



November 24, 2020

The meeting was called to order by Vice-Chairman Burr.

The invocation was given by Rev. LeFeber.

The Attendance Roll Call disclosed three Legislators absent – Klancer, Snyder, VanRensselaer. Mr. Snyder joined the meeting at 4:03 pm.

\* \* \* \* \*

There being no amendments or objections thereto, Vice-Chairman Burr noted that the minutes of the November 10, 2020 session stand approved as presented.

\* \* \* \* \*

**PUBLIC HEARING:**

VICE-CHAIRMAN BURR announced this is the time and place called for a public hearing on the **2021 Cattaraugus County Budget**, and that anyone wishing to speak for or against this may now do so.

Sufficient notice was provided pursuant to Article 7 of the Public Officers Law and pursuant to New York State Executive Order 202.1, that public in-person access was not permitted; however, the public hearing was broadcast live on the County website. Written comments could be submitted via electronic mail to the Cattaraugus County Legislature no later than 3:00 pm on November 24, 2020.

There being no one wishing to speak, VICE-CHAIRMAN BURR declared the public hearing closed.

\* \* \* \* \*

**ACT NO. 458-2020** by Mr. Helmich and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION  
WITH ERDMAN, ANTHONY AND ASSOCIATES, INC. FOR  
ASHFORD BRIDGE NO. 37 (COUNTY ROAD NO. 12) ENGINEERING DESIGN SERVICES**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 106-2015, as amended by Acts 409-2016, 258-2017, 540-2018, 580-2018 and 101-2020, authorized a contract with Erdman, Anthony and Associates, Inc., 8608 Main Street, Buffalo, New York 14221, for the provision of engineering design services for the Ashford Bridge No. 37 Rehabilitation Project, located on County Road No. 12 (Edies Road) over Cattaraugus Creek, in the Town of Ashford, the term of which expired May 31, 2020, and

WHEREAS, it is necessary to extend the term of the aforementioned contract in order to allow additional time to complete the aforementioned project, and

WHEREAS, Erdman, Anthony and Associates, Inc., has agreed to complete the aforementioned project by October 31, 2020, 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 Erdman, Anthony and Associates, Inc., for the provision of the above-described services, to extend the term of the original contract which commenced March 11, 2015 to terminate October 31, 2020, according to the above-described terms.

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

Adopted November 24, 2020 by voice vote.

**ACT NO. 459-2020** by Mr. Helmich and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
SJB SERVICES, INC. FOR SOIL BORING SERVICES,  
MATERIAL TESTING, DECK CORING AND GEOTECHNICAL SERVICES**

Pursuant to Section 117 of the Highway Law and  
Section 450 of the County Law.

WHEREAS, Act 126-2020 authorized a contract with SJB Services, Inc., 5167 South Park Avenue, Hamburg, New York 14075, for the provision of soil boring services for various bridge projects, the term of which expires December 31, 2020, and

WHEREAS, the County Department of Public Works is desirous of obtaining soil boring, material testing, deck coring and geotechnical engineering services for various 2021 projects, and

WHEREAS, SJB Services, Inc., has agreed to perform soil boring, material testing, deck coring and geotechnical engineering services for various 2021 projects on an as-needed basis, for an amount not to exceed \$30,000.00, to be paid on a percent-of-completion basis, as invoiced, 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 SJB Services, Inc., for the provision of the above-described services, contingent upon and subject to inclusion in the 2021 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2021 and terminating December 31, 2021, according to the above-described terms.

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

Adopted November 24, 2020 by voice vote.

**ACT NO. 460-2020** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
DRESCHER & MALECKI, LLP FOR EXTERNAL AUDIT SERVICES FOR  
THE DEPARTMENT OF NURSING HOMES**

Pursuant to Sections 210 and 450 of the County Law.

WHEREAS, Act 311-2017 authorized a contract with McCarthy & Conlon, LLP, for the provision of auditing, accounting and reimbursement consultant services for the County Department of Nursing Homes for the years ending December 31, 2017, 2018 and 2019, the term of which expires December 31, 2020, and

WHEREAS, the County is desirous of contracting with Drescher & Malecki, LLP, for the provision of external audit services for The Pines Healthcare and Rehabilitation Centers-Olean and Machias Campuses, for the year ending December 31, 2020, and

WHEREAS, Drescher & Malecki, LLP, 3083 William Street, Suite 5, Buffalo, New York 14227, can provide the services necessary for the preparation and review of cost reports for the year ending December 31, 2020, for an amount not to exceed \$14,250.00 per nursing home, plus mileage reimbursement not to exceed \$750.00 per nursing home, and

*WHEREAS, Drescher & Malecki, LLP, shall also certify cost reports for each nursing home facility for an amount of \$2,750.00 per facility, and<sup>1</sup>*

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Drescher & Malecki, LLP, for the provision of the above-described external auditing services, contingent upon and subject to inclusion in the 2021 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing December 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 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 7 members of the Human Services Committee.

<sup>1</sup>MRS. ANDREANO moved, seconded by Mr. Morrow, to amend as follows: After the 3<sup>rd</sup> Whereas, add: "WHEREAS, Drescher & Malecki, LLP, shall also certify cost reports for each nursing home facility for an amount of \$2,750.00 per facility, and". Carried.

Adopted, as amended, November 24, 2020 by voice vote.

**ACT NO. 461-2020** by Mrs. Andreano

**AUTHORIZING CERTAIN CHARGE-OFFS OF CERTAIN ACCOUNTS  
RECEIVABLE IN THE DEPARTMENT OF NURSING HOMES**

Pursuant to Section 153 of the County Law.

WHEREAS, the Department of Nursing Homes has accounts receivable in which there has been no recent action, and

WHEREAS, the New York State Department of Audit and Control has recommended that the County remove these bad debts from the records of the Department of Nursing Homes, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby authorizes the removal of the following debts from the accounts receivable records of the Department of Nursing Homes which total \$43,110.80:

| <u>Machias Facility – Patient Record</u> | <u>Amount</u> |                        |                     |
|--|---------------|------------------------|---------------------|
| #303335                                  | \$ 8,973.84   |                        |                     |
| #303350                                  | \$ 344.00     |                        |                     |
| #302782                                  | \$ 1,354.24   |                        |                     |
| #303319                                  | \$ 1,751.00   |                        |                     |
| #303273                                  | \$ 2,085.20   |                        |                     |
| #303340                                  | \$ 1,067.58   |                        |                     |
| #303095                                  | \$ 28.12      |                        |                     |
| #303331                                  | \$ 1,126.00   |                        |                     |
| #303049                                  | \$ 974.00     |                        |                     |
| #303306                                  | \$ - 223.39   |                        |                     |
| #303279                                  | \$ 49.69      |                        |                     |
| #352959                                  | \$ 27.59      |                        |                     |
| #352959                                  | \$ - 169.28   |                        |                     |
| #303097                                  | \$ 19.40      |                        |                     |
| #303094                                  | \$ 3,272.71   |                        |                     |
| #302727                                  | \$ 27.59      |                        |                     |
| #303226                                  | \$ 8,381.20   |                        |                     |
| #303262                                  | \$ 32.10      |                        |                     |
| #303167                                  | \$ 29.32      |                        |                     |
| #302484                                  | \$ - 62.00    |                        |                     |
|  |               | Total Machias Facility | \$29,088.91         |
| <br>                                     |               |                        |                     |
| <u>Olean Facility – Patient Record</u>   | <u>Amount</u> |                        |                     |
| #103236                                  | \$ 8.44       |                        |                     |
| #103230                                  | \$ 767.30     |                        |                     |
| #102707                                  | \$ 774.19     |                        |                     |
| #103246                                  | \$ 592.74     |                        |                     |
| #102921                                  | \$ 4.22       |                        |                     |
| #102942                                  | \$ - 262.57   |                        |                     |
| #103251                                  | \$ 20.00      |                        |                     |
| #102664                                  | \$ 1,415.57   |                        |                     |
| #102730                                  | \$ 628.50     |                        |                     |
| #102930                                  | \$ 907.15     |                        |                     |
| #103090                                  | \$ 9,547.50   |                        |                     |
| #103201                                  | \$ - 118.58   |                        |                     |
| #103156                                  | \$ - 262.57   |                        |                     |
|  |               | Total Olean Facility   | <u>\$ 14,021.89</u> |
|  |               | TOTAL CHARGE OFF       | \$ 43,110.80        |

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

Adopted November 24, 2020 by voice vote.

**ACT NO. 462-2020** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
DOYLE SECURITY SYSTEMS, INC. FOR  
PERSONAL EMERGENCY RESPONSE UNITS MONITORING SERVICES  
FOR DEPARTMENTS OF AGING AND SOCIAL SERVICES**

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

WHEREAS, Act 450-2019 authorized a contract with Doyle Security Systems, Inc., 792 Calkins Road, Rochester, New York 14623, for the provision of various services to the County Departments of Health, Aging and Social Services, the term of which expires December 31, 2020, and

WHEREAS, the County Departments of Aging and Social Services are desirous of continuing the aforementioned services, and

WHEREAS, Doyle Security Systems, Inc., has agreed to provide services to the County Departments of Aging and Social Services, as follows:

| <u>Category of Service</u>           | <u>2020 Rate</u>    | <u>2021 Rate</u> |
|--------------------------------------|---------------------|------------------|
| <u>SOCIAL SERVICES</u>               |                     |                  |
| PERS Monitoring                      | \$18/month/unit     | \$18/month/unit  |
| Cellular Monitoring Unit             | \$28/month/unit     | \$28/month/unit  |
| Fall Prevention PERS Monitoring Unit | \$23/month/unit     | \$23/month/unit  |
| GPS PERS monitoring Unit             | \$35/month/unit     | \$35/month/unit  |
| <u>DEPARTMENT OF AGING</u>           |                     |                  |
| PERS Monitoring                      | \$15/month/unit     | \$15/month/unit  |
| Cellular Monitoring Unit             | \$25/month/unit     | \$25/month/unit  |
| Fall Prevention PERS Monitoring Unit | \$20/month/unit     | \$20/month/unit  |
| GPS PERS monitoring Unit             | \$35/month/unit     | \$35/month/unit  |
| Extra Pendant                        | \$3.00/month        |                  |
| Replacement Pendant                  | \$3.00 one time fee |                  |

and

WHEREAS, this program is 70% state, 16% county and 13% locally funded for the Department of Aging's portion of expenses, 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 Doyle Security Systems, Inc., for the provision of the above-described services, contingent upon and subject to inclusion in the 2021 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2021 and terminating December 31, 2021, according to the above-described terms, and be it further

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

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

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

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

Adopted November 24, 2020 by voice vote.

**ACT NO. 463-2020** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
OLEAN GENERAL HOSPITAL FOR HEALTH DEPARTMENT  
NUTRITION, PHYSICAL, OCCUPATIONAL AND SPEECH THERAPY SERVICES**

Pursuant to 10 NYCRR Section 763.3 and Section 450 of the County Law.

WHEREAS, Act 107-2020 authorized the Chair to execute a contract with Olean General Hospital, 515 Main Street, Olean, New York 14760, for the provision of outpatient physical therapy services for patients in the Health Department's Home Care Program, the term of which expires December 31, 2020, and

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

and WHEREAS, Olean General Hospital can provide nutrition, physical, occupational and speech therapy services, as follows:

**OUTPATIENT**

|                             |  |
|-----------------------------|--|
| Outpatient Physical Therapy | \$48/standard office visit                     |
|                             | \$21/short office visit<br>(less than 15 min.) |

**HOME VISITS**

|                              |            |
|------------------------------|------------|
| Physical Therapy Home Visits | \$68/visit |
| Physical Therapy Evaluations | \$70/each  |

|                                  |            |
|----------------------------------|------------|
| Occupational Therapy Home Visits | \$68/visit |
| Occupational Therapy Evaluations | \$70/each  |

|                            |            |
|----------------------------|------------|
| Speech Therapy Home Visits | \$68/visit |
| Speech Therapy Evaluations | \$70/each  |

|                                     |            |
|-------------------------------------|------------|
| Nutritionist Education/Counseling   | \$90/visit |
| Nutritionist Evaluations/Assessment | \$90/visit |

**CONSULTING SERVICES**

|                                       |           |
|---------------------------------------|-----------|
| Qualified Medical Record Practitioner | \$68/hour |
|---------------------------------------|-----------|

**MEETINGS**

|                        |            |
|------------------------|------------|
| Attendance at meetings | \$28/hour, |
|------------------------|------------|

and

WHEREAS, Olean General Hospital shall be paid on a monthly basis, as invoiced, in accordance with the rates listed above for services rendered, which are inclusive of all costs, 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, contingent upon and subject to inclusion in the 2021 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2021 and terminating December 31, 2021, according to the above-described terms, and be it further

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

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

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

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

Adopted November 24, 2020 by voice vote.

**ACT NO. 464-2020** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
OLEAN GENERAL HOSPITAL FOR  
LABORATORY, RADIOLOGY AND MAMMOGRAPHY SERVICES  
FOR HEALTH DEPARTMENT FAMILY PLANNING CLINIC**

Pursuant to 10 NYCRR Part 763 and Section 450 of the County Law.

WHEREAS, Act 106-2020 authorized a contract with Olean General Hospital, 515 Main Street, Olean, New York 14760, for the provision of laboratory, radiology and mammography services for the County Health Department, the term of which expires December 31, 2020, and

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

WHEREAS, Olean General Hospital can provide the aforementioned laboratory, radiology and mammography services at Olean General Hospital's approved Medicaid rate, and

WHEREAS, this program is 31% federal (CFDA #93.217 and #93.994) and 69% state 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 Olean General Hospital, for the provision of the above-described services, contingent upon and subject to inclusion in the 2021 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2021 and terminating December 31, 2021, according to the above-described terms, and be it further

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

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

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

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

Adopted November 24, 2020 by voice vote.

**ACT NO. 465-2020** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CHIACHI HWANG FOR CHINESE INTERPRETER SERVICES**

Pursuant to 14 NYCRR Section 527.4 (a), (b) and (c) and  
Section 450 of the County Law.

WHEREAS, Act 56-2020 authorized a contract with Chiachi Hwang, 22 Glacier Court, Bozeman, Montana 59715, for the provision of Chinese interpreter services to be available for all County departments, the term of which expires December 31, 2020, and

WHEREAS, it is in the best interests of the County to renew the aforementioned contract,  
and

WHEREAS, Chiachi Hwang can provide Chinese interpreter services, as requested by the County, at a rate of \$36.00 per hour, to be paid as invoiced, 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 Chiachi Hwang, for the provision of the above-described Chinese interpreter services, contingent upon and subject to inclusion in the 2021 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2021 and terminating December 31, 2021, according to the above-described terms.

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

Adopted November 24, 2020 by voice vote.

**ACT NO. 466-2020** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
OLEAN MEDICAL GROUP, LLP FOR HEALTH DEPARTMENT  
CONTINGENT MEDICAL DIRECTOR SERVICES**

Pursuant to Section 352 of the Public Health Law and  
Section 450 of the County Law.

WHEREAS, Act 492-2019 authorized a contract with the Olean Medical Group, LLP, 535 Main Street, Olean, New York 14760, for the provision of a contingent medical director, in the event the

County Health Department's medical director is unavailable, the term of which expires December 31, 2020, and

WHEREAS, the County Health Department is desirous of renewing the aforementioned contract at the same rates, and

WHEREAS, the Olean Medical Group, LLP, can provide the aforementioned medical director services, in the event the County Health Department's current medical director is unavailable, for an amount of \$172.55 per hour to be paid as invoiced, 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 Olean Medical Group, LLP, for the provision of the above-described services, contingent upon and subject to inclusion in the 2021 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2021 and terminating December 31, 2021, according to the above-described terms.

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

Adopted November 24, 2020 by voice vote.

**ACT NO. 467-2020** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
TOTAL SENIOR CARE, INC. FOR  
HOME CARE THERAPY SERVICES**

Pursuant to 10 NYCRR Part 40-1 and Section 450 of the County Law.

WHEREAS, Act 487-2019 authorized a contract with Total Senior Care, Inc., 519 North Union Street, Olean, New York 14760, for the operation of the PACE Program for the Health Department, the term of which expires December 31, 2020, and

WHEREAS, Total Senior Care, Inc., is authorized by New York State Department of Health and the Centers for Medicare and Medicaid Services to operate a Program for All Inclusive Care for the Elderly (PACE Program) as a comprehensive program of services to participants, and

WHEREAS, Total Senior Care, Inc., is desirous of obtaining home care therapy services from the County Department of Health for PACE Program participants, and

WHEREAS, the Department of Health has agreed to provide home care therapy services to PACE Program participants in accordance with current New York State Medicaid rates and a negotiated rate of \$82.00 per visit for LPN 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 Total Senior Care, Inc., for the provision of the above-described home care therapy services, for a term commencing January 1, 2021 and terminating December 31, 2021, according to the above-described terms.

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

Adopted November 24, 2020 by voice vote.

**ACT NO. 468-2020** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
ELLCOTTVILLE PHARMACY, INC. FOR HEALTH DEPARTMENT  
PHARMACY CONSULTANT SERVICES**

Pursuant to 10 NYCRR Section 752.5 and  
Section 450 of the County Law.

WHEREAS, Act 483-2019 authorized a contract with Ellicottville Pharmacy, Inc., 6133 Route 219, Ellicottville, New York 14731, for the provision of a pharmacy consultant for assistance in the development of policies and procedures related to the provision of drugs and vaccines and advising professional and para-professional staff on drug interactions, side effects, and recall procedures as required by Article 28 of the Public Health Law, the term of which expires December 31, 2020, and

WHEREAS, the County Health Department is desirous of renewing the aforementioned contract for pharmacy consultant services, and

WHEREAS, Ellicottville Pharmacy, Inc., has agreed to provide the aforementioned pharmacy consultant services at the rate of \$70.00 per hour, to be paid as invoiced, 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 Ellicottville Pharmacy, Inc., for the provision of the above-described services, contingent upon and subject to inclusion in the 2021 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2021 and terminating December 31, 2021, according to the above-described terms, and be it further

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

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

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

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

Adopted November 24, 2020 by voice vote.

**ACT NO. 469-2020** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
UNDERWOOD MANOR FOR  
DEPARTMENT OF HEALTH IN-HOME NURSING AND THERAPY SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 448-2019 authorized a contract with Underwood Manor, 4040 Union Hill Road, Hinsdale, New York 14743, for the provision of in-home nursing and therapy services for its assisted living program residents, the term of which expires December 31, 2020, and

WHEREAS, Underwood Manor has requested a renewal of the aforementioned contract, and

WHEREAS, the County Department of Health, through its Home Health Care Program, can provide in-home nursing and therapy services for the residents of the Underwood Manor assisted living program, in accordance with NYS approved Medicaid rates for Cattaraugus County CHHA 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 Underwood Manor, for the provision of the above-described in-home nursing and therapy services, for a term commencing January 1, 2021 and terminating December 31, 2021, according to the above-described terms.

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

Adopted November 24, 2020 by voice vote.

**ACT NO. 470-2020** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH  
VARIOUS ENTITIES FOR HEALTH DEPARTMENT WIC CLINIC SPACE**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 490-2019 authorized contracts with various entities for the utilization of space for the Health Department's WIC Program, the terms of which expire December 31, 2020, and

WHEREAS, the County Health Department is desirous of continuing the WIC program in various areas of Cattaraugus County, and

WHEREAS, the entities listed below have agreed to allow the County Health Department to utilize space in their facilities for WIC clinics:

|  | <u>2020 Rate</u> | <u>2021 Rate</u> |
|--|------------------|------------------|
| Franklinville Free Methodist Church<br>41 South Main Street<br>Franklinville, New York 14737 | \$300/year       | \$300/year       |
| Gowanda Free Methodist Church<br>149 West Main Street<br>Gowanda, New York 14070             | \$75/day of use  | \$75/day of use  |
| Roberts Memorial Free Methodist Church<br>111 South Street<br>Cattaraugus, New York 14719    | \$100/year       | \$100/year       |
| Town of Randolph<br>72 Main Street<br>Randolph, New York 14772                               | No Cost          | No Cost          |

|   |            |            |
|---|------------|------------|
| United Methodist Church of Little Valley<br>109 Court Street<br>Little Valley, New York 14755 | \$50/month | \$50/month |
| Delevan Baptist Church<br>P.O. Box 335<br>18 Church Street<br>Delevan, New York 14042,        | No Cost    | No Cost    |

and

WHEREAS, this program is 97.6% federal (CFDA #10.557) and 2.4% state funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with the above-listed various entities for the utilization of the aforementioned space, contingent upon and subject to inclusion in the 2021 budget of sufficient funds to cover the costs of the aforementioned space, for a term commencing January 1, 2021 and terminating December 31, 2021, according to the above-described terms, and be it further

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

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

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

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

Adopted November 24, 2020 by voice vote.

**ACT NO. 471-2020** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
HEALTHY COMMUNITY ALLIANCE, INC. FOR  
HEALTH DEPARTMENT REPRODUCTIVE HEALTH EDUCATOR**

Pursuant to 10 NYCRR Part 40-1 and  
Section 450 of the County Law.

WHEREAS, Act 489-2019 authorized a contract with Healthy Community Alliance, Inc., 1 School Street, Suite 100, Gowanda, New York 14070, for the provision of services of a Reproductive Health Educator for the County Health Department family planning clinics, the term of which expires December 31, 2020, and

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

WHEREAS, Healthy Community Alliance, Inc., has agreed to perform the aforementioned reproductive health educator services for the family planning clinics, for a total amount not to exceed \$65,798.00, which includes all work-related expenses:

- \*Approved work-related expenses will be reimbursed at cost, including approved work-related cell phone usage;
- \*Mileage will be reimbursed at the established rate of \$0.485/mile;
- \*Any overnight travel must have prior approval of the County Public Health Director or the Director's designee, and must have an authorization attached, prior to reimbursement,

and

WHEREAS, this program is 31% federal (CFDA #93.217 and 93.994) and 69% state 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 Healthy Community Alliance, Inc., for the provision of the above-described services, contingent upon and subject to inclusion in the 2021 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2021 and terminating December 31, 2021, according to the above-described terms, and be it further

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

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

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

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

Adopted November 24, 2020 by voice vote.

**ACT NO. 472-2020** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
JAMESTOWN REHAB SERVICES, PT, OT, SLP, PLLC, FOR  
HEALTH DEPARTMENT HOME HEALTH CARE PROGRAM THERAPY SERVICES**

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

WHEREAS, Act 486-2019 authorized a contract with Jamestown Rehab Services, PT, OT, SLP, PLLC, 4482 Kathaleen Street, Hamburg, New York 14075, for the provision of various therapy services for the patients of the Health Department Home Health Care Program, the term of which expires December 31, 2020, and

WHEREAS, the County Department of Health is desirous of continuing the provision of physical, occupational and speech therapy services, and

WHEREAS, Jamestown Rehab Services, PT, OT, SLP, PLLC, has agreed to provide physical, occupational and speech therapy services to Cattaraugus County Health Department patients at the following rates:

| <u>Service</u>  | <u>2020 Rate</u> | <u>2021 Rate</u> |
|---|------------------|------------------|
| Physical Therapist                                    | \$79.23/visit    | \$79.23/visit    |
| Occupational Therapist                                | \$79.23/visit    | \$79.23/visit    |
| Speech Therapist                                      | \$79.23/visit    | \$79.23/visit    |
| Certified Occupational Therapy Assistant              | \$79.23/visit    | \$79.23/visit    |
| Attendance at Meetings                                | \$31.69/hour     | \$31.69/hour     |
| Evaluations   | \$79.23/visit    | \$79.23/visit    |
| PT only admission visit                               | \$110.96/visit   | \$110.96/visit   |
| Recruitment & Retention (to be determined by NYSDOH), |                  |                  |

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 Jamestown Rehab Services, PT, OT, SLP, PLLC, for the provision of the above-described services, contingent upon and subject to inclusion in the 2021 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2021 and terminating December 31, 2021, according to the above-described terms, and be it further

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

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

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

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

Adopted November 24, 2020 by voice vote.

**ACT NO. 473-2020** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
WILLCARE, INC. FOR HOME HEALTH CARE SERVICES**

Pursuant to Section 3602 of the Public Health Law and  
Section 450 of the County Law.

WHEREAS, Act 493-2019 authorized a contract with Willcare, Inc., for the provision of home health care services, the term of which expires December 31, 2020, and

WHEREAS, the County Departments of Health, Aging and Social Services are desirous of continuing the aforementioned services, and

WHEREAS, Willcare, Inc., LHC Group, 901 Hugh Wallis Road South, Lafayette, Louisiana 70508, with a local address at 346 Delaware Avenue, Buffalo, New York 14202, has agreed to provide home health care services to Cattaraugus County in accordance with the following rate limits and terms:

| <u>Level of Care</u>  | <u>2020 Rates**</u>           | <u>2021 Rates**</u>           |
|---|-------------------------------|-------------------------------|
| Home Attendant/Housekeeper (Personal Care 1)  | \$19.98/hr.                   | \$21.60/hr.                   |
| Personal Care Aide (Personal Care 2)  | \$20.50/hr.                   | \$22.15/hr.                   |
| Shared Aide –1/4 hour (Personal Care 1)   | \$4.99/¼ hr.                  | \$5.40/¼ hr.                  |
| Shared Aide –1/4 hour (Personal Care 2)   | \$5.14/¼ hr.                  | \$5.55/¼ hr.                  |
| Certified Home Health Aide  | \$21.10/hr.                   | \$22.40/hr.                   |
| Registered Nurse (RN) (Health Dept)   | \$39.39/hr.++                 | \$40.55/hr.++                 |
| Registered Nurse (RN) (DSS)   | \$27.45/hr.                   | \$27.45/hr.                   |
| Licensed Practical Nurse (LPN) (Health Dept)  | \$27.72/hr.++                 | \$28.55/hr.++                 |
| Licensed Practical Nurse (LPN) (DSS)  | \$22.17/hr.                   | \$22.17/hr.                   |
| Nursing Supervision Visit   | \$68.39/hr.                   | \$75.00/hr.                   |
| Show-up policy clause if we do not attempt to contact you for cancellation and we are aware patient will not be there | Payment for one (1) hour work | Payment for one (1) hour work |

++Initial Visit which is less than, or equal to, 1 hour will be billed at 1 hour rate.

\*\*Actual base Medicaid rates as initially established by the State Department of Health to be billed, if lower than caps to all Departments. In addition to the base rate, any recruitment and retention add-on established by the State Department of Health shall be billed to the Department of Social Services only. Cattaraugus County Department of Health has applied for and receives recruitment and retention add-on funds.

***Assumptions:***

- In the event the initial Medicaid rates for 2021 as established by the State Department of Health exceed the County rate limits set forth above, the Contractor agrees to submit rate revision requests to the NYSDOH and request the rate(s) be lowered to comply with the Cattaraugus County rate limits set forth above. Rates for the Department of the Aging can be negotiated.
- Rates billed to the Medicaid Management Information System (MMIS) for the DSS personal care program are subject to any limitations of the MMIS and will reflect the requirements of 18 NYCRR 505.14.

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 Willcare, Inc., for the provision of the above-described services, contingent upon and subject to inclusion in the 2021 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2021 and terminating December 31, 2021, 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 7 members of the Human Services Committee.

Adopted November 24, 2020 by voice vote.

**ACT NO. 474-2020** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CAROLYN C. RUFFNER, P.T., FOR HEALTH DEPARTMENT  
PHYSICAL THERAPY SERVICES**

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

WHEREAS, Act 484-2019 authorized a contract with Carolyn C. Ruffner, P.T., 4421 Hammocks Drive, Geneseo, New York 14454, for the provision of physical therapy services for the patients of the County Health Department’s Long-Term Home Health Care Program, the term of which expires December 31, 2020, and

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

WHEREAS, Carolyn C. Ruffner, P.T., has agreed to renew the aforementioned contract for an amount as follows:

| <u>Service</u>                                      | <u>2020 Rate</u>       | <u>2021 Rate</u>       |
|---|------------------------|------------------------|
| Physical Therapist                                  | \$78.40 per visit      | \$78.40 per visit      |
| Evaluations   | \$78.40 per evaluation | \$78.40 per evaluation |
| PT only admission visit                             | \$105.00 per visit     | \$105.00 per visit     |
| Attendance at Meetings                              | \$28.56 per hour       | \$28.56 per hour       |
| Recruitment & Retention to be determined by NYSDOH, |                        |                        |

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 Carolyn C. Ruffner, P.T., for the provision of the above-described physical therapy services, contingent upon and subject to inclusion in the 2021 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2021 and terminating December 31, 2021, according to the above-described terms, and be it further

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

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

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

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

Adopted November 24, 2020 by voice vote.

**ACT NO. 475-2020** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
REHABILITATION TODAY SERVICES FOR PSYCHOLOGY, PLLC, FOR  
HEALTH DEPARTMENT HOME HEALTH CARE PROGRAM OCCUPATIONAL SERVICES**

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

WHEREAS, Act 485-2019 authorized a contract with Rehabilitation Today Services for Psychology, PLLC, 2416 Constitution Avenue, Olean, New York 14760, for the provision of occupational therapy services to patients of the County Health Department Home Health Care Program, the term of which expires December 31, 2020, and

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

WHEREAS, Rehabilitation Today Services for Psychology, PLLC, has agreed to provide occupational therapy services to Cattaraugus County Health Department patients at the following rates:

| <u>Service</u>  | <u>2020 Rate</u>  | <u>2021 Rate</u>  |
|---|-------------------|-------------------|
| Occupational Therapist  | \$77.52 per visit | \$77.52 per visit |
| Occupational Therapy Assistant  | \$77.52 per visit | \$77.52 per visit |
| Attendance at Meetings  | \$31.62 per hour  | \$31.62 per hour  |
| Office Visits:  |                   |                   |
| per standard visit -<br>(any combination of modalities and/or<br>procedures; CHAA or patient to provide all<br>dressings and ointments) | \$61.20 per visit | \$61.20 per visit |
| per short visit -<br>(less than 15 minutes)   | \$40.80 per visit | \$40.80 per visit |
| Office Visit Evaluations  | \$76.91 per visit | \$76.91 per visit |
| Recruitment & Retention (to be determined by NYSDOH),<br>and  |                   |                   |

WHEREAS, if Rehabilitation Today Services for Psychology, PLLC, refuses any occupational therapy visits during the term of the 2021 contract, then the rates for such services shall revert back to the base rate of \$68/visit for the duration of the contract, 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 Rehabilitation Today Services for Psychology, PLLC, for the provision of the above-described services, contingent upon and subject to inclusion in the 2021 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2021 and terminating December 31, 2021, according to the above-described terms, and be it further

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

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

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

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

Adopted November 24, 2020 by voice vote.

**ACT NO. 476-2020** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
BRIAN GARIEPY, P.T. FOR HEALTH DEPARTMENT  
PHYSICAL THERAPY SERVICES**

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

WHEREAS, Act 482-2019 authorized a contract with Brian Gariepy, P.T., 1426 Promised Land Acres, Olean, New York 14760, for the provision of physical therapy services for the patients of the County Health Department's Home Health Care Program, the term of which expires December 31, 2020, and

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

WHEREAS, Brian Gariepy, P.T., has agreed to provide the aforementioned physical therapy services for an amount as follows:

| <u>Service</u>                                      | <u>2020 Rate</u>       | <u>2021 Rate</u>       |
|---|------------------------|------------------------|
| Physical Therapist                                  | \$76.90 per visit      | \$76.90 per visit      |
| Evaluations   | \$76.90 per evaluation | \$76.90 per evaluation |
| PT only admission visit                             | \$104.04 per visit     | \$104.04 per visit     |
| Attendance at Meetings                              | \$29.13 per hour       | \$29.13 per hour       |
| Recruitment & Retention to be determined by NYSDOH, |                        |                        |

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 Brian Gariepy, P.T., for the provision of the above-described physical therapy services, contingent upon and subject to inclusion in the 2021 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2021 and terminating December 31, 2021, according to the above-described terms, and be it further

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

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

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

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

Adopted November 24, 2020 by voice vote.

**ACT NO. 477-2020** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
MCCARTHY & CONLON, LLP FOR PREPARATION AND REVIEW OF COST REPORTS  
FOR DEPARTMENTS OF HEALTH AND COMMUNITY SERVICES**

Pursuant to Sections 210 and 450 of the County Law.

WHEREAS, Act 311-2017 authorized a contract with McCarthy & Conlon, LLP, for the provision of auditing, accounting and reimbursement consultant services for the County Departments of Health, Community Services and Nursing Homes for the years ending December 31, 2017, 2018 and 2019, the term of which expires December 31, 2020, and

WHEREAS, McCarthy & Conlon, LLP, 123 Quaker Road, Suite 103B, Queensbury, New York 12804, has agreed to provide the services necessary for the preparation and review of cost reports for the County Departments of Health and Community Services for the year ending December 31, 2020, in accordance with the following schedule:

|                   |             |
|-------------------|-------------|
| Health Department | \$20,000.00 |
|-------------------|-------------|

- Preparation and Review of Certified Home Health Care Agency Medicare Cost Reports;
- Review Certified Home Health Agency, Long-Term Home Health Care Program and Ambulatory Health Care Facility Medicaid Cost Reports;
- Audit certain financial and statistical data of the Health Department for the year ending December 31, 2020 for the purpose of expressing an opinion as to whether the applicable schedules included in the Certified Home Health Agency, Long-Term Home Health Care Program, and Ambulatory Health Care Facility Medicaid cost reports ("cost reports") fairly present, in all material respects, certain financial and statistical data of the Health Department in conformity with the applicable instructions furnished by the NYSDOH relating to the preparation

of the cost reports. The audit will be conducted with the objective of expressing an opinion on the cost reports.

- Prepare the Certified Home Health Care Agency (CHHA) Medicare Cost Report in accordance with the requirements of the Centers for Medicare and Medicaid Services for the year ending December 31, 2020. These reports and all necessary attachments will be provided to the County in the proper format for filing with the Centers for Medicare and Medicaid Services.

Department of Community Services

\$ 5,500.00

- Perform certain agreed upon procedures and services based upon the requirements of the NYS Office of Mental Health as outlined in a supplement to the CFR manual;
- Perform certain agreed upon procedures on the Consolidated Fiscal Report of the County Department of Community Services for the year ending December 31, 2020 in accordance with the requirements of the NYS Office of Mental Health. These agreed upon procedures engagements will be conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants.

and

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

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

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

RESOLVED, that such contract shall provide that 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 7 members of the Human Services Committee.

Adopted November 24, 2020 by voice vote.

**ACT NO. 478-2020** by Mrs. Andreano and Mr. Helmich

**APPROVING AMENDED CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND ACCUMEDIC COMPUTER SYSTEMS, INC. FOR DEPARTMENT OF COMMUNITY SERVICES ACCUMED SOFTWARE SYSTEM**

Pursuant to Section 41.07 of the Mental Hygiene Law and Section 450 of the County Law.

WHEREAS, Act 227-2019 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, SaaS Edition on redundant (Cloud) servers, customer support and training, the term of which expires May 23, 2024, and

WHEREAS, the Department of Community Services is desirous of accessing more services through the AccuMed Software System, and

WHEREAS, Accumedic Computer Systems, Inc., 11 Grace Avenue, Suite 401, Great Neck, New York 11021, can provide additional functionality through the AccuMed Software System for a one-time set up and software training fee in the amount of \$995.00, plus a monthly amount of \$720.00, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, between the Cattaraugus County Community Services Board and Accumedic Computer Systems, Inc., to signify the County's approval, to include the additional services for the utilization of Cloud servers, the original term of which commenced May 24, 2019 and terminates May 23, 2024, according to the above-described terms, and be it further

RESOLVED, that the aforementioned contract is contingent upon and subject to inclusion in the 2021 budget of sufficient funds to cover the costs of the aforementioned licenses, 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 7 members of the Human Services Committee.

Adopted November 24, 2020 by voice vote.

**ACT NO. 479-2020** by Mr. Boberg and Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CRAIG ZUCKERMAN, D.Ed., FOR SHERIFF'S OFFICE  
PRE-EMPLOYMENT PSYCHOLOGICAL SCREENING SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 444-2019 authorized a contract with Craig Zuckerman, D.Ed., Licensed Psychologist, 784 Main Street, Olean, New York 14760, for the provision of pre-employment psychological evaluations of prospective employees of the Sheriff's Office, the term of which expires December 31, 2020, and

WHEREAS, the Sheriff's Office is desirous of continuing the aforementioned services, and  
WHEREAS, Craig Zuckerman, D.Ed., Licensed Psychologist and independent contractor, has agreed to provide pre-employment psychological evaluations of prospective employees using the

enhanced 16PF and the Protective Services Report Plus, as the basis for written reports and recommendations, for an amount of \$125.00 per report, to be paid as invoiced, 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 Craig Zuckerman, D.Ed., for the provision of the above-described services, contingent upon and subject to inclusion in the 2021 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2021 and terminating December 31, 2021, according to the above-described terms, and be it further

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

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

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

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

Adopted November 24, 2020 by voice vote.

**ACT NO. 480-2020** by Mr. Boberg and Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
ELLCOTTVILLE PHARMACY, INC. FOR JAIL PHARMACEUTICALS**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 587-2017 authorized a contract with the Ellicottville Pharmacy, Inc., for the provision of pharmaceuticals for the inmates of the Cattaraugus County Jail, the term of which expires December 31, 2020, and

WHEREAS, the Sheriff's Office is desirous of renewing the aforementioned contract, and  
WHEREAS, Ellicottville Pharmacy, Inc., 6133 Route 219, Suite 1004, Ellicottville, New York

14731, can provide the aforementioned pharmaceuticals as follows:

- Brand Name Medications: Wholesale cost plus 7% charge per prescription
- Generic Medications: Wholesale cost plus \$6.00 charge per prescription
- Medication Returns: Credit based on wholesale cost
- Return Fee: 10% charge on all returns, except special price medications
- Dispensing Fee: Credit not issued
- Maintenance Medications Supplied in 28 or 30-day supply based on package size used
- Special Price Medications Supplied in 28 or 30-day supply based on package size used
- Medication Carts Seven carts to be maintained,

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 Ellicottville Pharmacy, Inc., for the provision of the above-described services, contingent upon and subject to inclusion in the 2021 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2021 and terminating December 31, 2023, 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 members of the County Operations/ Public Safety Committee.

Adopted November 24, 2020 by voice vote.

**ACT NO. 481-2020** by Mr. Higgins and Mr. Marsh  
*and Mr. Brisky and Ms. Schröder<sup>1</sup>*

**AUTHORIZING THE CHAIR TO EXECUTE LOAN DOCUMENTS  
WITH WARRIOR FITNESS & WELLNESS, LLC FOR  
PURCHASE OF EQUIPMENT AND MACHINERY**

Pursuant to Section 99-h of the State Finance Law and Section 450 of the County Law.

WHEREAS, Cattaraugus County has designated casino funds for economic development in the approved spending plan to address projects such as business retention and expansion by providing incentives to companies that retain and expand employment within Cattaraugus County, and

WHEREAS, the County is desirous of retaining and expanding employment in Cattaraugus County, and

WHEREAS, Warrior Fitness & Wellness, LLC, 5A Park Avenue, Ellicottville, New York 14731, has plans to purchase equipment and machinery for its full-service fitness and wellness center, and

WHEREAS, Warrior Fitness & Wellness, LLC, projects that one (1) full-time equivalent position and one (1) part-time equivalent position will be created as a result of this project, and

WHEREAS, the County administers its economic development loan program, using casino funds for economic development projects in the County, and

WHEREAS, it is proposed that the County loan to Warrior Fitness & Wellness, LLC, the sum of \$30,000.00, at a 5% fixed interest rate per annum, to be repaid in monthly installments over a seven (7) year period, with the following conditions:

- Payments for months 1 (one) through 84 (eight-four) shall be principal and interest,

and

WHEREAS, sufficient funds are included in the economic development fund from casino proceeds for this project, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute loan documents, on behalf of Cattaraugus County, with Warrior Fitness & Wellness, LLC, for a term commencing upon signing of the loan documents and terminating seven (7) years thereafter, according to the above-described terms.

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

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: “Mr. Brisky and Ms. Schröder”.

Adopted November 24, 2020 by voice vote.

**ACT NO. 482-2020** by Ms. Schröder  
and Mrs. Andreano, Mr. Benson, Mr. Brisky, Mr. Higgins,  
Mrs. Hunt, Mr. Morrow and Mr. Smith<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
PETRUZZI INSURANCE AGENCY, LLC FOR BROKER OF RECORD SERVICES  
FOR COUNTY INSURANCE PROGRAM**

Pursuant to Sections 52 and 78 of the General Municipal Law and  
Sections 215 and 450 of the County Law.

WHEREAS, Act 510-2019 authorized a contract with Petruzzi Insurance Agency, LLC, 825 East State Street, Olean, New York 14760, for the provision of brokerage services for the County’s Commercial Property, Boiler & Machinery, Commercial Crime, Excess Workers' Compensation & Employer's Liability, Excess Public Entity Liability 1st Layer, Excess Public Entity Liability 2nd Layer, Cyber Security Liability Policy, Nursing Home Policy Renewal, and Marina Coverages, as well as Risk Management Consulting services, the term of which expires December 31, 2020, and

WHEREAS, the County Department of Human Resources is desirous of renewing the aforementioned contract for another year for the provision of brokerage services, and

WHEREAS, Petruzzi Insurance Agency, LLC, can provide brokerage services for the County’s Commercial Property, Boiler & Machinery, Commercial Crime, Excess Workers' Compensation & Employer's Liability, Excess Public Entity Liability 1st Layer, Excess Public Entity Liability 2nd Layer, Cyber Security Liability Policy, Nursing Home Policy Renewal, and Marina Coverages, as well as Risk Management Consulting services, for an annual amount of \$70,000.00, to be paid as invoiced, 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 Petruzzi Insurance Agency, LLC, contingent upon and subject to inclusion in the 2021 budget of sufficient funds to cover the costs of the aforementioned services, for the provision of the above-described brokerage services, for a term commencing January 1, 2021 and terminating December 31, 2021, according to the above-described terms.

Approved by 6 members of the Finance Committee and 4 members of the Labor Relations Committee.

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: “Mrs. Andreano, Mr. Benson, Mr. Brisky, Mr. Higgins, Mrs. Hunt, Mr. Morrow and Mr. Smith”.

Adopted November 24, 2020 by voice vote.

**ACT NO. 483-2020** by Mr. Higgins and Mr. Marsh  
and Mr. Koch<sup>1</sup>

**AUTHORIZING THE CONTRIBUTION OF A GRANT MATCH TO THE  
TOWN OF RANDOLPH FOR TOWN OF RANDOLPH SAFE ROUTES TO SCHOOLS PROJECT**

Pursuant to Section 450 of the County Law.

WHEREAS, the Town of Randolph is desirous of installing Rapid Flash Beacons (RFB) at two (2) locations on Route 394 near the two schools in an effort to create safer crossing areas, and

WHEREAS, in conjunction with the installation of the aforementioned RFBs, high visibility crosswalks will be updated along Main Street and the Route 394 (Jamestown Street) intersection allowing for safer crossing areas, and

WHEREAS, the Town of Randolph has been awarded funding for the aforementioned project, however lacks the funds available to cover the required match and has requested assistance from Cattaraugus County, in the amount of \$50,000.00, and

WHEREAS, the Cattaraugus County Legislature created a Municipal Grant Program to provide support to municipalities who are applying for state, federal or Foundation funding and need assistance with securing required matching funds, and

WHEREAS, it serves a County purpose to assist municipalities within Cattaraugus County and also furthers the priorities of the Cattaraugus County vision within the 2025 Comprehensive Plan, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature shall provide up to \$50,000.00 as a grant match to the Town of Randolph, so that the Town may accept funding for the above-described Safe Routes to School Project.

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

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

Adopted November 24, 2020 by voice vote.

\* \* \* \* \*

MR. BRISKY moved, seconded by Mr. Morrow, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 484-2020 and Act No. 500-2020. Carried.

\* \* \* \* \*

**ACT NO. 484-2020** by Mrs. Andreano, Mr. Higgins and Mr. Smith  
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CITY OF OLEAN FOR  
TAX COLLECTION SERVICES**

Pursuant to Article 5-G of the General Municipal Law,  
Section 578 of the Real Property Tax Law  
and Section 450 of the County Law.

WHEREAS, the City of Olean desires to enter into a municipal cooperation agreement with the County for the collection of County taxes, and

WHEREAS, the City of Olean desires to jointly and concurrently collect taxes with the County pursuant to NYS Real Property Tax Law Sections 578(2)(a) and 578(2)(b), and

WHEREAS, the City of Olean authorizes the County Treasurer to collect County taxes on behalf of the City, and

WHEREAS, the City of Olean shall retain its authority to collect City taxes, now, therefore, be it

RESOLVED, that the County Treasurer shall be considered a tax collecting officer of the City of Olean for the purpose of collecting County taxes for the City of Olean, including any interest and/or penalties that may be owed, on behalf of the City from residents, and shall have all powers and duties thereof, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a municipal cooperation agreement, on behalf of Cattaraugus County, with the City of Olean for the provision of the above-described services, for a term commencing January 1, 2021 and remaining in full force and effect until terminated by either party upon the giving of thirty days' written notice to the other party, on or before September 1<sup>st</sup> of the preceding County tax collection year.

Adopted November 24, 2020 by voice vote.

**ACT NO. 500-2020** by Mr. Marsh  
who asks immediate consideration

**AUTHORIZING PUBLIC HEARING ON UPDATED CATTARAUGUS COUNTY  
AGRICULTURAL AND FARMLAND PROTECTION PLAN**

Pursuant to Section 324 (2) of the Agriculture and Markets Law.

WHEREAS, the update to the County's Agricultural and Farmland Protection Plan ("Plan") is being finalized, and

WHEREAS, the County is required to hold a public hearing to provide information to the public and to consider citizen comments regarding updates to the aforementioned Plan, now, therefore, be it

RESOLVED, that a public hearing shall be held by this County Legislature on the updates to the County's Agricultural and Farmland Protection Plan on the 9<sup>th</sup> day of December, 2020, at 4:01 p.m. at the Legislature's Chambers, County Center, 303 Court Street, Little Valley, New York, and that at least

five (5) days' notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspaper of the County.

Adopted November 24, 2020 by voice vote.

\* \* \* \* \*

MR. BRISKY moved, seconded by Mr. Marsh, to accept the Finance Committee Report on the 2021 Tentative Budget. Carried.

\* \* \* \* \*

**ACT NO. 485-2020** by Mr. Burr  
who asks immediate consideration

**ADOPTION OF 2021 BUDGET**

Pursuant to Section 360 of the County Law.

RESOLVED, that the tentative County Budget for the year 2021, as amended and filed with the Clerk of the Legislature and as hereafter attached, is hereby adopted as the County Budget for 2021 and the budget requires the raising by tax of the amount of \$55,495,000.00.

Adopted November 24, 2020 by voice vote.

**ACT NO. 486-2020** by Mr. Burr  
who asks immediate consideration

**APPORTIONMENT OF COUNTY BUDGET**

Pursuant to Section 804 of the Real Property Tax Law.

RESOLVED, that the following report of the assessed value of all property assessed in each of the several towns and cities of the County for 2021 shows the equalized value of real estate and the amount of the County budget apportioned to each district:

| PROPERTY TAX REPORT       |               | November 23, 2020                   |                   |               |                 |          |
|---------------------------|---------------|-------------------------------------|-------------------|---------------|-----------------|----------|
| PROPERTY TAX AMOUNT ..... |               | \$55,495,000                        |                   |               |                 |          |
| TOWN                      | Taxable Value | Taxable Value With Fixed Exemptions | Equalization Rate | Full Value    | Apportioned Tax | Tax Rate |
| ALLEGANY                  | 365,039,870   | 365,044,370                         | 95.00             | 384,257,232   | 4,418,747.32    | 12.1048  |
| ASHFORD                   | 78,039,858    | 78,043,558                          | 49.00             | 159,272,567   | 1,831,547.12    | 23.4694  |
| CARROLLTON                | 72,268,095    | 72,270,545                          | 80.00             | 90,338,181    | 1,038,839.51    | 14.3748  |
| COLDSRING                 | 66,655,075    | 66,656,575                          | 100.00            | 66,656,575    | 766,514.03      | 11.4997  |
| CONEWANGO                 | 33,210,476    | 33,211,976                          | 51.00             | 65,121,522    | 748,861.77      | 22.5490  |
| DAYTON                    | 76,019,183    | 76,019,183                          | 100.00            | 76,019,183    | 874,178.89      | 11.4995  |
| EAST OTTO                 | 85,497,183    | 85,498,683                          | 99.00             | 86,362,306    | 993,119.13      | 11.6158  |
| ELLCOTTVILLE              | 610,720,517   | 610,720,517                         | 99.00             | 616,889,411   | 7,093,889.71    | 11.6156  |
| FARMERSVILLE              | 67,010,612    | 67,013,612                          | 92.00             | 72,840,883    | 837,630.18      | 12.5000  |
| FRANKLINVILLE             | 83,692,135    | 83,769,801                          | 62.00             | 135,112,582   | 1,553,720.55    | 18.5647  |
| FREEDOM                   | 120,744,960   | 120,751,990                         | 94.00             | 128,459,564   | 1,477,214.49    | 12.2342  |
| GREAT VALLEY              | 176,233,906   | 176,233,906                         | 93.00             | 189,498,824   | 2,179,132.49    | 12.3650  |
| HINSDALE                  | 120,528,058   | 120,528,358                         | 85.00             | 141,798,068   | 1,630,599.97    | 13.5288  |
| HUMPHREY                  | 83,991,437    | 83,991,437                          | 84.00             | 99,989,806    | 1,149,827.90    | 13.6898  |
| ISCHUA                    | 40,422,092    | 40,430,192                          | 85.00             | 47,564,932    | 546,970.62      | 13.5315  |
| LEON                      | 47,498,237    | 47,500,137                          | 84.00             | 56,547,782    | 650,268.46      | 13.6904  |
| LITTLE VALLEY             | 46,914,810    | 46,917,260                          | 63.00             | 74,471,841    | 856,385.30      | 18.2541  |
| LYNDON                    | 48,747,208    | 48,747,208                          | 96.00             | 50,778,342    | 583,923.07      | 11.9786  |
| MACHIAS                   | 147,028,910   | 147,036,910                         | 91.00             | 161,579,022   | 1,858,070.09    | 12.6374  |
| MANSFIELD                 | 141,560,021   | 141,565,288                         | 100.00            | 141,565,288   | 1,627,923.13    | 11.4999  |
| NAPOLI                    | 57,371,161    | 57,371,161                          | 84.00             | 68,299,001    | 785,401.03      | 13.6898  |
| NEW ALBION                | 56,431,577    | 56,431,577                          | 58.00             | 97,295,822    | 1,118,848.56    | 19.8266  |
| OLEAN/CITY                | 483,589,526   | 483,660,726                         | 88.00             | 549,614,461   | 6,320,264.70    | 13.0695  |
| OLEAN/TOWN                | 89,956,938    | 89,968,238                          | 67.00             | 134,280,952   | 1,544,157.26    | 17.1655  |
| OTTO                      | 72,070,328    | 72,070,478                          | 100.00            | 72,070,478    | 828,770.95      | 11.4995  |
| PERRYSBURG                | 56,808,873    | 56,914,773                          | 63.00             | 90,340,910    | 1,038,870.89    | 18.2871  |
| PERSIA                    | 58,203,120    | 58,203,120                          | 66.00             | 88,186,545    | 1,014,096.88    | 17.4234  |
| PORTVILLE                 | 134,492,004   | 134,513,834                         | 86.00             | 156,411,435   | 1,798,645.67    | 13.3736  |
| RANDOLPH                  | 84,930,485    | 84,934,985                          | 76.00             | 111,756,559   | 1,285,139.10    | 15.1317  |
| RED HOUSE                 | 222,788,195   | 222,788,195                         | 100.00            | 222,788,195   | 2,561,941.99    | 11.4995  |
| SALAMANCA/CITY            | 15,105,127    | 15,150,927                          | 14.50             | 104,489,152   | 1,201,567.91    | 79.5470  |
| SALAMANCA/TOWN            | 28,116,775    | 28,116,775                          | 84.00             | 33,472,351    | 384,913.67      | 13.6898  |
| SOUTH VALLEY              | 31,178,259    | 31,179,759                          | 71.00             | 43,915,154    | 505,000.17      | 16.1972  |
| YORKSHIRE                 | 28,568,760    | 28,577,660                          | 13.75             | 207,837,527   | 2,390,017.51    | 83.6584  |
|                           | 3,931,433,771 | 3,931,833,714                       |                   | 4,825,882,453 | 55,495,000.02   |          |
| TAX RATE % FULL VALUE     |               | 0.0114994513                        |                   |               |                 |          |
| TAX RATE % TAXABLE VALUE  |               | 0.0141157153                        |                   |               |                 |          |

\*\*\* Assessment Values as of November 23, 2020.

Adopted November 24, 2020 by voice vote.

**ACT NO. 487-2020** by Mr. Burr  
who asks immediate consideration

**APPROPRIATIONS FOR THE FISCAL YEAR 2021**

Pursuant to Sections 356 and 360 of the County Law.

WHEREAS, the Cattaraugus County Legislature has, by resolution, adopted a budget for the fiscal year 2021, now, therefore, be it

RESOLVED, that the several subtotals specified in such budget, in the column headed "Adopted" opposite the several items of expenditures, be approved for such items, effective January 1, 2021.

Adopted November 24, 2020 by voice vote.

**ACT NO. 488-2020** by Mr. Burr  
who asks immediate consideration

**AUTHORIZING THE CHAIR AND CLERK TO SIGN AND ATTACH WARRANTS**

Pursuant to Section 904 of the Real Property Tax Law.

RESOLVED, that tax levies as extended upon the several rolls of the County be, and they hereby are, approved, and be it further

RESOLVED, that the Chair and the Clerk of the Legislature be, and they hereby are, authorized and directed to sign and attach warrants thereto under the date of December 10, 2020.

Adopted November 24, 2020 by voice vote.

**ACT NO. 489-2020** by Mr. Burr  
who asks immediate consideration

**AUTHORIZATION TO DEBIT AND CREDIT ACCOUNTS OF TOWNS AND CITIES**

Pursuant to Section 940 of the Real Property Tax Law.

WHEREAS, at the meeting of the Legislature on November 24, 2020, a report was filed by the County Treasurer in the Office of the County Treasurer showing the debits and credits of all the towns and cities in the County, now, therefore, be it

RESOLVED, that the Clerk of the Legislature be, and hereby is, authorized and directed to debit and credit the respective towns and cities as set forth on such report in the tax levy:

| <u>TOWN</u> | <u>DEBIT</u> | <u>CREDIT</u> |
|-------------|--------------|---------------|
| Allegany    | 1.43         |               |
| Ashford     | .19          |               |
| Carrollton  |              |               |
| Coldspring  |              | .55           |
| Conewango   | .12          |               |

|                |       |     |
|----------------|-------|-----|
| Dayton         |       | .13 |
| East Otto      |       | .10 |
| Ellicottville  | 2.03  |     |
| Farmersville   |       |     |
| Franklinville  |       | .43 |
| Freedom        | .06   |     |
| Great Valley   |       |     |
| Hinsdale       | .19   |     |
| Humphrey       |       | .15 |
| Ischua         |       | .07 |
| Leon           | .11   |     |
| Little Valley  | .37   |     |
| Lyndon         |       | .13 |
| Machias        |       |     |
| Mansfield      |       |     |
| Napoli         | .59   |     |
| New Albion     | 10.12 |     |
| Olean City     | 21.09 |     |
| Olean Town     |       |     |
| Otto           |       | .16 |
| Perrysburg     |       | .17 |
| Persia         |       | .07 |
| Portville      |       |     |
| Randolph       |       | .30 |
| Red House      |       |     |
| Salamanca City | .19   |     |
| Salamanca Town |       | .01 |
| South Valley   | .06   |     |
| Yorkshire      |       |     |

Adopted November 24, 2020 by voice vote.

**ACT NO. 490-2020** by Mr. Burr  
who asks immediate consideration

**AUTHORIZING RELEVY OF RETURNED SCHOOL TAXES AND  
RETURNED CITY TAXES OF THE CITY OF OLEAN**

Pursuant to Section 1330 of the Real Property Tax Law.

RESOLVED, that effective November 30, 2020, the Clerk of the Legislature be, and hereby is, authorized and directed to relevy all returned school taxes and returned city taxes of the City of Olean.

Adopted November 24, 2020 by voice vote.

**ACT NO. 491-2020** by Mr. Burr  
who asks immediate consideration

**AUTHORIZING RELEVY OF VILLAGE TAXES OF  
THE COUNTY OF CATTARAUGUS**

Pursuant to Section 1442 of the Real Property Tax Law.

RESOLVED, that effective November 30, 2020, the Clerk of the Legislature be, and hereby is, authorized and directed to relevy all returned village taxes of the County of Cattaraugus.

Adopted November 24, 2020 by voice vote.

**ACT NO. 492-2020** by Mr. Burr  
who asks immediate consideration

**AUTHORIZATION TO APPLY PORTION OF TOWN OF PORTVILLE'S  
SHARE OF SALES TAX REVENUE TO REDUCTION OF  
COUNTY TAX LEVIED AGAINST THE TOWN**

Pursuant to Article 29 of the Tax Law.

WHEREAS, the Town of Portville has elected to take its share of the sales tax revenue in cash, and

WHEREAS, the share due to the Town of Portville will result in a surplus, and

WHEREAS, the Town of Portville has requested that a portion of such surplus be applied to reduce the County Tax against the Town of Portville (outside), now, therefore, be it

RESOLVED, that \$360,000.00 of the 2021 sales tax revenue due the Town of Portville be applied to the reduction of the County Tax levied against the real property in the Town of Portville (outside).

Adopted November 24, 2020 by voice vote.

**ACT NO. 493-2020** by Mr. Burr  
who asks immediate consideration

**AUTHORIZATION TO APPLY PORTION OF TOWN OF FARMERSVILLE'S  
SHARE OF SALES TAX REVENUE TO REDUCTION OF  
COUNTY TAX LEVIED AGAINST THE TOWN**

Pursuant to Article 29 of the Tax Law.

WHEREAS, the Town of Farmersville has elected to take its share of the sales tax revenue in cash, and

WHEREAS, the share due to the Town of Farmersville will result in a surplus, and

WHEREAS, the Town of Farmersville has requested that a portion of such surplus be applied to reduce the County Tax against the Town of Farmersville, now, therefore, be it

RESOLVED, that \$210,000.00 of the 2021 sales tax revenue due the Town of Farmersville be applied to the reduction of the County Tax levied against the real property in the Town of Farmersville.

Adopted November 24, 2020 by voice vote.

**ACT NO. 494-2020** by Mr. Burr  
who asks immediate consideration

**AUTHORIZATION TO APPLY PORTION OF TOWN OF RED HOUSE'S  
SHARE OF SALES TAX REVENUE TO REDUCTION OF  
COUNTY TAX LEVIED AGAINST THE TOWN**

Pursuant to Article 29 of the Tax Law.

WHEREAS, the Town of Red House has elected to take its share of the sales tax revenue in cash, and

WHEREAS, the share due to the Town of Red House will result in a surplus, and

WHEREAS, the Town of Red House has requested that a portion of such surplus be applied to reduce the County Tax against the Town of Red House, now, therefore, be it

RESOLVED, that \$390,000.00 of the 2021 sales tax revenue due the Town of Red House be applied to the reduction of the County Tax levied against the real property in the Town of Red House.

Adopted November 24, 2020 by voice vote.

**ACT NO. 495-2020** by Mr. Burr  
who asks immediate consideration

**ADOPTION OF EQUALIZATION RATES**

Pursuant to Section 804 of the Real Property Tax Law.

RESOLVED, that the Cattaraugus County Legislature does hereby adopt the equalization rate fixed by the State Board of Real Property Tax Services for the year 2020 as follows:

| <u>Towns</u>  | <u>Equalization Rates</u> |
|---------------|---------------------------|
| Allegany      | 95.00                     |
| Ashford       | 49.00                     |
| Carrollton    | 80.00                     |
| Cold Spring   | 100.00                    |
| Conewango     | 51.00                     |
| Dayton        | 100.00                    |
| East Otto     | 99.00                     |
| Ellicottville | 99.00                     |
| Farmersville  | 92.00                     |

|                 |        |
|-----------------|--------|
| Franklinville   | 62.00  |
| Freedom         | 94.00  |
| Great Valley    | 93.00  |
| Hinsdale        | 85.00  |
| Humphrey        | 84.00  |
| Ischua          | 85.00  |
| Leon            | 84.00  |
| Little Valley   | 63.00  |
| Lyndon          | 96.00  |
| Machias         | 91.00  |
| Mansfield       | 100.00 |
| Napoli          | 84.00  |
| New Albion      | 58.00  |
| Olean, City     | 88.00  |
| Olean, Town     | 67.00  |
| Otto            | 100.00 |
| Perrysburg      | 63.00  |
| Persia          | 66.00  |
| Portville       | 86.00  |
| Randolph        | 76.00  |
| Red House       | 100.00 |
| Salamanca, City | 14.50  |
| Salamanca, Town | 84.00  |
| South Valley    | 71.00  |
| Yorkshire       | 13.75  |

Adopted November 24, 2020 by voice vote.

**ACT NO. 496-2020** by Mr. Burr  
who asks immediate consideration

**BOND RESOLUTION DATED NOVEMBER 24, 2020.**

**A RESOLUTION AUTHORIZING CULVERT IMPROVEMENTS  
IN AND FOR THE COUNTY OF CATTARAUGUS, NEW YORK, AT A MAXIMUM  
ESTIMATED COST OF \$2,140,000, AND AUTHORIZING THE ISSUANCE OF  
\$698,750 BONDS OF SAID COUNTY TO PAY PART OF THE COST THEREOF**

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Cattaraugus, New York, as follows:

Section 1. Culvert improvements, including drainage, landscaping and incidental costs, is hereby authorized in and for said County of Cattaraugus at a maximum estimated cost of \$2,140,000.

Section 2. The plan for the financing of such maximum estimated cost shall be as follows:

- (a) By the expenditure of \$100,812.50 available funds;
- (b) By the expenditure of \$1,340,437.50 to be received as grants-in-aid; and

- (c) By the issuance of \$698,750 bonds of said County hereby authorized to be issued pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of said class of objects or purposes is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Cattaraugus, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the Olean Times Herald, the official newspaper of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

VICE-CHAIR BURR requested a Roll Call vote on Act No. 496-2020, which disclosed as follows:

Ayes: Andreano, Benson, Boberg, Brisky, Burr, Helmich, Higgins, Hunt, Koch, Marsh, Morrow, Parker, Schröder, Smith, Snyder - 15.

Nays: none.

Act No. 496-2020, having received a unanimous vote of the Legislature, was declared Adopted.

**ACT NO. 497-2020** by Mr. Burr  
who asks immediate consideration

**BOND RESOLUTION DATED NOVEMBER 24, 2020.**

**A RESOLUTION AUTHORIZING HIGHWAY IMPROVEMENTS  
IN AND FOR THE COUNTY OF CATTARAUGUS, NEW YORK, AT A MAXIMUM  
ESTIMATED COST OF \$9,847,628, AND AUTHORIZING THE ISSUANCE OF  
\$2,814,349 BONDS OF SAID COUNTY TO PAY PART OF THE COST THEREOF**

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Cattaraugus, New York, as follows:

Section 1. The reconstruction and construction of improvements to various highways, including widening and resurfacing projects, intersection improvements, as well as sidewalks, curbs, gutters, drainage, landscaping, grading or improving rights-of-way and other improvements and incidental costs, are hereby authorized in and for said County of Cattaraugus at a maximum estimated cost of \$9,847,628.

Section 2. The plan for the financing of such maximum estimated cost shall be as follows:

- (a) By the expenditure of \$3,201,556 available funds;
- (b) By the expenditure of \$3,831,723 to be received as grants-in-aid; and
- (c) By the issuance of \$2,814,349 bonds of said County hereby authorized to be issued pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of said class of objects or purposes is fifteen years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Cattaraugus, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the Olean Times Herald, the official newspaper of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

VICE-CHAIR BURR requested a Roll Call vote on Act No. 497-2020, which disclosed as follows:

Ayes: Andreano, Benson, Boberg, Brisky, Burr, Helmich, Higgins, Hunt, Koch, Marsh, Morrow, Parker, Schröder, Smith, Snyder - 15.

Nays: none.

Act No. 497-2020, having received a unanimous vote of the Legislature, was declared Adopted.

**ACT NO. 498-2020** by Mr. Burr  
who asks immediate consideration

**INCREASING APPROPRIATION AND ESTIMATED REVENUE ACCOUNTS  
(Department of Public Works)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, Acts 496-2020 and 497-2020 authorized bond issues in the total amount of \$3,513,099.00, and

WHEREAS, it is necessary to create appropriation and revenue accounts to accommodate the aforementioned bond funds, now, therefore, be it

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

Increase Estimated Revenue Accounts:

|                         |                       |                |
|-------------------------|-----------------------|----------------|
| H.504.5197.5198.5710.01 | Serial Bonds Culverts | \$ 698,750.00  |
| H.504.5197.5198.5710.03 | Serial Bonds Roads    | \$2,814,349.00 |

Increase Appropriation Accounts:

|                             |                               |                |
|-----------------------------|-------------------------------|----------------|
| H.504.5197.5198.23057.41603 | New Albion Culverts #46 & #47 | \$ 183,750.00  |
| H.504.5197.5198.23068.41603 | Culvert C8528480/C8528092     | \$ 210,000.00  |
| H.504.5197.5198.23087.41603 | Farmersville Culvert #6       | \$ 165,000.00  |
| H.504.5197.5198.23088.41603 | Farmersville Culvert #7       | \$ 140,000.00  |
| H.504.5197.5198.27057.41603 | County Road #100              | \$ 275,000.00  |
| H.504.5197.5198.27023.41603 | County Road #85               | \$ 151,072.00  |
| H.504.5197.5198.27033.41603 | County Road #13               | \$ 180,000.00  |
| H.504.5197.5198.27034.41603 | County Road #21               | \$ 340,000.00  |
| H.504.5197.5198.27073.41603 | County Road #75               | \$ 420,000.00  |
| H.504.5197.5198.27082.41603 | County Road #63               | \$ 420,000.00  |
| H.504.5197.5198.27069.41603 | County Road #38               | \$ 375,000.00  |
| H.504.5197.5198.27020.41603 | County Road #60               | \$ 532,809.00  |
| H.504.5197.5198.27084.41603 | County Road #74               | \$ 120,468.00. |

Adopted November 24, 2020 by voice vote.

**ACT NO. 499-2020** by Mr. Burr  
who asks immediate consideration

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(CHIPS – Department of Public Works)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, Cattaraugus County has received CHIPS funding in the amount of \$2,795,764.00 for 2021, and

WHEREAS, the Department of Public Works is desirous of allocating the CHIPS funding for various highway projects, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to accommodate this funding, now, therefore, be it

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

Increase Estimated Revenue Account:

|                      |                       |                |
|----------------------|-----------------------|----------------|
| H.504.5197.5197.3501 | Serial Bonds Culverts | \$2,795,764.00 |
|----------------------|-----------------------|----------------|

Increase Appropriation Accounts:

|                       |                 |               |
|-----------------------|-----------------|---------------|
| H.504.5197.5197.27033 | County Road #13 | \$ 270,000.00 |
| H.504.5197.5197.27034 | County Road #21 | \$ 510,000.00 |

|                       |                 |                |
|-----------------------|-----------------|----------------|
| H.504.5197.5197.27073 | County Road #75 | \$ 630,000.00  |
| H.504.5197.5197.27082 | County Road #63 | \$ 630,000.00  |
| H.504.5197.5197.27020 | County Road #60 | \$ 576,232.00  |
| H.504.5197.5197.27084 | County Road #74 | \$ 179,532.00. |

Adopted November 24, 2020 by voice vote.

\* \* \* \* \*

**PRIVILEGE OF THE FLOOR:**

VICE-CHAIRMAN BURR granted Privilege of the Floor to Mayor William Aiello of the City of Olean who expressed his appreciation for the support of the Legislature to the Olean Municipal Airport in the 2021 Budget.

\* \* \* \* \*

MR. BOBERG moved, seconded by Mr. Morrow, to adjourn until December 9, 2020 at 4:00 p.m.  
Carried.

Meeting adjourned at 4:55 p.m.

Ann M. Giglio  
Journal Clerk