



April 14, 2021

The meeting was called to order by Chairman VanRensselaer.

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed all Legislators present.

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There being no amendments or objections thereto, Chairman VanRensselaer noted that the minutes of the March 24, 2021 session stand approved as presented.

\* \* \* \* \*

**COMMUNICATIONS:**

New York State Department of State: Acknowledging receipt of Local Law Number 2-2021 (Intro Number 3-2021) and the filing of the same on March 11, 2021.

Essex County Board of Supervisors: Resolution No. 91, Resolution Opposing Legislative Agenda of Certain Adirondack Environmental Groups Seeking to Decouple Broadband and Cellular Expansion Coverage in Essex County and the State.

M. Andrew Burr, Chair, Finance Committee: Apportionment of Mortgage Taxes for the six-month period from October 1, 2020 through March 31, 2021. (see report on page 200)

Cattaraugus County Farm Bureau: Note of thanks for the opportunity to speak at the February 10, 2021 meeting.

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**APPOINTMENTS:**

**CATTARAUGUS-ALLEGANY WORKFORCE DEVELOPMENT BOARD**

*Three-year term to expire December 31, 2023*

Whitney Verbridge, Cattaraugus County Action,  
*filling the unexpired term of John Haley.*

\* \* \* \* \*

**PUBLIC HEARINGS:**

CHAIRMAN VANRENSELAER announced this is the time and place called for a public hearing on the submission of an application to the New York State Office of Homes and Community Renewal Housing Trust Fund Corporation for Community Development Block Grant funding to help communities throughout the state to safely reopen and restart their local economies in the wake of COVID-19 as well as fund a series of activities to prevent the spread of COVID-19, respond to the impacts of COVID-19, and safely reopen and prepare businesses and facilities for new safety protocols, 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 Crystal Abers, Director of the Department of Economic Development, Planning and Tourism, no later than 4:00 pm on April 14, 2021.

There being no one wishing to speak, CHAIRMAN VANRENSELAER declared the public hearing closed.

CHAIRMAN VANRENSELAER announced this is the time and place called for a public hearing on Local Law Number 4-2021, A Local Law Creating the Cattaraugus County Human Resources Department and Repealing Local Law Number 23-2002 (Intro Number 28-2002), As Amended, 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 Assistant to the Legislature no later than 4:00 pm on April 14, 2021.

There being no one wishing to speak, CHAIRMAN VANRENSELAER declared the public hearing closed.

CHAIRMAN VANRENSELAER announced this is the time and place called for a public hearing on Local Law Number 5-2021, A Local Law Establishing Risk Management Functions in the Office of the County Attorney, 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 Assistant to the Legislature no later than 4:00 pm on April 14, 2021.

There being no one wishing to speak, CHAIRMAN VANRENSELAER declared the public hearing closed.

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**PRIVILEGE OF THE FLOOR:**

CHAIRMAN VANRENSELAER granted Privilege of the Floor to representatives of CHBWV – West Valley Demonstration Project: John Rendell, President and General Manager and Kelly Wooley, Deputy General Manager, who presented an update on the cleanup project, which is at 98% completion.

\* \* \* \* \*

To: The Chairman and Legislature of Cattaraugus County:							
I, the Chairman of the Finance Committee, which committee has charge of Apportionment of Mortgage Taxes, respectfully report that the amount to be apportioned for the six-month period from October 1, 2020 through March 31, 2021 is \$500,277.20 and recommend that the amounts opposite the names of the cities/towns be paid to the fiscal officers of that city/town, and amounts in the column headed villages, be paid to the treasurers of the respective villages.							
Respectfully submitted, M. Andrew Burr, Chairman Finance Committee							
APPORTIONMENT OF MORTGAGE TAXES							
	ROW 1	ROW 2	ROW 3	ROW 4	ROW 5	ROW 6	ROW 7
	CITY/TOWN	DOUBLE	VILLAGE	VILLAGE	TOTAL AMOUNT		CITY/
	ASSESSED	CITY/TOWN	ASSESSED	PERCENTAGE	MORTGAGE TAX	VILLAGE	TOWN
	VALUATION	VALUATION	VALUATION	SHARE	DISTRIBUTED	SHARE	SHARE
ALLEGANY	365,039,870	730,079,740	75,177,402	0.10297149	30,475.62	3,138.12	27,337.50
ASHFORD	78,039,858	156,079,716		0.00000000	13,867.40	0.00	13,867.40
CARROLLTON	72,268,095	144,536,190		0.00000000	5,168.44	0.00	5,168.44
COLDSRING	66,655,075	133,310,150		0.00000000	795.86	0.00	795.86
CONEWANGO	33,210,476	66,420,952		0.00000000	4,037.15	0.00	4,037.15
DAYTON	76,019,183	152,038,366	16,184,492	0.10645005	4,417.16	470.21	3,946.95
EAST OTTO	85,497,183	170,994,366		0.00000000	9,403.86	0.00	9,403.86
ELLCOTTVILLE	610,720,517	1,221,441,034	136,773,554	0.11197721	135,472.99	15,169.89	120,303.10
FARMERSVILLE	67,010,612	134,021,224		0.00000000	3,364.46	0.00	3,364.46
FRANKLINVILLE	83,692,135	167,384,270	31,480,345	0.18807230	18,038.89	3,392.62	14,646.27
FREEDOM	120,744,960	241,489,920		0.00000000	9,395.47	0.00	9,395.47
GREAT VALLEY	176,233,906	352,467,812		0.00000000	25,565.05	0.00	25,565.05
HINSDALE	120,528,058	241,056,116		0.00000000	9,427.17	0.00	9,427.17
HUMPHREY	83,991,437	167,982,874		0.00000000	5,809.43	0.00	5,809.43
ISCHUA	40,422,092	80,844,184		0.00000000	2,247.62	0.00	2,247.62
LEON	47,498,237	94,996,474		0.00000000	6,734.02	0.00	6,734.02
LITTLE VALLEY	46,914,810	93,829,620	18,610,556	0.19834415	4,901.44	972.17	3,929.27
LYNDON	48,747,208	97,494,416		0.00000000	3,060.29	0.00	3,060.29
MACHIAS	147,028,910	294,057,820		0.00000000	10,683.95	0.00	10,683.95
MANSFIELD	141,560,021	283,120,042		0.00000000	30,662.58	0.00	30,662.58
NAPOLI	57,371,161	114,742,322		0.00000000	4,030.33	0.00	4,030.33
NEW ALBION	56,431,577	112,863,154	20,789,243	0.18419867	6,880.06	1,267.30	5,612.76
OLEAN,CITY	483,589,526	967,179,052		0.00000000	66,692.81	0.00	66,692.81
OLEAN, TOWN	89,956,938	179,913,876		0.00000000	9,851.25	0.00	9,851.25
OTTO	72,070,328	144,140,656		0.00000000	7,964.66	0.00	7,964.66
PERRYSBURG	56,808,873	113,617,746		0.00000000	5,691.87	0.00	5,691.87
PERSIA	58,203,120	116,406,240	40,381,496	0.34690147	9,487.36	3,291.18	6,196.18
PORTVILLE	134,458,004	268,916,008	27,483,331	0.10220043	19,316.94	1,974.20	17,342.74
RANDOLPH	84,930,485	169,860,970		0.00000000	5,726.85	0.00	5,726.85
RED HOUSE	222,788,195	445,576,390		0.00000000	0.00	0.00	0.00
SALAMANCA, CITY	15,094,227	30,188,454		0.00000000	6,263.31	0.00	6,263.31
SALAMANCA, TOWN	28,116,775	56,233,550		0.00000000	4,008.23	0.00	4,008.23
SOUTH VALLEY	31,178,259	62,356,518		0.00000000	1,936.46	0.00	1,936.46
YORKSHIRE	28,568,760	57,137,520	5,647,886	0.09884724	18,898.22	1,868.04	17,030.18
TOTALS	3,931,388,871		372,528,305		500,277.20	31,543.73	468,733.47

\* \* \* \* \*

CHAIRMAN VANRENSELAER called up **Act No. 146-2021**, A Local Law Creating the Cattaraugus County Human Resources Department and Repealing Local Law Number 23-2002 (Intro Number 28-2002), As Amended, and asked that it be read.

CHAIRMAN VANRENSELAER requested a Roll Call vote on Act No. 146-2021, which disclosed as follows:

Ayes: Andreano, Benson, Boberg, Brisky, Burr, Helmich, Higgins, Hunt, Klancer, Koch, Marsh, Morrow, Parker, Schröder, Smith, Snyder, VanRensselaer -17.

Nays: none.

Act No. 146-2021, Local Law Number 4-2021, having received a unanimous vote of the Legislature, was declared Adopted.

CHAIRMAN VANRENSELAER called up **Act No. 148-2021**, A Local Law Establishing Risk Management Functions in the Office of the County Attorney, and asked that it be read.

CHAIRMAN VANRENSELAER requested a Roll Call vote on Act No. 148-2021, which disclosed as follows:

Ayes: Andreano, Benson, Boberg, Brisky, Burr, Helmich, Higgins, Hunt, Klancer, Koch, Marsh, Morrow, Parker, Schröder, Smith, Snyder, VanRensselaer -17.

Nays: none.

Act No. 148-2021, Local Law Number 5-2021, having received a unanimous vote of the Legislature, was declared Adopted.

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**ACT NO. 153-2021** by Mr. Helmich and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
CLEAN HARBORS ENVIRONMENTAL SERVICES, INC. FOR  
HOUSEHOLD HAZARDOUS WASTE PROGRAM  
(Fuel Surcharge)**

Pursuant to Sections 226-b and 450 of the County Law.

WHEREAS, Act 237-2019 authorized a contract with Clean Harbors Environmental Services, Inc., for the collection, transportation and disposal of household hazardous waste for Cattaraugus County residents, the term of which expires May 31, 2021, with an option to renew for one (1) additional one (1) year period at the same rates, and

WHEREAS, due to rising gas prices, Clean Harbors Environmental Services, Inc., has requested a maximum fuel surcharge of 8.5% for the October 2021 household hazardous waste collection, and

WHEREAS, a contract amendment is needed in order to approve such fuel surcharge, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Clean Harbors Environmental Services, Inc., for the payment of a maximum fuel surcharge of 8.5% during the October 2021 household hazardous waste collection, and to amend the original contract which commenced June 1, 2019 and now terminates May 31, 2022, according to the above-described terms.

Approved by 4 members of the Finance Committee and 5 members of the Public Works Committee.

Adopted April 14, 2021 by voice vote.

**ACT NO. 154-2021** by Mr. Helmich and Mr. Koch

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(2021 Public Works Projects)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, various appropriation and revenue accounts must be adjusted to cover the cost of the various projects included in the County's 2021 Public Work Projects, now, therefore, be it

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

Decrease Appropriation Account:

A.901.1910.0000.40611	Provision for Capital Projects	\$2,000,000.00
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Increase Appropriation Accounts:

D.503.5110.5120.27010	County Road No. 16	\$ 175,000.00
D.503.5110.5120.27034	County Road No. 2	\$ 100,000.00
D.503.5110.5120.27046	County Road No. 78	\$ 113,000.00
D.503.5110.5120.27055	County Road No. 8	\$ 150,000.00
D.503.5110.5120.27065	County Road No. 55	\$ 61,000.00
H.504.5197.5198.27008	County Road No. 46	\$ 165,000.00
H.504.5197.5198.27037	County Road No. 51	\$ 338,000.00
H.504.5197.5198.27042	County Road No. 80	\$ 70,000.00
H.504.5197.5198.27047	County Road No. 6	\$ 112,000.00
H.504.5197.5198.27047	County Road No. 6	\$ 200,000.00
H.504.5197.5198.27057	County Road No. 10	\$ 212,000.00
H.504.5197.5198.27085	County Road No. 50	\$ 74,000.00
H.504.5197.5198.27086	County Road No. 67	\$ 230,000.00

Held in the Finance Committee and the Public Works Committee.

ACT NO. 155-2021 by Mr. Helmich and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH DATAVAL, INC. FOR WATER MONITORING DATA VALIDATION SERVICES AT FARWELL AND FIVE POINTS LANDFILLS**

Pursuant to Sections 226-b and 450 of the County Law.

WHEREAS, Act 464-2019 authorized a contract with Dataval, Inc., 201 West Genesee Street, PMB 273, Fayetteville, New York 13066, for the provision of water monitoring data validation services for the Farwell (Town of Ischua) and Five Points (Town of Mansfield) Landfills, the term of which expires December 31, 2021, with the County's sole option to renew for two (2) additional one-year periods at the same rates, terms and conditions, and

WHEREAS, the Department of Public Works has modified the sampling schedules, and

WHEREAS, due to such sampling schedule modification, the County Department of Public Works is also desirous of modifying the water monitoring data validation services, and

WHEREAS, Dataval, Inc., has agreed to provide water monitoring data validation services for the Farwell and Five Points Landfills in accordance with the following modified rate schedule:

Five Points Landfill	<u>2021, 2022 and 2023</u>	Rates
	6 GW Samples + Duplicate (Baseline)	\$250/event
	1 Leachate (Expanded)	\$350/event
Farwell Landfill	<u>2021</u>	
	11 GW VOA + Duplicate (Baseline)	\$200/event
	1 Leachate (Baseline)	\$250/event
	7 GW (Baseline)	\$250/event
	(If Leachate & GW are sampled together for baseline)	\$250/event
	<u>2022</u>	
	11 GW VOA + Duplicate (Baseline)	\$200/event
	1 Leachate (Baseline)	\$250/event
	<u>2023</u>	
	11 GW VOA + Duplicate (Baseline)	\$200/event
	1 Leachate (Baseline)	\$250/event
	7 GW (Baseline)	\$250/event
	(If Leachate & GW are sampled together for baseline)	\$250/event

now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Dataval, Inc., for the provision of the above-described services, for a term commencing January 1, 2021 and terminating December 31, 2023, according to the above-described terms.

Approved by 4 members of the Finance Committee and 5 members of the Public Works Committee.

Adopted April 14, 2021 by voice vote.

**ACT NO. 156-2021** by Mr. Helmich and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH  
NEW YORK STATE OCCUPATIONAL SAFETY & HEALTH HAZARD ABATEMENT BOARD FOR  
OCCUPATIONAL SAFETY AND HEALTH TRAINING AND EDUCATION GRANT PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 618-2019 authorized the Chairman to execute grant documents with the New York State Occupational Safety and Health Hazard Abatement Board for the 2019-2020 Occupational Safety and Health Training and Education Grant program, and

WHEREAS, the County has been awarded an amount of \$3,525.00 through the aforementioned grant for the 2020-2021 program year, and

WHEREAS, a contract with the New York State Occupational Safety and Health Hazard Abatement Board is necessary in order to receive the aforementioned grant, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the New York State Occupational Safety and Health Hazard Abatement Board, in order to accept and receive the aforementioned grant funding, for a term commencing August 1, 2020 and terminating July 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 4 members of the Finance Committee and 5 members of the Public Works Committee.

Adopted April 14, 2021 by voice vote.

**ACT NO. 157-2021** by Mr. Helmich and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
CITY OF OLEAN FOR LEACHATE DISPOSAL SERVICES**

Pursuant to Sections 226-b and 450 of the County Law.

WHEREAS, Act 265-2018 authorized a contract with the City of Olean for the disposal of County leachate material into facilities owned by the City of Olean, and

WHEREAS, the City of Olean is allowing the County to dump leachate material generated from the Farwell Landfill into the City's waste water treatment facility for an amount of \$.0113 per gallon of leachate waste disposed of by the County, and





Legislator	Frank Higgins	61583027	E	1/1/20-12/31/23	7	3.10
Deputy Co. Clerk	Darrell Klute	61336343	A	1/1/20-12/31/23	7	21.82
County Attorney	Ashley Milliman	61021333	A	1/1/20-12/31/23	7	24.55
Legislator	Robert Parker	72252695	E	1/1/20-12/31/23	7	3.24
Dep. Comm. of Public Works	Michael Prinino	72471857	A	10/13/20-2/27/22	7	26.96
Dep. Co. Admin.	Kelly J. Reed	39316476	A	9/14/19-9/13/23	7	21.65
Co. Administrator	John Searles	32027583	A	9/14/19-9/13/23	7	21.55
Legislator	Richard C. Smith	72252786	E	1/1/20-12/31/23	7	3.91
Coroner	Howard T. VanRensselaer	50569821	E	1/1/20-12/31/23	7	8.78

and be it further

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

RESOLVED, that Act 99-2021 be, and hereby is, rescinded.

Approved by 4 members of the Finance Committee and 3 member of the Labor Relations Committee.

Adopted April 14, 2021 by voice vote.

**ACT NO. 159-2021** by Mr. Klancer and Mr. Boberg

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATTARAUGUS REHABILITATION CENTER, INC. D/B/A INTANDEM  
FOR SHREDDING SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 23-2019 authorized a contract with Cattaraugus Rehabilitation Center, Inc., d/b/a Intandem, 1439 Buffalo Street, Olean, New York 14760, for the provision of shredding services to various County departments, the term of which expired December 31, 2020, and

WHEREAS, the County is desirous of continuing the aforementioned shredding services, and

WHEREAS, Cattaraugus Rehabilitation Center, Inc., d/b/a Intandem, can provide the necessary shredding services for an amount of \$.31 per pound for off-site shredding services (off-site - boxed records are picked up and shredded at their own facility), and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Cattaraugus Rehabilitation Center, Inc., d/b/a Intandem, for the provision of the above-described services, for a term commencing January 1, 2021 and terminating December 31, 2021, according to the above-described terms.

Approved by 4 members of the Finance Committee and 5 members of the County Operations/  
Public Safety Committee.

Adopted April 14, 2021 by voice vote.

**ACT NO. 160-2021** by Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky, Mr. Burr,  
Mr. Helmich, Mr. Higgins, Mrs. Hunt, Mr. Klancer, Mr. Marsh,  
Mr. Morrow, Mr. Parker, Ms. Schröder, Mr. Smith,  
Mr. Snyder, Jr., Mr. VanRensselaer and Mr. Koch

**TRANSFER OF FUNDS FOR EMERGENCY CARE OF ABUSED ANIMALS  
(Contingent Fund to Contracted Services)**

Pursuant to Sections 363 and 365 of the County Law.

WHEREAS, Local Law No. 3-2021 established the Cattaraugus County Animal Abuser  
Registry for individuals in Cattaraugus County who have abused animals, and

WHEREAS, abused animals confiscated under this law may require immediate care, food,  
transport and shelter, and

WHEREAS, expenses are incurred by the County in animal abuse situations, and

WHEREAS, it is necessary to create a line item in the budget to cover expenses incurred  
in animal abuser situations to pay for emergency food, transport, veterinary care, and temporary shelter,  
and

WHEREAS, a transfer of funds to the newly created budget line item is necessary, now,  
therefore, be it

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

Decrease Appropriation Account:

A.901.1990.0000.40601	Contingent Fund	\$25,000.00
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Increase Appropriation Account:

A.311.3510.0000.41603	Control of Animals-Contracted Services	\$25,000.00.
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Approved by 4 members of the Finance Committee.

Adopted April 14, 2021 by voice vote.

**ACT NO. 161-2021** by Mrs. Andreano

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Contracted Nursing Services-Department of Nursing Homes)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, various appropriation and revenue accounts must be adjusted to cover the increasing costs associated with temporary contracted nursing services for the Department of Nursing Homes, now, therefore, be it

RESOLVED, that the County Administrator is hereby directed to appropriate \$120,000.00 from Fund Balance Account EF.909.0000 and make the following budgetary changes:

Increase Appropriation Accounts:

EF.453.4530.6020.41220	Nursing Services Contracted	\$32,000.00
EF.453.4530.6020.41240	Certified Nurse Aides	\$88,000.00.

Approved by 4 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted April 14, 2021 by voice vote.

**ACT NO. 162-2021** by Mrs. Andreano and Mr. Helmich

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Aging)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, various appropriation and revenue accounts must be adjusted to appropriate funds associated with COVID-19 Response funding for the Department of Aging, now, therefore, be it

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

Increase Estimated Revenue Accounts:

A.677.6731.0000.4772.24	Federal Aid, Program for Aging ADRC (CPRSAA Funds)	\$ 14,920.16
A.677.6737.0000.2705.39	Gifts and Donations Coronavirus	\$104,236.86
A.677.6737.0000.4772.23	Federal Aid, Programs for Aging CARES – Federal Stimulus	\$ 56,019.57

Increase Appropriation Accounts:

A.677.6731.0000.47006.CV	Operating Supplies Coronavirus	\$ 14,920.16
A.677.6737.0000.20006	Computer Equipment/Software	\$ 7,416.00
A.677.6737.0000.40818	Adaptive Equipment Assistance	\$ 20,000.00
A.677.6737.0000.45202	Equipment Repair and Maintenance	\$ 727.00
A.677.6737.0000.45401	Small Equipment/Tools	\$ 4,000.00
A.677.6737.0000.46102	Employee Mileage Reimbursements	\$ 500.00
A.677.6737.0000.47006	Operating Supplies	\$ 1,000.00
A.677.6737.0000.47006.CV	Operating Supplies Coronavirus	\$ 42,000.43
A.677.6737.0000.47084	Restaurant Meals	\$ 83,613.00
A.677.6737.0000.48103	Non-Employee Mileage/Travel	\$ 1,000.00.

Approved by 4 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted April 14, 2021 by voice vote.

**ACT NO. 163-2021** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
KENNETH W. DAHLGREN, JR. FOR HEALTH DEPARTMENT  
CLEAN INDOOR AIR ACT COMPLIANCE CHECKS**

Pursuant to Article 13-F of the Public Health Law,  
Section 1399-hh(3) of the Public Health Law and  
Section 450 of the County Law.

WHEREAS, Act 104-2020 authorized a contract with Kenneth W. Dahlgren, Jr., 291 Wiltsie Road, Frewsburg, New York 14738, for the provision of Clean Indoor Air Act compliance checks on bars and restaurants within Cattaraugus County, the term of which expires March 31, 2021, and

WHEREAS, the County Health Department is desirous of continuing the aforementioned services for bars only, unless a complaint is received on a facility that is not a bar, and

WHEREAS, Kenneth W. Dahlgren, Jr., has agreed to perform the aforementioned compliance checks on bars, at sites to be determined by the Cattaraugus County Board of Health, for an amount of \$55.00 per site, not to exceed \$6,250.00, to be paid as invoiced and approved by the Health Department, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Kenneth W. Dahlgren, Jr., for the provision of the above-described services, for a term commencing April 1, 2021 and terminating March 31, 2022, 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 4 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted April 14, 2021 by voice vote.

**ACT NO. 164-2021** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH  
VARIOUS TOWNS AND CITIES FOR  
MOSQUITO CONTROL PROGRAM FUNDING**

Pursuant to Section 119-o of the General Municipal Law and  
Section 450 of the County Law.

WHEREAS, Act 210-2020 authorized contracts with various towns and cities within the County for the provision of local funding for a portion of the mosquito control spraying program, the terms of which expired December 31, 2020, and

WHEREAS, the County is desirous of providing mosquito control spraying, and

WHEREAS, it is proposed that the County contract with various towns and cities within the County, in order to provide local funding by the towns and cities for a portion of the program, according to the following schedule:

Town of Allegany	\$10,666.42
Town of Carrollton	\$ 1,777.88
Town of Great Valley	\$ 3,908.55
Town of Hinsdale	\$ 2,849.15
Town of Olean	\$ 2,578.53
Town of Portville	\$ 3,230.26
City of Olean	\$14,229.29
City of Salamanca	\$ 5,562.90,

now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with various towns and cities, for the provision of the above-described services, for a term commencing May 1, 2021 and terminating December 31, 2021, according to the above-described terms.

Approved by 4 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted April 14, 2021 by voice vote.

**ACT NO. 165-2021** by Mrs. Andreano and Mr. Helmich

**APPROVING AMENDED CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
CATTARAUGUS REHABILITATION CENTER, INC. D/B/A INTANDEM FOR  
PROS PROGRAM VOCATIONAL SERVICES AND MENTAL HEALTH THERAPIST SERVICES**

Pursuant to Sections 41.07 and 75.13 of the Mental Hygiene Law  
and Section 450 of the County Law.

WHEREAS, Act 526-2020 authorized a contract with Cattaraugus Rehabilitation Center, Inc., d/b/a Intandem, 1439 Buffalo Street, Olean, New York 14760, for the provision of full-time staff who meet the qualifications of a Mental Health Therapist to provide therapeutic services for clients in the PROS program who are transitioning over from the Cattaraugus Rehabilitation Center, Inc. CDT Program, as well as, provide vocational services for clients in the PROS program, the term of which expires December 31, 2021, and

WHEREAS, the vocational services position will become part-time effective May 1, 2021, with 20 hours per week and no fringe benefits, and

WHEREAS, a contract amendment is necessary to make the required adjustments from full-time to part-time status, and

WHEREAS, Cattaraugus Rehabilitation Center, Inc., d/b/a Intandem, can provide the aforementioned full-time staff to provide mental health therapy services and part-time staff to provide vocational services for Department of Community Services PROS clients for an amount not to exceed \$95,507.00, to be paid as invoiced, and

WHEREAS, the cost of these services are covered through a combination of clients' insurances and NYS Office of Mental Health funding, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, between the Cattaraugus County Community Services Board and Cattaraugus Rehabilitation Center, Inc., d/b/a Intandem, to signify the County's approval, for the provision of the above-described services, to amend the contract which commenced January 1, 2021 and terminates December 31, 2021, according to the above-described terms.

Approved by 4 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted April 14, 2021 by voice vote.

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MRS. HUNT moved, seconded by Mr. Burr, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 166-2021 through Act No. 171-2021. Carried.

\* \* \* \* \*

**ACT NO. 166-2021** by Mr. Helmich and Mr. Koch  
who ask immediate consideration

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(2021 Public Works Projects)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, various appropriation and revenue accounts must be adjusted to cover the cost of the various projects included in the County's 2021 Public Work Projects, now, therefore, be it

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

Decrease Appropriation Account:		
A.901.1910.0000.40611	Provision for Capital Projects	\$2,000,000.00
Increase Estimated Revenue Account:		
H.990.9950.0000.5031	Interfund Transfers	\$2,000,000.00
Increase Appropriation Accounts:		
D.502.5110.5120.27010.41603	County Road No. 16	\$ 175,000.00
D.502.5110.5120.27070.41603	County Road No. 2	\$ 100,000.00
D.502.5110.5120.27046.41603	County Road No. 78	\$ 113,000.00

D.502.5110.5120.27055.41603	County Road No. 8	\$ 150,000.00
D.502.5110.5120.27065.41603	County Road No. 55	\$ 61,000.00
H.504.5197.5198.27008.41603	County Road No. 46	\$ 165,000.00
H.504.5197.5198.27037.41603	County Road No. 51	\$ 338,000.00
H.504.5197.5198.27042.41603	County Road No. 80	\$ 70,000.00
H.504.5197.5198.27047.41603	County Road No. 6	\$ 112,000.00
H.504.5197.5198.27047.41603	County Road No. 6	\$ 200,000.00
H.504.5197.5198.27064.41603	County Road No. 10	\$ 212,000.00
H.504.5197.5198.27085.41603	County Road No. 50	\$ 74,000.00
H.504.5197.5198.27086.41603	County Road No. 67	\$ 230,000.00
A.990.9950.0000.90504	Transfer to Capital Projects	\$2,000,000.00.

Adopted April 14, 2021 by voice vote.

**ACT NO. 167-2021** by Mr. Higgins and Mr. Marsh  
who ask immediate consideration

**ADOPTION OF MODIFIED AGRICULTURAL DISTRICT IN VARIOUS TOWNS  
RESULTING FROM REQUESTS FOR INCLUSION SUBMITTED  
DURING THE 2021 THIRTY-DAY INCLUSION PERIOD  
(Towns of Ashford, Great Valley, Humphrey, Lyndon, Napoli and Randolph)**

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

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

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

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

WHEREAS, after due notice, the Cattaraugus County Legislature held a public hearing on Wednesday, March 24, 2021, concerning the modified district at the Cattaraugus County Legislature's Chambers, 303 Court Street, Little Valley, New York, a place readily accessible to the residents of the proposed modified district, and

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

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

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

<u>Town</u>	<u>Tax Map No.</u>	<u>Acreage</u>
Ashford	29.001-2-8.1	15.08
Great Valley	74.001-1-42	50.00



	74.001-1-48	50.00
	74.001-1-50	30.75
	74.001-1-4.8	0.5
	74.001-1-4.10	0.71
Humphrey	75.001-1-22.7	13.35
	75.001-1-22.5	4.15
Lyndon	49.004-2-36	48.19
Napoli	62.003-1-25	3.4
Randolph	69.004-1-35.11	126.85

and be it further

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

Adopted April 14, 2021 by voice vote.

**ACT NO. 168-2021** by Mr. VanRensselaer  
who asks immediate consideration

**DESIGNATION OF DEPUTY PERSONNEL OFFICER**

Pursuant to Section 401 of the County Law.

WHEREAS, it is necessary to grant the Deputy Personnel Officer certain powers to act in the absence of the Personnel Officer, and

WHEREAS, on August 17, 2017, Kristine Phinney was appointed as Deputy Personnel Officer, now, therefore, be it

RESOLVED, that the designated Deputy Personnel Officer, Kristine Phinney, shall possess and perform the duties and responsibilities of the Personnel Officer in the absence of the Personnel Officer, in the event the Personnel Officer is unable to act or in the event of a vacancy of such office.

Adopted April 14, 2021 by voice vote.

**ACT NO. 169-2021** by Ms. Schröder  
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
AP BENEFIT ADVISORS, LLC D/B/A PREMIER CONSULTING ASSOCIATES, LLC FOR  
BENEFITS PLAN MANAGEMENT SERVICES**

Pursuant to Section 92-a of the General Municipal Law and  
Section 450 of the County Law.

WHEREAS, Act 218-2020 authorized a contract with AP Benefit Advisors, LLP d/b/a Premier Consulting Associates, LLC, 1416 Sweet Home Road, Suites 5-6, Amherst, New York 14228, for the provision of benefits plan management services, the term of which expires June 30, 2021, and

WHEREAS, the County is desirous of continuing benefits plan management services to analyze the County's current benefits plans and to recommend cost-saving changes to the County's benefits plans, and

WHEREAS, AP Benefit Advisors, LLP d/b/a Premier Consulting Associates, LLC, can provide the following ongoing advisory services to assist the County in managing benefit plan contracts and costs, and monitoring plan performance and claims experience, for an amount of \$121,964.80 to be paid in monthly installments, plus commissions, if any, for any new contractual arrangements with entities that are entered into after July 1, 2021:

Data Analytics and Reporting

\$1.30 PEPM

1408 employees

PremierLinx Analytics

\$1,830.40/month

\$21,964.80/year

Consulting Services

Coordination and Management of Healthcare Vendors

\*\*includes medical, wellness, stop loss, case management, dental & vision relationships, which are currently:

Independent Health	self insured	7/1/2021 – 6/30/2022	\$60,000.00/year
Corporate Care Management	self insured	7/1/2022 – 6/30/2023	\$61,200.00/year
External Wellness Vendor	self insured	7/1/2023 – 6/30/2024	\$61,200.00/year
Davis Vision	self insured		

Prescription Drug Consulting and Oversight

\$1.00 per script

Not to exceed \$40,000.00

(This fee does not apply to eligible members covered under EGWP. EGWP fee quoted separately)

TOTAL ANTICIPATED ANNUAL FEE

7/1/2021 – 6/30/2022

\$121,964.80/year

7/1/2022 – 6/30/2023

\$123,164.80/year

7/1/2023 – 6/30/2024

\$123,164.80/year

Additional Services

Ancillary Services and Medicare Advantage Plans

Standard Carrier Commissions

Stop Loss Marketing

Standard Carrier Commissions

Cost Management Services

Hospital Bill Audit

Charge for Services

35% of Audit Savings

Outpatient Bill Audit

35% of Audit Savings

Diagnostic Related Grouping (DRG) Audit

35% of Audit Savings

Physician Bill Audit

35% of Savings

Coordination of Benefits

35% of Recoveries

Subrogation

35% of Recoveries

Overpayment of Recovery Services

35% of Recoveries

Out of Network Repricing

35% of Savings

Prescription Drug Cost Management

25% of Savings

Medical Record Audit (offsite)

Hourly Fee

Health Plan Audit

Customized

Enrollment Audit

Customized

Dependent Audit

Customized

Wellness, Disease Management, Medical Management (CCM)

Customized

Actuarial Services

\$200 per hour

Additional Services Not Included in the Monthly Fee\*\*

Health Plan Cost Management	35% of savings upon Cattaraugus County upon approval provided upon request and approval of County
Employer Group Waiver Plan (EGWP – Retiree only program)	\$40,000***
Wellness and Lifestyle Programs	Menu of customized services and costs to be presented to and approved by Cattaraugus County
Oversight of FSA, HRA, HAS and COBRA administration	Included
Claims Data Integration, Reporting and Analytics through PremierLinx	\$1.30 per employee per month
Customized Ad-Hoc Reporting	Included
Actuarial Services	\$200 per hour
Additional Project Consulting outside of the Contracted Scope of Services	Price determined on services as agreed to by Client and Premier
Group Medigap/Medicare Advantage Plans	Standard carrier commissioner or comparable flat monthly fee
Marketing/Implementation of Insured Ancillary Products, including Life, Disability, Dental and Voluntary Products	Standard carrier commissions
Employer/Employee Communications	Included; printing and any applicable mailing costs associated with distribution are not included

\*\*Fees are based on standard benefit consulting services and will be finalized based on the range of services selected by Cattaraugus County and as mutually agreed upon by Premier and Cattaraugus County

\*\*\*If age 65 and over, retirees move to the EGWP program, the \$1 prescription drug consulting fee will not apply to these drugs. The fee listed above will apply to Premier's oversight for meetings, implementation and enrollment support.

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with AP Benefit Advisors, LLP, d/b/a Premier Consulting Associates, LLC, for the provision of the above-described services, for a term commencing July 1, 2021, consisting of three (3) successive one-year contract periods terminating June 30, 2024, according to the above-described terms.

Adopted April 14, 2021 by voice vote.

**ACT NO. 170-2021** by Mrs. Andreano and Mr. Helmich  
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
NEW YORK STATE OFFICE FOR AGING FOR  
CONSOLIDATED APPROPRIATIONS ACT (HDC5) STIMULUS FUNDING AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Aging)**

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

WHEREAS, Cattaraugus County has been awarded federal stimulus funding under HDC5 of the Consolidated Appropriations Act in the amount of \$35,957.00, and

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

WHEREAS, this program is 100% federally funded (CFDA #93.045), and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to accommodate the aforementioned grant funds, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the New York State Office for Aging, in order to accept and receive the aforementioned grant funding, for a term commencing December 27, 2020 and terminating September 30, 2022, according to the above-described terms, and be it further

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

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

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

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

Increase Estimated Revenue Account:

A.677.6737.0000.4772.25	Federal Aid, Programs for Aging HDC5	\$35,957.00
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Increase Appropriation Accounts:

A.677.6737.0000.40818	Adaptive Equipment Assistance	\$17,979.00
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A.677.6737.0000.47006.CV	Operating Supplies Coronavirus	\$17,978.00.
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Adopted April 14, 2021 by voice vote.

**ACT NO. 171-2021** by Mrs. Andreano and Mr. Helmich  
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
TRUSTED CHOICE HOMECARE FOR  
CONSUMER DIRECTED HOMECARE SERVICES**

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

WHEREAS, the County Department of Aging is in need of consumer directed in-home Personal Care I and Personal Care II homecare services, and

WHEREAS, Trusted Choice Homecare, 500 Seneca Street, Suite 501, Buffalo, New York 14204, has agreed to provide consumer directed homecare services for in-home Personal Care I and Personal Care II services to residents of Cattaraugus County for an amount of \$23.75 per hour, and

WHEREAS, this program is 5% federally (CFDA #93.044 and #93.052), 72% state, 21% County and 2% locally funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Trusted Choice Homecare, for the provision of the above-described services, for a term commencing April 1, 2021 and terminating March 31, 2022, and be it further

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

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

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

Adopted April 14, 2021 by voice vote.

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MRS. HUNT moved, seconded by Mr. Burr, to adjourn until April 28, 2021 at 5:00 p.m. Carried.

Meeting adjourned at 5:40 p.m.

Ann M. Giglio  
Journal Clerk