

August 22, 2018

The meeting was called to order by Chairman Snyder.

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed two Legislators absent – Giardini and VanRensselaer.

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CHAIRMAN SNYDER noted that the minutes of the July 25, 2018 session stand approved as presented.

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COMMUNICATIONS:

Schoharie County Board of Supervisors: Resolution No. 74, Requesting State Action to Relieve Recycling Mandates in a Time of Crisis.

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APPOINTMENTS:

CATTARAUGUS COUNTY PLANNING BOARD

Terms to expire July 31, 2021

Charles W. Couture
5790 Fox Valley Road
West Valley, New York 14171

Paul Mager
69 Mountain View Drive
Little Valley, New York 14755

David L. McCoy
303 Pleasant Acres
Portville, New York 14770

John Sayegh
3402 Fortune Drive
Allegany, New York 14706

Kathleen Ellis, Commissioner, Department of Public Works
8810 Route 242
Little Valley, New York 14755,
Term co-terminus with position.

CATTARAUGUS COUNTY LONG TERM CARE ADVISORY COUNCIL

Term to expire December 31, 2019

Susan Labuhn
430 Broad Street
Salamanca, New York 14779

CATTARAUGUS COUNTY HEROIN/OPIOD TASK FORCE
Indefinite Term

Anthony Turano, Commissioner
Department of Social Services
One Leo Moss Drive, Suite 6010
Olean, New York 14760
to fill the vacancy created by the resignation of Daniel Piccioli.

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ACT NO. 349-2018 by Mr. Snyder, Sr.

**APPOINTMENT OF MEMBER TO THE CHAUTAUQUA, CATTARAUGUS,
ALLEGANY AND STEUBEN SOUTHERN TIER EXTENSION RAILROAD AUTHORITY**

Pursuant to Section 2642-C(4) of the Public Authorities Law.

RESOLVED, that the following individual shall be a Cattaraugus County voting member on the Chautauqua, Cattaraugus, Allegany and Steuben Southern Tier Extension Railroad Authority:

Terry Everetts
1666 Haskell Road
Olean, New York 14760
Three-year term to expire 9/12/2021,

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Chautauqua, Cattaraugus, Allegany and Steuben Southern Tier Extension Railroad Authority.

Approved by 7 members of the Finance Committee and 6 members of the Development and Agriculture Committee.

Adopted August 22, 2018 by voice vote.

ACT NO. 350-2018 by Mr. Koch and Mrs. Labuhn

**SALE OF TAX TITLE PROPERTY TO FORMER OWNER
(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.

WHEREAS, Cattaraugus County has tax title to certain property situate in the Town of Great Valley, and

WHEREAS, the former owner of the property has offered to purchase the same at a cost which will cover the County's financial involvement in this premises, and

WHEREAS, the cost involved for this premises has been tendered to the County Treasurer's Office, now, therefore, be it

RESOLVED, that the County Treasurer be, and hereby is, authorized and directed, on behalf of Cattaraugus County, to execute a County Treasurer's Deed conveying this property to the following individual:

TOWN OF GREAT VALLEY

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
350	73.002-1-29	Sandra Simons	4421 N. Whalen Road Great Valley, NY 14741	\$5,951.33

Approved by 7 members of the Finance Committee and 6 members of the County Operations/
Public Safety Committee.

Adopted August 22, 2018 by voice vote.

ACT NO. 351-2018 by Mr. Giardini and Mr. Helmich

**BID ACCEPTANCE FOR INTERSECTION RECONSTRUCTION ON COUNTY ROAD NO. 32
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the reconstruction of the Thomas Corners and Cole Road intersection located on County Road No. 32, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications for the aforementioned intersection reconstruction was the bid of D & H Excavating, Inc., 11939 Route 98 South, Arcade, New York 14009, for an amount of \$467,168.00, to be paid as invoiced and as determined by the Department of Public Works, and

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

RESOLVED, that the bid of D & H Excavating, Inc., be, and the same hereby is, accepted, for a term commencing upon Notice to Proceed with project to be completed on or before November 15, 2018, and be it further

RESOLVED, that vouchers submitted in accordance with the provisions of 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.

Eight sets of specifications were sent out.

Four bids were received.

Approved by 7 members of the Finance Committee and 6 members of the Public Works Committee.

Adopted August 22, 2018 by voice vote.

ACT NO. 352-2018 by Mr. Giardini and Mr. Helmich

**BID ACCEPTANCE FOR REPLACEMENT OF CULVERTS LOCATED ON COUNTY ROAD NO. 85
(Town of Ashford Culverts C8528480 and C8528092
Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the replacement of two (2) culverts located on County Road No. 85 in the Town of Ashford, known as Culvert Nos. C8528480 and C8528092, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications for the aforementioned culvert replacement projects was the bid of Union Concrete & Construction Corp., P.O. Box 410, 105 Center Road, West Seneca, New York 14224, for an amount of \$456,397.00, to be paid as invoiced and as determined by the Department of Public Works, and

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

RESOLVED, that the bid of Union Concrete & Construction Corp., be, and the same hereby is, accepted, for a term commencing within ten (10) days of the effective date of the contract with project completion on or before December 31, 2018, and be it further

RESOLVED, that vouchers submitted in accordance with the provisions of 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.

Eight sets of specifications were sent out.

Five bids were received.

Approved by 7 members of the Finance Committee and 6 members of the Public Works Committee.

Adopted August 22, 2018 by voice vote.

ACT NO. 353-2018 by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
TWIN TIERS OVERHEAD DOORS, INC. FOR OVERHEAD DOOR REPAIR,
REPLACEMENT, INSTALLATION AND PREVENTIVE MAINTENANCE**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 324-2017 authorized a contract with Twin Tiers Overhead Doors, Inc., 1997 Four Mile Road, Allegany, New York 14706, for the provision of overhead door repair, replacement, installation and preventive maintenance services, the term of which expires August 31, 2018, and

WHEREAS, the County Department of Public Works has solicited proposals for the provision of the aforementioned overhead door repair, replacement, installation and preventive maintenance services, and

WHEREAS, Twin Tiers Overhead Doors, Inc., can provide the aforementioned services in accordance with the following rate schedule, on an as-needed basis:

<u>Labor Charges</u>	<u>Rates</u>
<i>Monday – Friday Business Hours</i>	
<i>Regular Hourly Rate</i>	
1 Overhead Door Mechanic	\$75.00/hour/man
1 Overhead Door Mechanic Plus 1 Apprentice	\$75.00/hour/man
<i>Emergency</i>	
1 Overhead Door Mechanic	\$112.50/hour/man
1 Overhead Door Mechanic Plus 1 Apprentice	\$112.50/hour/man
<i>Evening, Saturday, Sunday and Holiday Work</i>	
<i>Regular Hourly Rate</i>	
1 Overhead Door Mechanic	\$75.00/hour/man
1 Overhead Door Mechanic Plus 1 Apprentice	\$75.00/hour/man
<i>Emergency</i>	
1 Overhead Door Mechanic	\$112.50/hour/man
1 Overhead Door Mechanic Plus 1 Apprentice	\$112.50/hour/man
Maximum Response Time required to arrive on-site after receiving service call:	8 hours
Service Charge	Per Visit \$150.00
Materials and Parts (not included in Preventive Maintenance)	% Markup 35% - 45%
Rental Equipment	% Markup 35%
Scissor Lift Use	\$200.00/trip
	Mileage \$0.56 per mile

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Twin Tiers Overhead Doors, Inc., for the provision of the above-described services, for a term commencing September 1, 2018 and terminating August 31, 2019, according to the above-described terms.

Approved by 7 members of the Finance Committee and 6 members of the Public Works Committee.

Adopted August 22, 2018 by voice vote.

ACT NO. 354-2018 by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT
WITH W2 OPERATOR TRAINING GROUP, LLC
FOR SEWAGE PUMPS FOR LANDFILLS**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 131-2018 authorized a contract with W2 Operator Training Group, LLC, 131 Port Watson Street, Cortland, New York 13045, for the provision of two (2) explosion proof

submersible sewage pumps that will work with existing equipment at the Five Points and Farwell landfills, the term of which expires December 31, 2018, and

WHEREAS, two (2) additional pumps are needed at the Five Points Landfill, and

WHEREAS, W2 Operator Training Group can provide and install two (2) additional explosion proof submersible sewage pumps that will work with existing equipment at the Five Points landfill, for an additional amount not to exceed \$37,050.00, which includes freight, to be paid as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with W2 Operator Training Group, LLC, for the provision of the above-described equipment and services, to amend the original contract which commenced March 1, 2018 and terminates December 31, 2018, according to the above-described terms.

Approved by 7 members of the Finance Committee and 6 members of the Public Works Committee.

Adopted August 22, 2018 by voice vote.

ACT NO. 355-2018 by Mr. Neal

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES FOR
INDIGENT LEGAL SERVICES FUNDING
(January 1, 2016 – December 31, 2018 Grant – Round 6)**

Pursuant to Article 30 of the Executive Law,
Article 18-B and Section 450 of the County Law.

WHEREAS, Act 279-2013 authorized a three-year contract (Round 3) with the New York State Office of Indigent Legal Services in order to accept Indigent Legal Services funding totaling \$242,199.00 to improve the quality of legal representation under Article 18-B of the County Law, and

WHEREAS, the New York State Office of Indigent Legal Services has announced that it is accepting proposals for a three-year distribution of funds from the Indigent Legal Services Fund (ILSF) for the period January 1, 2016 through December 31, 2018 – Round 6, which is a renewal of the Round 3 funding, and

WHEREAS, a three-year plan must be submitted to the Office of Indigent Legal Services which demonstrates that the funding provided will be utilized to improve the quality of legal representation under Article 18-B of the County Law, and

WHEREAS, Cattaraugus County has been notified that it shall receive an amount of \$80,733.00 per year for three (3) years, for a total three-year grant in the amount of \$242,199.00 for the period January 1, 2016 through December 31, 2018, and

WHEREAS, the application for the aforementioned funding shall reflect the following proposed uses as have been agreed upon by the Public Defender, the Administrator of Assigned Counsel, and Legal Assistance of Western New York, with the approval of the Chairman of the Cattaraugus County Legislature:

<u>Description</u>	<u>3 Year Total</u>
Full Time Account Clerk Typist Position at Public Defender's Office, Office Equipment, Office Expenses, Associated Fringe Benefits	\$131,251.00
Maintain and Continue Public Defender Offices in downtown Olean, NY	\$ 19,879.00
Pay Parity for Legal Aid Society attorneys	\$ 73,776.00
Upgrade Workstations and Equipment at Public Defender and Assigned Council Offices	\$ 9,889.00
Annual Internet Costs for Network iPads for Attorneys at Court	\$ 5,763.00
Workers Compensation	\$ 1,641.00

and

WHEREAS, it is in the best interests of Cattaraugus County to submit the aforementioned three-year proposal and apply for the ILSF funding at no cost to the County, now, therefore, be it

RESOLVED, that the Public Defender's Office, with the agreement of the Administrator of Assigned Counsel and Legal Assistance of Western New York, be, and hereby is, authorized and directed to submit to the New York State Office of Indigent Legal Services a three-year proposal for its proposed use of the aforementioned funds within the parameters set forth herein, and be it further

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 Indigent Legal Services, in order to apply for, accept and receive the aforementioned funds, and commit Cattaraugus County to their use as prescribed by such office, for a term commencing January 1, 2016 and terminating December 31, 2018, with automatic one-year extension periods until the grant funds have been expended, according to the above-described terms.

Approved by 7 members of the Finance Committee and 6 members of the County Operations/
Public Safety Committee.

Adopted August 22, 2018 by voice vote.

ACT NO. 356-2018 by Mr. VanRensselaer and Mr. Koch

**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.

WHEREAS, Act 344-2017 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

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

WHEREAS, it is estimated that the project cost will not exceed \$161,367.00, of which Cattaraugus County's cash contribution and in-kind contribution will not exceed \$41,000.00, and

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

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

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

RESOLVED, that the Procurement Technical Assistance Program will commence January 16, 2019 and terminate January 15, 2020, and be it further

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

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

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

Approved by 7 members of the Finance Committee and 6 members of the Development and Agriculture Committee.

Adopted August 22, 2018 by voice vote.

ACT NO. 357-2018 by Mr. VanRensselaer and Mr. Koch

**AUTHORIZING APPLICATION FOR TOURISM PROMOTION AND
DESIGNATING GRANT ADMINISTRATOR**

Pursuant to Section 164 of the Economic Development Law.

WHEREAS, Act 343-2017 authorized an application for tourism promotion and designated the grant administrator, and

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

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

WHEREAS, Cattaraugus County should contribute a local share of \$70,000.00 in Fiscal Year 2018 to leverage additional funds from the New York State I Love New York Matching Funds Program, now, therefore, be it

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

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

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

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, 2018 through September 30, 2019, and be it further

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

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

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

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

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

Approved by 7 members of the Finance Committee and 6 members of the Development and Agriculture Committee.

Adopted August 22, 2018 by voice vote.

ACT NO. 358-2018 by Mr. VanRensselaer and Mr. Koch

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH
NYS DEPARTMENT OF AGRICULTURE AND MARKETS FOR UPDATE OF
COUNTY AGRICULTURE AND FARMLAND PROTECTION PLAN**

Pursuant to Article 25AAA of the Agriculture and Markets Law and
Section 450 of the County Law.

WHEREAS, Act 260-2004 authorized the submission of a grant application for the development of an Agricultural and Farmland Protection Plan for Cattaraugus County, and

WHEREAS, the County Department of Economic Development, Planning and Tourism is desirous of updating the aforementioned Agricultural and Farmland Protection Plan, and

WHEREAS, the NYS Department of Agriculture and Markets has funding available to assist counties in updating the Agricultural and Farmland Protection Plan, and

WHEREAS, pursuant to Article 25AAA of the NYS Agriculture and Markets Law, a \$40,000.00 farmland protection planning grant requires a County commitment to match the funding

and support the update of the Plan by providing in-kind services equaling \$23,000.00 and a cash commitment equaling \$17,000.00, and

WHEREAS, the County Development and Agriculture Committee recognizes that it is in the best interests of Cattaraugus County and its agricultural community to apply for the aforementioned funding to update the County Agricultural and Farmland Protection Plan to ensure that it meets the needs of the County's farmers and agricultural businesses, now, therefore, be it

RESOLVED, that the Cattaraugus County Department of Economic Development, Planning and Tourism is hereby authorized to develop and submit an application to apply for a matching State grant in the amount of \$40,000.00 for an update of the Agricultural and Farmland Protection Plan for Cattaraugus County, and be it further

RESOLVED, that in the event the County is awarded the aforementioned grant, then the County Legislature hereby authorizes the amount of \$17,000.00 to meet the required County cash contribution, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a grant documents, on behalf of Cattaraugus County, with the NYS Department of Agriculture and Markets, in order to apply for the aforementioned funding.

Approved by 7 members of the Finance Committee and 6 members of the Development and Agriculture Committee.

Adopted August 22, 2018 by voice vote.

ACT NO. 359-2018 by Mr. Helmich, Mr. Higgins, Mr. Koch and Mrs. Labuhn
and Mr. Padlo¹

**AUTHORIZING TRANSFER OF TAX FORECLOSURE PROPERTIES TO
CATTARAUGUS COUNTY LAND BANK CORPORATION**

Pursuant to Section 450 of the County Law.

WHEREAS, pursuant to Act 679-2014, as amended, Cattaraugus County established the Cattaraugus County Land Bank Corporation, which is now an authorized land bank corporation in New York State, and

WHEREAS, New York State's land bank legislation was enacted to address the negative impacts of distressed or at-risk structures and abandoned vacant property in New York's communities, and

WHEREAS, vacant and abandoned properties present a danger to the health and safety of local residents, result in costs and loss of revenues to local governments, and discourage further investment in the community, and

WHEREAS, land banks allow municipalities to acquire, redevelop and improve tax delinquent, vacant or abandoned property, thereby providing a mechanism for municipalities to acquire blighted properties and convert them to productive uses, and

WHEREAS, the Cattaraugus County Land Bank Corporation is able to acquire properties through a variety of means, which include properties obtained through the in rem tax foreclosure process, as well as donated properties, now, therefore, be it

RESOLVED, the Chairman of the Legislature, upon approval of the County Treasurer, is hereby authorized to transfer the County-owned properties listed below to the Cattaraugus County Land Bank Corporation for rehabilitation:

Location: 5426 Gooseneck Road, Town of Ashford
(known as Tax Map No. 20.001-1-14)

Location: 3888 Main Street, Town of Hinsdale
(known as Tax Map No. 77.013-2-4)

²

Location: 809 Seneca Avenue, City of Olean
(known as Tax Map No. 94.067-2-55)

²

Location: 330 North First Street, City of Olean
(known as Tax Map No. 94.057-2-43),

and be it further

RESOLVED, that the Cattaraugus County Treasurer hereby agrees to waive any and all taxes, liens or other fees that may be due on the properties being transferred to the Cattaraugus County Land Bank, and be it further

RESOLVED, that the Cattaraugus County Clerk is hereby authorized and directed to waive all recording fees and transfer taxes for properties transferred to the Cattaraugus County Land Bank Corporation.

Approved by 7 members of the Finance Committee and 6 members of the Development and Agriculture Committee.

¹The following Legislator requested his name be listed as an additional sponsor: "Mr. Padlo".

²MR. KOCH moved, seconded by Mr. Padlo, to amend as follows: In the First Resolved, delete: "Location: 128-130 Fulton Street, City of Olean (known as Tax Map No. 94.065-6-37); Location: 325 North Sixth Street, City of Olean (known as Tax Map No. 94.056-7-8); Location: 307 Gilmore Avenue, City of Olean (known as Tax Map No. 94.058-5-27)". Carried.

Adopted, as amended, August 22, 2018 by voice vote.

ACT NO. 360-2018 by Ms. Vickman and Mr. Snyder, Jr.

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SALAMANCA HOUSING AUTHORITY FOR HEALTH DEPARTMENT OFFICE SPACE**

Pursuant to 10 NYCRR 763.3, Section 3602 of the Public Health Law and Sections 215 and 450 of the County Law.

WHEREAS, Act 408-2015 authorized a contract with the Salamanca Housing Authority, 69 Iroquois Drive, Salamanca, New York 14779, for the rental of office space in Hillview Homes in the City of Salamanca for Health Department office/clinic space, at the rate of \$948.00 per month on a month-to-month basis, the term of which expires October 31, 2018, and

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

WHEREAS, the Salamanca Housing Authority has agreed to continue leasing the above-described space, on a month-to-month basis, for an amount as follows:

<i>November 1, 2018 through October 31, 2019</i>	<i>\$1,000.00 per month</i>
<i>November 1, 2019 through October 31, 2020</i>	<i>\$1,055.00 per month</i>
<i>November 1, 2020 through October 31, 2021</i>	<i>\$1,113.00 per month,</i>

and¹

WHEREAS, the office space rental is partially funded through state aid and generated revenues, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Salamanca Housing Authority, for the provision of the above-described services, for a term commencing November 1, 2018 and terminating October 31, 2021, according to the above-described terms, and be it further

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

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

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

Approved by 7 members of the Finance Committee and 6 members of the Human Services Committee.

¹MS. VICKMAN moved, seconded by Mrs. Labuhn, to amend as follows: delete: "WHEREAS, the Salamanca Housing Authority has agreed to continue leasing the above-described space for an amount of \$948.00 per month on a month-to-month basis, to be paid monthly, as invoiced, and", and replace with: "WHEREAS, the Salamanca Housing Authority has agreed to continue leasing the above-described space, on a month-to-month basis, for an amount as follows:

November 1, 2018 through October 31, 2019	\$1,000.00 per month
November 1, 2019 through October 31, 2020	\$1,055.00 per month
November 1, 2020 through October 31, 2021	\$1,113.00 per month, and".

Carried.

Adopted, as amended, August 22, 2018 by voice vote.

ACT NO. 361-2018 by Ms. Vickman and Mr. Snyder, Jr.

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
HEALTH RESEARCH, INC. FOR PUBLIC HEALTH
PREPAREDNESS AND RESPONSE TO BIOTERRORISM**

Pursuant to Section 301 et seq. of the Public Health Service Act and
Section 450 of the County Law.

WHEREAS, Act 340-2017 authorized a contract with Health Research, Inc., in order to accept funding in the amount of \$79,989.00 per year for the next phase of the terrorism emergency response and preparedness plan, the term of which expired June 30, 2018, and

WHEREAS, the County Health Department has been awarded funding through Health Research, Inc., Riverview Center, 150 Broadway, Suite 560, Menands, New York 12204, in the amount of \$79,989.00, for the period commencing July 1, 2018 and terminating June 30, 2019, and

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

WHEREAS, this program is 100% federally funded (CFDA# 93.074), now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Health Research, Inc., in order to accept and receive the aforementioned grant funding, for a term commencing July 1, 2018 and terminating June 30, 2019, according to the above-described terms, and be it further

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

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

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

Approved by 7 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted August 22, 2018 by voice vote.

ACT NO. 362-2018 by Ms. Vickman and Mr. Snyder, Jr.

APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND GENESEE COUNTY FOR BEHAVIORAL HEALTH INTER-MUNICIPAL CONSORTIUM

Pursuant to Section 450 of the County Law.

WHEREAS, Act 153-2017 authorized a contract with Genesee County for the preparation of a feasibility analysis for the purposes of establishing a behavioral health inter-municipal consortium for the oversight, administration and delivery of mental health services, the term of which expired December 31, 2017, and

WHEREAS, a behavioral health inter-municipal consortium would be beneficial to each member county to more successfully navigate the changes in reimbursement and service delivery directly related to New York State mandates through DSRIP and the related transition from FFS Medicaid to Medicaid Managed Care, and

WHEREAS, the County Community Services Departments in the Western Region are requesting continued work related to the development of the behavioral health inter-municipal consortium, and

WHEREAS, Genesee County shall continue to be the lead county and engage the law firm of Barclay Damon for the preparation of the aforementioned analysis, and

WHEREAS, the Cattaraugus County Department of Community Services is desirous of reimbursing Genesee County an amount not to exceed \$18,000.00, which represents an equal share of the legal fees related to this analysis, to be paid on a percent-of-completion basis, as invoiced, and

WHEREAS, this program is 50% federal (CFDA #93.778) and 50% state funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract between the Cattaraugus County Community Services Board and Genesee County, to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2018 and terminating December 31, 2018, according to the above-described terms, and be it further

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

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

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

Approved by 7 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted August 22, 2018 by voice vote.

ACT NO. 363-2018 by Mr. Snyder, Sr., Ms. Hastings and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
MCCARTHY & CONLON, LLP FOR AUDITING SERVICES FOR
DEPARTMENTS OF HEALTH, COMMUNITY SERVICES AND NURSING HOMES**

Pursuant to Sections 210 and 450 of the County Law.

WHEREAS, Act 446-2016 authorized a contract with McCarthy & Conlon, LLP, for the provision of auditing, accounting and reimbursement consultant services for the County Departments of Health, Community Services and Nursing Homes, and

WHEREAS, the County is desirous of obtaining auditing, accounting and reimbursement consultant services for the years ending December 31, 2018, 2019 and 2020, and

WHEREAS, McCarthy & Conlon, LLP, 123 Quaker Road, Suite 103B, Queensbury, New York 12804, has agreed to provide the aforementioned auditing services for an amount of \$59,000.00, in accordance with the following schedule:

Department of Nursing Homes	\$31,000.00 per year
Department of Health	\$22,500.00 per year
Department of Community Services	\$ 5,500.00 per year

and

WHEREAS, the aforementioned audits must be conducted in order for the County to receive any State reimbursement, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with McCarthy & Conlon, LLP, for the provision of the above-described services, contingent upon and subject to inclusion in the 2019 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2019 and terminating December 31, 2021, according to the above-described terms, and be it further

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

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

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

Approved by 7 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted August 22, 2018 by voice vote.

ACT NO. 364-2018 by Ms. Vickman and Mr. Snyder, Jr.

**APPROVING MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS
(Department of Social Services)**

Pursuant to Section 203(1) of the County Law.

WHEREAS, it is beneficial for the Department of Social Services to be a member of the following organizations:

Coalition of Adoption and Foster Family Agencies	\$125.00 per year
New York Agency on Training and Employment Professionals	\$750.00 per year,

and

WHEREAS, membership in these organizations is beneficial to the County and serves a public purpose, now, therefore, be it

RESOLVED, that Cattaraugus County authorizes memberships in the Coalition of Adoption and Foster Family Agencies and the New York Agency on Training and Employment Professionals.

Approved by 7 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted August 22, 2018 by voice vote.

ACT NO. 365-2018 by Ms. Vickman and Mr. Snyder, Jr.

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH LEVANT WESLEYAN CHURCH
FOR FATHERS SUPPORT/PARENTING GROUP**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 332-2017 authorized a contract with the Levant Wesleyan Church for the provision of a weekly support/parenting group for fathers who are currently working with or under the

supervision of the Department of Social Services to focus on family, child and service engagement, the term of which expires August 31, 2018, and

WHEREAS, the County Department of Social Services is desirous of renewing the aforementioned contract, and

WHEREAS, the purpose of the aforementioned program is to reduce re-involvement with Child Protective Services, the Support Collection Unit and Family Court, and

WHEREAS, the Levant Wesleyan Church, 1670 Lundquist Drive, Falconer, New York 14733, can provide a weekly two-hour support/parenting group for male residents of Cattaraugus County who are involved with the Department of Social Services through Child Protective Services, the Child Welfare Unit, Adult Protection Unit, Support Collection Unit, and as parents to youth involved in the juvenile justice/probation system by providing education, parenting services and support, and

WHEREAS, the Levant Wesleyan Church can provide the aforementioned services for a total amount not to exceed \$18,000.00, to be paid on a monthly basis, as invoiced, and

WHEREAS, this program is 100% federally funded (CFDA #93.558), now, therefore, be it RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Levant Wesleyan Church, for the provision of the above-described services, for a term commencing September 1, 2018 and terminating August 31, 2019, according to the above-described terms, and be it further

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

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

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

Approved by 7 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted August 22, 2018 by voice vote.

ACT NO. 366-2018 by Mr. Breton, Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
VARIOUS ENTITIES FOR YOUTH SERVICES PROGRAMS
(Youth Bureau-Member Item Funding)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 472-2017 authorized the Chairman to execute grant documents with the New York State Office of Children and Family Services, in order to receive up to \$200,000.00 in grant-in-aid funding, to offset costs related to youth services including, but not limited to, operational, capital project(s) and/or program administration costs to help provide services, opportunities and supports that are designed to improve youth and the community, and

WHEREAS, the Youth Bureau has received grant-in-aid funding in the amount of \$200,000.00, and is desirous of contracting with the following entities for the provision of various youth services development and delinquency prevention programs:

Cornell Cooperative Extension-Cattaraugus County 28 Parkside Drive Ellicottville, New York 14731	\$15,000.00
Directions in Independent Living, Inc. 512 West State Street Olean, New York 14760	\$15,000.00
Boundless Connections 120 North Union Street Olean, New York 14760	\$15,000.00
BSA Allegheny Highlands Council P.O. Box 261 50 Hough Hill Road Falconer, New York 14733	\$20,000.00
Big Brothers/Big Sisters Mentoring Program 85 River Rock Drive, Suite 107 Buffalo, New York 14207,	\$15,000.00

and

WHEREAS, the aforementioned youth services programs are 100% state funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with the above-listed entities, for the provision of various youth services programs, according to the above-described terms.

Approved by 7 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted August 22, 2018 by voice vote.

ACT NO. 367-2018 by Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION
WITH INTERACTIVE HEALTH, INC.
FOR HEALTH WELLNESS PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 425-2016, as amended by Act 356-2017, authorized a contract with Interactive Health, Inc., 1700 East Golf Road, Suite 900, Schaumburg, Illinois 60173, for the provision of a health wellness program for County employees, the term of which expires December 31, 2018, and

WHEREAS, the County is desirous of continuing a health wellness program for its employees that are insured under the Independent Health Medical Plan, and

WHEREAS, Interactive Health, Inc., shall continue to provide the following services for County employees for an amount of \$195.00 per completed health evaluation:

Health Evaluation (including biometric screening),
Post Evaluation Materials, Tools and Actions,
Post Evaluation Client reporting,
Interactive Health Standard Tools and Resources, and
Healthy Lifestyle Coaching,

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract extension, on behalf of Cattaraugus County, with Interactive Health, Inc., for the provision of the above-described services, to extend the term of the original contract to December 31, 2019, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the Labor Relations Committee.

Adopted August 22, 2018 by voice vote.

ACT NO. 368-2018 by Mr. Breton, Mr. Helmich, Mr. Snyder, Jr., and Ms. Vickman

**REQUESTING CATTARAUGUS COUNTY INDUSTRIAL DEVELOPMENT AGENCY
NOT APPROVE PILOT AGREEMENTS FOR WIND ENERGY PROJECTS
LARGER THAN 5 MEGAWATTS RATED CAPACITY**

Pursuant to Section 153 of the County Law.

WHEREAS, pursuant to Local Law No. 6-2008, the County “opted out” of the tax exemption otherwise granted by New York Real Property Tax Law (“RPTL”) Section 487 for certain solar or wind energy systems or farm waste energy systems, and such systems are therefore taxable within Cattaraugus County absent a payment in lieu of tax (“PILOT”) agreement, and

WHEREAS, the Cattaraugus County Industrial Development Agency (“CCIDA”) accepts applications for PILOT agreements pertaining to both small and large energy projects that are taxable as a result of the County opting out of the RPTL Section 487 tax exemption, and

WHEREAS, it has been demonstrated that the environmental, economic, and community impacts of large wind energy projects of 5 Megawatts (MW) or more can be significant and might well have a net negative effect on the County depending on the location and parameters of the proposed project, and

WHEREAS, large wind energy projects of 5 MW or more historically create few full-time permanent jobs in the private sector in relation to the significant tax abatement subsidies that are sought through PILOT agreements, and

WHEREAS, providing a tax abatement subsidy through PILOT agreements to encourage the siting of large wind energy projects may not be appropriate given the potential negative impacts and potential low cost-benefit value of large wind energy projects, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby requests the Cattaraugus County Industrial Development Agency not approve PILOT agreements of any kind for large wind energy projects with a rated capacity of 5 MW or greater, and be it further

RESOLVED, that the Clerk of the County Legislature is directed to send a copy of this resolution to the Chairman of the Cattaraugus County Industrial Development Agency.

Approved by 4 members of the Finance Committee and 6 members of the Development and Agriculture Committee.

CHAIRMAN SNYDER granted Privilege of the Floor to the following people who spoke in support of the passage of Act No. 368-2018:

Ginger Schröder – Farmersville; short informational presentation
John Hill - Freedom, Town Councilman
Stephanie Milks – AlleCatt Concerns
Rob Mrowka – Concerned Citizens of Cattaraugus County
Fran Lounsbury – Farmersville
Jamie Lawrence – Lime Lake
Jim Sprague – Farmersville
Kathy Kellogg – Farmersville
Jeannie McCarthy – Farmersville
Lorrie Fisher – Town Supervisor, Franklinville
Dave Amsler – Farmersville
Mark Heberling – President, Farmersville United
Glen Wolf – Little Valley
Dennis Gaffnin – Farmersville area

CHAIRMAN SNYDER granted Privilege of the Floor to the following people spoke against the passage of Act No. 368-2018:

Valessa Souter-Kline – Alle-Catt Wind Farm Project Manager, Invenergy
Gina Gasper – Yorkshire
Randy Lester – Town Supervisor, Freedom, on behalf of Edelweiss Farms
Vincent Freeman - Ashville
Mark Flowers – Boston, former Town Councilman

MR. PADLO moved, seconded by Ms. Hastings, to adjourn as a Legislature for a 10 minute recess. Carried.

MR. BOBERG moved, seconded by Mrs. Labuhn, to refer Act No. 368-2018 back to the Development and Agriculture Committee.

Chairman Snyder called a Roll Call vote on the Motion, which disclosed as follows:

Ayes: Boberg, Hastings, Koch, Labuhn, Padlo – 5.

Nays: Breton, Burr, Hale, Helmich, Higgins, Klancer, Neal, Snyder, Jr., Snyder, Sr., Vickman – 10.

Motion was defeated by majority vote.

CHAIRMAN SNYDER called a Roll Call vote on Act No. 368-2018, which disclosed as follows:

Ayes: Breton, Burr, Hale, Hastings, Helmich, Higgins, Klancer, Koch, Neal, Padlo, Snyder, Jr., Snyder, Sr., Vickman – 13.

Nays: Boberg, Labuhn – 2.

Adopted August 22, 2018 by majority vote.

ACT NO. 369-2018 by Mr. VanRensselaer and Mr. Koch

**ADJUSTING VARIOUS APPROPRIATION AND ESTIMATED REVENUE ACCOUNTS
(Department of Economic Development, Planning & Tourism)**

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

WHEREAS, Act 274-2018 authorized the County Department of Economic Development, Planning and Tourism to order 20,000 additional copies of the 2018 Cattaraugus County Activities Guide, and

WHEREAS, various appropriation and estimated revenue accounts must be adjusted in order to cover the cost of the aforementioned additional copies, now, therefore, be it

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

Increase Estimated Revenue Account:

A.642.6420.6410.1989.02	I Love NY Matching Funds	\$13,288.00
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Increase Appropriation Account:

A.642.6420.6410.48226	Collateral-Travel Guide	\$13,288.00.
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Approved by 7 members of the Finance Committee and 6 members of the Development and Agriculture Committee.

Adopted August 22, 2018 by voice vote.

ACT NO. 370-2018 by Mr. Boberg, Mr. Breton and Ms. Vickman

**LOCAL LAW NUMBER 6 - 2018
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW ESTABLISHING THE CATTARAUGUS COUNTY ANIMAL ABUSER REGISTRY
AND REPEALING LOCAL LAW NO. 2-2016 (INTRO NO. 1-2016)**

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 establish a registry of individuals in Cattaraugus County who have abused animals.

SECTION 2. Legislative Findings. Cruelty is a serious problem resulting in the abuse of many animals each year, and while the State of New York has criminalized the cruel treatment of animals, animal abuse and cruelty continues to occur in Cattaraugus County and throughout New York State. Studies show that people who have abused animals in the past are likely to do so in the future and that there is a near 100% recidivism rate for certain types of abuse such as animal hoarding. It has also been documented that individuals who abuse animals are statistically more likely to commit violent acts against humans, and there has been a strong correlation established linking individuals who abuse animals with incidents of domestic violence. Animals in need of homes need to be protected from potential abusers. The Cattaraugus County Legislature hereby finds and determines

that it is in the best interest of the residents of Cattaraugus County and their animals that an online registry be established identifying individuals residing in Cattaraugus County who have been convicted of animal abuse crimes in order to prevent these individuals from adopting, purchasing or otherwise obtaining animals from any animal shelter, pet seller, or other person or entity involved in the exchange of animals by adoption, sale or other means.

SECTION 3. Definitions. As used in this local law, the following terms shall have the meanings indicated:

- 3.1 "Animal Abuse Crime" - Any of the following crimes:
 - a) A Violation of any of the following provisions of the NYS Agriculture Markets Law (AML) Article 26:
 - Section 351 - Prohibition of animal fighting
 - Section 353 - Torturing and injuring animals; failure to provide proper sustenance
 - Section 353-A - Aggravated cruelty to animals
 - Section 355 - Abandonment of animals
 - Section 356 - Failure to provide proper food and drink to impounded animals
 - Section 359 - Carrying animal in a cruel manner
 - Section 360 - Poisoning or attempting to poison animals
 - Section 361 - Interference with or injury to certain domestic animals
 - Section 362 - Throwing substance injurious to animals in public place
 - Section 365 - Clipping or cutting the ears of dogs
 - Section 366 - Companion animal stealing
 - Section 366-A - Removing, seizing or transporting dogs for research purposes
 - b) Sexual misconduct with an animal in violation of NYS Penal Law (PL) §130.20(a)
 - c) Harming a service animal in violation of PL §242.10 and PL §242.15
 - d) Killing or injuring a police animal in violation of PL §195.06
 - e) Harming an animal trained to aid a person with a disability in violation of PL §195.12.
- 3.2 "Animal" - Any living mammal (except a human being), bird, reptile, amphibian or fish.
- 3.3 "Animal Abuse Offender" - Any person eighteen (18) years of age or older, convicted of an Animal Abuse Crime, except youthful offenders whose convictions or adjudications include sealed records.
- 3.4 "Animal Abuser Registry" - The online registry established by this Local Law for registering any person residing in Cattaraugus County convicted of an Animal Abuse Crime.
- 3.5 "Animal Shelter" - Any publicly or privately owned organization including, but not limited to, any duly incorporated humane society, pound, animal protective association or animal rescue group which maintains buildings, structures or other property for the purpose of harboring animals which may be stray, unwanted, lost, abandoned or abused and seeks to find appropriate temporary or permanent homes for such animals.
- 3.6 "Conviction" - An adjudication of guilt by any court of competent jurisdiction whether upon verdict after trial, plea of guilty or nolo contendere plea.
- 3.7 "Farm Animal" - An animal used in the production of human or animal food, feed or fiber.
- 3.8 "Pet Seller" - Any individual, person, partnership, firm, corporation or other entity which offers animals for sale or is engaged in the sale, exchange or other transfer of ownership of animals.
- 3.9 "Service Animal" - Any animal that has been individually trained to do work or perform tasks for people with disabilities as defined under the ADA (Americans with Disabilities Act).

SECTION 4. Establishing an Animal Abuser Registry. The Cattaraugus County Sheriff, or his/her designee, is hereby authorized, empowered and directed to establish an online Animal Abuser Registry that shall contain the names and residence information, the nature of, and date of conviction of all Animal Abuse Offenders living in Cattaraugus County who are convicted of an animal abuse crime on or after the effective date of this law. The online Registry will be maintained by the Cattaraugus County Sheriff's Office and shall be listed on the Cattaraugus County official website within the Cattaraugus County Sheriff's Office webpage. The online Animal Abuser Registry shall also contain links to other county Animal Abuser Registries that are available, or as they become available in the future, in the State of New York, with such other county registries to be used as informational resources by Animal Shelters, Pet Sellers or other persons or entities located in Cattaraugus County when they shall sell, exchange or otherwise transfer the ownership of any animal. The Registry shall contain the required information about each Animal Abuse Offender for a period of fifteen (15) years following his or her release from incarceration or, if not incarcerated, from the date of the judgment of conviction. Any currently or previously registered Animal Abuse Offender convicted of a subsequent Animal Abuse Crime shall be placed on the Animal Abuser Registry for life following the second conviction. Upon notification to the Cattaraugus County Sheriff's Office of a successful appeal of a conviction of an Animal Abuse Crime by an individual that has been required to register pursuant to this local law, the registration information for that individual shall be removed from the Cattaraugus County Animal Abuse Registry within five (5) days following the notification.

SECTION 5. Registry Requirements.

5.1 All Animal Abuse Offenders who reside in Cattaraugus County and who are convicted of an Animal Abuse Crime on or after the effective date of this article must register with the Cattaraugus County Animal Abuser Registry within five (5) days of their release from incarceration or, if not incarcerated, from the date of the rendering of judgment.

5.2 When a person is convicted of an Animal Abuse Crime, the court shall forward to the Sheriff's Office the name and address of the convicted person along with the name of the Animal Abuse Crime the person was convicted of, thereby notifying the Sheriff's Office that the person is required to register with the Animal Abuser Registry.

5.3 Each person required to register with the Animal Abuser Registry shall submit to the Cattaraugus County Sheriff's Office on a form prepared by the Sheriff's Office, the following:

- a) Their name and any aliases they may be known by,
- b) Their residence address,
- c) Their date of birth, and
- d) A photograph of the front of their head and shoulders not less than 2" by 3" or a digital image commonly known as a digital photograph of the front of their head and shoulders.

5.4 Every person required to register with the Animal Abuser Registry shall update their registry information within five (5) days of any change of residence address and/or upon any official change of name.

5.5 Every person required to register with the Animal Abuser Registry shall pay a fee of one hundred twenty-five dollars (\$125.00) to the Cattaraugus County Sheriff's Office at the time of Registration. All such fees shall be used to help pay the administrative and maintenance costs of maintaining the Registry.

5.6 The Cattaraugus County Sheriff is hereby authorized and empowered to promulgate such rules and regulations as may be necessary to implement the Animal Abuser Registry.

SECTION 6. Animal Shelters and Pet Sellers Prohibited from Transferring Animal Ownership to Animal Abuse Offenders.

6.1 Except as provided for otherwise in this local law, no person who is required to register under this local law shall possess or own any animal.

6.2 No Animal Shelter, Pet Seller, or other person or entity located in Cattaraugus County shall sell, exchange or otherwise transfer the ownership of any animal to any person having resided in Cattaraugus County and listed as an Animal Abuse Offender on the Animal Abuser Registry, nor shall such Animal Abuse Offender be allowed to retain possession of any currently owned animals. Prior to the sale, exchange or other transfer of ownership of any animal, the Animal Shelter, Pet Seller or other person or entity is required to examine the Animal Abuser Registry to confirm that the name of the potential owner of the animal is not listed.

SECTION 7. Penalties.

7.1 Any Animal Abuse Offender required to register with the Animal Abuse Registry who fails to so register shall be guilty of a violation punishable by a fine of Two Hundred Fifty Dollars (\$250.00).

7.2 Any Animal Shelter, Pet Seller or other individual or entity that violates Section 6 of this Local Law shall be guilty of a violation and subject to a fine of Five Hundred Dollars (\$500.00) for the first offense, a fine of One Thousand Dollars (\$1,000.00) for the second offense, and a fine of Two Thousand Dollars (\$2,000.00) for the third offense. It shall not be a violation of this law if the Animal Shelter, Pet Seller, or other individual or entity checked with the Cattaraugus County Animal Abuser Registry and the name did not appear thereon.

SECTION 8. Severability. If any clause, sentence, paragraph, section, subdivision or other part of this Local Law or its applications shall be adjudged by a Court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or otherwise invalidate the remainder of this Local Law which shall remain in full force and effect except as limited by such order or judgment.

SECTION 9. Effective Date. This Local Law shall take effect as provided by the New York State Municipal Home Rule Law and upon completion of the requisite filings and procedures.

SECTION 10. Repeal. Local Law No. 2-2016 (Intro No. 1-2016) is hereby repealed.

Approved by 7 members of the Finance Committee and 6 members of the County Operations/
Public Safety Committee.

No further action taken at this time.

ACT NO. 371-2018 by Mr. Boberg, Mr. Breton and Ms. Vickman

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 6 - 2018

Pursuant to Section 10 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on August 22, 2018, a proposed Local Law entitled, "A Local Law Establishing the Cattaraugus County Animal Abuser Registry and Repealing Local Law No. 2-2016 (Intro No. 1-2016)", and

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

RESOLVED, that a public hearing shall be held on the proposed local law by this County Legislature on the 12th day of September, 2018, at 4:01 p.m. at the Legislature's Chambers, County Center, 303 Court Street, Little Valley, New York, and that at least five (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.

Approved by 7 members of the Finance Committee and 6 members of the County Operations/ Public Safety Committee.

Adopted August 22, 2018 by voice vote.

ACT NO. 372-2018 by Mrs. Labuhn
and Mr. Koch and Mr. Padlo¹

**SUPPORTING SENECA NATION'S BAN OF UNCONVENTIONAL GAS DRILLING; DISPOSAL,
STORAGE, OR TREATMENT OF UNCONVENTIONAL GAS DRILLING BY-PRODUCTS;
AND TRANSPORTATION OF UNCONVENTIONAL GAS DRILLING BY-PRODUCTS
ON OR THROUGH NATION TERRITORIES**

Pursuant to Section 153 of the County Law.

WHEREAS, the Seneca Nation has approved a ban of unconventional gas drilling; disposal, storage, or treatment of unconventional gas drilling by-products; and transportation of unconventional gas drilling by-products on or through Nation Territories, and

WHEREAS, it is in the best interests of the citizens of Cattaraugus County to support the Nation in the aforementioned ban, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby supports the Seneca Nation's ban of unconventional gas drilling; disposal, storage, or treatment of unconventional gas drilling by-products; and transportation of unconventional gas drilling by-products on or through Nation Territories, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to Todd Gates, President of the Seneca Nation.

Approved by 7 members of the Finance Committee.

¹The following Legislators requested their names be listed as additional sponsors: "Mr. Koch and Mr. Padlo".

Adopted August 22, 2018 by voice vote.

* * * * *

MR. SNYDER, JR., moved, seconded by Mr. Burr, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 373-2018 through Act No. 383-2018, inclusive. Carried.

ACT NO. 373-2018 by Mrs. Labuhn
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE SUPPLEMENTAL MEDICAID UPPER PAYMENT LIMIT
SCHEDULE REQUEST FOR DEPARTMENT OF NURSING HOMES SUPPLEMENTAL FUNDING
AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS**

Pursuant to Section 2808(12)(e-1) of the Public Health Law and
Sections 363, 366 and 450 of the County Law.

WHEREAS, the New York State Public Health Law provides for Supplemental Medicaid Upper Payment Limit payments of up to \$500 million statewide to non-state operated public nursing facilities, and

WHEREAS, the federal Centers for Medicare and Medicaid Services (CMS) have approved State Plan amendments to implement this supplemental payment provision in the amount of \$225,104,115.00 attributable to April 1, 2018 – March 31, 2019, and

WHEREAS, this \$225.1 million has been allocated to each qualifying nursing home based upon the ratio of each facility's reported Medicaid days divided by the total reported Medicaid days for all eligible public nursing homes for 2016 calendar year, and

WHEREAS, the County's The Pines Healthcare and Rehabilitation Centers are eligible for payments of \$4,379,755.00 for the Olean facility and \$4,399,482.00 for the Machias facility, and

WHEREAS, 50% of the payment for each facility shall be paid in September of 2018, and

WHEREAS, since these payments are exempt from the Medicaid local share cap statute, counties in New York State are responsible for transferring the full 50% non-federal share of each payment to the State prior to the corresponding 100% payment being released to the nursing homes, and

WHEREAS, Cattaraugus County is responsible for contributing an Intergovernmental Transfer of the full non-federal share of the nursing home Upper Payment Limit in the amount of \$2,194,809.25 in September of 2018, and

WHEREAS, upon the State's receipt of the County's local share, a payment of \$4,389,618.50 will be made to the County in September of 2018, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute the Supplemental Medicaid Upper Payment Limit Schedule Request Form for the County Department of Nursing Homes as described above, and be it further

RESOLVED, that the County Administrator is hereby directed to appropriate \$1,356,912.75 from Fund Balance Account A.909.0000 and to make the following budgetary change:

Increase Appropriation Account:

A.601.6102.0000.40608	IGT Payment	\$1,356,912.75.
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Adopted August 22, 2018 by voice vote.

ACT NO. 374-2018 by Mr. Giardini and Mr. Helmich
who ask immediate consideration

**REJECTING CERTAIN DEPARTMENT OF PUBLIC WORKS BIDS FOR
LINING OF THREE CULVERTS ON COUNTY ROAD NO. 85
(Ashford Culvert #22, #C8524569 and #C8524439)
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law.

WHEREAS, the Department of Public Works advertised for sealed bids for the lining of the following three (3) culverts on County Road No. 85 for the Department of Public Works, according to bid specifications and general information provided by the Public Works Committee: Ashford Culvert Nos. 22, C8524569 and C8524439, and

WHEREAS, bids received for the aforementioned culvert projects, which were opened on July 20, 2018, were higher than expected and, due to budgetary constraints, should be rejected, and

WHEREAS, the Department of Public Works is desirous of rebidding the lining for Ashford Culvert No. 22, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby rejects the bids received for the lining of three (3) culverts on County Road No. 85 for the Department of Public Works, with the understanding that the Ashford Culvert No. 22 project will be rebid.

Adopted August 22, 2018 by voice vote.

ACT NO. 375-2018 by Public Works Committee:
Mr. Giardini, Mr. Helmich, Mr. Boberg, Mr. Breton,
Mr. Klancer, Mr. Snyder, Jr. and Mr. Koch
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
GREENMAN-PEDERSEN, INC. FOR ENGINEERING SERVICES FOR REPLACEMENT OF
ASHFORD CULVERT NO. 22 AND FOUR CULVERTS ON COUNTY ROAD NO. 85**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 408-2017 authorized a contract with Greenman-Pedersen, Inc., 4950 Genesee Street, Suite 100, Buffalo, New York 14225, for the provision of engineering services for the replacement of Ashford Culvert No. 22, along with four (4) additional culverts, located on County Road No. 85 in the Town of Ashford, and

WHEREAS, additional engineering services are necessary to complete updates to the relining plans of Ashford Culvert No. 22, so that it can be rebid, and

WHEREAS, construction inspection services are also necessary for the replacement of Culvert Nos. C8528480 and C8528092, and

WHEREAS, Greenman-Pedersen, Inc., can provide the aforementioned engineering services for an additional amount of \$57,461, bringing the total project cost to \$102,361.00, as follows:

Additional Engineering Services to update	\$ 4,500.00
relining plans for Ashford Culvert No. 22	

Slip Lining Rebid for Ashford Culvert No. 22	\$ 4,600.00
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Construction Inspection Services for Culvert Nos. C8528480 and C8528092,	\$48,361.00
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and

WHEREAS, an amendment to the aforementioned contract is necessary, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Greenman-Pedersen, Inc., for the provision of the above-described additional services, the original term of which commenced October 26, 2017 and now terminates December 31, 2019, according to the above-described terms.

Adopted August 22, 2018 by voice vote.

ACT NO. 376-2018 by Public Works Committee:
Mr. Giardini, Mr. Helmich, Mr. Boberg, Mr. Breton,
Mr. Klancer, Mr. Snyder, Jr. and Mr. Koch
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NUSSBAUMER & CLARKE, INC. FOR CONSTRUCTION INSPECTION SERVICES FOR
RECONSTRUCTION AND OVERLAY OF COUNTY ROAD NO. 32 (NYS ROUTE 240)**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 409-2017 authorized a contract with Nussbaumer & Clarke, Inc., 3556 Lake Shore Road – Suite 500, Buffalo, New York 14219, for the provision of engineering design services for the reconstruction and overlay of County Road No. 32 in the Town of Ashford, the term of which expires December 31, 2018, and

WHEREAS, construction inspection services are now necessary for the aforementioned project, and

WHEREAS, Nussbaumer & Clarke, Inc., can provide the aforementioned construction inspection services for an amount not to exceed \$17,200.00, which includes miscellaneous expenses, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Nussbaumer & Clarke, Inc., for the provision of the above-described construction inspection services, for a term commencing August 22, 2018 and terminating November 30, 2018, according to the above-described terms.

Adopted August 22, 2018 by voice vote.

ACT NO. 377-2018 by Mr. Giardini and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE UNIFIED COURT SYSTEM FOR
COUNTY COURTROOM RENOVATION PROJECT AND
AREA CLEANING SERVICES, REPAIRS AND MAINTENANCE
AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Public Works)**

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

WHEREAS, Act 190-2014 authorized a contract with the NYS Unified Court System for the cleaning of court facilities as well as repairs and maintenance, the term of which expired March 31, 2018, and

WHEREAS, Chapter 686 of the Laws of 1996, as amended, gives the State of New York the fiscal responsibility of managing the interior cleaning of court facilities and the performance of minor and emergency repairs, and

WHEREAS, the Unified Court System has requested another five-year contract with Cattaraugus County commencing April 1, 2018, for the cleaning of court facilities, repairs and maintenance, and

WHEREAS, the NYS Unified Court System has also requested the County to perform certain renovations to the Olean County Court Entrance and Waiting Area at the Olean Office Facility, located at One Leo Moss Drive in Olean, New York, and

WHEREAS, the New York State Unified Court System shall reimburse the County for the aforementioned Renovation Project and cleaning and repair services, as follows:

- an amount of \$597,660.00 for the County Court Entrance and Waiting Area Renovation Project, and
- an amount of \$74,072.00 for the cleaning of court facilities, repairs and maintenance for the period April 1, 2018 through March 31, 2019,

and

WHEREAS, Act 334-2018 authorized a transfer of \$962,500.00 from Undesignated Fund Balance Account A.909.0000 to cover the costs expected with the County Court Entrance and Waiting Area Renovation Project, with the condition that such funds would be placed back into Undesignated Fund Balance Account A.909.0000 upon receipt of reimbursement from New York State for the aforementioned Project, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the New York State Unified Court System for the provision of the above-described services and to accept reimbursement funds, for a term commencing April 1, 2018 and terminating March 31, 2023, according to the above-described terms, and be it further

RESOLVED, that the County Administrator is hereby directed to increase Undesignated Fund Balance Account A.909.0000 by \$962,500.00 and make the following budgetary changes:

Increase Estimated Revenue Account:		
H.504.1623.0000.21061.3021	State Aid, Court Facilities	\$597,660.00
Decrease Appropriation Account:		
H.504.1623.0000.21061.41603	Olean Court Facilities Renovation, Contracted Services	\$364,840.00.

Adopted August 22, 2018 by voice vote.

ACT NO. 378-2018 by Mr. Neal and Mr. VanRensselaer
who ask immediate consideration

**SALE OF TAX TITLE PROPERTY
(Second Highest Bidder)**

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

WHEREAS, Cattaraugus County has tax title to certain property situated in Cattaraugus County, as described below, and

WHEREAS, the property was exposed to bid at public auction as required by Rule 40 of the Rules of Order of the Cattaraugus County Legislature, and

WHEREAS, Act 304-2018 authorized the sale of the following described property to the highest bidder, and

WHEREAS, the highest bidder did not complete the purchase within thirty (30) days, and

WHEREAS, the property has been offered to the second highest bidder at the highest bid price, and

WHEREAS, the highest bid received for the property was the bid listed below, now, therefore, be it

RESOLVED, that if the tender by the high bidder of the total purchase price is not made within 30 days after the adoption hereof, then the acceptance of that individual's bid shall thereafter be void and of no further effect, as of course, and the bid deposit shall be forfeited pursuant to Rule 40.8 of the Rules of Order, and be it further

RESOLVED, that the County Treasurer be, and hereby is, authorized and directed to execute a County Treasurer's Deed conveying the property to the following individual at the bid price listed:

TOWN OF NAPOLI

PARCEL NO.	TAX MAP NO.	PROPERTY ADDRESS	2 nd HIGH BIDDER AND ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
478	62.070-5-23	Enchanted Lake	Michelle Clinger 2 Woodridge Court Randolph, NY 14772	\$229.26	\$5.00

Adopted August 22, 2018 by voice vote.

ACT NO. 379-2018 by Mr. Klancer
who asks immediate consideration

**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
(2018 SICG-Formula Program)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 462-2017 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

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

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

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

WHEREAS, the 2018 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

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

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

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with 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

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

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

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

Adopted August 22, 2018 by voice vote.

ACT NO. 380-2018 by Mr. Klancer
who asks immediate consideration

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH
NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES
FOR STATEWIDE INTEROPERABLE COMMUNICATIONS TARGETED GRANT
(2018 SICG-Targeted)**

Pursuant to Section 450 of the County Law.

WHEREAS, funding is available through the New York State Division of Homeland Security and Emergency Services for the 2018 Statewide Interoperable Communications Grant (SICG)-Targeted Program, and

WHEREAS, the objective of the SICG-Targeted program is to improve infrastructure related to National Interoperability channels, which is a core tenet and feature of interoperability, and

WHEREAS, the SICG-Targeted program focuses on closing gaps in National Interoperability channels implementation and enhancing regional alliance, ensuring that county communication systems are capable to support multijurisdictional response, and

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

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

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with 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

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

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

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

Adopted August 22, 2018 by voice vote.

ACT NO. 381-2018 by Mr. Klancer
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH AXON ENTERPRISE, INC. FOR
TASERS, CAMERAS AND DOCKS FOR SHERIFF'S OFFICE**

Pursuant to Section 450 of the County Law.

WHEREAS, the Sheriff's Office is desirous of purchasing tasers, cameras and docks for the safety of its officers, and

WHEREAS, Axon Enterprise, Inc., 17800 North 85th Street, Scottsdale, Arizona 85255, through NYS Contract, can provide tasers, Axon cameras, hardware and accessories, plus support, maintenance and licenses for a total amount of \$55,525.00, over a five-year period, as follows:

Year 1 – Taser, Cameras & hardware plus support & maintenance	\$ 9,905.00
Years 2 through 5– support & maintenance, licenses, etc.- Total each year	<u>\$ 11,405.00</u>
Total 5 year contract	\$55,525.00,

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Axon Enterprise, Inc., for the provision of the above-described hardware, accessories, support, maintenance and licenses, for a term commencing upon August 22, 2018 and terminating five (5) years after delivery, acceptance and activation of the above-described equipment & hardware, according to the above-described terms.

Adopted August 22, 2018 by voice vote.

ACT NO. 382-2018 by Mr. Snyder, Sr.
who asks immediate consideration

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

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

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

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

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

WHEREAS, the JCC Board of Trustees and JCC's three municipal sponsors, including the County of Cattaraugus, previously authorized the sale of a portion of the Property consisting of the pole barn, single family home, and 8 acres of land adjacent to said buildings on the Property early in 2018, but no viable offers were received during the Spring of 2018, and

WHEREAS, as recommended by JCC's realtor, the portion of the Property to be sold was increased and an offer has been received to acquire the pole barn, single family home, and 37.5 acres of land adjacent to said buildings on the Property with JCC retaining approximately 12.5 acres of land abutting the 27 acre RTPI property also owned by JCC, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby finds that the pole barn, single family residence, and 37.5 acres of land adjacent to said buildings on the Property are no longer useful or required for community college purposes by JCC, and be it further

RESOLVED, that pursuant to 8 NYCRR §603.5(d), the Cattaraugus County Legislature authorizes Jamestown Community College to effectuate the divestment of the property at a sales price of not less than \$285,000.00, not including closing and other related costs, with the foregoing dependent on SUNY Board of Trustee approval.

Adopted August 22, 2018 by voice vote.

ACT NO. 383-2018 by Mr. Snyder, Sr., Ms. Vickman, Mrs. Labuhn and Mr. Padlo who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
ARUN P. PATEL, M.D., FOR THE PINES HEALTHCARE &
REHABILITATION CENTER-OLEAN CAMPUS MEDICAL DIRECTOR SERVICES
AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Department of Nursing Homes)**

Pursuant to 10 NYCRR Section 415.15 and Sections 363, 366 and 450 of the County Law.

WHEREAS, due to the impending retirement of Dr. Arun P. Patel, the Department of Nursing Homes is in need of medical director and staff physician services at The Pines Healthcare and Rehabilitation Center in Olean effective September 10, 2018, and

WHEREAS, Arun P. Patel, M.D., 449 Broad Street, Salamanca, New York 14779, shall provide the services of Medical Director at The Pines Healthcare & Rehabilitation Center-Olean Campus, for an amount as follows, to be paid as invoiced:

9/10/2018 – 12/31/2018	\$12,700.00
1/1/2019 – 12/31/2019	\$46,125.00
1/1/2020 – 12/31/2020	\$47,045.00
1/1/2021 – 12/31/2021	\$47,515.00,

and

WHEREAS, various appropriation accounts must be adjusted in order to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Arun P. Patel, M.D., for the provision of the above-described services, for a term commencing September 10, 2018 and terminating December 31, 2021, according to the above-described terms, and be it further

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

Increase Appropriation Account:		
EF.453.4530.7420.41215	Medical Director	\$12,700.00
Decrease Appropriation Accounts:		
EF.453.4530.7420.00008.11000	Full-Time Wages	\$11,000.00
EF.453.4530.7420.00008.82000	Retirement	\$ 1,700.00.

Adopted August 22, 2018 by voice vote.

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MR. HELMICH moved, seconded by Mr. Koch, to adjourn until September 12, 2018 at 4:00 p.m.
Carried.

Meeting adjourned at 5:34 p.m.

Ann M. Giglio
Journal Clerk