

April 22, 2020

The meeting was called to order by Chairman VanRensselaer.

The invocation was given by Jack Searles.

The Attendance Roll Call disclosed all Legislators present. Mrs. Hunt joined the meeting by telephone at 4:09 pm and Mr. Klancer joined the meeting by telephone at 4:12 p.m.

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There being no amendments or objections thereto, Chairman VanRensselaer noted that the minutes of the March 25, 2020 session stand approved as presented.

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COMMUNICATIONS:

M. Andrew Burr, Chair, Finance Committee: Apportionment of Mortgage Taxes for the six-month period from October 1, 2019 through March 31, 2020. (see report on page 210)

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PROCLAMATION:

CHAIRMAN VANRENSELAER proclaimed the month of April 2020 as **Fair Housing Month** in Cattaraugus County. Due to the COVID-19 Pandemic, Chairman VanRensselaer will present the proclamation to Crystal Abers, Director of the Department of Economic Development, Planning & Tourism, on a later date.

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PRIVILEGE OF THE FLOOR:

CHAIRMAN VANRENSELAER granted Privilege of the Floor to Dr. Kevin Watkins, Public Health Director, who provided an update on COVID-19. Currently, Cattaraugus County has a total of 31 confirmed cases; 22 of which have recovered, 8 cases still active, and one death. Only 2 cases are hospitalized.

CHAIRMAN VANRENSELAER granted Privilege of the Floor to Chris Baker, Director of Emergency Services, who provided an update on the Emergency Operations Center.

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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, 2019 through March 31, 2020 is \$405,423.11 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, M. Andrew Burr, 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	VILLAGE	CITY/
	ASSESSED	CITY/TOWN	ASSESSED	PERCENTAGE	MORTGAGE TAX	VILLAGE	TOWN
	VALUATION	VALUATION	VALUATION	SHARE	DISTRIBUTED	SHARE	SHARE
ALLEGANY	360,674,469	721,348,938	74,820,378	0.10372286	62,477.01	6,480.29	55,996.72
ASHFORD	78,015,751	156,031,502		0.00000000	11,342.99	0.00	11,342.99
CARROLLTON	72,646,785	145,293,570		0.00000000	5,123.44	0.00	5,123.44
COLDSRING	67,221,137	134,442,274		0.00000000	1,097.03	0.00	1,097.03
CONEWANGO	33,676,689	67,353,378		0.00000000	3,475.83	0.00	3,475.83
DAYTON	63,954,600	127,909,200	15,704,977	0.12278223	3,429.41	421.07	3,008.34
EAST OTTO	84,885,768	169,771,536		0.00000000	4,297.11	0.00	4,297.11
ELLCOTTVILLE	607,679,020	1,215,358,040	133,949,249	0.11021382	58,185.15	6,412.81	51,772.34
FARMERSVILLE	66,727,465	133,454,930		0.00000000	2,376.97	0.00	2,376.97
FRANKLINVILLE	83,047,976	166,095,952	31,437,755	0.18927466	7,613.47	1,441.04	6,172.43
FREEDOM	119,125,858	238,251,716		0.00000000	10,012.95	0.00	10,012.95
GREAT VALLEY	175,367,479	350,734,958		0.00000000	11,059.43	0.00	11,059.43
HINSDALE	120,539,434	241,078,868		0.00000000	5,172.16	0.00	5,172.16
HUMPHREY	83,721,486	167,442,972		0.00000000	4,622.95	0.00	4,622.95
ISCHUA	40,455,362	80,910,724		0.00000000	2,325.95	0.00	2,325.95
LEON	46,753,028	93,506,056		0.00000000	5,644.15	0.00	5,644.15
LITTLE VALLEY	47,039,992	94,079,984	18,795,672	0.19978396	6,378.10	1,274.24	5,103.86
LYNDON	48,635,716	97,271,432		0.00000000	2,871.02	0.00	2,871.02
MACHIAS	145,253,510	290,507,020		0.00000000	12,801.71	0.00	12,801.71
MANSFIELD	117,328,033	234,656,066		0.00000000	5,537.53	0.00	5,537.53
NAPOLI	56,883,446	113,766,892		0.00000000	1,683.46	0.00	1,683.46
NEW ALBION	56,406,245	112,812,490	20,772,115	0.18412957	7,814.30	1,438.84	6,375.46
OLEAN,CITY	487,258,629	974,517,258		0.00000000	92,426.02	0.00	92,426.02
OLEAN, TOWN	82,497,318	164,994,636		0.00000000	3,044.28	0.00	3,044.28
OTTO	63,411,929	126,823,858		0.00000000	4,142.69	0.00	4,142.69
PERRYSBURG	56,530,396	113,060,792		0.00000000	5,593.14	0.00	5,593.14
PERSIA	58,222,386	116,444,772	40,341,813	0.34644589	9,770.29	3,384.88	6,385.41
PORTVILLE	134,181,034	268,362,068	27,294,674	0.10170839	13,599.09	1,383.14	12,215.95
RANDOLPH	84,852,637	169,705,274		0.00000000	8,943.50	0.00	8,943.50
RED HOUSE	123,039,373	246,078,746		0.00000000	114.90	0.00	114.90
SALAMANCA, CITY	15,232,810	30,465,620		0.00000000	9,653.56	0.00	9,653.56
SALAMANCA, TOWN	28,217,694	56,435,388		0.00000000	729.36	0.00	729.36
SOUTH VALLEY	32,023,765	64,047,530		0.00000000	1,633.82	0.00	1,633.82
YORKSHIRE	28,606,946	57,213,892	5,668,775	0.09908039	20,430.34	2,024.25	18,406.09
TOTALS	3,770,114,166		368,785,408		405,423.11	24,260.56	381,162.55

MR. BENSON moved, seconded by Mr. Marsh, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 173-2020 through Act No. 199-2020, inclusive. Carried.

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ACT NO. 173-2020 by Mr. Benson, Mr. Helmich, Mr. Morrow, Mr. Parker,
Mr. Snyder, Jr. and Mr. Koch
who ask immediate consideration

**BID ACCEPTANCE FOR 2020 BRIDGE PAINTING PROGRAM
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and
Section 131-b of the Highway Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the painting of various County bridges, according to bid specifications and general information provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications for the Base Bid plus Alternate 1 and 2 was the bid of Erie Painting and Maintenance, Inc., 999 Rein Road, Cheektowaga, New York 14225, for an amount of \$354,000.00 for three (3) bridges, which include: Freedom Bridge No. 1, East Otto Bridge No. 27 and South Valley Bridge No. 4, and

WHEREAS, the aforementioned bridge painting services are subject to approval by NYSDOT and shall commence upon notice to proceed and be completed by October 31, 2020, and

WHEREAS, this program is 80% federal (CFDA #20.205) and 20% county funded, and

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

RESOLVED, that the bid of Erie Painting and Maintenance, Inc., 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.

Seven sets of specifications were sent out.

Five bids were received which met specifications.

Adopted April 22, 2020 by voice vote.

ACT NO. 174-2020 by Mr. Helmich and Mr. Koch
who ask immediate consideration

**BID ACCEPTANCE FOR PRECAST CONCRETE BOX CULVERTS
(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 precast concrete box culverts in the Towns of Napoli and Otto, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications was the bid of Lakelands Concrete Products, Inc., 7520 East Main Street, Lima, New York 14485, for the provision of precast concrete box culverts for Napoli Culvert No. 2 and Otto Culvert No. 30, for an amount of \$96,698.00, as follows, to be paid as invoiced:

Napoli Culvert No. 2	\$46,899.00
Otto Culvert No. 30	\$49,799.00,

and

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

RESOLVED, that the bid of Lakelands 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.

Three bids were received.

Adopted April 22, 2020 by voice vote.

ACT NO. 175-2020 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**BID ACCEPTANCE FOR WATER HEATER REPLACEMENT AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(The Pines Healthcare and Rehabilitation Center-Olean Campus)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the replacement of the water heater at The Pines Healthcare and Rehabilitation Center-Olean Campus, according to bid specifications and general information provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications for the water heater replacement project was the bid of D. V. Brown & Associates, Inc., 567 Vickers Street, Tonawanda, New York 14150, for an amount of \$159,900.00, to be paid as invoiced, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to cover the cost of the aforementioned water heater replacement project, now, therefore, be it

RESOLVED, that the bid of D. V. Brown & Associates, Inc., 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, and be it further

RESOLVED, that the County Administrator is hereby directed to appropriate \$50,000.00 from Fund Balance Account EF.909.0000 and make the following budgetary changes:

Decrease Appropriation Account:

EF.453.4530.1227.20002	Finance Office Improvements	\$150,000.00
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Increase Appropriation Account:

EF.453.4530.1229.20002	Boiler	\$200,000.00.
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No State Bid.

Six sets of specifications were sent out.

Four bids were received which met specifications.

Adopted April 22, 2020 by voice vote.

ACT NO. 176-2020 by Mr. Helmich and Mr. Koch
who ask immediate consideration

**REJECTING CERTAIN DEPARTMENT OF PUBLIC WORKS BIDS FOR
STREAMBANK STABILIZATION
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law.

WHEREAS, the Department of Public Works advertised for sealed bids for streambank stabilization for the Department of Public Works, according to bid specifications and general information provided by the Public Works Committee, and

WHEREAS, bids received for the aforementioned project, which were opened on April 2, 2020, were higher than expected and due to budgetary constraints should be rejected, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby rejects the bids received for streambank stabilization for the Department of Public Works, and requests permission to rebid after further clarification of specifications.

Adopted April 22, 2020 by voice vote.

ACT NO. 177-2020 by Mr. Helmich and Mr. Koch
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
GREENMAN-PEDERSEN, INC. FOR
ENGINEERING CONSULTANT SERVICES FOR
2020 BRIDGE PAINTING PROGRAM – DESIGN SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 118-2019 authorized a contract with Greenman-Pedersen, Inc., 403 Main Street, Buffalo, New York 14203, for the provision of engineering consultant services for the 2020 Bridge Painting Program-Design Services, the term of which expired December 31, 2019, and

WHEREAS, a contract extension to July 31, 2020 is necessary in order to complete the aforementioned project, at no additional cost to the County, 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 Greenman-Pedersen, Inc., for the provision of the above-described engineering design services, to extend the term of the contract which commenced March 1, 2019 to terminate July 31, 2020, according to the above-described terms.

Adopted April 22, 2020 by voice vote.

ACT NO. 178-2020 by Mr. Helmich and Mr. Koch
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NYSDOT AND
AUTHORIZING CATTARAUGUS COUNTY TO PARTICIPATE IN
FEDERAL-AID PROJECT ADMINISTERED BY THE NYSDOT AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Bridge Painting Contract #D040115-Department of Public Works)**

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

WHEREAS, the Cattaraugus County Bridge Painting Project: three (3) bridges located within Cattaraugus County, BIN 3321150, 3323210 and 3321510, PIN 5762.92, (the "Project"), is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% federal funds and 20% non-federal funds, and

WHEREAS, the County desires to advance the above Project by making a commitment of 100% of the non-federal share of the costs of the Construction & Construction Inspection phase of the Project, PIN 5762.92, now, therefore, be it

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

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

RESOLVED, that the sum of \$440,000.00 is hereby appropriated and made available to cover the cost of participation in the above phase of the Project, and be it further

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute all necessary documents, on behalf of Cattaraugus County, with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-

aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and be it further

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

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

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

Increase Estimated Revenue Account:

H.504.5197.5195.25520.4591.01	Fed Aid, Transp Capital Projects Bridge Prog	\$320,000.00
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Increase Appropriation Account:

H.504.5197.5195.25520.41425	Bridge Painting Contracted	\$320,000.00.
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Adopted April 22, 2020 by voice vote.

ACT NO. 179-2020 by Mr. Benson, Mr. Helmich, Mr. Morrow, Mr. Parker,
Mr. Snyder, Jr. and Mr. Koch
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH GREENMAN-PEDERSEN, INC. FOR
CONSTRUCTION INSPECTION SERVICES FOR 2020 BRIDGE PAINTING PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Public Works is in need of construction inspection services for the 2020 Bridge Painting program, and

WHEREAS, Greenman-Pedersen, Inc., 4950 Genesee Street, Suite 100, Buffalo, New York 14225, can provide the aforementioned construction inspection services for an amount not to exceed \$80,000.00, to be paid as invoiced and approved by the Commissioner of the Department of Public Works, and

WHEREAS, this program is 80% federal (CFDA #20.205) and 20% county funded, 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 Greenman-Pedersen, Inc., for the provision of the above-described services, for a term commencing May 1, 2020 and terminating October 31, 2020, according to the above-described terms.

Adopted April 22, 2020 by voice vote.

ACT NO. 180-2020 by Mr. Benson, Mr. Brisky, Mr. Helmich, Mr. Morrow,
Mr. Parker, Ms. Schröder, Mr. Snyder, Jr. and Mr. Koch
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT
WITH TOWN OF FRANKLINVILLE FOR CASE LAKE**

Pursuant to Section 72-h of the General Municipal Law
and Section 450 of the County Law.

WHEREAS, Act 278-1999, as amended by Act 415-2008, authorized a lease agreement with the Town of Franklinville for the use and development of a recreational area along the east bank of Case Lake, the term of which expired June 14, 2019, and

WHEREAS, the Town of Franklinville has developed a recreational area on the above-described leased land, and is desirous of making further improvements to such recreational area, to include the development and installation of ADA-approved boat launch sites, and

WHEREAS, it is necessary for the parties hereto to enter into a new lease agreement, and

WHEREAS, the County has agreed to the aforementioned lease for an amount of \$1.00 per year, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease agreement, on behalf of Cattaraugus County, with the Town of Franklinville, to lease land located at the east bank of Case Lake, for a term commencing June 15, 2019, to continue for a term of ten (10) years, to terminate June 14, 2029, with the option to renew for additional ten (10) year periods thereafter, upon mutual agreement of the parties.

Adopted April 22, 2020 by voice vote.

ACT NO. 181-2020 by Mr. Snyder, Jr. and Mr. Koch
who ask immediate consideration

**MODIFYING RULES ASSOCIATED WITH ONOVILLE MARINA
FOR 2020 SEASON AMID COVID-19 PANDEMIC**

Pursuant to Section 153 of the County Law.

WHEREAS, the seasonal rental payments for boat slips at the Onoville Marina were due April 1, 2020, with the Marina scheduled to open May 1, 2020, and

WHEREAS, however, due to the COVID-19 Pandemic and the preparations that need to be completed, the Marina will not open until May 15, 2020, and

WHEREAS, due to the uncertainty and hardship the COVID-19 Pandemic is putting on Onoville Marina patrons, the County is desirous of modifying the rules associated with the Marina, now, therefore, be it

RESOLVED, effective immediately, the modified rules for the 2020 season are as follows:

- For patrons who have met all requirements, deadlines and were paid in full by the April 1, 2020 deadline, a two (2) week refund will be made;

- For patrons who have not paid in full by April 1, 2020, the deadline will be extended to May 8, 2020, without the assessment of late fees and/or penalties, and a two (2) week refund will be made;
- For patrons who do not wish to use their dock slip this year: A full refund of all amounts paid for the 2020 season will be made, however, the slip is forfeited and will be assigned to the next appropriate sized applicant. In the event a full refund is made, the slip is forfeited, the patron will not have the ability to reserve that same slip the following year, and a new application for the 2021 season will be required and processed as a new patron;
- *All patrons shall abide any and all regulations and rules related to COVID-19 as directed by Marina staff including, but not limited to, observing social distancing and wearing face coverings.*¹

¹MR. BRISKY moved, seconded by Mr. Burr, to amend as follows: In the Resolved, add after patron: "All patrons shall abide any and all regulations and rules related to COVID-19 as directed by Marina staff including, but not limited to, observing social distancing and wearing face coverings". Carried.

Adopted, as amended, April 22, 2020 by voice vote.

ACT NO. 182-2020 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACTS WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR
EARLY INTERVENTION PROGRAM ADMINISTRATION (EIP)
(Contract No. C31620GG)**

Pursuant to Public Law 98-8 and Section 450 of the County Law.

WHEREAS, Act 336-2017 authorized a contract with the New York State Department of Health, Bureau of Child and Adolescent Health, for funding to cover the five-year contract term October 1, 2016 through September 30, 2021, and

WHEREAS, the NYSDOH has approved funding for the Early Intervention Program Administration for the County Health Department in the amount of \$39,519.00 for year four and the amount of \$41,567.00 for year five of the five-year contract term to terminate September 30, 2021, and

WHEREAS, this program is 100% federally funded (CFDA #93.069), 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 the New York State Department of Health, in order to obtain the aforementioned annual funding for the Early Intervention Program, for a term commencing October 1, 2016 and terminating September 30, 2021, according to the above-described terms, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute yearly contracts, on behalf of Cattaraugus County, with the New York State Department of Health, in order to obtain the aforementioned funding, as long as the funding has been budgeted, 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 April 22, 2020 by voice vote.

ACT NO. 183-2020 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR
DRINKING WATER SUPPLY PROTECTION PROGRAM
(Contract No. DOH01-C34747GG-3450000)**

Pursuant to 10 NYCRR Part 53, 21 NYCRR Part 2604 and
Section 450 of the County Law.

WHEREAS, New York State has approved funding for the New York State Department of Health, Center for Environmental Health, Division of Environmental Protection, Bureau of Public Water Supply Protection, Flanigan Square, 547 River Street, Troy, New York 12180-2216, for the drinking water supply protection program for a five-year contract period running April 1, 2020 through March 31, 2025, and

WHEREAS, Cattaraugus County will receive funding in the amount of \$132,009.00 for the 2020-2021 fiscal year, and

WHEREAS, annual contracts are necessary in order to accept, and receive, 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 contracts, on behalf of Cattaraugus County, with the New York State Department of Health, in order to obtain the aforementioned annual funding for the Drinking Water Enhancement Grant Program, for a term commencing April 1, 2020 and terminating March 31, 2025, according to the above-described terms, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute yearly contracts, on behalf of Cattaraugus County, with the New York State Department of Health, in order to obtain the aforementioned funding, as long as the funding has been budgeted, and be it further

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

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 April 22, 2020 by voice vote.

ACT NO. 184-2020 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
HEALTH RESEARCH, INC. FOR PUBLIC HEALTH
PREPAREDNESS AND RESPONSE TO BIOTERRORISM AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(COVID-19 Response)**

Pursuant to Section 301 et seq. of the Public Health Service Act and
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 168-2020 authorized a contract with Health Research, Inc., Riverview Center, 150 Broadway, Suite 560, Menands, New York 12204, (Contract #6309-01) for the provision of emergency funding, in the amount of \$103,625.00, for Coronavirus (COVID-19) response activities, for the period commencing March 5, 2020 and terminating March 15, 2021, and

WHEREAS, the County has been awarded additional emergency funding in the amount of \$42,812.00, for a total contract award in the amount of \$146,437.00, and

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

WHEREAS, this program is 100% federally funded (CFDA# 93.354), and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to accommodate the aforementioned funding, 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 Health Research, Inc., in order to accept and receive the aforementioned grant funding, for a term commencing March 5, 2020 and terminating March 15, 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 Estimated Revenue Account:

A.401.4095.4080.4401.11	Federal Aid, COVID-19	\$42,812.00
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Increase Appropriation Accounts:

A.401.4095.4080.47035	Medical Supplies	\$ 2,812.00
A.401.4095.4080.46102	Employee Mileage	\$ 15,000.00
A.401.4095.4080.13000	Overtime	\$ 25,000.00.

Adopted April 22, 2020 by voice vote.

ACT NO. 185-2020 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
FIELDS RESEARCH, INC. FOR
DEPARTMENT OF HEALTH HH-CAHPS SURVEY**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 259-2019 authorized a contract with Fields Research, Inc., 3814 West Street, Cincinnati, Ohio 45227, for the provision of mandated patient satisfaction surveys, the term of which expires July 31, 2020, and

WHEREAS, the Centers for Medicare & Medicaid Services require that all home health care agencies that receive Medicare/Medicaid conduct a HH-CAHPS survey on a monthly basis, and

WHEREAS, the Consumer Assessment of Healthcare Providers and Systems (CAHPS®) Home Health Care Survey, hereafter referred to as the "HH-CAHPS Survey", is designed to measure the experiences of people receiving home health care from Medicare-certified home health agencies, and

WHEREAS, the County Department of Health is desirous of continuing the aforementioned services, and

WHEREAS, Fields Research, Inc., can conduct 300 HH-CAHPS surveys for a flat fee of \$430.00 per month, to be paid as invoiced, and

WHEREAS, sufficient funds are included in the budget 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 Fields Research, Inc., for the provision of the above-described services, for a term commencing August 1, 2020 and terminating July 31, 2021, according to the above-described terms.

Adopted April 22, 2020 by voice vote.

ACT NO. 186-2020 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
OLEAN GENERAL HOSPITAL FOR
FAMILY PLANNING CLINIC LABORATORY SERVICES**

Pursuant to Section 2406 of the Public Health Law and
Section 450 of the County Law.

WHEREAS, Act 260-2019 authorized a contract with Olean General Hospital, 515 Main Street, Olean, New York 14760, for the provision of laboratory services for the family planning clinic, which includes the provision of services such as collection, testing, and analyzing of specimens and reporting the results to various providers, the term of which expires June 30, 2020, and

WHEREAS, the County Health Department is desirous of continuing the aforementioned laboratory services, and

WHEREAS, Olean General Hospital can provide laboratory services for the County Health Department's family planning clinic, in accordance with the following rate schedule:

88142	Thin Layer Pap Smear	\$25.01
87621	HPV DNA, High Risk	\$35.00
88175	Thin Layer Pap Smear with Imaging	\$32.71,

and

WHEREAS, this program is fee-based and funded through private insurances, Medicaid and State Family Planning Grant funds, 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 Olean General Hospital, for the provision of the

above-described services, for a term commencing July 1, 2020 and terminating June 30, 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.

Adopted April 22, 2020 by voice vote.

ACT NO. 187-2020 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SUSAN K. YOWELL, M.S., CCC-SLP FOR
HEALTH DEPARTMENT SPEECH THERAPY SERVICES**

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

WHEREAS, Act 318-2019 authorized a contract with Susan K. Yowell, M.S., CCC-SLP, 713 Gleason Hollow Road, Portville, New York 14770, for speech therapy services for the patients of the Health Department Home Health Care Program, the term of which expires June 30, 2020, and

WHEREAS, the County Health Department is desirous of continuing the aforementioned services, and

WHEREAS, Susan K. Yowell, M.S., CCC-SLP, has agreed to provide the aforementioned speech therapy services to County Health Department patients at the rate of \$72.83 per visit, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Susan K. Yowell, M.S., CCC-SLP, for the provision of the above-described services, for a term commencing July 1, 2020 and terminating June 30, 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.

Adopted April 22, 2020 by voice vote.

ACT NO. 188-2020 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COMMUNITY ACTION, INC. FOR
THIRD PARTY REVIEWER SERVICES FOR
DEPARTMENT OF SOCIAL SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 190-2019 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the provision of Third Party Reviewer services, the term of which expires April 30, 2020, and

WHEREAS, the Third Party Reviewer facilitates meetings between birth parents of children in foster care, the department caseworker, attorneys, foster parents, and service providers to assess the efforts and progress made by the Department and the birth parents to achieve the goal of safely returning the child to the birth parents' care, and

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

WHEREAS, Cattaraugus Community Action, Inc., can provide the aforementioned Third Party Reviewer services for an amount not to exceed \$31,893.00 to be paid on a monthly basis, as invoiced, and

WHEREAS, this program is 62% state and 38% county funded, 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 Cattaraugus Community Action, Inc., for the provision of the above-described services, for a term commencing May 1, 2020 and terminating April 30, 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.

Adopted April 22, 2020 by voice vote.

ACT NO. 189-2020 by Mrs. Andreano, Mr. Brisky and Mr. Burr
who ask immediate consideration

**AUTHORIZING CATTARAUGUS COUNTY TO ACT AS GRANT ADMINISTRATOR
OF VARIOUS LOCAL, STATE AND FEDERAL FUNDING STREAMS FOR
SERVICES AT THE SOUTHERN TIER CHILD ADVOCACY CENTER AND
AUTHORIZING THE REASSIGNMENT OF VARIOUS CONTRACTS**

Pursuant to Sections 153 and 450 of the County Law.

WHEREAS, effective May 1, 2020, the Parent Education Program will no longer be the administrator of grant funding for the Southern Tier Child Advocacy Center, and

WHEREAS, the Parent Education Program has various funding sources for the operation of the Southern Tier Child Advocacy Center, including, but not limited to, contracts with the New York State Office of Children and Family Services (OCFS) and the New York State Office of Victim Services (OVS) which should be reassigned, and

WHEREAS, the County has been identified as an appropriate entity to manage and operate the Multi-Disciplinary Team, Child Advocacy Center and Mobile Unit, and

WHEREAS, the County is desirous of accepting the assignment of various contracts from the Parent Education Program, subject to, and upon the condition of, approval of New York State and the applicable state agencies, and

WHEREAS, the County will be financially and programmatically responsible for the operation of the Southern Tier Child Advocacy Center, and

WHEREAS, the County Administrator should become the administrator of the aforementioned grant funding, and

WHEREAS, the County will contract with a not-for-profit agency in order to facilitate the continuation of services through the Southern Tier Child Advocacy Center, and

WHEREAS, funding for the aforementioned services is available through various local, state and federal funding streams, now, therefore, be it

RESOLVED, that upon approval of New York State and the applicable New York State agencies, the Chair of the Legislature be, and hereby is, authorized and directed to execute contract assignments, on behalf of Cattaraugus County, with the Parent Education Program, the New York State Office of Children and Family Services, and the New York State Office of Victim Services commencing May 1, 2020, according to the above-described terms, and be it further

RESOLVED, that upon approval of the contract assignments with the applicable state agencies the Cattaraugus County Legislature hereby authorizes the County Administrator to act as administrator of grant funding received for the provision of services for victims of child abuse at the Southern Tier Child Advocacy Center.

Adopted April 22, 2020 by voice vote.

ACT NO. 190-2020 by Mrs. Andreano, Mr. Brisky and Mr. Burr
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
HEALTHY COMMUNITY ALLIANCE, INC. FOR SERVICES
AT THE SOUTHERN TIER CHILD ADVOCACY CENTER**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 189-2020 authorized the County Administrator to act as the grant administrator for the Southern Tier Child Advocacy Center and authorized the Chair of the Legislature to execute contract assignments with Parent Education Program, Inc., the New York State Office of Children and Family Services (OCFS), and the New York State Office of Victim Services (OVS) subject to approval from New York State and applicable New York State Agencies, and

WHEREAS, Cattaraugus County is desirous of contracting for programmatic services for the Southern Tier Child Advocacy Center, and

WHEREAS, the Healthy Community Alliance, Inc., 1 School Street, Suite 100, Gowanda, New York 14070, can provide the services as needed for the Southern Tier Child Advocacy Center, for the period May 1, 2020 through October 31, 2020, with an option to renew for additional six month periods, and

WHEREAS, Cattaraugus County will obtain various funding sources which will be utilized by Healthy Community Alliance, Inc., to operate the Southern Tier Child Advocacy Center, now, therefore, be it

RESOLVED, that subject to approval from the State and applicable State Agencies for Cattaraugus County to act as grant administrator for the Southern Tier Child Advocacy Center, the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Healthy Community Alliance, Inc., for the provision of services necessary to operate the Southern Tier Child Advocacy Center, for a term commencing May 1, 2020 and terminating October 31, 2020, with the option to renew for additional six month periods, according to the above-described terms, and be it further

RESOLVED, that such contract shall provide that the County, in its sole discretion, may terminate the contract on thirty (30) days' written notice.

Adopted April 22, 2020 by voice vote.

ACT NO. 191-2020 by Mr. Snyder, Jr.
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
VARIOUS HANDICAPPED EDUCATION PROVIDERS FOR
YOUTH BUREAU CHILDREN WITH SPECIAL NEEDS PROGRAM**

Pursuant to Section 236 of the Family Court Act and
Section 450 of the County Law.

WHEREAS, Act 195-2019 authorized contracts with various handicapped education providers for the provision of educational and evaluation services for various County preschool-aged children with special needs, the terms of which expire June 30, 2020, and

WHEREAS, the Family Court Act mandates that the County provide payment for the educational and evaluation services which are approved by the Court, and

WHEREAS, contracts are necessary with education providers, related-service providers, and evaluators which are accredited by the New York State Education Department, and

WHEREAS, payments to the education providers, related-service providers, and evaluators will be in accordance with the budgetary tuition rate approved by the County and/or the State, and

WHEREAS, these services are 59.5% State funded and 40.5% County 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 various education providers, related-service providers, and evaluators for the provision of the above-described services, for a term commencing July 1, 2020 and terminating June 30, 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.

Adopted April 22, 2020 by voice vote. Mrs. Andreano abstained from vote.

ACT NO. 192-2020 by Mrs. Andreano
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
LEAGUE FOR THE HANDICAPPED FOR
PEDIATRIC SKILLED NURSING SERVICES**

Pursuant to 450 of the County Law.

WHEREAS, Act 194-2019 authorized a contract with the League for the Handicapped, 393 North Street, Springville, New York 14141, for the provision of pediatric skilled nursing services for one preschool child during transport to and from school in the Gowanda Central School District, the term of which expires June 30, 2020, and

WHEREAS, the Youth Bureau is desirous of renewing the aforementioned contract, and

WHEREAS, the League for the Handicapped has personnel who can provide the aforementioned services for an amount of \$45.00 per one way trip on an as-needed basis, as requested by the Youth Bureau, and

WHEREAS, the League for the Handicapped shall also provide periodic medical evaluations/reviews to determine whether the pediatric skilled nursing services are still necessary during transport to and from school in the Gowanda Central School District, 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 League for the Handicapped, for the provision of the above-described services, for a term commencing July 1, 2020 and terminating June 30, 2021, according to the above-described terms.

Adopted April 22, 2020 by voice vote.

ACT NO. 193-2020 by Mrs. Andreano
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH ERIE 1 BOCES TECHNOLOGY SERVICES
FOR CLEARTRACK COUNTY MEDICAID MODULE**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 193-2019 authorized a contract with Erie 1 BOCES Technology Services, 355 Harlem Road, West Seneca, New York 14224, for the access to the ClearTrack County Medicaid Module for the Special Needs Pre-K Program for the 2019-2020 school year, the term of which expires June 30, 2020, and

WHEREAS, Erie 1 BOCES can provide access to the ClearTrack County Medicaid Module, for an amount not to exceed \$5,126.15 for the 2020-2021 school year, to be paid as invoiced, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned module, 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 Erie 1 BOCES Technology Services for the provision of the above-described services, for a term commencing July 1, 2020 and terminating June 30, 2021, according to the above-described terms.

Adopted April 22, 2020 by voice vote.

ACT NO. 194-2020 by Mr. Marsh
who asks immediate consideration

**AUTHORIZING COUNTY TREASURER TO CANCEL 1% INTEREST CHARGES
ON DELINQUENT REAL PROPERTY TAXES FOR THE MONTH OF MAY 2020**

Pursuant to Section 1182 of the Real Property Tax Law.

WHEREAS, the COVID-19 Pandemic has imposed various hardships on the taxpayers of Cattaraugus County, and

WHEREAS, as such, the Cattaraugus County Legislature wishes to cancel the 1% interest charges that would ordinarily be added to delinquent real property taxes effective May 1, 2020, and

WHEREAS, New York State Real Property Tax Law Section 1182 allows the Legislature to

authorize the County Treasurer, as the Tax Enforcement Officer, to cancel interest charges to which the County is entitled, now, therefore, be it

RESOLVED, that the County Treasurer be, and hereby is, authorized and directed to cancel 1% interest charges on delinquent real property taxes for the month of May 2020.

Adopted April 22, 2020 by voice vote.

ACT NO. 195-2020 by Mr. Higgins and Mr. Marsh
who ask immediate consideration

**ADOPTION OF MODIFIED AGRICULTURAL DISTRICT IN VARIOUS TOWNS
RESULTING FROM REQUESTS FOR INCLUSION SUBMITTED
DURING THE 2020 THIRTY-DAY INCLUSION PERIOD
(Towns of Allegany, Dayton, East Otto, Farmersville, Franklinville and Portville)**

Pursuant to Section 303-b of the Agriculture and Markets Law.

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law requires counties with state certified agricultural districts to designate an annual thirty-day period to allow a landowner to submit a request for inclusion of his or her land, which is predominantly viable agricultural land, into a certified agricultural district, and

WHEREAS, the Cattaraugus County Legislature has received the recommendation of the Agricultural and Farmland Protection Board to include those parcels requesting inclusion into the appropriate agricultural district, and

WHEREAS, the inclusion of these parcels would serve the public interest by assisting in maintaining a viable agricultural industry within each applicable district, and

WHEREAS, after due notice, the Cattaraugus County Legislature held a public hearing on Wednesday, March 25, 2020, concerning the modified district at the Cattaraugus County Legislature's Chambers, 303 Court Street, Little Valley, New York, a place readily accessible to the residents of the proposed modified district, and

WHEREAS, all interested persons were given an opportunity to be heard, and the further opportunity to submit written statements concerning the modified district, and

WHEREAS, after due consideration, the Cattaraugus County Legislature does hereby determine that Consolidated Agricultural District No. 5 be modified to include the following described parcels, now, therefore, be it

RESOLVED, that Consolidated Agricultural District No. 5 shall be modified to include the following parcels:

<u>Town</u>	<u>Tax Map No.</u>	<u>Acreage</u>
Allegany	75.004-1-70	86.20
Dayton	25.001-1-6.1	41.88
East Otto	27.002-1-32.2	11.8
Farmersville	23.003-1-31.6	14.3
Franklinville	57.002-1-72	51.8
Franklinville	57.001-1-5	78.06
Portville	86.004-2-12	140.95

and be it further

RESOLVED, that the Director of the Cattaraugus County Department of Economic Development, Planning and Tourism be, and hereby is, authorized and directed to submit these modifications, together with all the papers and records pertaining to the same, to the Commissioner of the New York State Department of Agriculture and Markets for certification and, upon the approval of the inclusions, to file a description thereof with the Cattaraugus County Clerk, and the New York State Commissioner of Agriculture and Markets.

Adopted April 22, 2020 by voice vote.

ACT NO. 196-2020 by Mr. Higgins and Mr. Marsh
and Mr. Koch¹
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS
WITH THE NEW YORK STATE HOMES AND COMMUNITY RENEWAL
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
FOR MANUFACTURED HOUSING REPLACEMENT PROGRAM AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Economic Development - Project No. 199MH348-19)**

Pursuant to 24 CFR Section 570.482(e) and
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 577-2019 authorized the Chair to execute grant documents to apply for funding provided under the New York State Homes and Community Renewal Community Development Block Grant Program for the Manufactured Housing Replacement Program, and

WHEREAS, the County Department of Economic Development, Planning and Tourism has been awarded \$600,000.00 through the New York State Office of Homes and Community Renewal (the "OCR") to replace dilapidated owner-occupied manufactured homes and address septic and well issues serving those properties (the "Project"), and

WHEREAS, the grant in the amount of \$600,000.00 will provide for the replacement of five (5) to seven (7) dilapidated owner-occupied manufactured homes and address septic and well issues serving those properties within Cattaraugus County, and

WHEREAS, Cattaraugus County Department of Economic Development, Planning and Tourism is willing to serve as the lead agency and shall retain the amount of \$9,500.00 for the administration of the County's portion of the program, and

WHEREAS, various appropriation and revenue accounts must be adjusted, 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 Homes and Community Renewal Community Development Block Grant Program, for a term commencing March 12, 2020 and terminating March 14, 2022, 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 Estimated Revenue Accounts:

A.642.6422.6427.4789.02	Fed Aid, NYS CDBG Housing Replcmnt Grant	\$590,500.00
A.642.6422.6427.4789.03	Fed Aid, NYS CDBG Housing Replcmnt Grant, Loan Admin	\$ 9,500.00

Increase Appropriation Accounts:

A.642.6422.6427.40815	NYS CDBG Assistance Program	\$590,500.00 ²
A.642.6422.6427.48320	Loan Administration	\$ 9,500.00.

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

²MR. BRISKY moved, seconded by Mr. Burr, to amend as follows: In the Resolved, delete: "\$590,900.00", and replace with: "\$590,500.00". Carried.

Adopted, as amended, April 22, 2020 by voice vote.

ACT NO. 197-2020 by Mr. VanRensselaer
who asks immediate consideration

**RESOLUTION AUTHORIZING THE CHAIR OF THE LEGISLATURE TO APPROVE THE
PROPOSED ACTION BY COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY
IN CONNECTION WITH A CERTAIN COMMERCIAL PROJECT FOR
3M PROPERTY MANAGEMENT, LLC**

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

WHEREAS, pursuant to Article 18-A of the General Municipal Law of the State of New York and Chapter 536 of the 1971 Laws of New York (collectively, the "Act"), the Legislature of Cattaraugus County (the "County Legislature") has heretofore appointed the members of County of Cattaraugus Industrial Development Agency (the "Agency") and has duly caused to be filed in the office of the Secretary of the State of New York the certificates required by Section 856 of the General Municipal Law of the State of New York, and

WHEREAS, pursuant to the Act, the Agency is authorized and empowered to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and recreation facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration, and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct and install one or more "projects" (as defined in the Act), or to cause said projects to be acquired, constructed and installed, and to convey said projects or to lease said projects with the obligation to purchase, and

WHEREAS, in March, 2020, 3M Property Management LLC, a New York State limited liability company (the "Company") submitted an application (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, which Application requested that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately 0.20 acre parcel of land located at 1606 W. State Street (Tax ID No. 94.063-55-22) in the City of Olean, Cattaraugus County, New York (the "Land"), together with two (2) buildings containing in the aggregate approximately 12,500 square feet of space located thereon (collectively, the "Facility"), (2) the renovation and reconstruction of the Facility and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and

other tangible personal property, including without limitation, tenant improvement and finish (collectively, the "Equipment") (the Land, the Facility, and the Equipment being collectively referred to as the "Project Facility"); all of the foregoing to constitute a retail and market rate apartment facility to be owned and operated by the Company and any other directly and indirectly related uses; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real property transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency, and

WHEREAS, pursuant to Section 862(2)(a) of the Act, no financial assistance of the Agency shall be provided in respect of any project where facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities constitute more than one-third of the total project cost, unless certain exceptions apply, one of which is that the Project is located in a highly distressed area, and

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

WHEREAS, pursuant to the Application, and the representations made to the Agency by the Company, the Agency will not provide more than \$100,000 of Financial Assistance to the Company; therefore, Section 859-a of the Act does not require a public hearing be held with respect to the Project, and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations (the "Regulations") adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, "SEQRA"), by resolution adopted by the members of the Agency on March 24, 2020 (the "SEQR Resolution"), the Agency determined that the Project constitutes a "Type II Action" (as such quoted term is defined under SEQRA), and therefore that no further action with respect to the Project was required under SEQRA, and

WHEREAS, by further resolution adopted by the members of the Agency on March 24, 2020 (the "Commercial/Retail Findings Resolution"), the Agency (A) determined that the Project constituted a "commercial project" within the meaning of the Act, (B) found that although the Project Facility appears to constitute a project where facilities or properties that are primarily used in making the retail sales of goods or services to customers who personally visit such facilities may constitute more than one-third of the costs of the Project, the Agency is authorized to provide financial assistance in respect of the Project pursuant to Section 862(2)(a) of the Act because the Project Facility is located in a highly distressed area, (C) determined that the Project would serve the public purposes of the Act by preserving permanent private sector jobs in the State of New York, (D) determined that the Agency would proceed with the Project and the granting of the Financial Assistance; provided however, that no financial assistance would be provided to the Project by the Agency unless and until the County Legislature of Cattaraugus County, as Chief Executive Officer of Cattaraugus County, New York, pursuant to Section 862(2)(c) of the Act, confirmed the proposed action of the Agency with respect to the Project, and

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

WHEREAS, Section 870 of the General Municipal Law of the State of New York specifically

provides that any obligation of the Agency shall not be a debt of Cattaraugus County, New York, nor shall Cattaraugus County, New York be liable thereon, now, therefore, be it

RESOLVED, that, for the sole purpose of allowing the Agency to proceed with the Project and the granting of the financial assistance described in the Commercial/Retail Findings Resolution, the County Legislature hereby authorizes the Chairman of this County Legislature, as the Chief Executive Officer of Cattaraugus County, New York, to either confirm or refuse to confirm the proposed action of the Agency with respect to the Project, pursuant to Section 862(2)(c) of the Act, and be it further

RESOLVED, that this resolution shall take effect immediately.

Adopted April 22, 2020 by voice vote.

ACT NO. 198-2020 by Mrs. Andreano, Mr. Boberg, Mr. Brisky, Mr. Burr,
Mr. Higgins, Mr. Klancer, Mr. Morrow,
Ms. Schröder, Mr. Smith and Mr. Snyder, Jr.
who ask immediate consideration

**SALE OF TAX TITLE PROPERTY TO FORMER OWNERS
(City of Olean and Towns of Dayton, Ellicottville, Franklinville, Ischua 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 the Towns of Dayton, Ellicottville, Franklinville, Ischua 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
89	94.040-1-14	Linda L. Shea	1505 N. Union Street Olean, NY 14760	\$10,750.45

TOWN OF DAYTON

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
213	33.034-2-8	James Schroeder	211 Mechanic Street South Dayton, NY 14138	\$8,212.55

TOWN OF ELLICOTTVILLE

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
234	55.035-6-23	Edward Mitchell	21734 Scenic Point Strongsville, OH 44149	\$10,019.67

TOWN OF FRANKLINVILLE				
PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
271	48.002-2-34.3	Shawn M. Skinner	7127 Bennett Road Franklinville, NY 14737	\$2,077.75
272	40.003-2-39.3	Drew Smith Tiffany Smith	8343 Canterbury Court Chagrin Falls, OH 44023	\$4,924.29
TOWN OF ISCHUA				
PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
328	58.003-2-4	Ronald W. Hopkins Sandra L. Hopkins	PO Box 151 Cuba, NY 14727	\$5,376.80
TOWN OF YORKSHIRE				
PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
546	11.004-1-7	Carl Radotavich	72 Weeden Road Randolph, NY 14772	\$10,795.45

Adopted April 22, 2020 by voice vote.

ACT NO. 199-2020 by Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky, Mr. Burr, Mr. Helmich, Mr. Higgins, Mrs. Hunt, Mr. Klancer, Mr. Marsh, Mr. Morrow, Mr. Parker, Ms. Schröder, Mr. Smith, Mr. Snyder, Jr., Mr. VanRensselaer and Mr. Koch who ask immediate consideration

RESOLUTION URGING THE STATE OF NEW YORK TO RELEASE ENHANCED FEDERAL MEDICAID MATCHING FUNDS TO COUNTIES AND NEW YORK CITY

Pursuant to Section 153 of the County Law.

WHEREAS, in response to the COVID-19 Pandemic, Congress has enacted extraordinary measures to help states and localities with increased costs and lost revenues, and

WHEREAS, a key action enacted by the federal government was a 6.2 percent increase in the federal medical assistance percentage (FMAP), and

WHEREAS, Congress has used this mechanism to provide fiscal relief to states and their local government Medicaid funding partners to reduce the financial burden they often experience in an economic downturn, and

WHEREAS, counties and New York City are struggling with higher costs responding to COVID-19 and experiencing extensive revenue declines due to the shutdown of large swaths of the economy, and

WHEREAS, we project that each quarter of enhanced FMAP funding is worth hundreds of millions of dollars for counties and New York City, now, therefore, be it

RESOLVED, that the County of Cattaraugus is respectfully requesting financial assistance through federal FMAP monies by reducing county weekly Medicaid payments retroactive to January 1, 2020 to provide some partial fiscal relief to the current conditions, and be it further

RESOLVED, that the County of Cattaraugus also respectfully requests that the State provide a timeline to all counties on the release of the enhanced federal Medicaid matching funds related to the Affordable Care Act "reconciliation funds" that have been withheld for over three years and the likely mechanism on how these funds will be delivered to counties and New York City, and be it further

RESOLVED, that Clerk of the Cattaraugus County Legislature is hereby authorized and directed to forward copies of this resolution to Governor Cuomo, the New York State Legislature, the New York State Congressional Delegation, the New York State Association of Counties, Senator Borrello, Assemblymember Giglio and all others deemed necessary and appropriate.

Adopted April 22, 2020 by voice vote.

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MRS. HUNT moved, seconded by Mr. Koch, to adjourn until May 13, 2020 at 4:00 p.m. Carried.

Meeting adjourned at 4:51 p.m.

Ann M. Giglio
Journal Clerk