Counsel Program	\$ 75,938.00
Legal Aid Bureau of Buffalo (Appeals)	\$ 35,000.00,

and

VII. WHEREAS, various appropriation and revenue accounts must be adjusted in order to accommodate the aforementioned funding, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Office of Indigent Legal Services, for the acceptance and receipt of the aforementioned Statewide Expansion Grant, for a five-year term commencing April 1, 2018 and terminating March 31, 2023, according to the above-described terms, and be it further

II. RESOLVED, that the Chair of the Legislature be, and hereby is, further authorized and directed to execute contract amendments or extensions when needed for this program, as long as the amount of the grant has not changed, and be it further

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

IV. 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

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

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

Increase Estimated Revenue Accounts:

A.117.1170.1183.3025	State Aid, ILS Hurrell-Harring Public Defender	\$608,949.00
A.117.1183.0000.3025	State Aid, ILS Hurrell-Harring Assigned Counsel	\$ 75,938.00

Increase Appropriation Accounts:

A.117.1170.1183.11000	Full-Time Wages	\$353,092.00
A.117.1170.1183.20005	Office Furnishings	\$ 12,220.00
A.117.1170.1183.20006	Computer Equipment/Software	\$ 17,640.00
A.117.1170.1183.40401.2	Regional Appellate Defender	\$ 35,000.00
A.117.1170.1183.41206	Transcripts	\$ 4,000.00
A.117.1170.1183.41233	Professional Services	\$ 26,000.00
A.117.1170.1183.41404	Internet Contracts	\$ 2,500.00
A.117.1170.1183.46102	Employee Mileage	\$ 8,000.00
A.117.1170.1183.46106	Training	\$ 10,080.00
A.117.1170.1183.46108	Cellular Phone Charges	\$ 3,250.00
A.117.1170.1183.47002	Office Supplies	\$ 1,000.00
A.117.1170.1183.47011	Law Books	\$ 2,000.00
A.117.1170.1183.48002	Dues	\$ 1,240.00
A.117.1170.1183.81000	FICA	\$ 27,012.00
A.117.1170.1183.82000	Retirement	\$ 41,970.00
A.117.1170.1183.83000	Health Insurance	\$ 62,300.00
A.117.1170.1183.84000	Dental Insurance	\$ 1,645.00
A.117.1183.1173.40401.4	Second Chair Program	\$ 25,938.00
A.117.1183.1175.41233	Professional Services	\$ 50,000.00.

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"/>		