

July 28, 2021

The meeting was called to order by Chairman VanRensselaer.

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed one Legislator absent - Smith.

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There being no amendments or objections thereto, Chairman VanRensselaer noted that the minutes of the June 23, 2021 session stand approved as presented.

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APPOINTMENTS:

CATTARAUGUS COUNTY CRIMINAL JUSTICE COORDINATING ADVISORY COUNCIL

Ronald Richardson, Olean Police Department
replacing Jeffrey Rowley with a term expiring December 31, 2024

Brandon Crouse, Seneca Nation of Indians
Four-year term to expire December 31, 2024

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RECOGNITION:

Chairman VanRensselaer recognized the 150th Birthday of the Olean Public Library. Legislator Higgins accepted the commemorative certificate on behalf of the Library.

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ACT NO. 276-2021 by Mr. Helmich and Mr. Koch

**BID ACCEPTANCE FOR PURCHASE OF NATURAL GAS
FOR COUNTY BUILDINGS
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the purchase of natural gas for County Buildings, according to specifications provided by the Public Works Committee, and

WHEREAS, Energy Enterprises, Inc., energy consultant for the County, has reviewed the bids submitted as well as the performance history of the bidders and has recommended that the County

accept the bid of Energy Mark, LLC, 6653 Main Street, Williamsville, New York 14221, for Method #1 – Firm Index Based Pricing with 1 year Trigger Option (One Year Commitment), as follows:

Basis Pricing shall be the difference between the monthly NYMEX, Henry Hub settlement price, as reported in the Wall Street Journal and the total price to the LDC. Each month this non-changing basis will be added to the appropriate monthly NYMEX settlement figure or the fixed NYMEX upon fixing.

Basis including shrinkage, upstream transportation, margin, etc. \$+0.110/Dth

The price can be fixed anytime during the contract term at the current NYMEX + Basis. Notice will be given to the marketer by noon of the day which the price shall be fixed.,

now, therefore, be it

RESOLVED, that the bid of Energy Mark, LLC, be, and the same hereby is, accepted for a term commencing September 1, 2021 and terminating August 31, 2022, and be it further

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

No State Bid.

20 sets of specifications were sent out.

5 bids were received meeting specifications.

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

Adopted July 28, 2021 by voice vote.

ACT NO. 277-2021 by Mr. Helmich and Mr. Koch

**BID ACCEPTANCE FOR PARKING LOT SEALING AND STRIPING AT
CATTARAUGUS COUNTY CENTER, OLEAN
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the sealing and striping of the parking lot located at the Cattaraugus County Center in Olean, New York, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications for the aforementioned parking lot sealing and striping was the bid of Daniel A. Carter, Inc., d/b/a Carter Blacktop, 2383 West Five Mile Road, Allegany, New York 14706, in the amount of \$41,778.00, to be paid as invoiced, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned parking lot sealing and striping, now, therefore, be it

RESOLVED, that the bid of Daniel A. Carter, Inc., d/b/a Carter Blacktop be, and the same hereby is, accepted, for a term commencing within ten (10) days of the effective date of the contract and terminating on or before September 30, 2021, and be it further

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

No State Bid.

Eleven sets of specifications were sent out.

One bid was received that met specifications.

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

Adopted July 28, 2021 by voice vote.

ACT NO. 278-2021 by Mr. VanRensselaer

**APPOINTMENT OF MEMBERS TO THE ELM CREEK COUNTY SMALL
WATERSHED PROTECTION DISTRICT AND THE ISCHUA CREEK COUNTY
SMALL WATERSHED PROTECTION DISTRICT**

Pursuant to Sections 215 and 223 of the County Law.

WHEREAS, by Act 262-1973, the Cattaraugus County Legislature discontinued the functions of the Elm Creek County Small Watershed Protection District and the Ischua Creek County Small Watershed Protection District, but continued the existence of the Boards of Directors thereof for the limited purposes hereinafter described, and further resolved that, effective September 1, 1973, Cattaraugus County would undertake, as a County function, the management, maintenance, operation and repair of all watershed protection projects provided by such districts, and

WHEREAS, Act 262-1973 further directed that the Boards of Directors of said Districts transfer all property and easements owned or held by said Districts to the County and to execute all required legal documents in connection therewith, and

WHEREAS, Act 382-2012 appointed the members of the Board of Directors of the Cattaraugus County Soil & Water Conservation District to temporarily serve as members of the Board of Directors of both said Districts for the purpose herein described, and

WHEREAS, the term of the aforementioned appointments have expired and need to be extended, now, therefore, be it

RESOLVED, that the following individuals are appointed nunc pro tunc to serve as directors of the Elm Creek County Small Watershed Protection District and the Ischua Creek County Small Watershed Protection District for Cattaraugus County for a term commencing January 1, 2014 and expiring December 31, 2019:

Mark Alianello

Richard Lamberson

Joyce Telaak

Donna Vickman

Herbert Herman, Jr.,

and be it further

RESOLVED, that the following individuals are appointed nunc pro tunc to serve as directors of the Elm Creek County Small Watershed Protection District and the Ischua Creek County Small

Watershed Protection District for Cattaraugus County for a term commencing July 27, 2016 and expiring December 31, 2019:

Mark Alianello
Joyce Telaak
Herbert Herman, Jr.,

James J. Snyder, Jr.
Donna Vickman

and be it further

RESOLVED, that the following individuals are appointed as directors of the Elm Creek County Small Watershed Protection District and the Ischua Creek County Small Watershed Protection District for Cattaraugus County for a term commencing January 1, 2020 and expiring December 31, 2021:

Mark Alianello
Joyce Telaak
Kip Morrow,

R. Donald Benson
Donna Vickman

and be it further

RESOLVED, that the powers and duties of said directors shall be limited to carrying out and effecting the transfer of all property and easements owned or held by such Districts to the County of Cattaraugus and to execute all required legal documents in connection therewith.

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

Adopted July 28, 2021 by voice vote.

ACT NO. 279-2021 by Mr. Helmich and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION
WITH GREENMAN-PEDERSEN, INC. FOR PREPARATION OF
COMPREHENSIVE LOCAL SOLID WASTE MANAGEMENT PLAN**

Pursuant to 6 NYCRR Part 360, Section 27-0107 of the Environmental Conservation Law and Section 450 of the County Law.

WHEREAS, Act 467-2019 authorized a contract for the provision of consultant services to assist with the preparation and update of the Comprehensive Local Solid Waste Management Plan (LSWMP), the term of which expired December 31, 2020, and

WHEREAS, a contract extension is necessary in order to complete the update of the Comprehensive Local Solid Waste Management Plan, at no additional cost to the County, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract extension, on behalf of Cattaraugus County, with Greenman-Pedersen, Inc., in order to extend the term of the contract which commenced November 1, 2015 to terminate December 31, 2021, according to the above-described terms.

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

Adopted July 28, 2021 by voice vote.

ACT NO. 280-2021 by Mr. Marsh
*and Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky, Mr. Burr,
 Mr. Helmich, Mr. Higgins, Mrs. Hunt, Mr. Klancer, Mr. Morrow,
 Mr. Parker, Ms. Schröder, Mr. Snyder, Jr., Mr. VanRensselaer and Mr. Koch*¹

APPOINTMENT OF DIRECTOR OF ECONOMIC DEVELOPMENT, PLANNING AND TOURISM

Pursuant to Sections 204 and 205 of the County Law.

RESOLVED, that Crystal J. Abers be, and hereby is, appointed Director of Economic Development, Planning and Tourism for a four (4) year term commencing January 6, 2022 and terminating January 5, 2026, at a bi-weekly salary of \$3,439.39 or such other salary as may hereinafter be established, and be it further

RESOLVED, that Local Law Number 6-2020 transferred the control, administration and operation of the Onoville Marina to the Department of Economic Development, Planning and Tourism, and effective July 1, 2021, Crystal J. Abers, Director of Economic Development, Planning and Tourism shall be paid a stipend therefor in the amount of \$384.62 bi-weekly.

¹The following Legislators requested their names be listed as additional sponsors: “Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky, Mr. Burr, Mr. Helmich, Mr. Higgins, Mrs. Hunt, Mr. Klancer, Mr. Morrow, Mr. Parker, Ms. Schröder, Mr. Snyder, Jr., Mr. VanRensselaer and Mr. Koch”.

Approved by 7 members of the Finance Committee, 4 members of the Labor Relations Committee and 6 members of the Development and Agriculture Committee.

Adopted July 28, 2021 by voice vote.

ACT NO. 281-2021 by Mr. Boberg
*and Mr. Brisky, Mr. Helmich and Mr. Morrow*¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
 CATTARAUGUS COUNTY AGRICULTURAL SOCIETY, INC. FOR
 COVID-19 CLEANING AND DISINFECTING SERVICES AND
 TRANSFER OF FUNDS
 (Contingent Fund – Agricultural Society)**

Pursuant to Sections 363, 365 and 450 of the County Law.

WHEREAS, in order for the Cattaraugus County Agricultural Society, Inc. (Ag Society) to safely operate the 2021 Cattaraugus County Fair amidst the COVID-19 Pandemic, additional cleaning/grounds personnel, bathroom attendants and security are needed in addition to the purchase of disinfectant and sanitizer, stand-alone sanitizer stations and informational signage, and

WHEREAS, the 4-H program consists of children between the ages of 6 and 16, many of whom are not eligible to receive the COVID-19 vaccine yet, and

WHEREAS, additional cleaning and disinfecting of all shower rooms, restrooms, tables, and counters, including the Snack Shack, for the 4-H program is required in order to try to protect the children in the 4-H program and minimize the spread of COVID-19, and

WHEREAS, the Ag Society anticipates that the cost associated with the additional COVID cleaning and disinfecting to be approximately \$10,000.00 and has requested assistance from the County, and

WHEREAS, it is in the County's best interest to assist the Ag Society with the cost of additional cleaning and sanitizing of the fairgrounds and facilities, and

WHEREAS, a transfer of funds is necessary in order to cover the cost of the aforementioned COVID-19 assistance, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Cattaraugus County Agricultural Society, Inc., for the provision of funding to assist with the cost of cleaning and disinfecting for the 2021 Cattaraugus County Fair, for a term commencing July 28, 2021 and terminating August 31, 2022, according to the above-described terms, and be it further

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

Decrease Appropriation Account:

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

A.298.1910.0000.42066	Catt Co Agricultural Society	\$10,000.00.
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¹The following Legislators requested their names be listed as additional sponsors: "Mr. Brisky, Mr. Helmich and Mr. Morrow".

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

Adopted July 28, 2021 by voice vote. Mr. Koch voting no.

ACT NO. 282-2021 by Mr. Klancer and Mr. Boberg

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NYS DEPARTMENT OF CORRECTIONAL SERVICES FOR
INMATE FOOD PRODUCTS**

Pursuant to Sections 170 and 184 of the Correction Law and
Section 450 of the County Law.

WHEREAS, Act 129-2016 authorized a contract with the New York State Department of Correctional Services and Community Supervision Office of Nutritional Services (DOCCS-NS) for the provision of food products for the Cattaraugus County Jail for the purpose of feeding the County's inmate population, the term of which expires August 31, 2021, and

WHEREAS, the Sheriff's Office is desirous of renewing the aforementioned contract, and

WHEREAS, the New York State Department of Correctional Services and Community Supervision Office of Nutritional Services (DOCCS-NS) can provide food products to the Cattaraugus County Jail for the purpose of feeding the County's inmate population, for an amount in accordance with DOCCS-NS pricing list, plus a delivery fee of \$.50 per mile for any additional mileage incurred by DOCCS-NS and any additional tolls incurred by DOCCS-NS, which will be added to weekly invoices, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the New York State Department of Correctional Services and Community Supervision Office of Nutritional Services (DOCCS-NS), for the provision of the above-described services, for a term commencing September 1, 2021 and terminating August 31, 2026, according to the above-described terms.

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

Adopted July 28, 2021 by voice vote.

ACT NO. 283-2021 by Mr. Klancer and Mr. Boberg

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH AXON ENTERPRISE, INC.
FOR SHERIFF'S OFFICE TASERS AND
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Sheriff's Office)**

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

WHEREAS, the Sheriff's Office is desirous of purchasing tasers for the safety of its officers,
and

WHEREAS, Axon Enterprise, Inc., 17800 North 85th Street, Scottsdale, Arizona 85255, can provide tasers, hardware and accessories, plus support, maintenance and licenses for a total amount of \$609,165.64, over a ten (10) year period, as follows:

<u>Year of Contract</u>	<u>Payment Amount</u>
Year 1 – July 1, 2021 – June 30, 2022	\$60,916.88
Year 1 – TAP Refresh	0.00
Spares	0.00
Year 2 – July 1, 2022 – June 30, 2023	\$60,916.48
Year 3 – July 1, 2023 – June 30, 2024	\$60,916.48
Year 4 – July 1, 2024 – June 30, 2025	\$60,916.48
Year 5 – July 1, 2025 – June 30, 2026	\$60,916.70
Year 6 – July 1, 2026 – June 30, 2027	\$60,916.48
Year 7 – July 1, 2027 – June 30, 2028	\$60,916.48
Year 8 – July 1, 2028 – June 30, 2029	\$60,916.48
Year 9 – July 1, 2029 – June 30, 2030	\$60,916.70
Year 10 – July 1, 2030 – June 30, 2031	<u>\$60,916.48</u>
TOTAL	\$609,165.64

and

WHEREAS, various appropriation accounts must be adjusted in order to cover the cost of the aforementioned safety equipment, 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 Axon Enterprise, Inc., for the provision of the above-described tasers, hardware and accessories, support, maintenance and licenses, for a term

commencing upon July 1, 2021 and terminating ten (10) years after delivery, acceptance and activation of the above-described equipment and hardware, according to the above-described terms, and be it further

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

Decrease Appropriation Accounts:

A.311.3150.0000.12000	Jail, Part-Time Wages	\$49,511.88
A.311.3110.0000.63001	General, Capital Lease Principal	\$ 7,565.00

Increase Appropriation Account:

A.311.3110.0000.45202	Equipment Repair and Maintenance	\$57,076.88.
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Approved by 7 members of the Finance Committee and 7 members of the County Operations/ Public Safety Committee.

Adopted July 28, 2021 by voice vote.

ACT NO. 284-2021 by Ms. Schröder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
BPAS (FORMERLY HARBRIDGE CONSULTING GROUP, LLC)
FOR GASB 75 ACTUARIAL, CONSULTING AND ADMINISTRATIVE
SERVICES FOR POST-RETIREMENT HEALTH CARE BENEFITS**

Pursuant to Section 1860D-22 of the Social Security Act,
42 CFR Section 423.880, 42 USC Section 1395w-101 and
Section 450 of the County Law.

WHEREAS, Act 346-2019 authorized a contract with BPAS (formerly Harbridge Consulting Group, LLC), 706 North Clinton Street, Suite 200, Syracuse, New York 13204, for the provision of GASB 75 actuarial, consulting and administrative services for post-retirement health care benefits valuations for fiscal year 2019 and 2020, the term of which expired December 31, 2020, and

WHEREAS, the County is desirous of obtaining actuarial, consulting and administrative services for post-retirement health care benefits valuations through fiscal year 2022, and

WHEREAS, BPAS (formerly Harbridge Consulting Group, LLC) can provide the aforementioned post-retirement health care benefits valuations for fiscal years ending December 31, 2021 and December 31, 2022, for an amount as follows, to be paid as invoiced:

GASB 75 Full Actuarial Valuation for Fiscal Year ending December 31, 2021	\$9,750.00
GASB 75 Interim Actuarial Valuation for Fiscal Year ending December 31, 2022	\$4,500.00,

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with BPAS, for the provision of the actuarial, consulting and administrative services for post-retirement health care benefits valuations services, for a term commencing July 1, 2021 and terminating December 31, 2022, according to the above-described terms.

Approved by 7 members of the Finance Committee and 4 members of the Labor Relations Committee.

Adopted July 28, 2021 by voice vote.

ACT NO. 285-2021 by Mr. Klancer and Mr. Boberg

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
TYLER TECHNOLOGIES, INC. FOR
LEAVE MANAGEMENT MODULE SOFTWARE AND MAINTENANCE
AND TRANSFER OF FUNDS
(Contingent Fund – Information Services)**

Pursuant to Sections 363, 365 and 450 of the County Law.

WHEREAS, Act 423-2015, as amended by Acts 493-2016 and 324-2020, authorized a contract with Tyler Technologies, Inc., [formerly New World Systems], for the provision of Standard Software Maintenance Services (SSMA) for Commercial Off The Shelf Integrated Financial Management, Payroll/Human Resources and eSuite financial management software, Personnel Actions Module (a/k/a Benefit Tracing Module), and support and maintenance services, the term of which expires August 31, 2021, with an automatic renewal for additional one (1) year periods, and

WHEREAS, an amendment is necessary to the aforementioned contract in order to include the Leave Management (FMLA) Module software, support and maintenance, and

WHEREAS, Tyler Technologies, Inc., can provide FMLA software, licenses and maintenance and support services for a one-time amount of \$9,800.00 for the purchase, plus the annual renewal of licenses and network support services in the amount of \$1,485.00 per year, and

WHEREAS, a transfer of funds is necessary in order to cover the cost of the aforementioned software, licenses and services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Tyler Technologies, Inc., for the provision of the above-described FMLA software, licenses and maintenance and support services, for a term commencing upon installation of the FLMA software and terminating August 31, 2021, with an automatic renewal for additional one (1) year periods, unless terminated by either party at least ninety (90) days prior to the end of the then-current term, according to the above-described terms, and be it further

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

Decrease Appropriation Account:

A.901.1990.0000.40601	Contingent Fund	\$11,285.00
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Increase Appropriation Accounts:

A.143.1430.0000.20006	Computer Equipment/Software	\$ 9,800.00
A.143.1430.0000.45203	Software License and Maintenance	\$ 1,485.00.

Approved by 7 members of the Finance Committee, 4 members of the Labor Relations Committee and 7 members of the County Operations/Public Safety Committee.

Adopted July 28, 2021 by voice vote.

ACT NO. 286-2021 by Mrs. Andreano and Mr. Helmich

**AMENDING ACT 230-2021 REGARDING CONTRACT WITH
OLEAN GENERAL HOSPITAL FOR
FAMILY PLANNING CLINIC LABORATORY SERVICES**

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

WHEREAS, Act 230-2021 authorized a contract with Olean General Hospital, 515 Main Street, Olean, New York 14760, for the provision of laboratory services for the family planning clinic, which includes the provision of services such as collection, testing, and analyzing of specimens and reporting the results to various providers, the term of which expires June 30, 2022, and

WHEREAS, Olean General Hospital has requested a rate increase for the period July 1, 2021 through June 30, 2022, for laboratory services for the County Health Department's family planning clinic, as follows:

	<u>Service Description</u>	<u>Current Rates</u>	<u>New Rates</u>
88142	Thin Layer Pap Smear	\$25.01	\$27.78
87621	HPV DNA, High Risk	\$35.00	\$35.00
88175	Thin Layer Pap Smear with Imaging	\$32.71	\$32.95,

and

WHEREAS, Act 230-2021 should be amended to reflect the revised rates, now, therefore,
be it

RESOLVED, that Act 230-2021 be, and hereby is, amended as follows: In the third
Whereas, delete: "\$25.01" and replace with: "\$27.78" and delete: "\$32.71" and replace with: "\$32.95".

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

Adopted July 28, 2021 by voice vote.

ACT NO. 287-2021 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
KATHY OVERHOFF FOR PROFESSIONAL DIETICIAN SERVICES
FOR DEPARTMENT OF AGING**

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

WHEREAS, Act 431-2020 authorized a contract with Medatriton, LLC, 1656 Haskell Road, Olean, New York 14760, for professional dietician services for clients participating in any of the Aging nutrition programs, the term of which expires December 31, 2021, and

WHEREAS, Medatriton, LLC, can no longer provide the aforementioned services after July 31, 2021, and

WHEREAS, the Department of Aging is in need of professional dietician services commencing August 1, 2021, and

WHEREAS, Kathy Overhoff, 5326 Shero Road, Hamburg, New York 14075, has agreed to provide professional dietician services at a rate of \$55.00 per hour for up to eight (8) hours per week for clients participating in any of the Aging nutrition programs, to be paid on a monthly basis, as invoiced, and

WHEREAS, this program is 57% federal (CFDA #93.045), 37% state and 6% county 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 Kathy Overhoff, for the provision of the above-described professional dietician services, for a term commencing August 1, 2021 and terminating July 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.

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

Adopted July 28, 2021 by voice vote.

ACT NO. 288-2021 by Mrs. Andreano

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
BOUNDLESS CONNECTIONS FOR WEBSITE SUPPORT AND MAINTENANCE AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Youth Bureau)**

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

WHEREAS, a website for the Youth Bureau was created last year which encompasses all of the resources for youth in Cattaraugus County in one place online, and

WHEREAS, the aforementioned website needs to be updated for changes in resources, opportunities for youth in the area, and applications for awards, and

WHEREAS, Boundless Connections, 160 North Union Street, Olean, New York 14760, can provide an intern to provide the aforementioned support and maintenance for the website, for an amount of \$3,000.00, and

WHEREAS, the aforementioned services are 100% funded through other sources, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order 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 Boundless Connections, for the provision of the above-described website services, according to the above-described terms, and be it further

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

Increase Estimated Revenue Account:

A.731.7310.0000.2705.17	Gifts and Donations, Youth Bureau	\$3,000.00
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Increase Appropriation Account:

A.731.7310.0000.41609	Contracted Services, Youth Bureau	\$3,000.00.
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Approved by 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted July 28, 2021 by voice vote.

ACT NO. 289-2021 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
POINTCLICKCARE TECHNOLOGIES, INC. FOR
SECURITY AND FINANCIAL TRAINING FOR
ELECTRONIC MEDICAL RECORDS SYSTEM
(Department of Nursing Homes)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 334-2016 authorized a contract with Wescom Solutions, Inc., d/b/a PointClickCare, 5570 Explorer Drive, Mississauga, Ontario Canada L4W 0C4, to provide a cloud-based electronic medical records system for The Pines Healthcare and Rehabilitation Centers-Olean and Machias Campuses, and

WHEREAS, the Department of Nursing Homes is desirous of obtaining additional professional training in the EMR system for new administrative staff at both facilities, and

WHEREAS, PointClickCare Technologies, Inc., 5570 Explorer Drive, Mississauga, Ontario Canada L4W 0C4, can provide the needed security and financial training for a one-time professional services fee of \$6,100, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned training 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 PointClickCare Technologies, Inc., for the provision of the above-described training services, for a term to commence upon execution of the contract and shall terminate three months thereafter, according to the above-described terms.

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

Adopted July 28, 2021 by voice vote.

ACT NO. 290-2021 by Mrs. Andreano and Mr. Helmich

**APPROVING AMENDED CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
NEW YORK STATE INDUSTRIES FOR THE DISABLED, INC. FOR
JANITORIAL SERVICES FOR DEPARTMENT OF COMMUNITY SERVICES
PROS AND CARE MANAGEMENT FACILITIES**

Pursuant to Section 162 of the Finance Law and
Sections 215 and 450 of the County Law.

WHEREAS, Act 522-2020 authorized a contract with New York State Industries for the Disabled, Inc., for the provision of janitorial services at the PROS Facility and the Care Management Facility, located at 203 Laurens Street and 212 Laurens Street in the City of Olean, the term of which expires December 31, 2021, and

WHEREAS, the New York State Department of Labor has increased the prevailing wage schedule, which results in an amendment to the aforementioned contract, and

WHEREAS, the New York State Industries for the Disabled, Inc., through the Cattaraugus Rehabilitation Center, Inc., has agreed to provide janitorial services for the aforementioned facilities, as follows:

PROS Facility	January 1, 2021 – June 30, 2021	\$10,259.76
203 Laurens Street	July 1, 2021 – December 31, 2021	\$10,461.54
Olean, New York 14760	(subject to increase based upon NYSDOL Prevailing Wage Rates)	
Care Management Facility	January 1, 2021 – June 30, 2021	\$5,845.81
212 Laurens Street	July 1, 2021 – December 31, 2021	\$5,946.67
Olean, New York 14760	(subject to increase based upon NYSDOL Prevailing Wage Rates),	

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 New York State Industries for the Disabled, Inc., to signify the County's approval, for the provision of the above-described janitorial services, for a term commencing January 1, 2021 and terminating December 31, 2021, according to the above-described terms.

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

Adopted July 28, 2021 by voice vote.

ACT NO. 291-2021 by Mrs. Andreano and Mr. Helmich

APPROVING AMENDED CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND INTRADO INTERACTIVE SERVICES CORPORATION FOR TELEVOX AUTOMATED APPOINTMENT REMINDER PHONE SERVICE FOR DEPARTMENT OF COMMUNITY SERVICES

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 179-2016, as amended by Act 299-2018, authorized the Department of Community Services to enter into a contract with TeleVox Software, Inc., now owned by Intrado Interactive Services Corporation, P.O. Box 74007064, Chicago, Illinois 60674-7064, for the provision of an automated appointment reminder phone service which interfaces with the current Accumedic billing system, and

WHEREAS, due to an increase in phone calls and texts, the Cattaraugus County Community Services Board is desirous of amending the aforementioned contract to increase the annual amount, and

WHEREAS, such amended contract is subject to the approval of the Cattaraugus County Legislature, and

WHEREAS, TeleVox Software, Inc., now owned by Intrado Interactive Services Corporation, has agreed to provide the aforementioned automated appointment reminder phone service system for an amount not to exceed \$7,500.00 per year, based on the following:

HouseCalls ASP – includes 3000 voice, email & text messages @ \$480.00 per month

- Notifications over 3001 billed at \$0.16 per Notification
- Where Notifications are: Downloaded
- Calls exceeding one minute billed at \$0.08 per minute
- Call transfers at \$0.08 per minute
- Includes 2-way text messaging and 1 custom ID,

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 Intrado Interactive Services Corporation, to signify the County’s approval, for the provision of the above-described TeleVox automated appointment reminder phone service system, for a three (3) year term commencing July 1, 2021 and terminating June 30, 2024, according to the above-described terms.

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

Adopted July 28, 2021 by voice vote.

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MR. MARSH moved, seconded by Mr. Koch, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 292-2021 through Act No. 307-2021. Carried.

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ACT NO. 292-2021 by Public Works Committee:
Mr. Helmich, Mr. Koch, Mr. Benson, Mr. Boberg,
Mr. Morrow, Mr. Parker and Mr. Snyder
who ask immediate consideration

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
FOR ALLEGANY HIGHWAY/REFUSE FACILITY FEASIBILITY STUDY
(Department of Public Works)**

Pursuant to Sections 215, 363 and 366 of the County Law.

WHEREAS, the County Department of Public Works is in need of architectural/engineering services for a feasibility study for the site layout of the Allegany Highway/Refuse facility, and

WHEREAS, \$30,000.00 is needed from Fund Balance in order to cover the expected expenses related to the feasibility study, and

WHEREAS, various appropriation and revenue accounts must be adjusted to cover the costs of the aforementioned feasibility study services, now, therefore, be it

RESOLVED, that the County Administrator is hereby directed to appropriate \$30,000.00 from Fund Balance Account A.909.0000 and make the following budgetary changes:

Increase Estimated Revenue Account:

H.540.5130.5198.21105.41603	Allegany Highway Barn, Contracted Services	\$30,000.00.
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Adopted July 28, 2021 by voice vote.

ACT NO. 293-2021 by Mr. Boberg, Mr. Klancer and Mr. Koch
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT WITH
CATTARAUGUS-LITTLE VALLEY CENTRAL SCHOOL DISTRICT FOR
TEMPORARY STORAGE SPACE FOR BOARD OF ELECTIONS**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, the Board of Elections is in need of temporary space for the storage of voting machines, and

WHEREAS, the Cattaraugus-Little Valley Central School District has agreed to lease to the County 935 square feet of space, known as Room #205, at a cost of \$6.519 per square foot, for an amount of \$507.94 per month or an amount of \$6,095.27 per year, to be used as temporary storage space for the Board of Elections, and

WHEREAS, sufficient funds are included in the budget to cover the lease of the aforementioned temporary storage space, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease agreement, on behalf of Cattaraugus County, with the Cattaraugus-Little Valley Central School District, for the rental of the above-described temporary storage space, for a term commencing

August 1, 2021 and terminating July 31, 2022, with the option to renew for one (1) one-year term, according to the above-described terms.

Adopted July 28, 2021 by voice vote.

ACT NO. 294-2021 by Mr. Benson
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CPL: ARCHITECTURE-ENGINEERING-PLANNING FOR
LEGISLATIVE CHAMBER RENOVATIONS PROJECT – ENGINEERING DESIGN
AND TRANSFER OF FUNDS
(Contingent Fund – Legislature)**

Pursuant to Sections 363, 365 and 450 of the County Law.

WHEREAS, the County is desirous of renovating its legislative chambers to improve the overall use of space, and

WHEREAS, CPL: Architecture-Engineering-Planning, 26 Mississippi Street, #300, Buffalo, New York 14203, can provide architectural-engineering design services for an amount of \$4,040.00, and

WHEREAS, a transfer of funds is necessary to cover the cost of the aforementioned engineering design 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 CPL: Architecture-Engineering-Planning, for the provision of the above-described engineering design services, for a term commencing August 1, 2021 and terminating December 31, 2021, according to the above-described terms, and be it further

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

Decrease Appropriation Account:

A.901.1990.0000.40601	Contingent Fund	\$4,040.00
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Increase Appropriation Account:

H.504.1620.0000.21104.41603	Legislative Chambers Renovation, Contracted Services	\$4,040.00.
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Adopted July 28, 2021 by voice vote.

ACT NO. 295-2021 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 who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COUNTY INDUSTRIAL DEVELOPMENT AGENCY FOR
DEVELOPMENT PROJECT AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS**

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

WHEREAS, Act 262-2021, authorized the Chair to execute a contract on behalf of Cattaraugus County with the Cattaraugus County Industrial Development Agency (IDA) to facilitate a project within Cattaraugus County related to a local manufacturing company desirous of possibly relocating its manufacturing operations within western New York, and

WHEREAS, various studies were identified as a requirement for a possible construction site of the facility including but not limited to, geotechnical, traffic control, environmental, and archeological, and

WHEREAS, additional conditions related to those various studies have increased the costs associated with the project, and

WHEREAS, the County continues its desire to be a strong partner in the development of a site within Cattaraugus County and will provide reimbursement of up to \$250,000.00 to assist with the cost of the additional conditions related to the studies that must be completed for this development project, and

WHEREAS, the Cattaraugus County Industrial Development Agency (IDA) will act as lead agency in obtaining the aforementioned conditions of the studies for such development project and may submit invoices to the County for reimbursement out of the \$250,000.00, and

WHEREAS, various appropriation accounts must be adjusted in order to cover the cost of the aforementioned 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 the Cattaraugus County Industrial Development Agency in order to facilitate the above-described project in Cattaraugus County, for a term commencing July 1, 2021 and terminating February 28, 2022, according to the above-described terms, and be it further

RESOLVED, that the County Administrator is hereby directed to appropriate \$250,000.00 from Fund Balance Account A.909.0000, and be it further

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

Increase Appropriation Account:

A.298.6420.0000.42064	Catt Co Industrial Development Agency	\$250,000.00.
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Adopted July 28, 2021 by voice vote.

ACT NO. 296-2021 by Mr. Higgins and Mr. Marsh
who ask immediate consideration

**ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Department of Economic Development, Planning & Tourism)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, the County is desirous of purchasing an aluminum floating dock for the Onoville Marina through Alumidock, a Division of Metallic Ladder Manufacturing Corp., and

WHEREAS, various appropriation accounts must be adjusted in order to cover the cost of the purchase and installation of the aforementioned floating dock, now, therefore, be it

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

Decrease Appropriation Account:		
ER.723.7230.0000.20002	Building/Building Improvements	\$26,709.00
Increase Appropriation Account:		
ER.723.7230.0000.20701	Dock Replacement	\$26,709.00.

Adopted July 28, 2021 by voice vote.

ACT NO. 297-2021 by Mr. Boberg and Mr. Klancer
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
WELLNOW URGENT CARE, P.C. FOR
CATTARAUGUS COUNTY RANDOM DRUG AND ALCOHOL TESTING PROGRAM
(Commercial Motor Vehicle Drivers, Sheriff's Office and Municipality Members)**

Pursuant to Section 450 of the County Law.

WHEREAS, the County is in need of drug and alcohol testing services for commercial motor vehicle drivers, the towns and villages of Cattaraugus County, and the Sheriff's Office, and

WHEREAS, Wellnow Urgent Care, P.C., can provide random drug and alcohol testing services, in accordance with the fee schedule set out below, for the following:

- NYS Department of Transportation (NYSDOT) regulated CDL licensed drivers for the Department of Public Works,
- Sheriff's Office Employee non-NYSDOT regulated motor vehicle drivers,
- NYSDOT regulated CDL licensed drivers for towns and villages of Cattaraugus County, and
- New employee drug testing services

<u>Drug and Alcohol Testing Services</u>	<u>Rates</u>
DOT Urine Drug Screen	\$55.00
Non-DOT Drug Screen – 5 Panel	\$55.00
Breath Alcohol Testing w/Confirmation	\$36.00
**On-Site Collection	\$100/hour

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Wellnow Urgent Care, P.C., for the provision of the above-described random drug and alcohol testing services, for a term commencing July 8, 2021 and terminating July 7, 2022, with automatic renewals each subsequent year for additional one-year periods, unless terminated by either party, according to the above-described terms.

Adopted July 28, 2021 by voice vote.

ACT NO. 298-2021 by Ms. Schröder
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATALOG & COMMERCE SOLUTIONS, LLC FOR UPGRADE OF
CATTARAUGUS COUNTY CIVIL SERVICE ONLINE APPLICATION SYSTEM**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Department of Human Resources is desirous of upgrading the online application system for civil service examinations to provide Administrators and Users the opportunity to use the system from a variety of globally accepted devices and to include Americans with Disabilities (ADA) compliancy, and

WHEREAS, Catalog & Commerce Solutions, LLC, 263 East Street, Pittsford, New York 14534, can provide the Civil Service Suite Update – V3 Upgrade with responsive Graphic User Interface for the core processing system of the existing civil service application software to enable users to utilize the system from electronic devices, such as smartphones and tablets, for an amount of \$3,000.00, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned upgrade, 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 Catalog & Commerce Solutions, LLC, for the provision of the above-described civil service application software and support services, for a term commencing July 1, 2021 and terminating October 31, 2021, according to the above-described terms.

Adopted July 28, 2021 by voice vote.

ACT NO. 299-2021 by Labor Relations Committee:
Ms. Schröder, Mr. Marsh, Mr. Helmich,
Mrs. Hunt and Mr. Koch
who ask immediate consideration

**AUTHORIZING INCREASE OF STIPEND FOR DEPUTY COUNTY ADMINISTRATOR
TO ACT AS NURSING HOME DIRECTOR
(Department of Nursing Homes)**

Pursuant to Sections 204 and 205 of the County Law.

WHEREAS, Act 418-2018, as amended by Acts 182-2019 and 581-2019, authorized a stipend for the Deputy County Administrator to temporarily perform the duties and responsibilities of the Director of Nursing Homes for a six (6) month period which expires December 31, 2021, and

WHEREAS, due to an increase in the amount of time required to perform the duties and responsibilities of the Director of Nursing Homes, it is necessary to increase the amount of the stipend effective July 1, 2021, now, therefore, be it

RESOLVED, that Deputy County Administrator Kelly Reed shall continue to perform the duties and responsibilities of the Director of Nursing Homes, and shall be paid a stipend therefor in the amount of \$577 bi-weekly, until December 31, 2021.

Adopted July 28, 2021 by voice vote.

ACT NO. 300-2021 by Ms. Schröder
who asks immediate consideration

**ESTABLISHING NEW SALARY TABLE Q FOR NON-BARGAINING UNIT
TEMPORARY AND SUBSTITUTE EMPLOYEES ASSIGNED TO
THE DEPARTMENT OF NURSING HOMES**

Pursuant to Section 205 of the County Law.

WHEREAS, Act 308-2018 established a new Salary Table Q for certain positions of employment within the Department of Nursing Homes assigned to the temporary and substitute non-bargaining unit and compensated on an hourly basis, and

WHEREAS, it has been increasingly difficult to recruit and retain such temporary and substitute employees at both nursing home facilities, and

WHEREAS, it has been determined that the hourly rate for Licensed Practical Nurses, Registered Professional Nurses, Head Nurse and Nurse Supervisor should be increased for Steps 1 through 5, as follows:

LPN - Grade 20 will increase to \$24.00/hour

RN - Grade 24 will increase to \$27.22/hour

Head Nurse – Grade 28 will increase to \$33.61/hour

In-Service Training Coordinator – Grade 29 will increase to \$34.81/hour

Nurse Supervisor – Grade 30 will increase to \$36.02/ hour

and

WHEREAS, a new Salary Table Q has been established to enact these salary rates, now, therefore, be it

RESOLVED, that effective June 28, 2021, a new Salary Table Q is hereby established for non-bargaining unit temporary and substitute employees assigned to the Department of Nursing Homes.

Adopted July 28, 2021 by voice vote.

ACT NO. 301-2021 by Mrs. Andreano
who asks immediate consideration

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

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

WHEREAS, Act 722-2009, as amended by various resolutions, including Acts 94-2016, 120-2017, 203-2018, 225-2019 and 255-2020, authorized contracts for reimbursement for Department of Nursing Homes skilled nursing services for individuals enrolled with Independent Health Association, Inc., and each of its subsidiaries and affiliates, and

WHEREAS, Independent Health Association, Inc., 511 Farber Lakes Drive, Buffalo, New York 14221, and each of its subsidiaries and affiliates, effective July 1, 2021, have increased its reimbursement rates at The Pines Healthcare and Rehabilitation Centers, as follows:

- Skilled Nursing Facility Services reimbursement \$310.00 per diem
- Subacute Services reimbursement (Machias only) \$375.00 per diem
- Antibiotic Infusion Pharmacy Services IH Community Rates
- Vaccination Services IH Community Rates,

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute amended contracts, on behalf of Cattaraugus County, with Independent Health Association, Inc., and each of its subsidiaries and affiliates, for the provision of the above-described services to The Pines Healthcare and Rehabilitation Centers, for a term commencing July 1, 2021 to continue in full force and effect at the same rates until terminated by either party, according to the above-described terms.

Adopted July 28, 2021 by voice vote.

ACT NO. 302-2021 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
NEW YORK STATE DEPARTMENT OF HEALTH AND HEALTH RESEARCH, INC. FOR
PUBLIC HEALTH CORPS FELLOWSHIP PROGRAM FUNDING AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Health – Public Health Corps Fellowship Funding)**

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

WHEREAS, Cattaraugus County Health Department has been awarded federal funding through the New York State Department of Health and Health Research, Inc., for the Public Health Corps Fellowship Program, and

WHEREAS, \$617,494.00 per year, for a total amount of \$1,234,988.00, over a two (2) year period, is available for Cattaraugus County through a Center for Disease Control and Prevention sponsored cooperative agreement for Epidemiology and Laboratory Capacity for Infectious Diseases, and

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

WHEREAS, this program is 100% federally funded (CFDA #93.323), and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the New York State Department of Health and

Health Research, Inc., in order to accept and receive the aforementioned grant funding for the Public Health Corps Fellowship Program, 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.401.4096.0000.4401.13	Fed Aid, Public Health PH Corps	\$308,747.00
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Increase Appropriation Accounts:

A.401.4096.0000.11000	PH Corps Grant – Full Time	\$165,592.00
A.401.4096.0000.13000	PH Corps Grant – Overtime	\$ 10,000.00
A.401.4096.0000.81000	PH Corps Grant – FICA	\$ 12,667.79
A.401.4096.0000.82000	PH Corps Grant – Retirement	\$ 17,718.35
A.401.4096.0000.83000	PH Corps Grant – Health Insurance	\$ 75,336.00
A.401.4096.0000.84000	PH Corps Grant – Dental	\$ 1,304.00
A.401.4096.0000.46102	PH Corps Grant – Employee Mileage	\$ 5,000.00
A.401.4096.0000.20006	PH Corps Grant – Computers	\$ 9,000.00
A.401.4096.0000.46106	PH Corps Grant – Training	\$ 9,628.86
A.401.4096.0000.46108	PH Corps Grant – Cell Phones	\$ 2,500.00.

Adopted July 28, 2021 by voice vote.

ACT NO. 303-2021 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
AMERIGROUP IPA OF NEW YORK, LLC, D/B/A BLUE CROSS & BLUE SHIELD OF WESTERN NEW YORK
FOR MENTAL HEALTH SERVICES**

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

WHEREAS, Amerigroup IPA of New York, LLC, d/b/a Blue Cross & Blue Shield of Western New York, Inc., has requested the County Department of Community Services to become a provider of mental health services to participating members of its Provider Network, and

WHEREAS, the Cattaraugus County Community Services Board is desirous of becoming a participating provider with Amerigroup IPA of New York, LLC, d/b/a Blue Cross & Blue Shield of Western New York, Inc., for the provision of mental health services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, between the Cattaraugus County Community Services Board and Amerigroup IPA of New York, LLC, d/b/a Blue Cross & Blue Shield of Western New York, Inc., to signify the County's approval for the Department of Community Services to become a participating provider of mental health services

to participating members of the Blue Cross & Blue Shield of Western New York, Inc., Provider Network, for a term commencing upon the effective date of the contract and continuing in full force and effect until terminated or otherwise amended thereto, according to the above-described terms.

Adopted July 28, 2021 by voice vote.

ACT NO. 304-2021 by Labor Relations Committee:
 Ms. Schröder, Mr. Marsh, Mr. Brisky,
 Mr. Helmich and Mr. Koch
*and Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Burr,
 Mr. Higgins, Mrs. Hunt, Mr. Klancer, Mr. Morrow,
 Mr. Parker, Mr. Snyder, Jr., and Mr. VanRensselaer¹*
 who ask immediate consideration

**CREATING ONE (1) FULL-TIME POSITION OF SENIOR DATA COLLECTOR
 IN THE DEPARTMENT OF REAL PROPERTY TAX SERVICES,
 ESTABLISHING COMPENSATION FOR THE SAME AND
 ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
 (Real Property Tax Services)**

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

WHEREAS, the Department of Real Property Tax Services is in need of an additional data collector to collect and verify data used in the assessment of real property, and

WHEREAS, as additional towns request assessing services from the County, there is insufficient staff to perform these duties, and

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

WHEREAS, various appropriation accounts must be adjusted to accommodate the aforementioned position, now, therefore, be it

RESOLVED, that effective August 1, 2021, there is hereby created one (1) position of Senior Data Collector to be filled on a full-time basis in the Department of Real Property Tax Services in the General Bargaining Unit, Pay Grade 19 (\$23.12, per hour), Position No. 135-398-001, and be it further

RESOLVED, that the County Administrator is hereby directed to appropriate \$17,929.11 from Fund Balance Account A.909.0000 and make the following budgetary changes:

Increase Appropriation Accounts:

A.135.1355.0000.11000	Full-Time Wages	\$13,719.86
A.135.1355.0000.81000	FICA	\$ 1,049.57
A.135.1355.0000.82000	Retirement	\$ 1,468.03
A.135.1355.0000.83000	Health	\$ 1,662.58
A.135.1355.0000.84000	Dental	\$ 29.07.

¹The following Legislators requested their names be listed as additional sponsors: “Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Burr, Mr. Higgins, Mrs. Hunt, Mr. Klancer, Mr. Morrow, Mr. Parker, Mr. Snyder, Jr., and Mr. VanRensselaer”.

Adopted July 28, 2021 by voice vote.

ACT NO. 305-2021 by Mr. Klancer
who asks immediate consideration

**TRANSFER OF FUNDS
(Contingent Fund – FP-USA MAILING MACHINE)**

Pursuant to Sections 363 and 365 of the County Law.

WHEREAS, it is necessary to replace the existing mail machine located at the Little Valley County Building, and

WHEREAS, Usherwood Office Technology can provide the FP-USA Postbase One DS Automatic Mailing System with Dynamic Scale through GSA contract #GS-25F-0014R, for an amount of \$14,001.76, plus meter rental for an amount of \$64.48 per month, and monthly service costs of \$134.30, and

WHEREAS, due to a shortfall in certain appropriations, a transfer must be made from the Contingent Fund to cover the cost of the mailing machine, 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	\$15,693.40
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Increase Appropriation Accounts:

A.165.1670.0000.20004	Mail Machine	\$14,001.76
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A.165.1670.0000.45202	Equipment Repair and Maintenance	\$ 1,691.64.
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Adopted July 28, 2021 by voice vote.

ACT NO. 306-2021 by Mr. Burr
*and Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky,
Mr. Helmich, Mr. Higgins, Mrs. Hunt, Mr. Klancer, Mr. Marsh, Mr. Morrow,
Mr. Parker, Ms. Schröder, Mr. Snyder, Jr., Mr. VanRensselaer and Mr. Koch¹*
who ask immediate consideration

**URGING PRESERVATION OF EXISTING BOUNDARIES OF
NEW YORK STATE 23RD CONGRESSIONAL DISTRICT**

Pursuant to Section 153 of the County Law.

WHEREAS, redistricting in the State of New York is the process of drawing new congressional and state legislative district boundaries wherein the process is completed every ten (10)

years following the completion of the United State Census, and New York's 26 United States Representatives and 213 State Legislators are all elected from political divisions called districts, and

WHEREAS, federal law dictates that districts must have equal populations and must not discriminate on the basis of race or ethnicity, and

WHEREAS, New York State Law requires that State Legislative Districts be contiguous and compact, and must also take into account the "historic and traditional significance of counties," and

WHEREAS, the history and tradition of Cattaraugus County is that it has been included within a congressional district encompassing New York State's Southern Tier Region, and

WHEREAS, the counties along New York State's Southern Tier constitute a substantial community of interest, with a common and integrated regional economy, and

WHEREAS, the residents of the Southern Tier counties have common concerns about access to quality health care and the sustainability of rural health care providers, and

WHEREAS, in 2014, New Yorkers voted to give the responsibility of redistricting to an Independent Redistricting Commission with input from citizens to devise the best possible redistricting plan, and

WHEREAS, citizen participation will help ensure that no region of the state, special interest or political party gains an unfair advantage in the redistricting process, and

WHEREAS, the Independent Redistricting Commission of New York State and the New York State Legislature should continue the State's longstanding practice of combining the Southern Tier counties in a single congressional district because they constitute a community of interest whose residents are best represented by having a unified voice in the United States House of Representatives, and

WHEREAS, as the current construction of New York's 23rd Congressional District has well served the residents of the Southern Tier and it is generally compact, contiguous and respects municipal boundaries, the Independent Redistricting Commission of New York State and the New York State Legislature should make every effort to preserve the District's existing boundaries to the greatest extent practicable, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature strongly urges the Independent Redistricting Commission of New York State and the New York State Legislature to make every effort to preserve New York's 23rd Congressional District's existing boundaries, and be it further

RESOLVED, that a certified copy of this resolution be sent to the Independent Redistricting Commission, Senate Temporary President Andrea Stewart-Cousins, Senate Minority Leader Robert Ortt, Assembly Speaker Carl Heastie, Assembly Minority Leader William Barclay, Senate Local Government Committee Chair James Gaughran, Assembly Local Government Committee Chair Fred Thiele, Senator George Borrello, Assemblyman Joseph Giglio, the New York State Association of Counties, and all others deemed necessary and proper.

¹The following Legislators requested their names be listed as additional sponsors: "Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky, Mr. Helmich, Mr. Higgins, Mrs. Hunt, Mr. Klancer, Mr. Marsh, Mr. Morrow, Mr. Parker, Ms. Schröder, Mr. Snyder, Jr., Mr. VanRensselaer and Mr. Koch".

Adopted July 28, 2021 by voice vote.

ACT NO. 307-2021 by Mr. Marsh
who asks immediate consideration

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH
EMPIRE STATE DEVELOPMENT – REGIONAL ECONOMIC DEVELOPMENT COUNCIL
FOR CONSOLIDATED FUNDING APPLICATION**

Pursuant to Section 450 of the County Law.

WHEREAS, funding is available through the Empire State Development – Regional Economic Development Council Consolidated Funding Application system for various eligible projects, and

WHEREAS, the County Department of Economic Development, Planning and Tourism is desirous of applying for the aforementioned funding, and

WHEREAS, it is necessary to apply to Empire State Development – Regional Economic Development Council for the aforementioned funding, and

WHEREAS, this program is 20% state funded with a 80% match from the County, which is partially included in the casino funds account, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a grant application, on behalf of Cattaraugus County, with Empire State Development, in order to apply for the above-described funding, according to the above-described terms, and be it further

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

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

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

Adopted July 28, 2021 by voice vote.

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MR. BRISKY moved, seconded by Mr. Burr, to adjourn until August 25, 2021 at 5:00 p.m. Carried.

Meeting adjourned at 5:18 p.m.

Ann M. Giglio
Journal Clerk