

October 13, 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 – Snyder.

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There being no amendments or objections thereto, Chairman VanRensselaer noted that the minutes of the September 22, 2021 session stand approved as presented.

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APPOINTMENTS:

CATTARAUGUS COUNTY CRIMINAL JUSTICE COORDINATING ADVISORY COMMITTEE

Kathryn DeGroff, Director, Youth Bureau, *replacing Alison Crosson whose term expires 12/31/2024*

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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 for Community Development Block Grant funding for the Manufactured Housing Replacement Program, and that anyone wishing to speak for or against this may now do so.

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 the submission of an application to the New York State Office of Homes and Community Renewal for Community Development Block Grant funding for the Land Bank Rehabilitation Program, and that anyone wishing to speak for or against this may now do so.

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 Legislator Andreano. She recognized Lynn Anzvine who started the Pink Pumpkin Project. Chairman VanRensselaer presented Ms. Anzvine with a Proclamation recognizing the Pink Pumpkin Project.

CHAIRMAN VANRENSELAER granted Privilege of the Floor to Legislator Koch who introduced Courtney Valent and Tawnee Bocharski from the Empire Animal Rescue Society (EARS). They spoke about the organization and its programs.

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ACT NO. 376-2021 by Mr. Helmich and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NYSDOT AND
AUTHORIZING CATTARAUGUS COUNTY TO PARTICIPATE IN
FEDERAL-AID PROJECT ADMINISTERED BY THE NYSDOT AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(2021-2022 Bridge Painting-Department of Public Works)**

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

WHEREAS, the Cattaraugus County Bridge Painting Project: four (4) bridges located within Cattaraugus County, BIN 3322990, 3322230, 3321320 and 3322890, PIN 5763.63, (the "Project"), is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% federal funds and 20% non-federal funds, and

WHEREAS, the County desires to advance the above Project by making a commitment of 100% of the non-federal share of the costs of the Construction & Construction Inspection phase of the Project, PIN 5763.63, and

WHEREAS, various appropriation and revenue accounts must be adjusted to cover the cost of the aforementioned bridge painting projects, now, therefore, be it

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

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

RESOLVED, that the sum of \$535,000.00 is hereby appropriated and made available to cover the cost of participation in the above phase of the Project, and be it further

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute all necessary documents, on behalf of Cattaraugus County, with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and be it further

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

RESOLVED, that this Resolution shall take effect immediately, and be it further RESOLVED, that the County Administrator is hereby directed to make the following budgetary changes:

Increase Estimated Revenue Accounts:

H.504.5197.5195.25521.3591.01	State Aid, Other Transportation	\$ 80,250.00
H.504.5197.5195.25521.4597.01	Federal Aid, Transportation Capital Project	\$428,000.00

Increase Appropriation Account:

H.504.5197.5195.22521.41213	Engineering Services	\$508,250.00
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Approved by 7 members of the Finance Committee and 5 members of the Public Works Committee.

Adopted October 13, 2021 by voice vote.

ACT NO. 377-2021 by Mr. Brisky, Mr. Helmich, Ms. Schröder and Mr. Koch

AUTHORIZING THE CHAIR TO EXECUTE TRANSFER DOCUMENTS WITH TOWN OF MANSFIELD FOR TRANSFER OF COUNTY ROAD NO. 15 AND ACCEPTANCE OF MANSFIELD BRIDGE NOS. 9 AND 32 AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS (Department of Public Works)

Pursuant to Sections 363, 366 and 450 of the County Law and Sections 115-b and 231 of the Highway Law.

WHEREAS, the County Department of Public Works is desirous of transferring maintenance responsibility and ownership of 3.17 miles of County Road No. 15 (Dublin Road), located in the Town of Mansfield, to the Town of Mansfield, and

WHEREAS, in exchange for the aforementioned road transfer, the County Department of Public Works has recommended that the County assume responsibility for the following two (2) bridges: Mansfield Bridge No. 9, BIN 2-21207-0, which carries Jersey Hollow Road over Jersey Hollow Creek, in the Town of Mansfield, and Mansfield Bridge No. 32, BIN 2-27174-0, which carries Kent Road over Mansfield Creek, in the Town of Mansfield,

and

WHEREAS, upon completion of the following conditions, the Town of Mansfield shall assume maintenance responsibilities and accept ownership of 3.17 miles of County Road No. 15 (Dublin Road), located in the Town of Mansfield, in exchange for the County assuming responsibility for Mansfield Bridge Nos. 9 and 32:

- a) Town of Mansfield will accept County Road No. 15 and all appurtenances, including culverts, guide rail, shoulders, macadam surfaces, ditches, signage, etc. in their existing conditions, excluding any BIN structures;
- b) County of Cattaraugus will accept Mansfield Bridges Nos. 9 and 32 in their existing condition, and be prepared to replace Mansfield Bridge No. 9 as soon as reasonably possible, preferably within calendar year 2022, or to reasonably keep open the structure until such replacement;
- c) Town of Mansfield will, at its expense and within its time frame, replace, repair, and maintain Dublin Road to their desired standard, including snow removal;

d) County of Cattaraugus will, at its expense, replace both Mansfield Bridge No. 9 and Mansfield Bridge No. 32, with the priority being Mansfield Bridge No. 9;

e) County of Cattaraugus will contract with the Town of Mansfield for a period of three (3) years to perform snow removal services from the Little Valley-Mansfield town line to Route 242, a distance of 0.72 miles and renew said contract upon mutual agreement; and

f) County of Cattaraugus shall pay to the Town of Mansfield a sum of \$200,000.00 for the exchange, on or about May 1, 2022,
and

WHEREAS, a transfer agreement is necessary between the County and the Town of Mansfield, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute transfer documents, on behalf of Cattaraugus County, with the Town of Mansfield, for the transfer of the above-described section of road, in exchange for two (2) bridges, the date of such exchange to take place on May 1, 2022, according to the above-described terms, and be it further

RESOLVED, that the Clerk of the Legislature be, and hereby is, authorized and directed to forward a certified copy of this resolution to the Mansfield Town Supervisor, and be it further

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

Increase Appropriation Accounts:

A.990.9901.0000.90502	Transfer to County Road Fund	\$200,000.00
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D.502.5110.0000.40610	Transfer of Infrastructure	\$200,000.00
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Increase Estimated Revenue Account:

D.990.9901.0000.5031	Interfund Transfer	\$200,000.00.
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Approved by 7 members of the Finance Committee and 5 members of the Public Works Committee.

Adopted October 13, 2021 by voice vote.

ACT NO. 378-2021 by Mr. Helmich and Mr. Koch
and Mr. Morrow¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE INDUSTRIES FOR THE DISABLED FOR
OLEAN OFFICE FACILITY JANITORIAL SERVICES**

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

WHEREAS, Act 422-2019, as amended by Act 121-2021, authorized a contract with New York State Industries for the Disabled, 155 Washington Avenue, Suite 400, Albany, New York 12210, for the provision of janitorial services for the Olean Office Facility, the term of which expires December 31, 2021, and

WHEREAS, County Department of Public Works is desirous of renewing the aforementioned contract for a term commencing January 1, 2022 and terminating December 31, 2023, and

WHEREAS, the New York State Industries for the Disabled, through the Cattaraugus Rehabilitation Center, Inc., has agreed to perform the aforementioned janitorial services at a monthly cost of \$19,221.84 not to exceed \$230,662.09 per year, for a total 2-year contract amount of \$461,324.17, to be paid on a monthly basis as invoiced, subject to published NYSDOL Prevailing Wage and Supplemental Benefit adjustments, 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 New York State Industries for the Disabled, through the Cattaraugus Rehabilitation Center, Inc., for the provision of the above-described services, contingent upon and subject to inclusion in the 2022 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2022 and terminating December 31, 2023, according to the above-described terms, and be it further

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

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

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

Approved by 7 members of the Finance Committee and 5 members of the Public Works Committee.

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

Adopted October 13, 2021 by voice vote.

ACT NO. 379-2021 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
ABBOTT RAPID Dx NORTH AMERICA, LLC FOR
COVID-19 SUPPLIES**

Pursuant to Section 450 of the County Law.

WHEREAS, the Health Department is in need of COVID-19 testing kits, as well as other COVID-19 supplies, and

WHEREAS, Abbott Rapid Dx North America, LLC, 30 South Keller Road, Suite 100, Orlando, Florida 32810, can provide COVID-19 testing kits and other COVID-19 supplies, as needed, for an amount not to exceed \$100,000.00, to be paid as invoiced, and

WHEREAS, funding is provided through the Epidemiology & Laboratory Capacity (ELC) grant to purchase the aforementioned COVID-19 supplies, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned COVID-19 supplies, 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 Abbott Rapid Dx North America, LLC, for the provision of the above-described COVID-19 supplies, for a term commencing September 27, 2021 and terminating October 31, 2022, according to the above-described terms.

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

Adopted October 13, 2021 by voice vote.

ACT NO. 380-2021 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
NEW YORK STATE OFFICE FOR THE AGING FOR
2020-2021 SUPPLEMENTAL NYS UNMET NEED FUNDING AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Aging)**

Pursuant to Older Americans Act Title III-E and
Sections 363, 366 and 450 of the County Law.

WHEREAS, funding in the amount of \$250,000.00 is available through the New York State Office for the Aging for 2020-2021 Supplemental Unmet Needs for the Department of Aging, and

WHEREAS, it is necessary to execute grant documents in order to apply for, and accept, the aforementioned funding, and

WHEREAS, this program is 100% state funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Office for the Aging, in order to apply for, and accept, the aforementioned Supplemental NYS Unmet Need funding, 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, and be it further

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

Increase Estimated Revenue Account:

A.677.6736.0000.3772.20	State Aid, <i>Programs For Aging</i> ¹ Unmet Need	\$166,667.00
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Increase Appropriation Accounts:

A.677.6736.0000.11000	<i>Full Time Wages</i>	\$ 6,161.00 ¹
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A.677.6736.0000.40818	Adaptive Equipment Assistance	\$133,812.00 ¹
A.677.6736.0000.41633.2	Personal Care Level II	\$ 8,170.00
A.677.6736.0000.45308	Equipment Rental	\$ 3,015.00
A.677.6736.0000.41601	Transportation	\$ 2,277.00
A.677.6736.0000.41631	Contracted Daycare Services	\$ 3,631.00
A.677.6736.0000.46102	Employee Mileage Reimbursement	\$ 2,000.00
A.677.6736.0000.47053	Personal Care Supplies	\$ 6,463.00
A.677.6736.0000.81000	FICA	\$ 472.00 ¹
A.677.6736.0000.82000	Retirement	\$ 660.00 ¹
A.677.6736.0000.83000	Health Insurance	\$ 6.00 ¹ .

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

¹MRS. ANDREANO moved, seconded by Mr. Burr, to amend as follows: In the Fifth Resolved, after “State Aid”, add: “Programs For Aging”; after Increase Appropriation Accounts, add:

A.677.6736.0000.11000	Full Time Wages	\$ 6,161.00
A.677.6736.0000.81000	FICA	\$ 472.00
A.677.6736.0000.82000	Retirement	\$ 660.00
A.677.6736.0000.83000	Health Insurance	\$ 6.00”;

delete: “\$141,111.00”, and replace with: “\$133,812.00”. Carried.

Adopted, as amended, October 13, 2021 by voice vote.

ACT NO. 381-2021 by Mrs. Andreano, Mr. Brisky and Ms. Schröder

**AUTHORIZING EXTENSION 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, 581-2019 and 299-2021, 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, it is necessary to extend the stipend until December 31, 2022, 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 \$577.00 bi-weekly, until December 31, 2022.

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

Adopted October 13, 2021 by voice vote.

ACT NO. 382-2021 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
JAMES CZAJKOWSKI, RPH, CONSULTANT PHARMACIST, P.C. FOR
DEPARTMENT OF NURSING HOMES CONSULTING PHARMACIST SERVICES**

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

WHEREAS, Act 581-2017 authorized a contract with James Czajkowski, RPh, Consultant Pharmacist, P.C., for the provision of consulting pharmacist services for the Department of Nursing Homes, for an amount of \$11.00 per bed, the term of which expires December 31, 2021, and

WHEREAS, the Department of Nursing Homes is desirous of renewing the aforementioned contract, and

WHEREAS, James Czajkowski, RPh, Consultant Pharmacist, P.C., 9641 Carmelo Court, Clarence Center, New York 14032, has agreed to provide the aforementioned consulting pharmacist services for an amount of \$11.00 per resident bed per month, to be paid as invoiced, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with James Czajkowski, RPh, Consultant Pharmacist, P.C., for the provision of the above-described consulting pharmacist services, contingent upon and subject to inclusion in the 2022 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2022 and terminating December 31, 2023, with the County's option to renew for one additional two-year period at the same rates, according to the above-described terms.

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

Adopted October 13, 2021 by voice vote.

ACT NO. 383-2021 by Mr. Boberg and Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
LEGAL ASSISTANCE OF WESTERN NEW YORK, INC. FOR
FAMILY COURT LEGAL REPRESENTATION OF INDIGENT PERSONS**

Pursuant to Sections 450 and 722 of the County Law.

WHEREAS, Act 441-2018 authorized a contract with Legal Assistance of Western New York, Inc., 104 East Steuben Street, Bath, New York 14810, for the provision of legal representation in Family Court to those who are financially unable to obtain counsel pursuant to New York State County Law Section 722, where there exists a conflict with the Public Defender's Office, the term of which expires December 31, 2021, and

WHEREAS, the County Public Defender's Office is desirous of renewing the aforementioned contract, and

WHEREAS, Legal Assistance of Western New York, Inc., agrees to provide the aforementioned legal services for approximately 540 cases referred to Family Court for an amount as follows:

2022	\$428,415.30 plus \$500 to cover process server costs
2023	\$436,983.60 plus \$500 to cover process server costs
2024	\$445,723.27 plus \$500 to cover process server costs,

and

WHEREAS, it is understood that Legal Assistance of Western New York, Inc., shall continue to provide legal representation at the appellate level for its cases that are appealed, at no additional cost, 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 Legal Assistance of Western New York, Inc., for the provision of the above-described services, contingent upon and subject to the inclusion in the 2022 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2022 and terminating December 31, 2024, 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 October 13, 2021 by voice vote.

ACT NO. 384-2021 by Mr. Boberg and Mr. Klancer
and Mr. Higgins and Mr. Morrow¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
THE JUSTICE CENTER FOR CHILDREN AND FAMILIES, INC.
2020 STOP VIOLENCE AGAINST WOMEN PROGRAM AND
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(District Attorney's Office Project DCJ01-SV20-2020-00175)**

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

WHEREAS, Act 66-2021 authorized acceptance of funding through the New York State Division of Criminal Justice Services for the 2020 Stop Violence Against Women Program (VAWA), and

WHEREAS, this funding represents the first annual award of a five (5) year contract period,
and

WHEREAS, the District Attorney's Office is desirous of utilizing the aforementioned grant funds to develop, implement and sustain operations of The Justice Center for Children and Families, Inc., to ensure an effective response to domestic violence, sexual assault, dating violence and stalking, and

WHEREAS, The Justice Center for Children and Families, Inc., c/o Karen Hill, 3304 Five Mile Road, Allegany, New York 14706, can support a multidisciplinary co-located service center that provides services to all victims of interpersonal violence for an amount of \$50,000.00 per year, to be paid as invoiced, and

WHEREAS, the STOP VAWA program is 100% federally funded (CFDA #16.588), and
WHEREAS, various appropriation accounts must be adjusted in order to cover the cost of the aforementioned program, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with The Justice Center for Children and Families, Inc., for the provision of the above-described services, for a term commencing January 1, 2021 and terminating December 31, 2025, 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:

Decrease Appropriation Accounts:

A.116.1165.0000.20006	Computer Equipment	\$ 5,000.00
A.116.1165.0000.46106	Training	\$15,000.00

Increase Appropriation Account:

A.116.1165.0000.41233	Professional Services	\$20,000.00.
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Approved by 7 members of the Finance Committee and 6 members of the County Operations/Public Safety Committee.

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

Adopted October 13, 2021 by voice vote.

ACT NO. 385-2021 by Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SYSTEMS EAST, INC. FOR
APPLICATION SOFTWARE AND SUPPORT SERVICES FOR
REAL PROPERTY TAX MANAGEMENT**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 418-2020 authorized a contract with Systems East, Inc., 50 Clinton Avenue, Cortland, New York 13045, for the provision of application maintenance and support services for the Total Collection Solution (TCS.web) for an amount of \$23,244.00, the term of which expires December 31, 2021, and

WHEREAS, the Treasurer's Office is desirous of continuing annual application maintenance and support services, and

WHEREAS, Systems East, Inc., can provide application maintenance and support services for an amount of \$1,968.00 per month for a total contract amount of \$23,616.00, for the period January 1, 2022 through December 31, 2022, 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 Systems East, Inc., for the provision of the above-described application maintenance and support services, contingent upon and subject to inclusion in the 2022 budget of sufficient funds to cover the costs of the aforementioned services, for a term

commencing January 1, 2022 and terminating December 31, 2022, 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 October 13, 2021 by voice vote.

ACT NO. 386-2021 by Mr. Higgins and Mr. Marsh
and Mr. Morrow¹

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
THE NEW YORK STATE HOMES AND COMMUNITY RENEWAL
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
FOR MANUFACTURED HOUSING REPLACEMENT PROGRAM
(Economic Development, Planning & Tourism)**

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

WHEREAS, Act 111-2021 authorized a Community Development Block Grant ("CDBG") application to the New York State Office of Homes and Community Renewal (the "OCR") for funding to implement a Manufactured Housing Replacement Program designated as NYS CDBG Project #199MH124-20, (the "Program") and

WHEREAS, the County has been awarded a grant in the amount of \$300,000.00 to implement a Manufactured Housing Replacement Program within Cattaraugus County, and

WHEREAS, Department of Economic Development, Planning & Tourism will contract with Cattaraugus Community Action, Inc., as a Subrecipient to administer grant activities on behalf of the County, and

WHEREAS, the program requires that a municipal corporation act as the lead agency and the recipient of the grant funds, and

WHEREAS, Cattaraugus County Department of Economic Development, Planning and Tourism shall act as the lead agency on the aforementioned grant application provided under the New York Renewal Community Development Block Grant Program for the Manufactured Housing Replacement Program, and

WHEREAS, a contract is necessary in order to accept, and receive, the aforementioned grant funding, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Office of Homes and Community Renewal, in order to accept, and receive the Community Development Block Grant Program grant, 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 Development and Agriculture Committee.

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

Adopted October 13, 2021 by voice vote.

ACT NO. 387-2021 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED GRANT DOCUMENTS
WITH THE NEW YORK STATE DEPARTMENT OF HEALTH TO ACCEPT
ADDITIONAL COVID VACCINE RESPONSE FUNDING
(COVID-19 – Health Department)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 321-2021 authorized the Chairman to execute grant documents with the New York State Department of Health (NYSDOH) in order to accept COVID Vaccine Response Funding (Contract #C36918GG) in the amount of \$85,226.28 to promote and increase COVID-19 vaccines and other vaccine uptake, and

WHEREAS, the County Health Department has been awarded an additional \$135,752.17 to promote and increase COVID-19 vaccine uptake, for a total contract amount of \$220,978.45, and

WHEREAS, this funding may be used for COVID-19 vaccine implementation expenses retroactive to January 1, 2021 and is available through June 30, 2024, and

WHEREAS, this program is 100% federally funded (CFDA #93.268), now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute amended grant documents, on behalf of Cattaraugus County, with the New York State Department of Health, in order to accept, and receive, the additional COVID Vaccine Response funding, for a contract term commencing January 1, 2021 and terminating June 30, 2024, according to the above-described terms.

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

Adopted October 13, 2021 by voice vote.

ACT NO. 388-2021 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING DEPARTMENT OF COMMUNITY SERVICES TO APPLY
THROUGH NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE
FOR A LICENSE TO BE DESIGNATED AS A
CERTIFIED COMMUNITY BEHAVIORAL HEALTH CLINIC
(Department of Community Services)**

Pursuant to Articles 31 and 32 of the Mental Hygiene Law.

WHEREAS, Act 335-2021 authorized the acceptance of a two-year grant from the U.S. Department of Health & Human Services Substance Abuse and Mental Health Services Administration for the Certified Community Behavioral Health Clinic Expansion (CCBHC) Grant, and

WHEREAS, the two-year grant amounts awarded for the CCBHC are as follows:

August 31, 2021 through August 30, 2022 \$1,277,916.00

August 31, 2022 through August 30, 2023 \$1,198.849.00,

and

WHEREAS, the Department of Community Services is desirous of operating as a Certified Community Behavioral Health Clinic (CCBHC) under Article 32 of the Mental Hygiene Law, which will allow for the submission of claims for medication management for co-occurring mental health and substance use disorders, including medication-assisted treatment for opioid use disorder, and

WHEREAS, the aforementioned CCBHC Grant requires the County to apply for an OASAS Outpatient Chemical Dependence Treatment license in order to be designated as an Article 32 Clinic, and

WHEREAS, the Cattaraugus County Department of Community Services Clinic Director shall act as the contact person on behalf of the County in preparation of the application for the Article 32 Clinic designation through OASAS, now, therefore, be it

RESOLVED, that the Director of the Department of Community Services be, and hereby is, authorized and directed to execute the application to apply for an OASAS Outpatient Chemical Dependence Treatment license in order to be designated as an Article 32 Clinic.

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

Adopted October 13, 2021 by voice vote.

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MR. HIGGINS moved, seconded by Mr. Smith, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 389-2021 through Act No. 396-2021. Carried.

* * * * *

ACT NO. 389-2021 by Mr. Helmich and Mr. Koch
who ask immediate consideration

**REJECTING CERTAIN DEPARTMENT OF PUBLIC WORKS BIDS FOR
20 CY RECYCLING CONTAINERS
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law.

WHEREAS, the Department of Public Works advertised for sealed bids for the purchase of 20 CY Recycling Containers for the Department of Public Works, according to bid specifications and general information provided by the Public Works Committee, and

WHEREAS, three (3) bids were received, which were opened on October 6, 2021, all of which were higher than budgeted, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby rejects the bids which were received for 20 CY Recycling Containers for the Department of Public Works.

Adopted October 13, 2021 by voice vote.

ACT NO. 390-2021 by Mrs. Andreano, Mr. Higgins and Mr. Smith
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CITY OF OLEAN
FOR OLEAN MUNICIPAL AIRPORT CAPITAL IMPROVEMENTS**

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

WHEREAS, the City of Olean has requested funding in an amount not to exceed \$85,000.00 for capital improvements at the Olean Municipal Airport, and

WHEREAS, the City of Olean proposes to use the aforementioned funding to offset the cost of professional services rendered for the Snow Removal Equipment Building Pavement Reconstruction Project, and

WHEREAS, the 2021 County budget provides for the payment of \$85,000.00 to the City of Olean for the aforementioned costs from Account A.561.5610.0000.42002, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the City of Olean, for payment to the City of Olean of an amount not to exceed \$85,000.00, for a term commencing January 1, 2021 and terminating December 31, 2021, according to the above-described terms.

Adopted October 13, 2021 by voice vote.

ACT NO. 391-2021 by Mr. Boberg and Mr. Klancer
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CH2M HILL BWXT WEST VALLEY, LLC FOR
ON-SITE SECURITY LAW ENFORCEMENT SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 423-2020 authorized a contract with CH2M Hill BWXT West Valley, LLC, 10282 Rock Springs Road, West Valley, New York 14171-9799, for the provision of on-site security law enforcement services for its facility and surrounding areas, the term of which expired September 30, 2021, and

WHEREAS, CH2M Hill BWXT West Valley, LLC, is desirous of renewing the aforementioned contract, and

WHEREAS, the Cattaraugus County Sheriff's Office can provide the aforementioned on-site security law enforcement services for an amount based on actual costs, which are estimated to be \$195,386.18 for the period October 1, 2021 through September 30, 2022, 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 CH2M Hill BWXT West Valley, LLC, for the provision of the above-described security law enforcement services, for a term commencing October 1, 2021 and terminating September 30, 2022, according to the above-described terms.

Adopted October 13, 2021 by voice vote.

ACT NO. 392-2021 by Mr. Brisky and Ms. Schröder
who ask immediate consideration

**SALE OF TAX TITLE PROPERTY TO FORMER OWNER
(Town/Village of Franklinville)**

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

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

WHEREAS, the mortgage owner of the property has offered to tender an amount which will cover the County's financial involvement in this premises, and

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

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

TOWN/VILLAGE OF FRANKLINVILLE				
PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
244	40.062-4-23	Estate of Dale R. Wilson Renee C. Wilson	7 Elm Street Franklinville, NY 14737	\$15,480.99

Adopted October 13, 2021 by voice vote.

ACT NO. 393-2021 by Mr. Brisky and Ms. Schröder
who ask immediate consideration

**SALE OF TAX TITLE PROPERTY TO TOWN OF FARMERSVILLE AND
WAIVING RULE 40 OF THE RULES OF ORDER
(Town of Farmersville)**

Pursuant to Section 215 of the County Law, Rule 33 of the
Rules of Order of the Cattaraugus County Legislature, and
Section 72-h of the General Municipal Law.

WHEREAS, Cattaraugus County has tax title to certain property located at 2644 Cutting Road in the Town of Farmersville, known as Tax Map Number 22.003-2-5.1 ("Property"), and

WHEREAS, the Town of Farmersville has requested that the County transfer title to the property listed above to the Town so that the Town may utilize the Property for its own highway department purposes, and

WHEREAS, it is in the County's best interest to convey the subject Property to the Town of Farmersville in the amount of \$1,971.37, which represents the County's involvement in the Property, now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to convey the aforementioned parcel known as Tax Map Number 22.003-2-5.1 to the Town of Farmersville in consideration of \$1,971.37, and be it further

RESOLVED, that Rule 40 of the Rules of Order of the Cattaraugus County Legislature is hereby waived for this sale.

Adopted October 13, 2021 by voice vote.

ACT NO. 394-2021 by Mrs. Andreano and Ms. Schröder
who ask immediate consideration

**CREATING ONE (1) FULL-TIME POSITION OF PERSONAL CARE AIDE – LEVEL II
IN THE DEPARTMENT OF AGING AND ESTABLISHING COMPENSATION FOR THE SAME
(Aging)**

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

WHEREAS, the Department of Aging needs additional staffing to ensure that Unmet Needs funding requirements are met and that operations are not hindered by prohibitive levels of care due to a shortage of staff in the area of home health care, and

WHEREAS, a full-time position of Personal Care Aide will assist in this need, and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Personnel Officer, who has approved the title of Personal Care Aide – Level II in accordance with Civil Service Law Section 22, and

WHEREAS, sufficient funds are available in the budget of the Department of Aging for the aforementioned position, now, therefore, be it

RESOLVED, that effective immediately, there is hereby created one (1) position of Personal Care Aide – Level II to be filled on a full-time basis in the Department of Aging in the General Bargaining Unit, Pay Grade 13 (\$17.77 per hour), Position No. 677-236-003, and be it further

RESOLVED, that upon termination of either state or federal funding for this position, then this position shall be automatically abolished, 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 October 13, 2021 by voice vote.

ACT NO. 395-2021 by Mrs. Andreano and Mr. Helmich
and Mr. Benson, Mr. Boberg, Mr. Brisky, Mr. Burr, Mr. Higgins,
Mrs. Hunt, Mr. Klancer, Mr. Marsh, Mr. Morrow, Mr. Parker,
Ms. Schröder, Mr. Smith, Mr. VanRensselaer and Mr. Koch¹
who ask immediate consideration

**SUPPORTING OPERATION GREEN LIGHT FOR ACTIVE MILITARY SERVICE MEMBERS
IN TRANSITION TO CIVILIAN LIFE (VETERAN STATUS)**

Pursuant to Section 153 of the County Law.

WHEREAS, approximately 200,000 service members transition to civilian communities annually, and there is expected to be an estimated 20% increase in service members that will be transitioning to civilian life in the near future, and

WHEREAS, studies indicate that 44% - 72% of service members experience high levels of stress during transition from military to civilian life, and

WHEREAS, sadly, active military service members transitioning from military service are at a high risk for suicide during their first year after military service, and

WHEREAS, the Cattaraugus County Legislature appreciates the sacrifices our United States military personnel made while defending freedom and believes specific recognition should be accorded them in appreciation of their service, and

WHEREAS, green is the color of hope, renewal and well-being, and the simple action of changing one light to green can spark meaningful conversation regarding the recognition of veterans and help "green light" them forward as valued members of our communities, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby declares Cattaraugus County a Green Light for Military Service County from October 13, 2021, through Veterans Day, November 11, 2021, and be it further

RESOLVED, that in observance of Operation Green Light for Military Service, the Cattaraugus County Legislature encourages its citizens to recognize the importance of honoring all those who made immeasurable sacrifices to help to preserve freedom by displaying a green light in a window of their place of business or residence.

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

CHAIRMAN VANRENSELAER granted Privilege of the Floor to Steve McCord, Veterans Service Officer, who thanked the Legislature for their support of veterans transitioning from military to civilian life.

Adopted October 13, 2021 by voice vote.

ACT NO. 396-2021 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. Smith and Mr. VanRensselaer¹*
 who ask immediate consideration

**REJECTING PROPOSED REDISTRICTING MAP AND
 URGING PRESERVATION OF EXISTING BOUNDARIES OF
 NEW YORK STATE 23RD CONGRESSIONAL DISTRICT**

Pursuant to Section 153 of the County Law.

WHEREAS, Cattaraugus County hereby rejects the proposed map which creates a north/south district and includes the Counties of Niagara, Orleans, Erie, Wyoming and Genesee, and
 WHEREAS, Cattaraugus County vigorously supports the version of the proposed map that maintains the historical and traditional Southern Tier Congressional District for the following reasons:

- Cattaraugus County rejects the Independent Redistricting Commission's map that puts the Southern Tier counties with the Buffalo and Niagara Falls region. The Southern Tier communities have nothing in common with these large urban and suburban areas and will be overpowered by them.
- The residents of the Southern Tier need a strong voice in Washington, D.C. We have distinct needs that cannot be watered down or ignored by having our communities merged into areas dominated by Buffalo and Niagara Falls that do not share our priorities, interests or way of life.
- Traditionally, the differences between the Southern Tier and Western and Central New York have been mirrored in the Congressional and State Legislative district boundaries. This distinction ensured that the government in Washington and Albany paid attention to the Southern Tier region and was focused on the area's unique needs.
- The only way the Southern Tier counties will be treated equally and fairly, and receive the attention and resources they need, is to keep the historical and traditional

Southern Tier Congressional district that runs along I-86 from Chautauqua through Tioga counties together.

- The Southern Tier's counties all are rural and are communities of interest. Their economy, health systems, education, infrastructure, and culture all are homogenous. They all receive recognition from the federal government as needing unique assistance through the Appalachian Regional Commission. Agriculture and related industries such as food manufacturing and processing are the main economic drivers, in addition to some larger manufacturers. Moreover, the area is heavily reliant on small businesses. All of these characteristics would be overpowered by being in a district in the Buffalo and Niagara regions.
- Access to quality health care is a huge concern. Rural areas need more primary care physicians, and rural hospitals and emergency rooms need to be kept open.
- Infrastructure funding for roads, bridges, sewer, water and broadband are needed and cannot be siphoned off by larger, more powerful urban and suburban areas.
- The Commission needs to maintain the integrity of the current Congressional district by keeping the Southern Tier counties together along the I-86 corridor.,

and

WHEREAS, 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 Ort, 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. Smith and Mr. VanRensselaer".

Adopted October 13, 2021 by voice vote.

* * * * *

MR. KOCH moved, seconded by Mr. Benson, to adjourn until October 27, 2021 at 5:00 p.m. Carried.

Meeting adjourned at 5:28 p.m.

Ann M. Giglio
Journal Clerk