

May 8, 2019

The meeting was called to order by the Chairman Snyder.

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed two Legislators absent – Hale and Klancer.

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CHAIRMAN SNYDER noted that the minutes of the April 24, 2019 session stand approved as presented.

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COMMUNICATIONS:

Danny M. Hale, Chairman, Finance Committee: Apportionment of Mortgage Taxes for the six-month period from October 1, 2018 through March 31, 2019. (see report on page 235)

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APPOINTMENTS:

CATTARAUGUS-ALLEGANY WORKFORCE DEVELOPMENT BOARD

Term to expire December 31, 2019

Kris Green, Human Resources Director
L.C. Whitford Co.
164 North Main Street
Wellsville, New York 14895,
to fill the remainder of Karen Comstock's three-year term.

* * * * *

PROCLAMATION:

CHAIRMAN SNYDER proclaimed the week of May 12 – 18, 2019 as **National Skilled Nursing Care Week** in Cattaraugus County. Chairman Snyder presented the proclamation to Kelly Reed, Acting Director of the Department of Nursing Homes; Colin Hart, Administrator of The Pines-Olean Campus; and Joy Lavelle, Admissions Coordinator of The Pines-Machias Campus.

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To: The Chairman and Legislature of Cattaraugus County:

I, the Chairman of the Finance Committee, which committee has charge of Apportionment of Mortgage Taxes, respectfully report that the amount to be apportioned for the six-month period from October 1, 2018 through March 31, 2019 is \$296,604.40 and recommend that the amounts opposite the names of the cities/towns be paid to the fiscal officers of that city/town, and amounts in the column headed villages, be paid to the treasurers of the respective villages.

Respectfully submitted,

Danny M. Hale, Chairman
Finance Committee

APPORTIONMENT OF MORTGAGE TAXES

	ROW 1	ROW 2	ROW 3	ROW 4	ROW 5	ROW 6	ROW 7
	CITY/TOWN	DOUBLE	VILLAGE	VILLAGE	TOTAL AMOUNT		CITY/
	ASSESSED	CITY/TOWN	ASSESSED	PERCENTAGE	MORTGAGE TAX	VILLAGE	TOWN
	VALUATION	VALUATION	VALUATION	SHARE	DISTRIBUTED	SHARE	SHARE
ALLEGANY	362,091,777	724,183,554	75,023,679	0.10359760	19,371.01	2,006.79	17,364.22
ASHFORD	76,379,646	152,759,292		0.00000000	10,614.27	0.00	10,614.27
CARROLLTON	74,029,876	148,059,752		0.00000000	2,552.04	0.00	2,552.04
COLDSRING	64,587,044	129,174,088		0.00000000	1,479.51	0.00	1,479.51
CONEWANGO	33,116,025	66,232,050		0.00000000	7,919.66	0.00	7,919.66
DAYTON	64,511,902	129,023,804	15,674,230	0.12148324	3,383.11	410.99	2,972.12
EAST OTTO	85,370,305	170,740,610		0.00000000	2,476.97	0.00	2,476.97
ELLICOTTVILLE	602,944,127	1,205,888,254	132,760,095	0.11009320	38,184.05	4,203.80	33,980.25
FARMERSVILLE	65,723,910	131,447,820		0.00000000	4,694.48	0.00	4,694.48
FRANKLINVILLE	83,028,827	166,057,654	31,538,421	0.18992452	5,418.43	1,029.09	4,389.34
FREEDOM	118,092,063	236,184,126		0.00000000	33,075.84	0.00	33,075.84
GREAT VALLEY	174,522,884	349,045,768		0.00000000	8,792.76	0.00	8,792.76
HINSDALE	118,836,168	237,672,336		0.00000000	14,738.89	0.00	14,738.89
HUMPHREY	83,581,209	167,162,418		0.00000000	3,571.45	0.00	3,571.45
ISCHUA	40,453,732	80,907,464		0.00000000	1,821.07	0.00	1,821.07
LEON	46,617,584	93,235,168		0.00000000	1,864.53	0.00	1,864.53
LITTLE VALLEY	47,042,890	94,085,780	18,887,251	0.20074501	3,656.04	733.93	2,922.11
LYNDON	48,623,741	97,247,482		0.00000000	2,634.58	0.00	2,634.58
MACHIAS	142,483,752	284,967,504		0.00000000	5,735.00	0.00	5,735.00
MANSFIELD	115,595,438	231,190,876		0.00000000	14,884.65	0.00	14,884.65
NAPOLI	56,501,929	113,003,858		0.00000000	5,442.28	0.00	5,442.28
NEW ALBION	56,724,688	113,449,376	20,926,022	0.18445251	5,959.30	1,099.21	4,860.09
OLEAN,CITY	490,577,329	981,154,658		0.00000000	43,227.88	0.00	43,227.88
OLEAN, TOWN	82,013,242	164,026,484		0.00000000	9,783.34	0.00	9,783.34
OTTO	62,884,983	125,769,966		0.00000000	1,534.39	0.00	1,534.39
PERRYSBURG	55,669,305	111,338,610		0.00000000	6,479.11	0.00	6,479.11
PERSIA	58,104,922	116,209,844	40,171,362	0.34567951	5,928.63	2,049.41	3,879.22
PORTVILLE	133,525,008	267,050,016	27,215,580	0.10191192	9,909.19	1,009.86	8,899.33
RANDOLPH	84,197,369	168,394,738		0.00000000	7,885.74	0.00	7,885.74
RED HOUSE	123,790,705	247,581,410		0.00000000	261.66	0.00	261.66
SALAMANCA, CITY	15,828,396	31,656,792		0.00000000	2,156.23	0.00	2,156.23
SALAMANCA, TOWN	28,160,459	56,320,918		0.00000000	1,062.00	0.00	1,062.00
SOUTH VALLEY	31,634,656	63,269,312		0.00000000	700.24	0.00	700.24
YORKSHIRE	28,749,081	57,498,162	5,775,505	0.10044678	9,406.07	944.81	8,461.26
TOTALS	3,755,994,972		367,972,145		296,604.40	13,487.89	283,116.51

ACT NO. 201-2019 by Mr. Snyder, Sr.

**APPOINTMENT OF SOIL & WATER CONSERVATION
DISTRICT BOARD MEMBER**

Pursuant to Section 153 of the County Law.

RESOLVED, that the following individual is appointed to the Cattaraugus County Soil & Water Conservation District Board of Directors to fulfill the unexpired term of Herbert Herman, who resigned, with a term to expire December 31, 2020:

Jeffrey Goodyear, at-large representative
4737 Gile Hollow Road
Hinsdale, New York 14743,

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Cattaraugus County Soil & Water Conservation District.

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

Adopted May 8, 2019 by voice vote.

ACT NO. 202-2019 by Mr. Giardini and Mr. Helmich

**AMENDING ACT 563-2018 REGARDING CERTAIN LABORER II POSITIONS
WITHIN THE DEPARTMENT OF PUBLIC WORKS**

Pursuant to Sections 204 and 205 of the County Law.

WHEREAS, Act 563-2018 created two (2) positions of Laborer II in the Public Works Department to be filled on a full-time basis effective July 1, 2019, and

WHEREAS, the Department of Public Works is in need of filling these positions prior to July 1, 2019, and

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

RESOLVED, that Act 563-2018 is hereby amended as follows: In the Third Resolved, delete: "July 1, 2019", and replace with: "May 1, 2019".

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

Adopted May 8, 2019 by voice vote.

ACT NO. 203-2019 by Mr. Boberg, Mr. Breton, Mr. Burr, Mr. Hale, Mr. Helmich, Mr. Higgins, Mr. Klancer, Mr. Marsh, Mr. Snyder, Jr. Mr. Snyder, Sr., Mr. VanRensselaer, Ms. Vickman, Mr. Giardini, Ms. Hastings, Mr. Koch, Mrs. Labuhn and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SALAMANCA CITY CENTRAL SCHOOL DISTRICT FOR
PRE-SCHOOL HANDICAPPED TRANSPORTATION SERVICES**

Pursuant to 8 NYCRR Part 4410 and
Section 450 of the County Law.

WHEREAS, the Youth Bureau is in need of transportation services for preschool children with handicapping conditions, living within the Salamanca City Central School District, who attend preschool special education classes at The Children's League, Springville, New York, and

WHEREAS, the Salamanca City Central School District has agreed to provide the aforementioned transportation services for an amount not to exceed \$25,000.00 per year, which shall include the cost of a Licensed Practical Nurse aide on a case-by-case basis, when deemed necessary with proof of documentation in the child's IEP requiring such aide, and

WHEREAS, these services shall be provided in accordance with the provisions of Section 103 of the General Municipal Law and Section 4410 of the Education Law, 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 the Salamanca City Central School District for the provision of the above-described pre-school handicapped transportation services, for a term commencing April 1, 2019 and terminating June 30, 2020, 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.

Adopted May 8, 2019 by voice vote.

ACT NO. 204-2019 by Mr. Boberg, Mr. Breton, Mr. Burr, Mr. Helmich,
Mr. Higgins, Mr. Klancer, Mr. Snyder, Sr., Ms. Vickman,
Mr. Giardini, Ms. Hastings and Mr. Padlo

**SALE OF TAX TITLE PROPERTY TO FORMER OWNERS
(City of Olean, Towns of Allegany, East Otto, Farmersville, New Albion and Perrysburg)**

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 properties situate in the City of Olean and the Towns of Allegany, East Otto, Farmersville, New Albion and Perrysburg, and

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

WHEREAS, the costs involved for these premises have 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 County Treasurer's Deeds conveying these properties to the following individuals:

CITY OF OLEAN

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
31	94.049-1-68	Jeffrey J. Good	888 N. Fourth Street Olean, NY 14760	\$13,613.57

TOWN OF ALLEGANY

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
101	102.002-1-31	Patricia Gee	PO Box 276 Douglas City, CA 96024	\$8,188.12

TOWN OF EAST OTTO

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
185	28.003-1-27.9	Deborah Snyder	115 Weber Road Lackawanna, NY 14218	\$5,556.40

TOWN OF FARMERSVILLE

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
216	31.004-1-13	Joseph Klos	5337 Genesee Street Bowmansville, NY 14026	\$6,669.03

TOWN OF NEW ALBION

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
505 (2018)	35.074-1-30	Douglas B. Derk	120 Jefferson Street Cattaraugus, NY 14719	\$30,505.83

TOWN OF PERRYSBURG

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
395	7.004-1-23.2	Thomas M. Edwards	12609 Pudding Lane Rd. Perrysburg, NY 14129	\$4,1630.36

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

Adopted May 8, 2019 by voice vote.

ACT NO. 205-2019 by Mr. Snyder, Sr.

**ESTABLISHING STANDARD WORK DAY FOR CERTAIN
ELECTED AND APPOINTED OFFICIALS FOR REPORTING
PURPOSES TO NEW YORK STATE RETIREMENT SYSTEM**

Pursuant to 2 NYCRR Section 315.4.

WHEREAS, effective August 12, 2009, 2 NYCRR Section 315.4, requires that all newly elected or appointed officials participating in the New York State Retirement System maintain a record of activities for a period three months within 150 days of appointment or the start of a term of office, for purposes of establishing a standard work day, and

WHEREAS, 2 NYCRR Section 315.4 requires that the governing board shall establish, by resolution, a standard work day for each elected and appointed position, and

WHEREAS, certain newly elected and appointed officials have submitted their three-month record of activities, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees Retirement System, based on the record of activities maintained and submitted by these officials to the Clerk of the Legislature:

<u>Title</u>	<u>Name</u>	<u>Ret. Reg.</u>	<u>Authority</u>	<u>Term</u>	<u>Standard Work Hours per Day</u>	<u>Equivalent Days per Month</u>
Public Defender	Darryl R. Bloom	42880781	Appointed	02/28/2018- 02/27/2022	7	23.04
Legislator	Norman L. Marsh	41040809	Appointed	09/26/2018- 12/31/2018	7	1.09
Legislator	Norman L. Marsh	41040809	Elected	01/01/2019- 12/31/2022	7	1.43
Legislator	Frank H. Higgins	61583027	Elected	08/10/2016- 12/31/2019	7	3.50

Commissioner of Social Services	Anthony Turano	39540406	Appointed	07/31/2018-07/30/2023	7	23.08 ¹
Assistant District Attorney	Erich Weyand	37427820	Appointed	01/01/2018-12/31/2021	7	NA

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to post conspicuously, on the bulletin board in the front lobby of the Little Valley County Center, for a period on thirty days, a copy of this adopted resolution and thereafter forward a certified copy of this resolution, along with a certification of such public posting, to the New York State and Local Employees Retirement System in accordance with 2 NYCRR Section 315.4.

Approved by 7 members of the Finance Committee.

¹MS. VICKMAN moved, seconded by Mr. Burr, to amend as follows: In the First Resolved, under the Equivalent Days Per Month for the Commissioner of Social Services, delete: "NA", and replace with: "23.08". Carried.

Adopted, as amended, May 8, 2019 by voice vote.

ACT NO. 206-2019 by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
KIMBERLY VESPI, RD, CDN, CSG, FOR REGISTERED DIETICIAN SERVICES FOR
THE PINES HEALTHCARE AND REHABILITATION CENTER-OLEAN CAMPUS**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Department of Nursing Homes is in need of registered dietician services for the residents of The Pines Healthcare and Rehabilitation Center-Olean Campus, and

WHEREAS, Kimberly Vespi, RD, CDN, CSG, 112 Berwick Road North, Syracuse, New York 13208, has agreed to provide registered dietician services for an amount of \$1,100.00 per week for the residents of The Pines Healthcare and Rehabilitation Center-Olean Campus, to be paid on a bi-weekly basis, 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 Kimberly Vespi, RD, CDN, CSG, for the provision of the above-described registered dietician services, for a term commencing April 25, 2019 and terminating June 30, 2019, according to the above-described terms.

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

Adopted May 8, 2019 by voice vote.

ACT NO. 207-2019 by Mr. Boberg, Mr. Helmich, Mr. Higgins, Mr. Snyder, Jr. and Mr. Koch
and Mr. Burr, Mr. Marsh, Mr. Snyder, Sr., Mr. VanRensselaer, Ms. Vickman,
Mr. Giardini, Ms. Hastings, Mrs. Labuhn and Mr. Padlo¹

**OPPOSING DRIVER'S LICENSE ACCESS AND PRIVACY ACT
(S.01747 and A.03675)**

Pursuant to Section 153 of the County Law.

WHEREAS, under existing law, a Social Security number is required in order to obtain a New York State driver's license, and

WHEREAS, the Driver's License Access and Privacy Act proposed by Senate Bill S.01747 and Assembly Bill A.03675 (collectively referred to as "the Act") proposes to allow undocumented persons, who are in the United States illegally, to be able obtain a driver's license without having a social security number, green card or visa, and

WHEREAS, the adoption of this Act will reward undocumented immigrants who have illegally entered the United States by permitting them to obtain drivers' licenses, and

WHEREAS, adoption of the Act would create serious security risks to the residents of Cattaraugus County and the State of New York, because:

- it does not guarantee that the identity of undocumented individuals could be properly verified by the State of New York, since the Federal government would not have issued a green card or visa;
- driver's licenses could be used by undocumented aliens to obtain additional official identification documents, such as Passports;
- it provides an alert on such licenses that states they are "Not for Federal Purposes"; such alert is in a font so small it will be easily overlooked, allowing the license to be used as legal identification in situations where it is not intended to be used; and
- local DMV Office staff do not have the expertise to determine the authenticity of foreign documents, nor are they provided the tools to do so;

and

WHEREAS, the duties of trained Immigration agents would effectively be imposed on local DMV staff, if the Act is adopted, and

WHEREAS, there is no evidence that passage of this Act will make New York State roads safer, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby strongly opposes the adoption of the Driver's License Access and Privacy Act as it concerns the issuance of a license to undocumented individuals, due to the security risks it presents, and on the grounds that it contradicts federal law, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to Governor Cuomo, Commissioner Schroeder of the New York State Department of Motor Vehicles, Senator Sepúlveda, Majority Leader of the Senate Stewart-Cousins, Assembly Member Giglio, Assembly Member Crespo, Speaker of the Assembly Heastie, Chairman of the Senate Transportation Committee Kennedy, the New York State Association of Counties, and the Western New York Inter-County Association.

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

¹The following Legislators requested their names be listed as additional sponsors: “Mr. Burr, Mr. Marsh, Mr. Snyder, Sr., Mr. VanRensselaer, Ms. Vickman, Mr. Giardini, Ms. Hastings, Mrs. Labuhn and Mr. Padlo”.

Adopted May 8, 2019 by voice vote.

ACT NO. 208-2019 by Mr. Giardini and Mr. Helmich

**BID ACCEPTANCE FOR ISCHUA 5, PLUNGE POOL REHABILITATION AND
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and
Sections 363, 366, 408 and 408-a of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the Ischua 5, Plunge Pool Rehabilitation Project for the Department of Public Works, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received for the Ischua 5, Plunge Pool Rehabilitation Project was received from J. Bognar Construction, LLC, P.O. Box 4, Sardinia, New York 14134, in the amount of \$97,786.00, to be paid as invoiced and approved by the Department of Public Works, and

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

RESOLVED, that the bid of J. Bognar Construction, LLC, be, and the same hereby is, accepted, for a term commencing within ten (10) days of the effective date of the contract and terminating July 31, 2019, and be it further

RESOLVED, that the vouchers accordingly certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer, and be it further

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

Decrease Appropriation Accounts:

H.504.8740.0000.21040.41213	Small Watershed Prot: Dam Assess/Eng Services	\$75,598.81
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H.504.8735.0000.21040.41213	Joint Watershed: Dam Assess/Eng Services	\$22,187.19
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Increase Appropriation Account:

H.504.8740.0000.21201.41603	Small Watershed Prot: Dam Assess/Contracted Services	\$97,786.00.
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No State Bid.

Two sets of specifications were sent out.

Two bids were submitted that meet specifications.

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

Adopted May 8, 2019 by voice vote.

ACT NO. 209-2019 by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS
FOR PETROLEUM PRODUCT QUALITY PROGRAM**

Pursuant to Section 179 of the Agriculture and Markets Law,
1 NYCRR Section 224.16 and Section 450 of the County Law.

WHEREAS, Act 346-2014 authorized a contract with the New York State Department of Agriculture and Markets for the Petroleum Product Quality Program, the term of which expired March 31, 2019, and

WHEREAS, the County has been awarded funding in the amount of \$27,500.00 for the period April 1, 2019 through March 31, 2024, and

WHEREAS, a contract is necessary in order to receive the aforementioned \$27,500.00, 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 Department of Agriculture and Markets, for funding for the Petroleum Product Quality Program, for a term commencing April 1, 2019 and terminating March 31, 2024, according to the above-described terms.

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

Adopted May 8, 2019 by voice vote.

ACT NO. 210-2019 by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH GEITER DONE OF WNY, INC.
FOR WASTE TIRE RECYCLING PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 316-2015 authorized a contract with Geiter Done of WNY, Inc., for the recycling of waste tires disposed of at County Transfer Stations, the term of which expires May 31, 2019, and

WHEREAS, the County Department of Public Works is desirous of contracting for the recycling of waste tires disposed of at County Transfer Stations, and

WHEREAS, the Department of Public Works solicited proposals from five (5) companies for the provision of the aforementioned services, and

WHEREAS, Geiter Done of WNY, Inc., 300 Greene Street, Buffalo, New York 14206, can provide an enclosed van trailer to the Salamanca Transfer Station located at 289 Center Street in the City of Salamanca, and will remove the full trailer and replace with an empty trailer, upon request by the County, for an amount of \$144.00 per ton, with a ten (10) ton minimum, 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 Geiter Done of WNY, Inc., for the provision of the above-described services, for a term commencing June 1, 2019 and terminating May 31, 2021, with the option to extend for two (2) additional one-year terms at the same rates, upon mutual agreement of the parties, according to the above-described terms.

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

Adopted May 8, 2019 by voice vote.

ACT NO. 211-2019 by Mr. Giardini and Mr. Helmich

**BID ACCEPTANCE FOR PORTABLE TOILET SERVICE
IN VARIOUS LOCATIONS THROUGHOUT COUNTY
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of portable toilet service in various locations throughout the County for any County Department, according to specifications provided by the Public Works Committee, and

WHEREAS, the only bid received meeting specifications was the bid of Zuech's Environmental Services, Inc., 8312 Route 98 North, Franklinville, New York 14737, in an amount as follows:

	<u>Description</u>	<u>Rate</u>
<u>PERMANENT LOCATION</u>		
(Needed year round, such as transfer stations)		
	Northeast Quadrant	\$85.00/unit/month
	Northwest Quadrant	\$85.00/unit/month
	Southeast Quadrant	\$85.00/unit/month
	Southwest Quadrant	\$85.00/unit/month
<u>CONSTRUCTION SEASON RATES</u>		
(Delivered to and removed from work site)		
Northeast	Day Rate:	\$85.00/unit
	Weekly Rate:	\$85.00/unit
	Monthly Rate:	\$85.00/unit
Northwest	Day Rate:	\$85.00/unit
	Weekly Rate:	\$85.00/unit
	Monthly Rate:	\$85.00/unit
Southeast	Day Rate:	\$85.00/unit
	Weekly Rate:	\$85.00/unit
	Monthly Rate:	\$85.00/unit

Southwest	Day Rate:	\$85.00/unit
	Weekly Rate:	\$85.00/unit
	Monthly Rate:	\$85.00/unit

and

WHEREAS, Zuech's Environmental Services, Inc., shall provide the aforementioned services for a term commencing on May 1, 2019 and terminating April 30, 2021, with the option to renew for an additional two (2) year period, at the same terms and conditions, at the sole discretion of the County, and

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

RESOLVED, that the aforementioned bid be, and the same hereby is, accepted, and be it further

RESOLVED, that the vouchers accordingly certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

No State Bid.

Four sets of specifications were sent out.

One bid was received.

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

Adopted May 8, 2019 by voice vote.

ACT NO. 212-2019 by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
WENDEL WD ARCHITECTURE, ENGINEERING, SURVEYING & LANDSCAPE
ARCHITECTURE, P.C. FOR THE PINES HEALTHCARE AND REHABILITATION
CENTER-MACHIAS CAMPUS 2019 IMPROVEMENTS PROJECT
(Improvement to Sanitary & Storm Sewers and Replacement of Fire Alarm System)**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, the Department of Public Works is desirous of providing improvements to the sanitary & storm sewers and the existing fire alarm system at The Pines Healthcare and Rehabilitation Center-Machias Campus, and

WHEREAS, Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C., 375 Essjay Road, Suite 200, Williamsville, New York 14221, shall provide the necessary design, bidding and construction phase services for the sanitary & storm sewers and the existing fire alarm system improvements for the total amount not to exceed \$56,200.00, which includes direct expenses, as follows:

Sanitary & Storm Sewers Improvements	\$39,200.00
Fire Alarm System Improvements	\$17,000.00,

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 Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C., for the provision of the above-described services, for a term commencing May 1, 2019 and terminating December 31, 2019, according to the above-described terms.

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

Adopted May 8, 2019 by voice vote.

ACT NO. 213-2019 by Mr. Boberg, Mr. Breton, Mr. Burr, Mr. Hale, Mr. Helmich, Mr. Higgins, Mr. Klancer, Mr. Marsh, Mr. Snyder, Jr., Mr. Snyder, Sr., Mr. VanRensselaer, Ms. Vickman, Mr. Giardini, Ms. Hastings, Mr. Koch, Mrs. Labuhn and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SOUTHERN TIER WEST DEVELOPMENT FOUNDATION
TO BE A CONTRIBUTING PARTNER FOR WIRELESS BROADBAND COVERAGE**

Pursuant to Section 450 of the County Law.

WHEREAS, Southern Tier West Development Foundation is applying for a power grant to provide wireless broadband coverage for areas of Cattaraugus County that were not included in the New York State Broadband program, and

WHEREAS, in the event the power grant is awarded, the County Department of Economic Development, Planning and Tourism is desirous of participating as a contributing partner by providing \$70,000.00 to Southern Tier West Development Foundation as a match for the aforementioned wireless broadband project, and

WHEREAS, a contract is necessary in order to provide the aforementioned grant match to the Southern Tier West Development Foundation, and

WHEREAS, sufficient funds are included in the budget to cover the aforementioned \$70,000.00 grant match, 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 Southern Tier West Development Foundation, for the contribution of the above-described grant match, for a term commencing upon notification of the grant award and terminating December 31, 2020, according to the above-described terms.

Approved by 7 members of the Finance Committee.

Adopted May 8, 2019 by voice vote.

ACT NO. 214-2019 by Mr. Boberg, Mr. Breton, Mr. Burr, Mr. Hale, Mr. Helmich, Mr. Higgins, Mr. Klancer, Mr. Marsh, Mr. Snyder, Jr., Mr. Snyder, Sr., Mr. VanRensselaer, Ms. Vickman, Mr. Giardini, Ms. Hastings, Mr. Koch, Mrs. Labuhn and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CORNELL COOPERATIVE EXTENSION ASSOCIATION OF CATTARAUGUS COUNTY
FOR SOUTHWEST DAIRY, LIVESTOCK AND FIELD CROPS TEAM
AND TRANSFER OF FUNDS
(Contingent Fund – Cornell Cooperative Extension Association)**

Pursuant to Sections 224 (8), 363, 365 and 450 of the County Law.

WHEREAS, Cornell Cooperative Extension Association of Cattaraugus County has created the Southwest Dairy, Livestock and Field Crops Team (Team) to support and enhance the dairy, livestock and field crop industry in a four (4) county region, including Cattaraugus County, and

WHEREAS, the Counties of Allegany, Cattaraugus, Chautauqua and Steuben will comprise the new Team and will share four (4) specialists with dairy, field crops, livestock and business management expertise, and

WHEREAS, Cattaraugus County currently does not have an educator to serve the agriculture industry, and

WHEREAS, support for the agriculture industry is critically needed for these challenging times, and

WHEREAS, Cornell Cooperative Extension Association of Cattaraugus County will be responsible for the financial administration of the new Team, including covering benefits for Team members, and

WHEREAS, the Field Crops Team member will be housed in Cattaraugus County, and

WHEREAS, the County Legislature is desirous of joining and assisting the newly formed Team by providing the amount of \$10,000.00 in 2019, and the amount of \$35,000.00 in each of the next four (4) years, for a total amount of \$150,000.00 over a five (5) year period, and

WHEREAS, a transfer of funds is necessary to cover Cattaraugus County's share of the costs for 2019 for the Southwest Dairy, Livestock and Field Crops Team, 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 Cornell Cooperative Extension Association of Cattaraugus County, for the Southwest Dairy, Livestock and Field Crops Team, for a term commencing May 1, 2019 and terminating December 31, 2023, according to the above-described terms, and be it further

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

Decrease Appropriation Account:

A.901.1990.0000.40601	Contingent Fund	\$10,000.00
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Increase Appropriation Account:

A.298.2980.0000.42003.04	CCE, SW Dairy, Livestock and Field Crops Team	\$10,000.00.
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Approved by 7 members of the Finance Committee.

Adopted May 8, 2019 by voice vote.

ACT NO. 215-2019 by Mr. VanRensselaer and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
NEW YORK STATE EMPIRE STATE DEVELOPMENT FOR
STRATEGIC PLANNING AND FEASIBILITY STUDY FUNDS**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 25-2016, as amended by Act 660-2016, authorized a contract with the New York State Empire State Development in order to accept funding for a feasibility study to assess the practicality of returning four (4) targeted manufacturing facilities to a condition that will create jobs and support economic development within Cattaraugus County, the term of which expired April 1, 2018, and

WHEREAS, an extension of the aforementioned contract to December 31, 2020 is necessary in order to complete the project and receive the funding, 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 New York State Empire State Development, in order to complete the project and receive the aforementioned funding, to extend the term of the original contract which commenced January 1, 2016 to terminate December 31, 2020.

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

Adopted May 8, 2019 by voice vote.

ACT NO. 216-2019 by Mr. Higgins, Mr. Snyder, Sr. and Mr. Padlo

**LOCAL LAW NUMBER 7 - 2019
COUNTY OF CATTARAUGUS, NEW YORK**

**A LOCAL LAW REQUIRING CATTARAUGUS COUNTY CLERK TO OBTAIN
COUNTER SIGNATURES FROM CITY OF OLEAN PRIOR TO RECORDING OF DEEDS**

Pursuant to Section 10 of the General Municipal Law.

Section 1. Legislative Intent. It is the intent of this local law to require the Cattaraugus County Clerk to obtain a counter signature from the City of Olean on each and every deed conveying real property located within the City of Olean.

Section 2. County Clerk to Obtain Counter Signature. The Cattaraugus County Clerk shall not record any deed, transfer or conveyance of land for property located within the City of Olean, unless such deed contains a counter signature from the City of Olean.

Section 3. Severability. If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, or business shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not effect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its specific application.

Section 4. Effective Date. This Local Law shall become effective as provided in Municipal Home Rule Law Section 27.

Held in the Finance Committee and the County Operations/Public Safety Committee.

ACT NO. 217-2019 by Mr. Higgins, Mr. Snyder, Sr. and Mr. Padlo

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 7 - 2019

Pursuant to Section 20 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on May 8, 2019, a proposed Local Law entitled "A Local Law Requiring Cattaraugus County Clerk to Obtain Counter Signatures from City of Olean Prior to Recording of Deeds", 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 22nd day of May, 2019, at 4:01 p.m. at the Legislature's Chambers, County Office Building, 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.

Held in the Finance Committee and the County Operations/Public Safety Committee.

ACT NO. 218-2019 by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH ARJOHUNTLEIGH GETINGE GROUP
FOR PREVENTATIVE MAINTENANCE ON BATHING SYSTEMS**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 156-2016 authorized a contract with ArjoHuntleigh Getinge Group, 2349 West Lake Street, Addison, Illinois 60101, for the provision of preventative maintenance services for ArjoHuntleigh bathing systems located at The Pines Healthcare and Rehabilitation Center-Machias Campus, the term of which expired March 31, 2019, and

WHEREAS, the Department of Nursing Homes is desirous of continuing preventative maintenance services for the aforementioned ArjoHuntleigh bathing systems, and

WHEREAS, ArjoHuntleigh Getinge Group can provide the necessary preventive maintenance services and inspections for an amount of \$5,850.00 per year for a total amount of \$29,250.00 for the five-year contract period, to be paid as invoiced and approved by the Department of Nursing Homes, 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 ArjoHuntleigh Getinge Group, for the provision

of the above-described preventative maintenance services, for a term commencing April 1, 2019 and terminating March 31, 2024, according to the above-described terms.

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

Adopted May 8, 2019 by voice vote.

ACT NO. 219-2019 by Ms. Vickman
and Mr. Boberg, Mr. Breton, Mr. Burr, Mr. Helmich,
Mr. Higgins, Mr. Marsh, Mr. Snyder, Jr., Mr. Snyder, Sr.,
Mr. VanRensselaer, Mr. Giardini, Ms. Hastings,
Mr. Koch, Mrs. Labuhn and Mr. Padlo¹

**WAIVING CABLE SERVICE FEES FOR RESIDENTS OF
THE PINES HEALTHCARE AND REHABILITATION CENTERS**

Pursuant to Section 153 of the County Law.

WHEREAS, the Department of Nursing Homes is desirous of waiving the fees for cable service for the residents of The Pines Healthcare and Rehabilitation Centers, and

WHEREAS, the cost to the County for waiving the aforementioned cable service fees is approximately \$35,842.87 for 2019, now, therefore, be it

RESOLVED, that effective May 1, 2019, the fees for cable service are hereby waived for residents of The Pines Healthcare and Rehabilitation Centers.

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

¹The following Legislators requested their names be listed as additional sponsors: “Mr. Boberg, Mr. Breton, Mr. Burr, Mr. Helmich, Mr. Higgins, Mr. Marsh, Mr. Snyder, Jr., Mr. Snyder, Sr., Mr. VanRensselaer, Mr. Giardini, Ms. Hastings, Mr. Koch, Mrs. Labuhn and Mr. Padlo”.

Adopted May 8, 2019 by voice vote.

ACT NO. 220-2019 by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
IDEXX DISTRIBUTION, INC. FOR
HEALTH DEPARTMENT LABORATORY WATER TESTING SUPPLIES**

Pursuant to Section 450 of the County Law.

WHEREAS, the Health Department is in need of water testing supplies for its laboratory,
and

WHEREAS, IDEXX Distribution, Inc., 6100 East Shelby Drive, Memphis, Tennessee 38141, can provide water testing supplies for the Health Department Laboratory for an amount not to exceed \$15,000.00 per year, to be paid as invoiced, 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 IDEXX Distribution, Inc., for the provision of the above-described laboratory supplies, for a term commencing April 16, 2019 to continue in full force and effect until terminated by either party hereto, according to the above-described terms.

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

Adopted May 8, 2019 by voice vote.

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MR. BURR moved, seconded by Mr. Boberg, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 221-2019 through Act No. 232-2019, inclusive. Carried.

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ACT NO. 221-2019 by Mr. Giardini, Mr. Helmich and Mr. Snyder, Jr.
who ask immediate consideration

**BID ACCEPTANCE AND AUTHORIZING THE CHAIR TO
EXECUTE CONTRACT FOR SALE OF TIMBER
(Bucktooth - Town of Little Valley)**

Pursuant to Sections 219 and 450 of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the sale of timber from the Cattaraugus County Bucktooth Timber Tract, located in the Town of Little Valley, according to specifications provided by Generations Forestry, and

WHEREAS, the highest bid received meeting specifications for the sale of marked timber from the Bucktooth Timber Tract was the bid of RAM Forest Products, Inc., 1716 Honeoye Road, Shinglehouse, Pennsylvania 16748, in the amount of \$102,278.00, and

WHEREAS, Generations Forestry, the County's Forest Manager, has indicated that the price offered is fair and reasonable and should therefore be accepted, and

WHEREAS, RAM Forest Products, Inc., will complete the harvest and cleanup/restoration of the property within two (2) years from the date the contract is signed between RAM Forest Products, Inc., and the County, now, therefore, be it

RESOLVED, that the bid of RAM Forest Products, Inc., be, and the same hereby is, accepted, 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 RAM Forest Products, Inc., for the above-described sale of timber.

Forty-three sets of specifications were sent out.
Four bids were received meeting specifications.

Adopted May 8, 2019 by voice vote.

ACT NO. 222-2019 by Mr. Giardini and Mr. Helmich
who ask immediate consideration

**BID ACCEPTANCE FOR PRECAST CONCRETE BOX CULVERT FOR EAST OTTO BRIDGE NO. 40
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of a precast concrete box culvert for East Otto Bridge No. 40 in the Town of East Otto, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications was the bid of Kistner Concrete Products, Inc., 8713 Read Road, East Pembroke, New York 14056, for the provision of a precast concrete box culvert for East Otto Bridge No. 40, for an amount of \$80,137.00, to be paid as invoiced, and

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

RESOLVED, that the bid of Kistner Concrete Products, Inc., be, and the same hereby is, accepted, for a term commencing upon Notice of Award with shop drawings submitted within twenty (20) working days after the execution of the contract and delivery to be made within 45 consecutive days from approval of the shop drawings, and be it further

RESOLVED, that the vouchers accordingly certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.
No State Bid.

Five sets of specifications were sent out.
Two bids were received.

Adopted May 8, 2019 by voice vote.

ACT NO. 223-2019 by Mr. Klancer and Mr. Marsh
who ask immediate consideration

**ADJUSTING VARIOUS APPROPRIATION AND ESTIMATED REVENUE ACCOUNTS
(2018 SICG-Formula Program-Sheriff's Office)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, the County Sheriff's Office has been awarded \$674,160.00 under the 2018 Statewide Interoperable Communications Grant Program, and

WHEREAS, Act 619-2018 authorized the Chairman to execute grant documents in order to accept and receive the aforementioned funding, and

WHEREAS, various appropriation and estimated revenue accounts must be adjusted in order to accept and receive the aforementioned funding, and

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

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

Increase Estimated Revenue Account:

H.311.3197.0000.21065.3397.04	State Aid, Public Safety Capital Projects SICG	\$674,160.00
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Increase Appropriation Account:

H.311.3197.0000.21065.41603	E911 Backup Microwave System	\$674,160.00.
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Adopted May 8, 2019 by voice vote.

ACT NO. 224-2019 by Mr. Klancer and Mr. Padlo
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT
WITH TARGETSOLUTIONS LEARNING, LLC, FOR
PURCHASE OF ONLINE TRAINING PLATFORM LICENSE
FOR OFFICE OF EMERGENCY SERVICES**

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

WHEREAS, Act 192-2018, as amended by Act 403-2018, authorized a contract with TargetSolutions Learning, LLC, 4890 W. Kennedy Blvd., Suite 300, Tampa, Florida 33609, for the provision of 67 licenses for online training platforms which include the Career Track Platform, plus annual maintenance, the term of which expires April 18, 2023, and

WHEREAS, the County Office of Emergency Services is desirous of purchasing an additional 65 licenses for use by various Fire/EMS agencies in Cattaraugus County to access the online training platforms, and

WHEREAS, pursuant to Section 103(3) of the General Municipal Law, the County is piggybacking on a contract between the Augusta Fire Department in Augusta, Georgia and TargetSolutions Learning, LLC, which allows for cooperative procurement with public entities, and

WHEREAS, TargetSolutions Learning, LLC, can provide 65 additional licenses for online training platforms which include the Career Track Platform, plus annual maintenance, for an additional amount not to exceed \$3,289.50, and

WHEREAS, a contract amendment is necessary in order to purchase the additional 65 licenses, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned additional online training courses licenses, 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 TargetSolutions Learning, LLC, for the provision of additional licenses for online training platforms, for a five-year term commencing April 12, 2018 and terminating April 18, 2023, according to the above-described terms.

Adopted May 8, 2019 by voice vote.

ACT NO. 225-2019 by Ms. Vickman and Ms. Hastings
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACTS WITH
VARIOUS ENTITIES FOR DEPARTMENT OF NURSING HOMES ANCILLARY SERVICES
(The Pines Healthcare and Rehabilitation Centers)**

Pursuant to Section 4405 of the Public Health Law and
Section 450 of the County Law.

WHEREAS, Act No. 722-2009, as amended by various resolutions, including Act Nos. 94-2016, 120-2017 and 203-2018, authorized contracts for reimbursement for Department of Nursing Homes skilled nursing services for individuals enrolled with Independent Health Association, Inc., and each of its subsidiaries and affiliates, and

WHEREAS, Independent Health Association, Inc., 511 Farber Lakes Drive, Buffalo, New York 14221, and each of its subsidiaries and affiliates, effective June 1, 2019, have increased its reimbursement rates at The Pines Healthcare and Rehabilitation Centers, as follows:

- Skilled Nursing Facility Services reimbursement \$294.00 per diem
- Subacute Services reimbursement (Machias only) \$355.00 per diem
- Antibiotic Infusion Pharmacy Services IH Community Rates
- Vaccination Services IH Community Rates,

and

WHEREAS, contract amendments are necessary with Independent Health Association, Inc., and each of its subsidiaries and affiliates, for the aforementioned reimbursement to The Pines Healthcare and Rehabilitation Centers, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute amended contracts, on behalf of Cattaraugus County, with Independent Health Association, Inc., and each of its subsidiaries and affiliates, for the provision of the above-described services to The Pines Healthcare and Rehabilitation Centers, for a term commencing June 1, 2019 to continue in full force and effect at the same rates until terminated by either party, according to the above-described terms.

Adopted May 8, 2019 by voice vote.

ACT NO. 226-2019 by Public Works Committee:
Mr. Giardini, Mr. Helmich, Mr. Boberg, Mr. Breton,
Mr. Klancer, Mr. Snyder, Jr. and Mr. Koch
who ask immediate consideration

**TRANSFER OF FUNDS
(Contingent Fund – PROS Facility)**

Pursuant to Sections 363 and 365 of the County Law.

WHEREAS, various renovations are necessary at the PROS Facility located at 203 Laurens Street in the City of Olean, and

WHEREAS, a transfer of funds is necessary to cover the cost of the aforementioned renovations, now, therefore, be it

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

Decrease Appropriation Account:

A.901.1990.0000.40601	Contingent Fund	\$40,000.00
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Increase Appropriation Account:

A.431.4340.6340.41603	PROS Building-Contracted Services	\$40,000.00.
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Adopted May 8, 2019 by voice vote.

ACT NO. 227-2019 by Ms. Vickman and Ms. Hastings
who ask immediate consideration

**APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY
SERVICES BOARD AND ACCUMEDIC COMPUTER SYSTEMS, INC. FOR
DEPARTMENT OF COMMUNITY SERVICES ACCUMED SOFTWARE SYSTEM AND
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Department of Community Services)**

Pursuant to Section 41.07 of the Mental Hygiene Law and
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 535-2018 authorized a contract with Accumedic Computer Systems, Inc., for the provision of the AccuMed Software System, including licenses for the AccuMed System and the Scheduler and Patient Accounts modules, customer support and training, the term of which expires November 30, 2019, and

WHEREAS, the Department of Community Services is in need of software and support in order to utilize Cloud servers with the AccuMed System, and

WHEREAS, Accumedic Computer Systems, Inc., 11 Grace Avenue, Suite 401, Great Neck, New York 11021, can provide and install SaaS Edition on redundant (Cloud) servers for a one-time amount of \$6,900.00, plus a monthly hosting, software and support fee in the amount of \$4,980.00, and

WHEREAS, the aforementioned services are 50% state and 50% federally funded (CFDA #93.778), and

WHEREAS, various appropriation accounts must be adjusted in order to cover the cost of the aforementioned Cloud servers, 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 Accumedic Computer Systems, Inc., to signify the County's approval, to include the utilization of Cloud servers, for a term commencing May 24, 2019 and terminating May 23, 2024, according to the above-described terms, and be it further

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

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

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

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

Decrease Appropriation Account:

A.431.4360.0000.40205	Commitment for Mentally Ill	\$3,200.00
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Increase Appropriation Account:

A.431.4335.2100.45203	MH Clinics: Software Licenses & Maintenance	\$2,300.00
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A.431.4340.6340.45203	PROS: Software Licenses & Maintenance	\$ 900.00.
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Adopted May 8, 2019 by voice vote.

ACT NO. 228-2019 by Mr. Klancer and Mr. Padlo
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
NEW YORK STATE BOARD OF ELECTIONS FOR
HELP AMERICA VOTE ACT (HAVA) SHOEBOX PROGRAM FUNDS REIMBURSEMENT**

Pursuant to 42 USCS 15421, Sections 10 and 16 of the Laws of 2005 and
Section 450 of the County Law.

WHEREAS, Act 166-2013, as amended by Acts 148-2014, 109-2016, 156-2017 and 173-2018, authorized a contract with the New York State Board of Elections in order to receive reimbursement through the Help America Vote Act (HAVA) Shoebox program, the term of which expired March 31, 2019, and

WHEREAS, it is necessary to extend the term of the aforementioned contract to March 31, 2020, 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 the New York State Board of Elections, in order to continue to receive the aforementioned Shoebox program funding, to extend the term of the original contract which commenced April 1, 2004, to terminate March 31, 2020, according to the above-described terms.

Adopted May 8, 2019 by voice vote.

ACT NO. 229-2019 by Mr. Klancer and Mr. Padlo
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
NEW YORK STATE BOARD OF ELECTIONS FOR
HELP AMERICA VOTE ACT (HAVA) FUNDS REIMBURSEMENT
(Voter Education/Poll Worker Training Program)**

Pursuant to 42 USCS 15421, Sections 10 and 16 of the Laws of 2005
and Section 450 of the County Law.

WHEREAS, Act 109-2007, as amended by Acts 631-2007, 89-2009, 234-2011, 138-2014, 265-2015, 108-2016, 155-2017 and 174-2018, authorized a contract with the New York State Board of

Elections Help America Vote Act (HAVA) in order to receive HAVA reimbursement for the Voter Education/ Poll Worker Training Program, the term of which expired March 31, 2019, and

WHEREAS, the term of the aforementioned contract should be extended to March 31, 2020, and

WHEREAS, a contract extension is necessary with the New York State Board of Elections in order to extend the term of the aforementioned contract, 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 the New York State Board of Elections, in order to continue to receive the aforementioned funding, to extend the term of the original contract to terminate March 31, 2020, according to the above-described terms.

Adopted May 8, 2019 by voice vote.

ACT NO. 230-2019 by Mr. Boberg, Mr. Breton, Mr. Helmich, Mr. Higgins, Mr. Snyder, Sr., Ms. Vickman, Mr. Giardini, Ms. Hastings and Mr. Padlo who ask immediate consideration

**SALE OF TAX TITLE PROPERTY TO FORMER OWNERS
(City of Olean and Towns of Allegany, Ashford, East Otto, Ellicottville and Yorkshire)**

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 properties situate in the City of Olean and Towns of Allegany, Ashford, East Otto, Ellicottville and Yorkshire, and

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

WHEREAS, the costs involved for these premises have 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 County Treasurer's Deeds conveying these properties to the following individuals:

CITY OF OLEAN

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
4	94.039-4-41	David Ahern Tracy Ahern	615 Homer Street Olean, NY 14760	\$9,386.15
5	94.056-1-38	David R. Attwell	444 Portville-Eldred Road Portville, NY 14770	\$4,992.39
13	94.058-1-3	Robert Besok	707 Front Street Olean, NY 14760	\$10,545.75
19	94.065-10-23	Ryan C. Clute Valerie S. Slocum	124 S. Second Street Olean, NY 14760	\$6,331.45

36	94.058-3-49	Sultana Hussain c/o Mohammad Hussain	359 Troy Del Way Williamsville, NY 14221	\$11,493.47
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TOWN OF ALLEGANY

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
107	112.001-1-18	John W. Sikes	381 Indian Creek Road Olean, NY 14760	\$2,648.92

TOWN OF ASHFORD

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
117	11.004-2-20.2	Teaseleman Jackson-McCarty	10536 Beech Tree Road West Valley, NY 14171	\$2,754.24
121	11.004-2-34	Teaseleman Jackson-McCarty Ramona Williams	10536 Beech Tree Road West Valley, NY 14171	\$3,891.05

TOWN OF EAST OTTO

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
180	28.001-1-13.6	David Gradler Viola Gradler	PO Box 637 Springville, NY 14141	\$3,333.26
186	18.002-1-8	Edward Twaddell	1315 Mt. Carmel Church Lane Canton, GA 30114	\$11,300.62

TOWN OF ELLICOTTVILLE

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
205	55.028-1-4.5	Richard J. Proebstle	65 Redwood Lane Newton, PA 18940	\$2,477.84

TOWN OF YORKSHIRE

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
477	13.029-1-18	Cynthia Riethmiller c/o Brock Riethmiller	11516 Route 98 Freedom, NY 14065	\$2,663.12

Adopted May 8, 2019 by voice vote.

ACT NO. 231-2019 by Mr. Snyder, Sr.
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT TO RETAIN
HARRIS BEACH PLLC FOR LEGAL SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 111-2019 authorized the Chair to execute a contract with Harris Beach PLLC, 99 Garnsey Road, Pittsford, New York 14534, for the provision of legal counsel services to the County regarding labor and employment law issues, and

WHEREAS, Cattaraugus County is desirous of further retaining Harris Beach PLLC, for matters involving ongoing labor relations, employment and labor law matters, collective bargaining and government compliance, and

WHEREAS, Harris Beach PLLC, has agreed to provide legal counsel to the County regarding such matters for an amount in accordance with the following rate schedule:

Fees for time spent by:

Members and Senior Counsel	\$325 per hour
Associates & Other Attorneys	\$250 per hour
Paralegals	\$95-\$195 per hour

Disbursements to be billed at actual costs,

and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned legal 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, to retain Harris Beach PLLC, for the provision of the above-described legal services, for a term commencing immediately and to continue in full force and effect until such legal services are no longer needed and the contract is terminated, according to the above-described terms.

Adopted May 8, 2019 by voice vote.

ACT NO. 232-2019 by Mr. Snyder, Sr.
*and Mr. Boberg, Mr. Breton, Mr. Helmich, Mr. Higgins,
Mr. Snyder, Jr., Mr. VanRensselaer, Ms. Vickman, Mr. Giardini,
Ms. Hastings, Mr. Koch, Mrs. Labuhn and Mr. Padlo¹*
who ask immediate consideration

**AUTHORIZING HARRIS BEACH PLLC TO REFER INFORMATION OBTAINED DURING THE
COURSE OF A CONFIDENTIAL EMPLOYMENT INVESTIGATION TO
THE NEW YORK STATE ATTORNEY GENERAL'S OFFICE**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 111-2019, as amended by Act 231-2019, authorized the Chair to execute a contract with Harris Beach PLLC, 99 Garnsey Road, Pittsford, New York 14534, for the provision of legal counsel services for matters involving ongoing labor relations, employment and labor law matters,

collective bargaining and government compliance, and to the County regarding labor and employment law issues, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby authorizes and directs the law firm of Harris Beach PLLC, to refer information obtained during the course of a confidential employment investigation to the New York State Attorney General's Office, or other governmental entities as it may deem appropriate.

¹The following Legislators requested their names be listed as additional sponsors: "Mr. Boberg, Mr. Breton, Mr. Helmich, Mr. Higgins, Mr. Snyder, Jr., Mr. VanRensselaer, Ms. Vickman, Mr. Giardini, Ms. Hastings, Mr. Koch, Mrs. Labuhn and Mr. Padlo".

Adopted May 8, 2019 by voice vote. Mr. Burr abstained from vote.

* * * * *

MR. GIARDINI moved, seconded by Mr. Burr, to adjourn until May 22, 2019 at 4:00 p.m. Carried.

Meeting adjourned at 4:30 p.m.

Ann M. Giglio
Journal Clerk