

October 27, 2021

The meeting was called to order by Chairman VanRensselaer.

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed all Legislators present.

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There being no amendments or objections thereto, Chairman VanRensselaer noted that the minutes of the October 13, 2021 session stand approved as presented.

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COMMUNICATIONS:

New York State Department of State: Receipt of Local Law Number 8-2021 and the filing of the same on September 30, 2021.

M. Andrew Burr, Chairman, Finance Committee: Apportionment of Mortgage Taxes for the six-month period from April 1, 2021 through September 30, 2021. (see report on page 439)

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PRIVILEGE OF THE FLOOR:

CHAIRMAN VANRENSELAER granted Privilege of the Floor to Legislator Kip Morrow, Program Chairman of Toys for Tots, who provided an overview of the Toys for Tots Program in Olean.

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To: The Chairman and Legislature of Cattaraugus County:

I, the Chairman of the Finance Committee, which committee has charge of Apportionment of Mortgage Taxes, respectfully report that the amount to be apportioned for the six-month period from April 1, 2021 through September 30, 2021 is \$644,591.09 and recommend that the amounts opposite the names of the cities/towns be paid to the fiscal officers of that city/town, and amounts in the column headed villages, be paid to the treasurers of the respective villages.

Respectfully submitted,
 M. Andrew Burr, Chairman
 Finance Committee

APPORTIONMENT OF MORTGAGE TAXES

	ROW 1	ROW 2	ROW 3	ROW 4	ROW 5	ROW 6	ROW 7
	CITY/TOWN	DOUBLE	VILLAGE	VILLAGE	TOTAL AMOUNT	VILLAGE	CITY/
	ASSESSED	CITY/TOWN	ASSESSED	PERCENTAGE	MORTGAGE TAX	VILLAGE	TOWN
	VALUATION	VALUATION	VALUATION	SHARE	DISTRIBUTED	SHARE	SHARE
ALLEGANY	365,039,870	730,079,740	75,177,402	0.10297149	68,128.92	7,015.34	61,113.58
ASHFORD	78,039,858	156,079,716		0.00000000	17,970.12	0.00	17,970.12
CARROLLTON	72,268,095	144,536,190		0.00000000	8,259.45	0.00	8,259.45
COLDSRING	66,655,075	133,310,150		0.00000000	4,290.84	0.00	4,290.84
CONEWANGO	33,210,476	66,420,952		0.00000000	5,214.62	0.00	5,214.62
DAYTON	76,019,183	152,038,366	16,184,492	0.10645005	6,589.32	701.43	5,887.89
EAST OTTO	85,497,183	170,994,366		0.00000000	10,211.87	0.00	10,211.87
ELLCOTTVILLE	610,720,517	1,221,441,034	136,773,554	0.11197721	141,750.70	15,872.85	125,877.85
FARMERSVILLE	67,010,612	134,021,224		0.00000000	8,156.59	0.00	8,156.59
FRANKLINVILLE	83,692,135	167,384,270	31,480,345	0.18807230	13,074.91	2,459.03	10,615.88
FREEDOM	120,744,960	241,489,920		0.00000000	17,331.63	0.00	17,331.63
GREAT VALLEY	176,233,906	352,467,812		0.00000000	31,956.79	0.00	31,956.79
HINSDALE	120,528,058	241,056,116		0.00000000	8,707.30	0.00	8,707.30
HUMPHREY	83,991,437	167,982,874		0.00000000	7,142.39	0.00	7,142.39
ISCHUA	40,422,092	80,844,184		0.00000000	9,372.18	0.00	9,372.18
LEON	47,498,237	94,996,474		0.00000000	5,274.84	0.00	5,274.84
LITTLE VALLEY	46,914,810	93,829,620	18,610,556	0.19834415	9,725.73	1,929.04	7,796.69
LYNDON	48,747,208	97,494,416		0.00000000	2,239.04	0.00	2,239.04
MACHIAS	147,028,910	294,057,820		0.00000000	21,304.49	0.00	21,304.49
MANSFIELD	141,560,021	283,120,042		0.00000000	26,760.69	0.00	26,760.69
NAPOLI	57,371,161	114,742,322		0.00000000	6,407.52	0.00	6,407.52
NEW ALBION	56,431,577	112,863,154	20,789,243	0.18419867	11,842.24	2,181.32	9,660.92
OLEAN,CITY	483,589,526	967,179,052		0.00000000	97,395.75	0.00	97,395.75
OLEAN, TOWN	89,956,938	179,913,876		0.00000000	10,946.25	0.00	10,946.25
OTTO	72,070,328	144,140,656		0.00000000	4,783.25	0.00	4,783.25
PERRYSBURG	56,808,873	113,617,746		0.00000000	13,165.90	0.00	13,165.90
PERSIA	58,203,120	116,406,240	40,381,496	0.34690147	10,512.44	3,646.78	6,865.66
PORTVILLE	134,458,004	268,916,008	27,483,331	0.10220043	24,503.73	2,504.29	21,999.44
RANDOLPH	84,930,485	169,860,970		0.00000000	13,689.13	0.00	13,689.13
RED HOUSE	222,788,195	445,576,390		0.00000000	0.00	0.00	0.00
SALAMANCA, CITY	15,094,227	30,188,454		0.00000000	4,402.70	0.00	4,402.70
SALAMANCA, TOWN	28,116,775	56,233,550		0.00000000	2,503.71	0.00	2,503.71
SOUTH VALLEY	31,178,259	62,356,518		0.00000000	1,666.76	0.00	1,666.76
YORKSHIRE	28,568,760	57,137,520	5,647,886	0.09884724	19,309.29	1,908.67	17,400.62
TOTALS	3,931,388,871		372,528,305		644,591.09	38,218.75	606,372.34

ACT NO. 397-2021 by Mr. Helmich and Mr. Koch

**BID ACCEPTANCE FOR LINING OF ASHFORD CULVERTS C85-24569 AND C85-24439
ON COUNTY ROAD NO. 85
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and
Section 131-b of the Highway Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the lining of Ashford Culverts C85-24569 and C85-24439, located on County Road No. 85 (Rock Springs Road) in the Town of Ashford, according to bid specifications and general information provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications was submitted by Union Concrete & Construction Corp., 105 Center Road, P.O. Box 410, West Seneca, New York 14224, in the amount of \$249,735.00, to be paid as invoiced, and

WHEREAS, the term of the aforementioned contract shall commence within ten (10) days of contract execution and be completed by June 30, 2022, and

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

RESOLVED, that the bid of Union Concrete & Construction Corp. be, and the same hereby is, accepted, 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.

Twelve sets of specifications were sent out.

Three bids were received which met specifications.

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

Adopted October 27, 2021 by voice vote.

ACT NO. 398-2021 by Mr. Helmich and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
GREENMAN-PEDERSEN, INC. FOR ENGINEERING SERVICES FOR REPLACEMENT OF
ASHFORD CULVERT NO. 22 AND FOUR CULVERTS ON COUNTY ROAD NO. 85**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 408-2017, as amended by Acts 375-2018, 517-2019 and 506-2020, authorized a contract with Greenman-Pedersen, Inc., 4950 Genesee Street, Suite 100, Buffalo, New York 14225, for the provision of engineering services for the replacement of Ashford Culvert No. 22, along with four (4) additional culverts, located on County Road No. 85 in the Town of Ashford, the term of which expires December 31, 2021, and

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

WHEREAS, Greenman-Pedersen, Inc., has agreed to complete the aforementioned project by August 31, 2022, 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., for the provision of the above-described additional services, to extend the term of the original contract which commenced October 26, 2017 and now terminates August 31, 2022, according to the above-described terms.

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

Adopted October 27, 2021 by voice vote.

ACT NO. 399-2021 by Mr. Helmich and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
GREENMAN-PEDERSEN, INC. FOR CONSTRUCTION INSPECTION SERVICES
FOR NEW ALBION BRIDGE NO. 35 FEDERAL-AID REPLACEMENT PROJECT
(Tannery Street Bridge)**

Pursuant to Section 131-b of the Highway Law and
Section 450 of the County Law.

WHEREAS, Act 516-2019, as amended by Acts 412-2020 and 504-2020, authorized a contract with Greenman-Pedersen, Inc., 4950 Genesee Street, Suite 100, Buffalo, New York 14225, for the provision of construction inspection services for the New Albion Bridge No. 35 federal-aid replacement project, located on Tannery Street over Tributary South Branch Cattaraugus Creek, BIN 3-32281-0, in the Town of New Albion, the term of which expired June 30, 2021, and

WHEREAS, a contract extension is necessary in order to complete the aforementioned project 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., for the provision of the above-described construction inspection services, for the construction phase of the above-described replacement project, to extend the term of the original contract which commenced upon execution of the contract and terminates June 30, 2022, according to the above-described terms.

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

Adopted October 27, 2021 by voice vote.

ACT NO. 400-2021 by Mr. Helmich and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
WATTS ARCHITECTURE & ENGINEERING FOR
LEON BRIDGE NO. 8 REPLACEMENT PROJECT**

Pursuant to Section 131-b of the Highway Law and
Section 450 of the County Law.

WHEREAS, Act 239-2019 authorized a contract with Watts Architecture & Engineering, 95 Perry Street, Suite 300, Buffalo, New York 14203, for the provision of engineering design services for the Leon Bridge No. 8 Replacement Project, located on County Road No. 6 (Leon Road) over Mud Creek in the Town of Leon, and

WHEREAS, Act 291-2020 authorized a contract with Watts Architecture & Engineering for the provision of construction administration services for the aforementioned project, the term of which expires December 31, 2021, and

WHEREAS, a contract extension is necessary in order to complete the aforementioned project 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 Watts Architecture & Engineering for the provision of the above-described engineering and construction inspection services, to extend the term of the original contract which commenced upon execution of the contract and terminates March 31, 2022, according to the above-described terms.

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

Adopted October 27, 2021 by voice vote.

ACT NO. 401-2021 by Mr. Helmich and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
BERGMANN ARCHITECTS ENGINEERS PLANNERS FOR
CONEWANGO 13 DAM ENGINEERING ASSESSMENT**

Pursuant to 6 NYCRR Part 673.13 and Section 450 of the County Law.

WHEREAS, an Engineering Assessment Report of the Conewango 13 Dam is required by the New York State Department of Environmental Conservation (NYSDEC), and

WHEREAS, a determination of the dam classification is required in order to determine the level of work necessary for the Engineering Assessment Report, and

WHEREAS, the NYSDEC has assigned an intermediate hazard Class B classification to the Conewango 13 Dam, and

WHEREAS, Bergmann Architects Engineers Planners, 280 East Broad Street, Suite 200, Rochester, New York 14604, has agreed to conduct the necessary engineering assessment for the Conewango 13 Dam for an amount not to exceed \$17,400.00, with the possible addition of related tasks not to exceed a total of \$73,800.00, as follows:

National Resources Conservation Service – Related Tasks

1	Classification Study	\$8,000.00	
	Inflow Design Study (IDF)	\$3,000.00	
	Spillway Analysis with new IDF	\$2,000.00	
2	Survey and field edit of dam and DS First Floor Elevations (FFE's), Roadways	\$4,400.00	
			TOTAL
			\$17,400.00

Additional Engineering Assessment Report – Related Tasks

3	Geotechnical Evaluation and Oversight of Borings	\$19,000.00
3a	Borings and Lab work (Earth dimensions or ATL or NW)	\$20,700.00 ¹
3c	Mileage of Geotechnical Borings	\$700.00
4	Inspection of Dam and Inspection Report	\$Included
5	Engineering Assessment Report Update – Structural	\$5,000.00
6	Engineering Assessment Report Update – HH, Inspection, Recommendations	\$5,000.00
7	Video Inspection	\$6,000.00

¹Estimated Cost is based on per LF

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 Bergmann Architects Engineers Planners, for the provision of the above-described engineering services, for a term commencing October 28, 2021 and terminating December 31, 2022, according to the above-described terms.

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

Adopted October 27, 2021 by voice vote.

ACT NO. 402-2021 by Mr. Helmich and Mr. Koch

AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH SYRACUSE TRAILER SALES SERVICE LEASING, INC. FOR PURCHASE OF WALKING FLOOR TRAILER

Pursuant to Section 450 of the County Law and Section 103 (3) of the General Municipal Law.

WHEREAS, the Department of Public Works is desirous of purchasing a 2022 MAC Walking Floor Trailer, and

WHEREAS, pursuant to Section 103(3) of the General Municipal Law, the County is piggybacking on a contract between Jefferson County and Syracuse Trailer Sales Service Leasing, Inc., for the purchase of the aforementioned walking floor trailer, and

WHEREAS, Syracuse Trailer Sales Service Leasing, Inc., STS Trailer and Truck Equipment, 3496 Court Street, Syracuse, New York 13206, can provide a 2022 MAC Walking Floor Trailer, pursuant to

specifications, terms and conditions contained in Jefferson County's Bid-21-20 dated May 4, 2021, for a total amount of \$81,890.00, to be paid as invoiced, as follows:

<u>Description</u>	<u>Amount</u>
2022 MAC Refuse Walking Floor Trailer, 48'	\$77,784.00
Freight FOB Factory	\$ 956.00
AERO side-to-side tarp and installation	\$ 1,900.00
Freight, NYSI FOB STS Buffalo	\$ 1,250.00

and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned walking floor trailer, 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 Syracuse Trailer Sales Service Leasing, Inc., STS Trailer and Truck Equipment, for the purchase of the above-described walking floor trailer, for a term commencing within ten (10) days of the effective date of the contract and terminating December 31, 2021, according to the above-described terms.

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

Adopted October 27, 2021 by voice vote.

ACT NO. 403-2021 by Mr. Boberg and Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES
FOR STATEWIDE INTEROPERABLE COMMUNICATIONS FORMULA-BASED GRANT AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(2020 SICG-Formula Program-Sheriff's Office)**

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

WHEREAS, Act 214-2021 authorized the Chairman to apply for funding through the New York State Division of Homeland Security and Emergency Services for the 2020 Statewide Interoperable Communications Formula-Based Grant (SICG), and

WHEREAS, the Sheriff's Office has been awarded funding through the New York State Division of Homeland Security and Emergency Services in the amount of \$684,153.00, and

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

WHEREAS, this program is 100% state funded, and

WHEREAS, various appropriation and estimated 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 grant documents, on behalf of Cattaraugus County, with the New York State Division of Homeland Security and Emergency Services, in order to accept and receive the aforementioned grant funding, for a term commencing January 1, 2021 and terminating December 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:

H.311.3197.0000.21065.3397.04	State Aid, Public Safety Capital Projects SICG	\$684,153.00
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Increase Appropriation Account:

H.311.3197.0000.21065.41603	Communications SICG Grant-Contracted Serv	\$684,153.00.
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Approved by 6 members of the Finance Committee and 5 members of the County Operations/ Public Safety Committee.

Adopted October 27, 2021 by voice vote.

ACT NO. 404-2021 by Mrs. Andreano

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
MCCARTHY & CONLON, LLP FOR PREPARATION AND REVIEW OF SKILLED NURSING FACILITY
MEDICARE COST REPORTS FOR DEPARTMENT OF NURSING HOMES**

Pursuant to Sections 210 and 450 of the County Law.

WHEREAS, Act 89-2021 authorized a contract with McCarthy & Conlon, LLP, 11 South Street, Suite 105, Glens Falls, New York 12801, for the preparation and review of Medicare cost reports for the Department of Nursing Homes for the period ending December 31, 2020, the term of which expired July 30, 2021, and

WHEREAS, the County is in need of the aforementioned services for the years ending 2021 and 2022, and

WHEREAS, McCarthy & Conlon, LLP, has agreed to provide the services necessary for the preparation and review of Skilled Nursing Facility Medicare cost reports for the years ending December 31, 2021 and 2022, for an amount of \$8,000.00 per year, for a total amount of \$16,000.00, to be paid as invoiced, and

WHEREAS, the aforementioned services must be conducted in order for the County to receive any State reimbursement, 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 McCarthy & Conlon, LLP, for the provision of the above-described services, for a term commencing August 1, 2021 and terminating December 31, 2023, according to the above-described terms.

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

Adopted October 27, 2021 by voice vote.

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MR. MARSH moved, seconded by Mrs. Hunt, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 405-2021 through Act No. 414-2021. Carried.

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ACT NO. 405-2021 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 Olean Office Facility, 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 October 27, 2021 by voice vote.

ACT NO. 406-2021 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
VARIOUS SCHOOL DISTRICTS
FOR COVID-19 TESTING IN SCHOOLS**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 249-2021 authorized the acceptance of the Epidemiology and Laboratory Capacity (ELC) grant, through the New York State Department of Health, to enable schools and school districts within Cattaraugus County to establish COVID-19 screening/testing programs to support and maintain in-person learning, and

WHEREAS, the Cattaraugus County Health Department was allocated funding in the amount of \$2,398,227.40 to assist schools and school districts with the aforementioned COVID-19 screening/testing program, and

WHEREAS, various school districts within Cattaraugus County have requested assistance with in-school COVID-19 testing, and

WHEREAS, various school districts within Cattaraugus County have chosen to use the Cattaraugus County Emergency Services mobile testing unit to conduct COVID-19 screening and diagnostic testing for their staff and students within their districts, and

WHEREAS, the Cattaraugus County Health Department shall allocate \$887,284.30 in funding to Cattaraugus County Office of Emergency Services to provide COVID-19 screening and diagnostic testing services, in participating school districts, from the allocated funds received from the New York State Department of Health, and

WHEREAS, the screening and diagnostic testing for the school districts shall begin upon execution of this contract and continue until July 29, 2022, and

WHEREAS, the remaining \$1,510,943.10 will be disbursed to districts on a proportional share based on individual agreements with school districts, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with various schools/school districts, for participation in the COVID-19 screening and diagnostic testing in schools for the Reopening Schools project and for the allocation of \$887,284.30 to the Cattaraugus County Office of Emergency Services, for terms to commence upon signing of individual contracts and terminate July 29, 2022, according to the above-described terms.

Adopted October 27, 2021 by voice vote.

ACT NO. 407-2021 by Mrs. Andreano
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH POINTCLICKCARE TECHNOLOGIES, INC.
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 for the provision of an electronic medical records system for The Pines Healthcare and Rehabilitation Centers-Olean and Machias Campuses, the term of which expired July 31, 2021, and

WHEREAS, the Department of Nursing Homes is desirous of renewing the aforementioned contract for another five (5) year term, and

WHEREAS, PointClickCare Technologies, Inc., 5570 Explorer Drive, Mississauga, Ontario Canada L4W 0C4, can provide a cloud-based electronic medical records system for an amount in accordance with the following:

Subscription Costs	Total Per Month	\$8,928.87
Pines @ Machias	\$4,199.76 per month	
Pines @ Olean	\$4,729.11 per month	

*PointClickCare may increase fees no more than once annually upon sixty (60) days' notice, however the annual increase is capped at 3%, 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 PointClickCare Technologies, Inc., for the provision of the above-described electronic medical records system, for a term commencing August 1, 2021 and terminating July 31, 2026, according to the above-described terms.

Adopted October 27, 2021 by voice vote.

ACT NO. 408-2021 by Mr. Marsh and Mr. VanRensselaer
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
RANDOLPH REGIONAL EMS CORP. FOR
911 EMERGENCY RESPONSE CARDIAC MONITORS IAED AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS**

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

WHEREAS, the Randolph Regional EMS Corp. (RREMS), P.O. Box 122, 70 Main Street, Randolph, New York 14772, is an emergency medical service which provides a public safety service and 911 EMS care for some rural areas of the county, and

WHEREAS, in 2021, RREMS provided 911 EMS care to residents in the following townships: Randolph, Coldspring, Napoli, Conewango, Leon, Little Valley, New Albion, Red House, South Valley, Mansfield and Salamanca, and

WHEREAS, RREMS provides a specific need that assists Cattaraugus County with COVID-19 public health and the safety of Cattaraugus County residents, and

WHEREAS, it is beneficial to the residents of Cattaraugus County to use American Rescue Plan Act (ARPA) funds to purchase three (3) cardiac monitors IAED to be used for 911 emergency responses, including emergencies for potential COVID patients, and

WHEREAS, the County shall pay to the RREMS an amount of \$137,532.00 for the purchase of three (3) cardiac monitors IAED to be used for 911 emergency responses, including emergencies for potential COVID patients, and

WHEREAS, sufficient funds are provided through ARPA to cover the cost of the aforementioned public safety equipment, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to cover the cost of the aforementioned 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 the Randolph Regional EMS Corp., for the continued provision of the above-described public health services, for a term commencing October 1, 2021 and terminating June 30, 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:

Increase Estimated Revenue Account:

CV.901.0000.0000.4089.06 Other CV Local Fiscal Recovery Funds \$137,532.00

Increase Appropriation Account:

CV.901.4030.0000.42069 Randolph Regional EMS \$137,532.00.

Adopted October 27, 2021 by voice vote.

CHAIRMAN VANRENSELAER introduced representatives of the Randolph Regional EMS Corp. – David Senn, Seth Lecceardone and Jason Brown. President Senn outlined the company’s service area and services provided. He thanked the legislature for providing the funds to purchase the equipment.

ACT NO. 409-2021 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

SALE OF TAX TITLE PROPERTIES

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 properties situate in Cattaraugus County, as described below, and

WHEREAS, the properties were exposed to bid at public auction as required by Rule 40 of the Rules of Order of the Cattaraugus County Legislature, and

WHEREAS, the highest bids received for the properties are the bids listed below, now, therefore, be it

RESOLVED, that if the tender by the high bidder of the total purchase price is not made within 30 days after the adoption hereof, then the acceptance of that individual’s bid shall thereafter be void and of no further effect, as of course, and the bid deposit shall be forfeited pursuant to Rule 40.8 of the Rules of Order, and be it further

RESOLVED, that the County Treasurer be, and hereby is, authorized and directed to execute County Treasurer’s Deeds conveying the properties to the following individuals at the bid prices listed:

PARCEL NO.	TAX MAP NO.	PROPERTY ADDRESS	CITY OF OLEAN		COUNTY INVOLVEMENT	BID AMOUNT
			HIGH BIDDER AND ADDRESS			
10	94.057-1-6	319 Coleman St.	Raymond D. Forness 310 Coleman Street Olean, NY 14760		\$6,581.69	\$8,400.00
15	94.065-11-31	406 W. Henley St.	Jai A. Pawlak 210 West State Street Olean, NY 14760		\$14,493.38	\$27,400.00

30	94.048-2-28	519 N. Sixth St.	Buffalo Renaissance Properties 217 High Park Blvd. Amherst, NY 14226	\$4,545.53	\$15,300.00
31	94.065-5-36	316 Laurel Ave.	Hussein Waris 155 West Delevan Avenue Buffalo, NY 14213	\$16,166.00	\$19,500.00
34	94.048-1-6	1008 Vine St.	Jason Neal Shoup 1006 Vine Street Olean, NY 14760	\$5,959.08	\$5,100.00
42	94.049-2-60	946 N. Union St.	Buffalo Renaissance Properties 217 High Park Blvd. Amherst, NY 14226	\$12,546.50	\$25,600.00
64	94.073-3-19	115 Irving St.	Brian W. Sisson Jennifer J. Sisson 114 Irving Street Olean, NY 14760	\$4,182.34	\$1,350.00
109	94.081-1-49	485 Martha Ave.	Tonya R. Kilby 475 Martha Avenue Olean, NY 14760	\$1,006.83	\$1,250.00
110	94.081-1-47	493 Martha Ave.	Stephen D. Parks 1214 Reed Street Olean, NY 14760	\$1,006.83	\$670.00
111	94.081-1-48	489 Martha Ave.	Julie T. Snow 198 Stevenson Street Buffalo, NY 14210	\$1,006.83	\$560.00
114	94.072-2-27	210 S. Seventh St.	Joshua Anderson 6 Barnside Lane Olean, NY 14760	\$12,128.09	\$37,200.00
133	94.082-3-4	310 E. Riverside Drive	Hussein Waris 155 West Delevan Avenue Buffalo, NY 14213	\$14,652.69	\$13,600.00
134	94.081-1-5	800 S. Union St.	Joshua Anderson 6 Barnside Lane Olean, NY 14760	\$6,612.88	\$41,400.00
134a	94.041-4-17	1106 River St.	Buffalo Renaissance Properties 217 High Park Blvd. Amherst, NY 14226	\$18,015.77	\$22,200.00
134b	94.064-10-15	120 S. Eleventh St.	Nakiya E. Wilkins 825 Seneca Avenue Olean, NY 14760	\$21,801.12	\$48,600.00

TOWN OF ALLEGANY

PARCEL NO.	TAX MAP NO.	PROPERTY ADDRESS	HIGH BIDDER AND ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
144	93.002-3-2	NYS Route 417	Vicky L. McKinney 2045 Klice Cross Road Allegany, NY 14706	\$371.07	\$2,025.00
144a	75.004-1-32.4	Karl Road	Chelsea A. Clark 3752 Karl Road Allegany, NY 14706	\$733.88	\$2,364.33
144b	75.004-1-35	3743 Karl Road	Chelsea A. Clark 3752 Karl Road Allegany, NY 14706	\$6,024.17	\$28,735.67

TOWN OF ASHFORD

PARCEL NO.	TAX MAP NO.	PROPERTY ADDRESS	HIGH BIDDER AND ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
145	28.002-1-16.2	9152 US Route 219	John T. Previtly 4501 Lake Shore Road Hamburg, NY 14075	\$11,845.96	\$60,400.00
148	29.011-2-33	NYS Route 240	Darren Renford 95 Mapleridge Avenue Buffalo, NY 14215	\$728.41	\$440.00
149	10.004-1-63	Autumn View Trail	Patti Jankowski Emil Jankowski 10690 Autumn View Trail West Valley, NY 14171	\$1,609.19	\$19,900.00

TOWN OF COLDSRING

PARCEL NO.	TAX MAP NO.	PROPERTY ADDRESS	HIGH BIDDER AND ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
171	80.003-1-11.1	Lebanon Road	Mark W. Tompkins 7417 Eagle Ridge Circle Fort Worth, TX 76179	\$11,477.71	\$184,900.00
171a	69.002-1-50	4382 Lower Bush Rd.	John B. Ammerman 9189 Persia Road Gowanda, NY 14070	\$21,801.12	\$55,600.00

TOWN OF DAYTON

PARCEL NO.	TAX MAP NO.	PROPERTY ADDRESS	HIGH BIDDER AND ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
183	33.033-1-4.1	135 Oaks Road	Keith H. Mitchell 9933 Edwards Corners Road South Dayton, NY 14138	\$956.47	\$710.00
187	16.004-1-46.1	Jolls Road	Amy S. Szkatulski 16 Maltbie Road Gowanda, NY 14070	\$1,307.94	\$5,500.00

187a	33.033-1-11	55 Main St.	Eric Hasbrouck 4501 Connecticut Ave. NW, Apt. 101 Washington, DC 20008	\$15,523.53	\$16,004.14
187b	33.033-1-12.2	Main St. (Off)	Eric Hasbrouck 4501 Connecticut Ave. NW, Apt. 101 Washington, DC 20008	\$740.51	\$1,095.86
194	33.034-2-5	206 Mill St.	Otis Lake, Inc. 1110 Butcher Road South Dayton, NY 14138	\$7,421.02	\$39,500.00

TOWN OF ELLICOTTVILLE

PARCEL NO.	TAX MAP NO.	PROPERTY ADDRESS	HIGH BIDDER AND ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
206	47.004-1-10.3	6895 Dooley Rd.	Christopher D. Galasso Sarah L. Galasso 17 Limestone Drive Buffalo, NY 14221	\$22,682.86	\$211,500.00

TOWN OF FRANKLINVILLE

PARCEL NO.	TAX MAP NO.	PROPERTY ADDRESS	HIGH BIDDER AND ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
231	40.078-2-5	Mt. Pleasant Ave.	Bruce Pagels 87 S. Main Street Franklinville, NY 14737	\$993.48	\$4,500.00
237	40.063-6-38	31 Howard St.	Kelly A. Claus Mark J. Claus 9829 Church Street, PO Box 75 Farmersville Station, NY 14060	\$11,358.15	\$3,550.00
242	49.001-1-28.1	2738 East Hill Rd.	Patrick M. Rost 2760 East Hill Road Franklinville, NY 14737	\$7,078.34	\$6,100.00

TOWN OF GREAT VALLEY

PARCEL NO.	TAX MAP NO.	PROPERTY ADDRESS	HIGH BIDDER AND ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
257	74.004-1-25.2	3903 Bear Hollow Rd.	James R. Evans 3900 Bear Hollow Road Great Valley, NY 14741	\$2,146.25	\$4,200.00

TOWN OF HINSDALE

PARCEL NO.	TAX MAP NO.	PROPERTY ADDRESS	HIGH BIDDER AND ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
262	86.002-1-7	3156 Ream Rd.	John R. Tucker 3138 Ream Road Cuba, NY 14727	\$1,419.62	\$4,750.00
268	77.003-1-6.3	1327 Congress Rd.	Travis M. Mabee 1181 Congress Road Hinsdale, NY 14743	\$1,624.99	\$8,100.00

272	77.004-3-14	3700 Hedden Hollow Rd.	Melissa Stymus 4718 Mapleton Road Lockport, NY 14094	\$1,476.65	\$4,050.00
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277	77.009-1-22	1221 Underwood Rd.	Jerry Foster Candi Foster 3974 Route 417, Lot 140 Allegany, NY 14706	\$3,522.89	\$20,000.00
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TOWN OF HUMPHREY

PARCEL NO.	TAX MAP NO.	PROPERTY ADDRESS	HIGH BIDDER AND ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
281	66.001-1-18.6	4022 Humphrey Rd.	Scott A. Walters 84 Sweeney Street, #7 North Tonawanda, NY 14120	\$5,043.05	\$41,100.00

TOWN OF LITTLE VALLEY

PARCEL NO.	TAX MAP NO.	PROPERTY ADDRESS	HIGH BIDDER AND ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
291	54.063-2-23.1	Erie St.	Christine M. Wrona 214 Eagle Street Little Valley, NY 14755	\$1,533.74	\$1,025.00

TOWN OF LYNDON

PARCEL NO.	TAX MAP NO.	PROPERTY ADDRESS	HIGH BIDDER AND ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
298	41.004-1-9.6	155 Palmer Rd.	John T. Preivity 4501 Lake Shore Road Hamburg, NY 14075	\$3,750.17	\$26,000.00

TOWN OF OLEAN

PARCEL NO.	TAX MAP NO.	PROPERTY ADDRESS	HIGH BIDDER AND ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
354	94.076-1-18	1726 Butler Ave.	Catherin M. Vazquez Velasco 830 S. Red Rock Willard, MO 65781	\$5,320.51	\$4,300.00
358	103.001-3-45	Old Rock City Rd.	Jason D. Langworthy 1214 Old Rock City Road Olean, NY 14760	\$1,554.99	\$1,625.00

TOWN OF PERRYSBURG

PARCEL NO.	TAX MAP NO.	PROPERTY ADDRESS	HIGH BIDDER AND ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
374	2.013-1-5	11937 Chestnut St.	Jacob A. Piersa 2962 Route 39 Collins, NY 14034	\$10,900.32	\$40,100.00

		<u>TOWN OF PERSIA</u>			
PARCEL NO.	TAX MAP NO.	PROPERTY ADDRESS	HIGH BIDDER AND ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
376	16.027-2-24	20 Hill St.	Melissa Stymus 4718 Mapleton Road Lockport, NY 14094	\$1,583.66	\$1,425.00

		<u>TOWN OF PORTVILLE</u>			
PARCEL NO.	TAX MAP NO.	PROPERTY ADDRESS	HIGH BIDDER AND ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
386	104.002-1-6.2	1372 Lillibridge Rd.	Together Real Estate, LLC 813 Abbott Road Buffalo, NY 14220	\$10,500.00	\$18,300.00

		<u>TOWN OF RANDOLPH</u>			
PARCEL NO.	TAX MAP NO.	PROPERTY ADDRESS	HIGH BIDDER AND ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
407	70.072-2-47.2	149 Main St. (Off)	Cole Ryan Booth 88 Jamestown Street Randolph, NY 14772	\$8,548.78	\$21,400.00
				Total County Involvement	\$341,857.40
				Total Bids	\$1,124,635.00
				Total Profit	\$782,777.60

MR. SNYDER moved, seconded by Mr. Morrow, to remove the following parcels:

City of Olean

115	94.056-2-3	412-R N. Thirteenth St.	Together Real Estate, LLC 813 Abbott Road Buffalo, NY 14220	\$2,741.58	\$52.50
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Town of Franklinville

238	40.063-4-19.3	Pine St.	Julie T. Snow 198 Stevenson Street Buffalo, NY 14210	\$427.99	\$52.50
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Town of Portville

400	104.074-1-4.10	1 Wellington Dr.	Zachary Wilber 4502 Five Mile Road Allegany, NY 14706	\$14,696.48	\$25,000.00
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Carried.

Adopted, as amended, October 27, 2021 by voice vote.

ACT NO. 410-2021 by Mr. Burr
who asks immediate consideration

LOCAL LAW NUMBER 9 - 2021
COUNTY OF CATTARAUGUS, NEW YORK

Pursuant to Chapter 98 of the Laws of 2009 and Section 253-x of the Tax Law.

**A LOCAL LAW IMPOSING AN ADDITIONAL MORTGAGE RECORDING TAX
WITHIN THE COUNTY OF CATTARAUGUS**

BE IT ENACTED by the County Legislature of the County of Cattaraugus as follows:

SECTION 1. Legislative Intent. It is the intent of this Local Law to impose an additional mortgage recording tax.

SECTION 2. Imposition of Tax. Effective December 1, 2021 and terminating December 1, 2024, there is hereby imposed, in the County of Cattaraugus, a tax of 25 cents for each \$100 and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within Cattaraugus County and recorded on or after December 1, 2021, and a tax of 25 cents on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than \$100.

SECTION 3. Applicability. The taxes imposed under the authority of this section shall be administered and collected in the same manner as the taxes imposed under Section 253(1) and Section 255(1)(b) of the Tax Law. Except as otherwise provided in this section, all the provisions of the Tax Law relating to or applicable to the administration and collection of the taxes imposed by such subdivisions shall apply to the taxes imposed under the authority of this section with such modifications as may be necessary to adapt such language to the tax so authorized. Such provisions shall apply with the same force and effect as if those provisions had been set forth in full in this section except to the extent that any provision is either inconsistent with a provision of this section or not relevant to the tax authorized by this section. For purposes of this section, any reference in the Tax Law to the tax or taxes imposed by the Tax Law shall be deemed to refer to a tax imposed pursuant to this section, and any reference to the phrase "within this state" shall be read as "within Cattaraugus County", unless a different meaning is clearly required.

SECTION 4. Real Property Located in More than One County. Where the real property covered by the mortgage subject to the tax imposed pursuant to the authority of this section is situated in this state but within and without the county imposing such tax, the amount of such tax due and payable to such county shall be determined in a manner similar to that prescribed in the first undesignated paragraph of Section 260 of the Tax Law which concerns real property situated in two or more counties. Where such property is situated both within such county and without the state, the amount due and payable to such county shall be determined in the manner prescribed in the second undesignated paragraph of such Section 260 which concerns property situated within and without the state. Where real property is situated within and without the county imposing such tax, the recording officer of the jurisdiction in which the mortgage is first recorded shall be required to collect the taxes imposed pursuant to this section.

SECTION 5. Additional Taxes. A tax imposed pursuant to the authority of this section shall be in addition to the taxes imposed by Section 253 of the Tax Law.

SECTION 6. Disposition of Taxes. Notwithstanding any provision of the Tax Law to the contrary, the balance of all moneys paid to the recording officer of the County of Cattaraugus during each month upon account of the tax imposed pursuant to the authority of this section, after deducting the necessary expenses of his or her office as provided in Section 262 of the Tax Law, except taxes paid upon mortgages which under the provisions of this section or Section 260 of the Tax Law are first to be apportioned by the commissioner, shall be paid over by such officer on or before the 10th day of each succeeding month to

the treasurer of Cattaraugus County and, after the deduction by such treasurer of the necessary expenses of his or her office provided in Section 262 of the Tax Law shall be deposited in the general fund of the County of Cattaraugus. Notwithstanding the provisions of the preceding sentence, the tax so imposed and paid upon mortgages covering real property situated in two or more counties, which under the provisions of this section or Section 260 of the Tax Law are first to be apportioned by the commissioner, shall be paid over by the recording officer receiving the same as provided by the determination of the commissioner.

SECTION 7. Payment of Taxes. The tax imposed pursuant to this Local Law will be payable on the recording of each mortgage or real property subject to taxes thereunder. The tax will be paid to the recording officer of the county in which the real property or any part thereof is situated, except where real property is situated within and without the county, the recording officer of the county in which the mortgage is first recorded will collect the tax imposed by this Local Law. It will be the duty of the recording officer to endorse upon each mortgage a receipt for the amount paid. Any mortgage so endorsed may thereupon or thereafter be recorded by any recording officer and the receipt of the tax endorsed upon each mortgage will be recorded therewith. The record of the receipt will be conclusive proof that the amount of the tax stated therein has been paid upon the mortgage.

SECTION 8. Effective Date. This local law shall take effect immediately.

No further action taken at this time.

ACT NO. 411-2021 by Mr. Burr
who asks immediate consideration

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 9 - 2021

Pursuant to Section 20 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on October 27, 2021, a proposed Local Law entitled "A Local Law Imposing an Additional Mortgage Recording Tax within the County of Cattaraugus", and

WHEREAS, no local law shall be adopted until a public hearing thereon has been had by the Cattaraugus County Legislature upon at least five days' notice, now, therefore, be it

RESOLVED, that a public hearing shall be held on the proposed Local Law by this County Legislature on the 10th day of November, 2021, at 5:01 p.m. at the Legislature's Chambers, Cattaraugus County Center, 303 Court Street, Little Valley, New York, and that at least five days' notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Adopted October 27, 2021 by voice vote.

ACT NO. 412-2021 by Mr. Burr
who asks immediate consideration

**URGING PRESERVATION OF EXISTING BOUNDARIES OF
NEW YORK STATE'S 57TH SENATE AND 148TH ASSEMBLY DISTRICTS**

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, 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 57th Senate District and the 148th Assembly District 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, existing counties should not be divided between multiple districts in either the Senate or the Assembly, and

WHEREAS, as the current construction of New York's 57th Senate District and 148th Assembly District have well served the residents of the Cattaraugus County 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 Districts' 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 57th Senate District and 148th Assembly 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.

Adopted October 27, 2021 by voice vote.

ACT NO. 413-2021 by Mrs. Andreano, Mr. Higgins and Mr. Smith
who ask immediate consideration

**REQUESTING SIEMENS ENERGY AG SELL ITS OLEAN FACILITY TO A COMPANY
THAT WILL INVEST IN THE COUNTY'S OPERATION, WORKFORCE AND COMMUNITY**

Pursuant to Section 153 of the County Law.

WHEREAS, Siemens Energy AG has declared that it will downsize its Olean manufacturing facility, eliminating more than 500 jobs from its Olean operation starting in 2022, after serving the community for more than 100 years in compressor manufacturing, and

WHEREAS, the Cattaraugus County Legislature supports the Siemens Energy employees and the USW Local 4601 and seeks to support its local labor force, which is critical for the continued revitalization of the City, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature respectfully requests that Siemens Energy AG and its Board of Directors assist its Olean stakeholders by selling the Olean facility to a company that will invest in the County's operation, workforce and community by retaining hardworking skilled personnel.

Adopted October 27, 2021 by voice vote.

ACT NO. 414-2021 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
VILLAGE OF FRANKLINVILLE FOR
MUNICIPAL WATER AND WASTEWATER SYSTEMS UPGRADES
(Great Lakes Cheese Project)**

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

WHEREAS, Great Lakes Cheese Company, Inc. has proposed to build a new cheese production facility in the Towns of Farmersville and Franklinville, with an associated investment of approximately \$500,000,000.00, including the purchase of new equipment, facility construction, and site development, and

WHEREAS, Act 350-2021 authorized contracts with various entities for the provision of municipal water and wastewater systems upgrades for the new Great Lakes Cheese production facility, and

WHEREAS, it is anticipated that the construction of the aforementioned cheese production facility will support an average of 240 construction jobs over a two-year period, is expected to employ approximately 500 people, and have the capability of processing up to 4,000,000 pounds of milk per day which would support an additional 600 regional agricultural jobs, and

WHEREAS, such anticipated growth in the local agricultural job market from the aforementioned project will provide a significant economic impact for the greater good of the community that investments in infrastructure are necessary and appropriate, and

WHEREAS, the County and the Village of Franklinville desire to expand and improve the municipal water and wastewater systems to accommodate this project, and

WHEREAS, the County is desirous of appropriating \$5,800,000.00 to assist with the cost of improving the municipal water and wastewater systems, and

WHEREAS, the Village of Franklinville, 19 Pennsylvania Avenue, Franklinville, New York 14737, shall contract with LDG Engineers and Architects, PC d/b/a Larson Design Group, for the expansion and improvement of the municipal water and wastewater systems and infrastructure required for the Great Lakes Cheese Project, and

WHEREAS, LDG Engineers and Architects, PC d/b/a Larson Design Group (LDG), 1 West Market Street, Suite 301, Corning, New York 14830, shall provide the following services to the Village of Franklinville for the Franklinville Water/Wastewater Improvements for the Great Lakes Cheese Project:

<u>Task</u>	<u>Estimated Fee</u>	<u>Estimated Completion</u>
I. Preliminary Design	\$248,500	May 2022
1.A. Hydrogeologic Evaluation	\$ 82,000	May 2022
1.B. Survey and Base Mapping	\$ 88,000	December 2021
1.C. Preliminary Design	\$ 79,500	May 2022
II. Final Design	\$139,500	October 2022
III. Bidding and Construction Administration	\$196,000	November 2023
IV. Resident Inspection	<u>\$135,000</u>	October 2023
Total	\$719,000	

and

WHEREAS, it is proposed that the County pay to the Village of Franklinville a total amount of \$719,000.00 over the length of the project to be billed monthly by the Village of Franklinville to the County wherein the Village shall directly pay LDG for the aforementioned engineering services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract with the Village of Franklinville, on behalf of Cattaraugus County, for the expansion and improvement of the water systems and wastewater systems for the Great Lakes Cheese Project, for a term commencing October 28, 2021, and terminating December 31, 2023, with the option to renew for an additional one (1) year term, according to the above-described terms, and be it further

RESOLVED, that such contract shall provide that should the project of constructing the facility in the Towns of Farmersville and Franklinville not proceed, the County, in its sole discretion, may terminate the contract, and be it further

RESOLVED, that the County Administrator is hereby directed to appropriate \$719,000.00 from Fund Balance Account A.909.0000 and make the following budgetary changes:

Increase Appropriation Account:

A.298.6420.0000.42070	Village of Franklinville	\$719,000.00.
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Adopted October 27, 2021 by voice vote.

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MR. MORROW moved, seconded by Mr. Koch, to adjourn until November 10, 2021 at 5:00 p.m. Carried.

Meeting adjourned at 5:28 p.m.

Ann M. Giglio
Journal Clerk