

June 10, 2020

The meeting was called to order by Chairman VanRensselaer.

The invocation was given by Kelly Andreano.

The Attendance Roll Call disclosed one Legislator absent - Klancer.

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There being no amendments or objections thereto, Chairman VanRensselaer noted that the minutes of the May 27, 2020 session stand approved as presented.

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ACT NO. 226-2020 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
BE-A-FRIEND PROGRAM, INC., BIG BROTHERS BIG SISTERS OF ERIE, NIAGARA AND
THE SOUTHERN TIER FOR GROUP MENTORING PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 263-2019 authorized a contract with Be-A-Friend Program, Inc., Big Brothers Big Sisters of Erie, Niagara and the Southern Tier, 100 River Rock Drive, Suite 104, Buffalo, New York 14207, for the provision of a group mentoring program to youths between the ages of 10 to 15 to promote academic and community success for youth considered PINS, JD, JO or AO through job readiness, independent living skills, youth advocacy and leadership development, the term of which expired May 31, 2020, and

WHEREAS, the County Department of Social Services is desirous of continuing the aforementioned mentoring program, and

WHEREAS, Be-A-Friend Program, Inc., Big Brothers Big Sisters of Erie, Niagara and the Southern Tier, can provide a group mentoring program to promote academic and community success for youth for a total contract amount not to exceed \$35,000.00 to be paid on a monthly basis for services provided during the preceding month, as invoiced, and

WHEREAS, this program is 100% federally funded (CFDA #93.558), and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Be-A-Friend Program, Inc., Big Brothers Big Sisters of Erie, Niagara and the Southern Tier, for the provision of the above-described Group Mentoring Program, for a term commencing June 1, 2020 and terminating May 31, 2021, according to the above-described terms, and be it further

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

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

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

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted June 10, 2020 by voice vote.

ACT NO. 227-2020 by Mr. Helmich and Mr. Koch

BID ACCEPTANCE FOR 2020 STREAMBANK STABILIZATION PROJECTS

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 2020 streambank stabilization projects, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications for the following five (5) sites was the bid of Bill Bognar Excavating, 5888 Dublin Road, Salamanca, New York 14779, in the total amount of \$68,795.00, as follows, to be paid as invoiced:

County Road No. 5 (Town of New Albion)	\$ 7,650.00
Leon Bridge No. 29 (Town Hill Rd, Town of Leon)	\$11,610.00
County Road No. 71 (Town of Great Valley)	\$17,015.00
County Road No. 47 (Town of Lyndon)	\$15,570.00
County Road No. 8 (Town of Randolph)	\$16,950.00,

and

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

RESOLVED, that the bid of Bill Bognar Excavating be, and the same hereby is, accepted, for a term commencing within ten (10) days after the effective date of the contract and terminating October 31, 2020, and be it further

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

No State bid.

Six sets of specifications were sent out.

Three bids were received.

Approved by 6 members of the Finance Committee and 5 members of the Public Works Committee.

Adopted June 10, 2020 by voice vote.

ACT NO. 228-2020 by Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
CATTARAUGUS COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR
GOOSENECK CREEK STREAMBANK STABILIZATION PROJECTS**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, the County Department of Public Works is desirous of completing the following streambank stabilization projects along Gooseneck Creek near the County's West Valley Barn:

Gooseneck Creek Bank Stabilization Project

Route 240 DI Repair,

and

WHEREAS, the above projects are included in the Lake Erie Watershed Protection Alliance (LEWPA) water quality program, and

WHEREAS, the Cattaraugus County Soil and Water Conservation District (District) presently receives funds appropriated by the NYS Department of Environmental Conservation (NYSDEC), which are intended for the LEWPA water quality program, and

WHEREAS, the County shall collaborate with the District by providing in-kind contribution in order to complete the County's LEWPA streambank stabilization projects referenced above, and

WHEREAS, it is necessary to enter into contracts with the District for the completion of the aforementioned projects, 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 Cattaraugus County Soil and Water Conservation District, for the provision of the above-described streambank stabilization projects, for a term commencing April 1, 2020 and terminating December 31, 2020, according to the above-described terms.

Approved by 6 members of the Finance Committee and 5 members of the Public Works Committee.

Adopted June 10, 2020 by voice vote.

ACT NO. 229-2020 by Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR
WQIP – LONG TERM DITCH STABILIZATION PROJECT**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, the County Department of Public Works is desirous of completing the WQIP Rock Lined Ditch Project located on County Road Nos. 24 and 47 near the County's Franklinville Highway Barn, and

WHEREAS, the Cattaraugus County Soil and Water Conservation District (District) presently receives funds appropriated by the NYS Department of Environmental Conservation (NYSDEC), which are intended for the WQIP-Cattaraugus County Long Term Ditch Stabilization Program (WQIP), and

WHEREAS, a contract is needed between the District and the County, with the County providing labor in kind and the cost for the material will be reimbursed by the District, 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 Cattaraugus County Soil and Water Conservation District, for provision of the above-described WQIP-Cattaraugus County Long Term Ditch Stabilization Program, for a term commencing April 1, 2020 and terminating December 31, 2020, according to the above-described terms.

Approved by 6 members of the Finance Committee and 5 members of the Public Works Committee.

Adopted June 10, 2020 by voice vote.

ACT NO. 230-2020 by Mrs. Andreano and Mr. Helmich
and Mr. Brisky, Mr. Marsh and Mr. Morrow¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION
WITH UNITED STATES DEPARTMENT OF VETERANS AFFAIRS FOR
NURSING HOME CARE SERVICES AT THE
PINES HEALTHCARE AND REHABILITATION CENTER-MACHIAS CAMPUS**

Pursuant to 41 USCS 252(c)(4) and Section 450 of the County Law.

WHEREAS, Act 556-2015, as amended by Acts 38-2018, 614-2018 and 82-2020, authorized a contract with the United States Department of Veterans Affairs, 3495 Bailey Avenue, Buffalo, New York 14215, for the provision of nursing home services to veterans for The Pines Healthcare and Rehabilitation Center – Machias Campus, the term of which expires July 31, 2020, and

WHEREAS, the United States Department of Veterans Affairs has requested a six (6) month extension of the aforementioned contract to January 31, 2021, under the same rates, terms and conditions, 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 United States Department of Veterans Affairs, for the provision of the above-described services, for a term commencing August 1, 2020 and terminating January 31, 2021, according to the above-described terms.

Approved by 6 members of the Finance Committee and 5 members of the Human Services Committee.

¹The following Legislators requested their names be listed as additional sponsors: “Mr. Brisky, Mr. Marsh and Mr. Morrow”.

Adopted June 10, 2020 by voice vote.

ACT NO. 231-2020 by Mr. Boberg

**APPROVING MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS AND
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Sheriff's Office)**

Pursuant to Sections 203(1), 363 and 366 of the County Law.

WHEREAS, it is beneficial for the Sheriff's Office to be a member of the National Law Enforcement Firearms Instructors Association for a fee of \$50.00 per year per member, and

WHEREAS, membership in this organization is beneficial to the County and serves a public purpose, and

WHEREAS, there is a reasonable connection between the activities of this organization and the official duties of the officers or employees whose membership dues will be paid therein, and

WHEREAS, various appropriation accounts must be adjusted in order to cover the cost of the aforementioned membership dues, now, therefore, be it

RESOLVED, that Cattaraugus County authorizes a membership in the National Law Enforcement Firearms Instructors Association (NLEFIA), and be it further

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

Decrease Appropriation Account:		
A.311.3110.0000.47007	Printing	\$100.00
Increase Appropriation Account:		
A.311.3110.0000.48002	Dues	\$100.00.

Approved by 6 members of the Finance Committee and 4 members of the County Operations/
Public Safety Committee.

Adopted June 10, 2020 by voice vote.

ACT NO. 232-2020 by Mrs. Andreano and Mr. Helmich
and Mr. Higgins and Mr. Smith¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CITY OF OLEAN FOR
REIMBURSEMENT FOR OATS BUS SERVICE**

Pursuant to Public Law 104-1993, Section 119-o of the
General Municipal Law and Section 450 of the County Law.

WHEREAS, Act 268-2019 authorized a contract with the City of Olean for the operation of the O.A.T.S. bus service within the City, the term of which expired May 31, 2020, and

WHEREAS, the County Department of Social Services is desirous of continuing the aforementioned bus service within the City of Olean, and

WHEREAS, the City of Olean has agreed to provide the O.A.T.S. bus transportation services to DSS-eligible recipients if the County agrees to reimburse the City an amount not to exceed \$25,000.00

for transportation services provided to DSS-eligible recipients during the period June 1, 2020 through May 31, 2021, and

WHEREAS, these services are 100% federally funded (CFDA #93-558), now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the City of Olean, for reimbursement for the provision of transportation services to DSS-eligible recipients, for a term commencing June 1, 2020 and terminating May 31, 2021, according to the above-described terms, and be it further

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

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

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

Approved by 6 members of the Finance Committee and 5 members of the Human Services Committee.

¹The following Legislators have requested their names be listed as additional sponsors: "Mr. Higgins and Mr. Smith".

Adopted June 10, 2020 by voice vote.

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MR. MARSH moved, seconded by Mr. Koch, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 233-2020 through Act No. 238-2020, inclusive. Carried.

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ACT NO. 233-2020 by Mr. Morrow and Mr. Snyder, Jr.
who ask immediate consideration

**SALE OF TAX TITLE PROPERTY TO FORMER OWNER
(Town of Portville)**

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

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

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

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

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

<u>TOWN OF PORTVILLE</u>				
PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
500	104.065-1-12.1	Benjamin Douglas Hollamby	96 S. Main Street Portville, NY 14770	\$17,604.94

Adopted June 10, 2020 by voice vote.

ACT NO. 234-2020 by Mr. VanRensselaer
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES FOR
CARES ACT PROVIDER RELIEF FUND
(Department of Nursing Homes – COVID-19 Response Funding)**

Pursuant to Section 450 of the County Law.

WHEREAS, Cattaraugus County, through The Pines Healthcare and Rehabilitation Centers, has been awarded federal funding in the amount of \$350,000.00 for the Olean Campus and \$337,500.00 for the Machias Campus for a total amount of \$687,500.00 through the U.S. Department of Health & Human Services for the CARES Act Provider Relief Fund Program, and

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

WHEREAS, this program is 100% federally funded, and

WHEREAS, sufficient funds are provided through the CARES Act Provider Relief Fund Program, 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 U.S. Department of Health & Human Services, in order to accept and receive the aforementioned grant funding, according to the above-described terms, and be it further

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

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

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

Adopted June 10, 2020 by voice vote.

ACT NO. 235-2020 by Mr. VanRensselaer
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES FOR
CARES PROVIDER RELIEF FUND PROGRAM
(COVID-19 Response Funding)**

Pursuant to Section 450 of the County Law.

WHEREAS, Cattaraugus County has been awarded federal funding through the U.S. Department of Health & Human Services CARES Provider Relief Fund Program, through which the following two (2) payments have already been received:

\$307,930.94 from the \$30 billion general distribution, and
\$236,838.98 from the \$20 billion general distribution,

and

WHEREAS, contracts are necessary in order to accept and receive the aforementioned federal funding, and

WHEREAS, this program is 100% federally funded, and

WHEREAS, sufficient funds are provided through the CARES Provider Relief Fund Program, 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 U.S. Department of Health & Human Services, in order to accept and receive the aforementioned grant funding, according to the above-described terms, and be it further

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

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

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

Adopted June 10, 2020 by voice vote.

ACT NO. 236-2020 by Mr. VanRensselaer
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE OFFICE FOR THE AGING FOR
CARES ACT GRANT PROGRAM
(Department of Aging – COVID-19 Response Funding)**

Pursuant to Section 450 of the County Law.

WHEREAS, Cattaraugus County Office for the Aging has been awarded stimulus funding in the total amount of \$169,639.00 through the New York State CARES Act Grant Program, as follows:

FCC3 – CARES Act for Family Caregiver Support Program	\$ 22,671.00
HDC3 – CARES Act for Nutrition Services	\$103,160.00
SSC3 – CARES Act for Supportive Services	\$ 43,808.00,

and

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

WHEREAS, this program is 100% federal funded, 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 Office for the Aging, in order to accept and receive the aforementioned grant funding, according to the above-described terms, and be it further

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

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

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

Adopted June 10, 2020 by voice vote.

ACT NO. 237-2020 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**CREATING ONE (1) FULL-TIME POSITION OF JUNIOR ACCOUNTANT,
ESTABLISHING COMPENSATION FOR THE SAME AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Aging)**

Pursuant to Sections 204, 205, 363 and 366 of the County Law and
Section 22 of the Civil Service Law.

WHEREAS, through the expansion of the Department of Aging and its services over the past few years, the increase in fiscal operations has created the need for additional support staff in the accounting office, and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Personnel Officer, who has approved and certified the title of Junior Accountant in accordance with Civil Service Law Section 22, and

WHEREAS, various appropriation and revenue accounts must be adjusted within the Department of Aging's budget to accommodate this position, now, therefore, be it

RESOLVED, that effective immediately, there is hereby created one (1) position of Junior Accountant in the Department of Aging to be filled on a full-time basis, General Bargaining Unit Salary Schedule, Pay Grade 21 (\$24.38 - \$26.85 per hour), Position No. 677-181-001, and be it further

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

Increase Estimated Revenue Account:

A.677.6737.0000.4772.23	Fed Aid Programs for Aging CARES – Federal Stimulus	\$38,252.00
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Increase Appropriation Accounts:

A.677.6737.0000.11000	Full Time Wages	\$23,722.00
A.677.6737.0000.81000	FICA	\$ 1,815.00
A.677.6737.0000.82000	Retirement	\$ 2,278.00
A.677.6737.0000.83000	Health Insurance	\$10,261.00
A.677.6737.0000.84000	Dental Insurance	\$ 176.00.

Adopted June 10, 2020 by voice vote.

ACT NO. 238-2020 by Mrs. Andreano
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
QUEST DIAGNOSTICS OF PENNSYLVANIA, INC. FOR
COVID-19 TESTING OF COUNTY EMPLOYEES**

Pursuant to NYS Executive Order 202.30 and Section 450 of the County Law.

WHEREAS, New York State has instituted mandatory COVID-19 testing of employees in nursing homes, and

WHEREAS, the County is in need of professional laboratory services to provide such mandated COVID-19 testing services, and

WHEREAS, Quest Diagnostics of Pennsylvania, Inc., 900 Business Center Drive, Horsham, Pennsylvania 19044, can provide professional COVID-19 testing services as requested by the County for an amount of \$100.00 per test for County nursing home employees, and

WHEREAS, funds to cover the cost of the aforementioned testing services will be provided through FEMA, 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 Quest Diagnostics of Pennsylvania, Inc., for the provision of the above-described COVID-19 testing services, for a term commencing May 1, 2020 and terminating April 30, 2021, with the County's option to renew for additional one-year terms thereafter under the same rates, terms and conditions, according to the above-described terms.

Adopted June 10, 2020 by voice vote.

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MR. BURR moved, seconded by Mr. Brisky, to adjourn until June 24, 2020 at 4:00 p.m. Carried.

Meeting adjourned at 4:13 p.m.

Ann M. Giglio
Journal Clerk