

September 14, 2022

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 August 24, 2022 session stand approved as presented.

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COMMUNICATIONS:

New York State Department of State: Acknowledging receipt of Local Law Number 4-2022 and the filing of the same on August 8, 2022.

Orleans County Legislature: Resolution No. 409-822 entitled “Resolution in Support of Senate Bill S9509 to Eliminate the Farm Laborers Wage Board Created Through the Farm Workers Fair Labor Practices Act” and Resolution 418-822 entitled “Proposing the Repeal or Amendment of Election Laws in so far as They Adversely Affect Smaller Counties”.

Sullivan County Legislature: Resolution “Declaring Sullivan County a Gun Friendly County”.

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PRIVILEGE OF THE FLOOR:

CHAIRMAN VANRENSELAER granted Privilege of the Floor to Sheriff Timothy Whitcomb who recognized Sgt. Joseph Yerpe and Deputy Salvatore Seitz with the meritorious service award for their actions relative to an incident on May 13, 2022.

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ACT NO. 373-2022 by Mr. Benson and Mr. Helmich

**BID ACCEPTANCE FOR SALT AND SAND PREMIX
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for salt and sand premix for the 2022-2023 season requirements, according to specifications provided by the Public Works Committee, and

WHEREAS, the only bid received meeting specifications for salt and sand premix was the bid of Gernatt Asphalt Products, Inc., 13870 Taylor Hollow Road, Collins, New York 14034 (Benz Drive Plant, Springville, New York) as follows:

Ratio of Sand to Salt <u>Per Ton</u>	2021-2022 Price Per Ton Premixed Material <u>F.O.B. Plant</u>	2022-2023 Price Per Ton Premixed Material <u>F.O.B. Plant</u>
4-1	\$20.60	\$22.90
5-1	\$19.00	\$21.20
6-1	\$18.00	\$19.90
7-1	\$17.20	\$19.00
8-1	\$16.50	\$18.30
9-1	\$16.00	\$17.70
10-1	\$15.60	\$17.20

now, therefore, be it

RESOLVED, that the bid of Gernatt Asphalt Products, Inc., be, and the same hereby is, accepted, for a term commencing September 1, 2022 and terminating April 30, 2023, 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.

Three sets of specifications were sent out.

One bid was received.

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

Adopted September 14, 2022 by voice vote.

ACT NO. 374-2022 by Mr. Benson and Mr. Helmich

**BID ACCEPTANCE FOR HOT DIP GALVANIZATION OF STEEL
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for hot dip galvanization of steel, according to specifications and general information provided by the Public Works Committee, and

WHEREAS, the only bid received meeting specifications for hot dip galvanization of steel was the bid of Frontier Hot Dip Galvanizing, Inc., 1740 Elmwood Avenue, P.O. Box 199, Buffalo, New York 14207-0199, in an amount as follows:

<u>Job Size</u>	<u>2021-2022 Amount</u>	<u>2022-2023 Amount</u>
Single Dip up to 27 feet in length:		
Less than 1,000 lbs	\$0.55/lb	\$0.55/lb
1,000 – 2,000 lbs	\$0.50/lb	\$0.50/lb
2,000 – 5,000 lbs	\$0.45/lb	\$0.45/lb
5,000 – 10,000 lbs	\$0.40/lb	\$0.40/lb
10,000 lbs & greater	\$0.29/lb	\$0.32/lb
Double Dip up to 40 feet in length:		
Less than 1,000 lbs	\$0.825/lb	\$0.825/lb
1,000 – 2,000 lbs	\$0.75/lb	\$0.75/lb
2,000 – 5,000 lbs	\$0.675/lb	\$0.675/lb
5,000 – 10,000 lbs	\$0.60/lb	\$0.60/lb
10,000 lbs & greater	\$0.35/lb	\$0.38/lb
<u>Additional Charges:</u>		
1. Surcharge for double dip - For materials which are longer than tank length and which must be dipped first one end and then the other (double dip), any additional charges are included in the above pricing.	Included in above pricing	Included in above pricing
2. Handrails	\$0.75/lb	\$0.75/lb
3. Tanks (or \$325.00/each, whichever is greater)	\$1.00/lb	\$1.00/lb
4. Additional Venting/Holes	\$50.00/hr	\$50.00/hr

now, therefore, be it

RESOLVED, that the bid of Frontier Hot Dip Galvanizing, Inc., be, and the same hereby is, accepted, for a term commencing November 1, 2022 and terminating October 31, 2023, 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.

Six sets of specifications were sent out.

One bid was received.

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

Adopted September 14, 2022 by voice vote.

ACT NO. 375-2022 by Mr. Benson and Mr. Helmich

BID ACCEPTANCE FOR CUTTING EDGES AND SHOES FOR GRADERS, PLOWS AND WINGS (Department of Public Works)

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for cutting edges and shoes for graders, plows and wings for the Department of Public Works, according to specifications provided by the Public Works Committee, and

WHEREAS, the bids meeting specifications for the aforementioned items are as follows:

CHEMUNG SUPPLY CORP.

P.O. Box 527

Elmira, New York 14902

<u>Index #</u>	<u>Size</u>	<u>Quantity</u>	<u>Rate</u>
<u>Carbon Grader - double bevel curved item, Price/Foot</u>			
A-8L	5/8" x 8"	Less than 10 Sets	\$17.35
A-8G	5/8" x 8"	10 Sets or Greater	\$16.75
<u>Carbon Plow and Wing Blades, Item - Price/Foot</u>			
B-6L	3/4" x 6"	Less than 50 Blades	\$19.82
B-6G	3/4" x 6"	50 Blades or Greater	\$18.49
<u>Cover Blade for Wings 5/8" – Price/Foot</u>			
C-8L	5/8" x 8"	Less than 50 Blades	\$21.34
C-8G	5/8" x 8"	50 Blades or Greater	\$19.97
<u>Cover Blade for Wings 3/4" – Price/Foot</u>			
D-8L	3/4" x 8"	Less than 50 Blades	\$27.22
D-8G	3/4" x 8"	50 Blades or Greater	\$26.19
<u>Evolution Blade System – Evolution Edges</u>			
E5-3	Cost per 3' Blade Section		\$961.54
E5-4	Cost per 4' Blade Section		\$1,254.43
<u>Armored Carbide Plowblade System – Sabre</u>			
E6-3S	Cost per 3' Blade Section		\$349.13
E6-3HD	Cost per 3' Blade Section – Heavy Duty		\$427.50
E6-4S	Cost per 4' Blade Section		\$465.50
E6-4HD	Cost per 4' Blade Section – Heavy Duty		\$570.00
<u>Evolution Edges – Tungsten Carbide Tipped Snow Plow Blades</u>			
F2-3	Cost per 3' Blade Section		\$167.00
F2-4	Cost per 4' Blade Section		\$222.00
<u>Tungsten Carbide Blades for Plows and Graders</u>			
G-2	Cost per set		\$610.50
<u>Rubber Blades</u>			
H1-RL	Cost per Blade / Less than 50 Blades		\$370.00
H1-RG	Cost per Blade / 50 Blades & Greater		\$359.00
<u>Cast Alloy Plow Shoe (12" O/C, 10 degrees, Min weight 37 lbs, hold size ¾", 8" center punched</u>			
L-AL	Cast Alloy Abrasive-cost per shoe/less than 50 shoes		\$132.00
L-AG	Cast Alloy Abrasive-cost per shoe/50 shoes & greater		\$129.00
<u>NiHard Mushroom Shoe (Ni-Hard Casting, 12" outside diameter x 2 ¾" high with two hex-head bolt holes</u>			
R-NL	NiHard-cost per shoe/less than 50 shoes		\$114.00
R-NG	NiHard-cost per shoe/50 shoes & greater		\$110.00
<u>Nose Piece 8" Top Punch</u>			
V-NL	Cost per blade/less than 50 blades		\$56.82
V-NG	Cost per Blade / 50 Blades & Greater		\$49.00
<u>Nose Piece for Viking Plow – Older Model Plows (Viking Model #10803091 or equal)</u>			
W-NL	Cost per Blade / less than 50 Blades		\$56.82
W-NG	Cost per Blade / 50 Blades & Greater		\$49.00
<u>Nose Piece – used for Newer Model Plows *Two separate pieces (not welded together) (Viking Model \$10805373 or equal)</u>			
X-NL	Cost per Blade / less than 50 Blades		\$56.82
X-NG	Cost per Blade / 50 Blades or Greater		\$49.00

RUSERT EQUIPMENT, LLC

P.O. Box 11317

Orchard Park, New York 14127

<u>Index #</u>	<u>Description</u>	<u>Rate</u>
<u>Flexible Plow Blade System – Polar Flex</u>		
E2-3	Cost per 3' Blade Section	\$747.00
E2-4	Cost per 4' Blade Section	\$996.00
E2-NP	Nose Piece XWS-115FM-F – Cost Per Piece	\$360.00
E2-RS	Cost per 12" Replacement Segment XWS-12F	\$154.00
<u>Sectional Carbide Tipped Snow Plow Blade C/W Wear Plate – Valley Blades, Ltd.</u>		
E7-3	34636-WBSBH-WP Cost per 3' Blade Section-Heavy Duty	\$434.00
E7-4	34648-WBSBH-WP Cost per 4' Blade Section-Heavy Duty	\$578.00
<u>Sectional Carbide Tipped Blade with Carbide Trapezoid Insert</u>		
F3-3	Cost per 3' Blade Section	\$222.00
F3-4	Cost per 4' Blade Section	\$296.00
<u>Extruded Rubber Blades</u>		
H2-RL	Cost per blade/less than 50 blades	\$515.00
H2-RG	Cost per blade/50 blades & greater	\$500.00

NORTHERN SUPPLY, INC.

P.O. Box 69

Bloomfield, New York 14469

<u>Index #</u>	<u>Description</u>	<u>Rate</u>
<u>Carbide Combination Plow Blades – Kuper SX</u>		
E3-3	Cost per 3' Blade Section	\$705.00
E3-4	Cost per 4' Blade Section	\$940.00
<u>Kuper XT Enhanced Carbide Insert Snowplow Blade</u>		
E3a-3	Cost per 3' Blade Section	\$330.00
E3a-4	Cost per 4' Blade Section	\$440.00
<u>Kennemetal Carbide Blades</u>		
F1-3	Cost per 3' Blade Section	\$225.00
F1-4	Cost per 4' Blade Section	\$300.00
<u>Blended Extruded Rubber Blades</u>		
H3-RL	Cost per Blade / Less than 50 Blades	\$385.00
H3-RG	Cost per Blade / 50 blades & Greater	\$375.00
<u>Steel Wing Shoes (Model MSCO MSO60)</u>		
M-SL	Steel – Cost per shoe / Less than 50 shoes	\$75.00
M-SG	Steel – Cost per shoe / 50 shoes or greater	\$70.00
<u>NiHard Wing Shoe (8" Center Punched, 3/4" x 12" O/C, 75 degree, Min weight 37 lbs)</u>		
N-NL	NiHard – cost per shoe Less than 50 Shoes	\$80.00
N-NG	NiHard – cost per shoe 50 Shoes or Greater	\$75.00
<u>NiHard, Snow Plow Frame Shoe</u>		
O-NL	NiHard – cost per shoe Less than 50 Shoes	\$80.00
O-NG	NiHard – cost per shoe 50 Shoes or Greater	\$75.00
<u>NiHard Moldboard Shoe (65 degree)</u>		
P-NL	NiHard – cost per shoe Less than 50 Shoes	\$85.00
P-NG	NiHard – cost per shoe 50 Shoes or Greater	\$80.00
<u>AR500 Moldboard Shoe (60 degrees)</u>		
Q-NL	AR500 – cost per shoe Less than 50 Shoes	\$85.00
Q-NG	AR500 – cost per shoe 50 Shoes or Greater	\$80.00

now, therefore, be it

RESOLVED, that the aforementioned bids be, and hereby are, accepted, for a term commencing October 1, 2022 and terminating September 30, 2023, 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.

The cutting edges and shoes that the County uses are not offered on State Bid; however, there are shoes on State Bid that the County may purchase.

Eight sets of specifications were sent out.

Three bids were received meeting specifications.

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

Adopted September 14, 2022 by voice vote.

ACT NO. 376-2022 by Mr. Boberg and Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE BOARD OF ELECTIONS FOR
ABSENTEE BALLOT PRE-PAID POSTAGE GRANT AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Contract No. BOE01-T004572-1110000)**

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

WHEREAS, reimbursement is available through the New York State Board of Elections for eligible expenses related to providing postage paid return envelopes for all absentee ballots and absentee ballot applications by the County Board of Elections, and

WHEREAS, the County Board of Elections is eligible to receive reimbursement in the amount of \$22,812.57 for the Absentee Ballot Pre-Paid Postage Grant Program for the period July 1, 2022 through December 31, 2022, and

WHEREAS, a contract is necessary with the New York State Board of Elections in order to receive the aforementioned reimbursement, and

WHEREAS, the aforementioned program is 100% state funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the New York State Board of Elections, in order to receive the aforementioned reimbursement, for a term commencing July 1, 2022 and terminating December 31, 2022, according to the above-described terms, and be it further

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

Increase Estimated Revenue Account:

A.145.1450.1454.3089.10	State Aid Other, BOE Postage Grant	\$22,812.57
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Increase Appropriation Account:

A.145.1450.1454.47001	Postage	\$22,812.57
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Approved by 6 members of the Finance Committee and members of the 6 County Operations/
Public Safety Committee.

Adopted September 14, 2022 by voice vote.

ACT NO. 377-2022 by Mr. Higgins and Mr. Marsh

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
THE OFFSET HOUSE, INC. D/B/A CATAMOUNT COLOR
FOR PRINTING OF 2022 AMISH TRAIL BROCHURES**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Economic Development, Planning and Tourism is desirous
of purchasing brochures to promote the Amish trail in Cattaraugus County, and

WHEREAS, The Offset House, Inc., d/b/a Catamount Color, 89 Sand Hill Road, P.O. Box
8329, Essex, VT 05451, can provide 25,000 copies of the 2022 Amish Trail brochure for an amount of
\$11,890.00, to be paid as invoiced, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the
aforementioned brochures, 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 Offset House, Inc., d/b/a Catamount Color,
for the provision of the above-described brochures, for a term commencing August 1, 2022 and
terminating September 30, 2022, according to the above-described terms.

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

Adopted September 14, 2022 by voice vote.

ACT NO. 378-2022 by Mr. Higgins and Mr. Marsh

**AUTHORIZING THE CHAIR TO EXECUTE GRANT APPLICATION AND
CONTRACT WITH DEFENSE LOGISTICS AGENCY FOR
PROCUREMENT TECHNICAL ASSISTANCE PROGRAM**

Pursuant to 10 USCS Section 2411, et seq., and
Section 450 of the County Law.

WHEREAS, Act 195-2022 authorized the Chair to execute a grant application and contract
with the Defense Logistics Agency, 8725 John J. Kingman Road, Ft. Belvoir, Virginia 22060-6221, in order
to secure funding for the continuation of the Procurement Technical Assistance Program for a term
commencing July 1, 2022 and terminating June 30, 2023, and such funding has been received, and

WHEREAS, Cattaraugus County is again eligible for funding through the Defense Logistics
Agency in order to maintain the Procurement Technical Assistance Program, and

WHEREAS, it is estimated that the project cost will not exceed \$181,205.00, of which Cattaraugus County's share will not exceed \$36,242.00, and

WHEREAS, Cattaraugus County will be responsible for the share of any third-party agency which fails to contribute its portion to the program, and

WHEREAS, this program is 80% federally funded (CFDA #12.002) and 20% County funded, plus in-kind contributions, and sufficient funds are included in the budget to cover the County's 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 grant application and contract, on behalf of Cattaraugus County, with the Defense Logistics Agency in order to secure funding for the continuation of the Procurement Technical Assistance Program, and be it further

RESOLVED, that the Procurement Technical Assistance Program will commence July 1, 2023 and terminate June 30, 2024, and be it further

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

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

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

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

Adopted September 14, 2022 by voice vote.

ACT NO. 379-2022 by Mr. Higgins and Mr. Marsh

**AUTHORIZING APPLICATION FOR TOURISM PROMOTION AND
DESIGNATING GRANT ADMINISTRATOR**

Pursuant to Section 164 of the Economic Development Law.

WHEREAS, Act 345-2021 authorized an application for tourism promotion and designated the grant administrator, and

WHEREAS, the New York State Tourist Promotion Act provides that the Commissioner of Economic Development may, upon application, match the funds expended by tourist promotion agencies and provide other assistance to local organizations for the promotion of tourist travel, resorts, and vacation businesses of the State of New York, and

WHEREAS, before an application for matching funds for the promotion of tourism can be submitted, it is required that the Cattaraugus County Legislature designate a tourist promotion agency to make such application and to receive grants for the purposes specified in the law, and

WHEREAS, Cattaraugus County should contribute a local share of \$70,000.00 in Fiscal Year 2023 to leverage additional funds from the New York State I Love New York Matching Funds Program, now, therefore, be it

RESOLVED, that the Cattaraugus County Department of Economic Development, Planning and Tourism is hereby authorized and directed to submit all the required applications and other documents, on behalf of Cattaraugus County, necessary for the purpose of receiving these funds, and be it further

RESOLVED, that the Cattaraugus County Department of Economic Development, Planning and Tourism is hereby authorized and directed to receive grants from the State of New York for, and on behalf of, Cattaraugus County for the purposes herein specified, and be it further

RESOLVED, that the Cattaraugus County Department of Economic Development, Planning and Tourism is hereby designated as the administrator of these funds, and be it further

RESOLVED, that the Cattaraugus County Department of Economic Development, Planning and Tourism is authorized to apply for state matching funds up to \$500,000.00 for the program year January 1, 2023 through December 31, 2023, and be it further

RESOLVED, that if the application for such funding is approved, then the Cattaraugus County Department of Economic Development, Planning and Tourism shall submit the grant agreement to the Legislature for approval and appropriation prior to the commencement of any work, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Commissioner of Economic Development of the State of New York and the Marketing Manager, Matching Funds, New York State Department of Economic Development, and be it further

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

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

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

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

Adopted September 14, 2022 by voice vote.

ACT NO. 380-2022 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 385-2021 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), the term of which expires December 31, 2022, 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 \$1,999.00 per month for a total contract amount of \$23,988.00, for the period January 1, 2023 through December 31, 2023, 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 2023 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2023 and terminating December 31, 2023, according to the above-described terms.

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

Adopted September 14, 2022 by voice vote.

ACT NO. 381-2022 by Mr. Benson and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
DUGGAN & DUGGAN GENERAL CONTRACTOR, INC. FOR
EMERGENCY SEWER LINE WORK AT
THE PINES HEALTHCARE AND REHABILITATION CENTER-OLEAN CAMPUS**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 243-2022, as amended by Act 316-2022, authorized a contract with Duggan & Duggan General Contractor, Inc., 3113 North Seventh Street, Allegany, New York 14706, for the provision of labor, materials and equipment necessary to repair the sanitary sewer line at The Pines Healthcare and Rehabilitation Center-Olean Campus, the term of which expired August 31, 2022, and

WHEREAS, an extension to the aforementioned contract is necessary in order to complete the sanitary sewer line repairs, and

WHEREAS, Duggan & Duggan General Contractor, Inc., has agreed to complete the aforementioned project by October 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 Duggan & Duggan General Contractor, Inc., to extend the term of the contract dated May 19, 2022, as amended, to terminate October 31, 2022, according to the above-described terms.

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

Adopted September 14, 2022 by voice vote.

ACT NO. 382-2022 by Mrs. Andreano and Mr. Helmich

AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH SPECTRUM COMMUNITY SOLUTIONS FOR CABLE TELEVISION SERVICES FOR RESIDENTS OF THE DEPARTMENT OF NURSING HOMES

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Nursing Homes is desirous of providing cable television services to the residents of The Pines Healthcare and Rehabilitation Centers-both the Machias and Olean Campuses, and

WHEREAS, Spectrum Community Solutions, 100 Town Centre Drive, Suite 100, Rochester, New York 14623, can provide cable television services to the Department of Nursing Homes, as follows:

The Pines-Olean Campus – based on 71 units (including 5 common areas):

<u>Monthly Recurring Charges</u>	<u>Per Unit</u>	<u>Total Monthly</u>
Select TV w/entertainment view package – 2 STB cable boxes included per door	\$16.00	\$1,136.00

The Pines-Machias Campus – based on 77 units (including 9 common areas):

<u>Monthly Recurring Charges</u>	<u>Per Unit</u>	<u>Total Monthly</u>
Select TV w/entertainment view package – 2 STB cable boxes included per door	\$16.00	\$1,232.00

*Prices based on a 5% annual rate increase

and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned cable television 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 Spectrum Community Solutions, for the provision of the above-described cable television services, for a term commencing upon installation of equipment and terminating three (3) years thereafter, according to the above-described terms.

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

Adopted September 14, 2022 by voice vote.

ACT NO. 383-2022 by Mrs. Andreano and Mr. Helmich

APPROVING MEMBERSHIP IN PROFESSIONAL ORGANIZATION (Department of Social Services)

Pursuant to Section 203(1) of the County Law.

WHEREAS, it is beneficial for the Department of Social Services to be a member of the following organization:

New York Welfare Fraud Investigators Association (NYWFIA) \$30.00/year,

and

WHEREAS, membership in this organization is beneficial to the County and serves a public purpose by providing access to updated government source documents and manuals, now, therefore, be it

RESOLVED, that Cattaraugus County authorizes a membership in the New York Welfare Fraud Investigators Association (NYWFIA).

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

Adopted September 14, 2022 by voice vote.

ACT NO. 384-2022 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COMMUNITY ACTION, INC. D/B/A
CONNECTING COMMUNITIES IN ACTION FOR
DEPARTMENT OF SOCIAL SERVICES TRUANCY PREVENTION PROGRAM**

Pursuant to Public Law 104-193 and Section 450 of the County Law.

WHEREAS, Act 356-2021 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the implementation of a truancy prevention program in Cattaraugus County, in an attempt to reduce the percentage of poor attendance and chronic absenteeism in area school districts, the term of which expires September 30, 2022, and

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

WHEREAS, Cattaraugus Community Action, Inc., d/b/a Connecting Communities in Action, has agreed to provide a truancy prevention program in Cattaraugus County for an amount not to exceed \$186,206.00, to be paid on a monthly basis for services provided during the preceding month, as invoiced, and

WHEREAS, this program is 62% state funded and 38% county funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Cattaraugus Community Action, Inc., d/b/a Connecting Communities in Action, for the provision of the above-described services, for a term commencing October 1, 2022 and terminating September 30, 2023, according to the above-described terms, and be it further

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

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

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

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

Adopted September 14, 2022 by voice vote.

ACT NO. 385-2022 by Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
OLEAN COMMUNITY SCHOOLS FOR AFTER SCHOOL AND
SUMMER PROGRAM FOR AT-RISK YOUTH FOR
DEPARTMENT OF SOCIAL SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 355-2021 authorized a contract with Olean Community Schools, 410 West Sullivan Street, Olean, New York 14760, for the provision of an after school and summer program for at-risk youth, the term of which expires September 30, 2022, and

WHEREAS, the County Department of Social Services is desirous of continuing the aforementioned after school and summer program for at-risk youth, and

WHEREAS, Olean Community Schools can provide the aforementioned after school and summer program for at-risk youth for an amount not to exceed \$12,970.00, to be paid on a monthly basis as invoiced, and

WHEREAS, this program is 100% federally funded (CFDA #93.558), now, therefore, be it
RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Olean Community Schools, for the provision of the above-described services, for a term commencing October 1, 2022 and terminating September 30, 2023, according to the above-described terms, and be it further

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

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

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

Approved by 6 members of the Finance Committee and 5 members of the Human Services Committee. Mrs. Andreano abstained from approval.

Adopted September 14, 2022 by voice vote. Mrs. Andreano abstained from vote.

ACT NO. 386-2022 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
OLEAN YMCA, INC. FOR YMCA MEMBERSHIPS FOR
FAMILIES WITH CHILDREN AT RISK OF PLACEMENT**

Pursuant to 9 NYCRR Sections 771.6 and 771.7,
Public Law 104-193 and Section 450 of the County Law.

WHEREAS, Act 353-2021 authorized a contract with the Olean YMCA, Inc., 1011 Wayne Street, Olean, New York 14760, for the provision of YMCA memberships for family activities for at-risk youth and families in an effort to reduce at-risk factors and out-of-home placement, the term of which expires September 30, 2022, and

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

WHEREAS, the Olean YMCA, Inc., has agreed to continue the provision of the above-described services for a total amount not to exceed \$16,000.00 to be paid on a monthly basis for memberships provided during the preceding month, as invoiced, and

WHEREAS, this program is 100% federally funded (CFDA #93.558), now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Olean YMCA, Inc., for the provision of the above-described services, for a term commencing October 1, 2022 and terminating September 30, 2023, according to the above-described terms, and be it further

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

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

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

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

Adopted September 14, 2022 by voice vote.

ACT NO. 387-2022 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATHOLIC CHARITIES OF WESTERN NEW YORK, INC., FOR
DEPARTMENT OF SOCIAL SERVICES KINSHIP PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 357-2021 authorized a contract with Catholic Charities of Western New York, Inc., 2636 West State Street, Suite 301, Olean, New York 14760, for the provision of a Kinship

Program for grandparents or other relatives who obtain custody of children, the term of which expires September 30, 2022, and

WHEREAS, the County Department of Social Services is desirous of continuing the aforementioned program, and

WHEREAS, the Kinship Program will serve approximately 55 participants and is for those children who are placed with relatives in lieu of foster care, and

WHEREAS, Catholic Charities of Western New York, Inc., can provide the aforementioned Kinship Program for a total amount not to exceed \$68,179.00, to be paid as invoiced, and

WHEREAS, this program is 100% federally funded (CFDA #93.558), 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 Catholic Charities of Western New York, Inc., for the provision of the above-described services, for a term commencing October 1, 2022 and terminating September 30, 2023, according to the above-described terms, and be it further

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

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

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

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

Adopted September 14, 2022 by voice vote.

ACT NO. 388-2022 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH LEVANT WESLEYAN CHURCH
FOR FATHERS SUPPORT/PARENTING GROUP**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 324-2021 authorized a contract with the Levant Wesleyan Church for the provision of a weekly support/parenting group for fathers who are currently working with or under the supervision of the Department of Social Services to focus on family, child and service engagement, the term of which expired August 31, 2022, and

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

WHEREAS, the purpose of the aforementioned program is to reduce re-involvement with Child Protective Services, the Support Collection Unit, and Family Court, and

WHEREAS, the Levant Wesleyan Church, 1670 Lundquist Drive, Falconer, New York 14733, can provide a weekly two-hour support/parenting group for male residents of Cattaraugus County who are involved with the Department of Social Services through Child Protective Services, the Child Welfare

Unit, Adult Protection Unit, Support Collection Unit, and as parents to youth involved in the juvenile justice/probation system by providing education, parenting services and support, and

WHEREAS, the Levant Wesleyan Church can provide the aforementioned services for a total amount not to exceed \$18,000.00, to be paid on a monthly basis, as invoiced, and

WHEREAS, this program is 100% federally funded (CFDA #93.558), 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 Levant Wesleyan Church, for the provision of the above-described services, for a term commencing September 1, 2022 and terminating August 31, 2023, according to the above-described terms, and be it further

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

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

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

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

Adopted September 14, 2022 by voice vote.

ACT NO. 389-2022 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW DIRECTIONS YOUTH & FAMILY SERVICES FOR
COMMUNITY-BASED CASEWORKER PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Department of Social Services is desirous of co-locating Child Protection Services (CPS) caseworkers at New Directions Youth & Family Services, and

WHEREAS, the Community-Based Caseworker Program will provide for more effective communication and coordination of services, and

WHEREAS, New Directions Youth & Family Services, 346 Main Street, Randolph, New York 14772, shall allow the County to place DSS caseworkers in its facilities, 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, on behalf of Cattaraugus County, with New Directions Youth & Family Services, for the provision of the above-described community-based caseworker program services, for a term commencing September 1, 2022 to continue in full force and effect until terminated by the parties, according to the above-described terms.

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

Adopted September 14, 2022 by voice vote.

ACT NO. 390-2022 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW DIRECTIONS YOUTH & FAMILY SERVICES FOR
COMMUNITY-BASED TREATMENT PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Department of Social Services is in need of Community-Based Treatment (CBT) services for youth placed at New Directions Youth & Family Services, and

WHEREAS, New Directions Youth & Family Services, 346 Main Street, Randolph, New York 14772, can provide the County Department of Social Services with the following services, as requested:

Masters' Level Social Work	\$95.00 per hour
Bachelors' Level Social Work	\$95.00 per hour
Individual Mentoring	\$75.00 per hour
Group Mentoring	\$75.00 per hour
Supervised Visitation	\$75.00 per hour

*Note: The above rates are for service provided on demand,

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 New Directions Youth & Family Services, for the provision of the above-described community-based treatment program services, for a term commencing July 1, 2022 and terminating June 30, 2023, with annual renewals thereafter until terminated by the parties, according to the above-described terms.

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

Adopted September 14, 2022 by voice vote.

ACT NO. 391-2022 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS-ALLEGANY WORKFORCE INVESTMENT BOARD, INC.
FOR WIOA CAREER SERVICES**

Pursuant to P.L. 105-220, Workforce Investment Act of 1998,
20 USC 9201 and Section 450 of the County Law.

WHEREAS, Act 327-2021 authorized a contract with the Cattaraugus-Allegany Workforce Investment Board, Inc., One Blue Bird Square, Lower Level, Olean, New York 14760, (CAWIB), for the operation of the WIOA One-Stop Career Services program, the term of which expired June 30, 2022, and

WHEREAS, the County Department of Social Services is desirous of continuing the One Stop Operator Career Services program, and

WHEREAS, the CAWIB will pay the County for the administration of the above-described program the sum of \$378,751.00 for the program year July 1, 2022 through June 30, 2023, to be paid on a monthly basis, as invoiced, and as follows:

Adult	\$180,241.00
Dislocated Worker	\$170,778.00
Administration	\$ 27,732.00,

and

WHEREAS, this program is 100% federally funded (CFDA #17.250), now, therefore, be it RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Cattaraugus-Allegany Workforce Investment Board, Inc., for the provision of the above-described services, for a term commencing July 1, 2022 and terminating June 30, 2023, according to the above-described terms, and be it further

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

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

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

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

Adopted September 14, 2022 by voice vote.

ACT NO. 392-2022 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS-ALLEGANY WORKFORCE INVESTMENT BOARD, INC.
FOR YEAR-ROUND YOUTH PROGRAMS (2022-2023)**

Pursuant to Workforce Innovation and Opportunity Act (Public Law 113-128)
and Section 450 of the County Law.

WHEREAS, Act 326-2021 authorized a contract with the Cattaraugus-Allegany Workforce Investment Board, Inc. (CAWIB), for the provision of services necessary to operate year-round youth programs, the term of which expired June 30, 2022, and

WHEREAS, the County Department of Social Services is desirous of continuing the provision of services to youth and can make available all necessary qualified personnel, licenses, facilities and expertise to perform, or have performed, the services required, and

WHEREAS, the Cattaraugus-Allegany Workforce Investment Board, Inc. (CAWDB) will pay to the County an amount not to exceed \$228,065.00 for the provision of the above-described youth services for the period July 1, 2022 through June 30, 2023, and

WHEREAS, this program is 100% federally funded (CFDA# 17.250), now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Cattaraugus-Allegany Workforce Investment Board, Inc., for the provision of the above-described services, for a term commencing July 1, 2022 and terminating June 30, 2023, according to the above-described terms, and be it further

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

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

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

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

Adopted September 14, 2022 by voice vote.

ACT NO. 393-2022 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR
COMPREHENSIVE FAMILY PLANNING PROGRAM AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Health Department - CFPP2 Contract No. C36266GG)**

Pursuant to 10 NYCRR Part 40-1 and
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 518-2017, as amended by Acts 268-2020 and 229-2021, authorized a contract with the New York State Department of Health, Division of Family & Local Health, Corning Tower, Empire State Plaza, Room 878, Albany, New York 12237-0675, for the provision of a Comprehensive Family Planning Program in the County's Health Department, the term of which expired December 31, 2021, and

WHEREAS, the New York State Health Department has awarded the County Health Department a grant in the amount of \$389,188.00 per year for five (5) years, for a total grant amount of \$1,945,940.00 for the period January 1, 2022 through December 31, 2026, for continuation of the aforementioned Comprehensive Family Planning Program, and

WHEREAS, this program is 19% federal (CFDA #93.217 and #93.994) and 81% state funded, and

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

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

the provision of a Comprehensive Family Planning Program in Cattaraugus County, for a term commencing January 1, 2022 and terminating December 31, 2026, according to the above-described terms, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, further authorized and directed to execute contract amendments, upon notification of award, for the allocation of additional funding or cost of living adjustments (COLAs) for this program, and be it further

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

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

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

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

Increase Estimated Revenue Account:

A.401.4017.4035.3450.10	State Aid, Public Health, Other Family Planning	\$114,956.00
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Increase Appropriation Accounts:

A.401.4017.4035.11000	Full-Time Wages	\$ 30,000.00
A.401.4017.4035.81000	FICA	\$ 2,300.00
A.401.4017.4035.82000	Retirement	\$ 3,000.00
A.401.4017.4035.83000	Health Insurance	\$ 10,000.00
A.401.4017.4035.20006	Computer Equipment/Software	\$ 10,000.00
A.401.4017.4035.45401	Small Equipment/Tools	\$ 6,000.00
A.401.4017.4035.47006	Operating Supplies	\$ 3,656.00
A.401.4017.4035.47035	Medical Supplies	\$ 50,000.00.

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

Adopted September 14, 2022 by voice vote.

ACT NO. 394-2022 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, Act 379-2021 authorized a contract with Abbott Rapid Dx North America, LLC, 30 South Keller Road, Suite 100, Orlando, Florida 32810, for the provision of COVID-19 testing kits and other COVID-19 supplies, as needed, the term of which expires October 31, 2022, and

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

WHEREAS, Abbott Rapid Dx North America, LLC, 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 November 1, 2022 and terminating October 31, 2023, according to the above-described terms, and be it further

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

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

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

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

Adopted September 14, 2022 by voice vote.

ACT NO. 395-2022 by Mrs. Andreano and Mr. Helmich

**APPROVING CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD
AND DRUG SCAN FOR URINE SCREENING SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, urine screening services are required for the Department of Community Services' expanded license through the New York State Office of Addiction Services and Supports (OASAS), and

WHEREAS, Drug Scan, 200 Precision Road, Suite #200, Horsham, Pennsylvania 19044, can provide urine screening services for urine samples collected at the County's Mental Health Clinic and the PROS Facility, at no cost to the County, and

WHEREAS, Drug Scan will bill third-party insurances for the aforementioned urine screening services, 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 between the Cattaraugus County Community Services Board with Drug Scan, to signify the County's approval, for the provision of the above-described field instruction program, for a term

commencing September 1, 2022 to continue in full force and effect until terminated by either party hereto, according to the above-described terms.

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

Adopted September 14, 2022 by voice vote.

ACT NO. 396-2022 by Mrs. Andreano and Mr. Helmich

**APPROVING CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD
AND MTM SERVICES FOR CONSULTATION PACKAGE**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Community Services is in need of consultant services to improve the quality of care to consumers and to more effectively and efficiently deliver such services, and

WHEREAS, MTM Services, P.O. Box 1027, Holly Springs, North Carolina 27540, can provide consultant services to assist the Department of Community Services staff with the following for an amount not to exceed \$25,000.00, to be paid as invoiced:

- Development of Substance Use Disorder (SUD) services;
- Incorporate Daily Living Assessment containing 20 daily activities (DLA 20) into the treatment plan workflow;
- Support medical services in the development of stratified, team-based care;
- Implementation of Just In Time (JIT) Medical Scheduling; and
- Analyze current use of care coordination and identify additional areas for growth and alignment with the Certified Community Behavioral Health Clinics Model,

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, between the Cattaraugus County Community Services Board and MTM Services, to signify the County's approval, for the provision of the above-described consultant services, for a term commencing September 1, 2022 and terminating March 31, 2024, according to the above-described terms.

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

Adopted September 14, 2022 by voice vote.

ACT NO. 397-2022 by Mrs. Andreano and Mr. Helmich

**APPROVING CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
JAMESTOWN COMMUNITY COLLEGE FOR
COMMUNITY MENTAL HEALTH COUNSELING FIELD INSTRUCTION PROGRAMS**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Community Services is desirous of contracting with Jamestown Community College to work collaboratively with the Community Mental Health Counseling Program for implementation of field instruction programs for students pursuing an Associate’s Degree, and

WHEREAS, Jamestown Community College, 260 North Union Street, Olean, New York 14760, has agreed to provide interns to the County Department of Community Services for participation in the Community Mental Health Counseling Program, at no cost to the County, and

WHEREAS, Jamestown Community College students must be pursuing an Associate's Degree in human services, social services, sociology, psychology or other related field, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract between the Cattaraugus County Community Services Board with Jamestown Community College, to signify the County’s approval, for the provision of the above-described field instruction program, for a term commencing September 1, 2022 to continue in full force and effect until terminated by either party hereto, according to the above-described terms.

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

Adopted September 14, 2022 by voice vote.

ACT NO. 398-2022 by Mrs. Andreano and Mr. Helmich

**APPROVING CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
ST. BONAVENTURE UNIVERSITY FOR
COMMUNITY MENTAL HEALTH COUNSELING FIELD INSTRUCTION PROGRAMS**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Community Services is desirous of contracting with St. Bonaventure University to work collaboratively with the Community Mental Health Counseling Program for implementation of field instruction programs for both graduate and undergraduate students, and

WHEREAS, St. Bonaventure University, 3251 West State Street, St. Bonaventure, New York 14778, has agreed to provide graduate or undergraduate interns to the County Department of Community Services for participation in the Community Mental Health Counseling Program, at no cost to the County, and

WHEREAS, St. Bonaventure University students must be pursuing a degree in a related field:

Graduate Students	MSEd, MSW or other related field, and
Undergraduate Students	Major in Sociology, Psychology or related field,

now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract between the Cattaraugus County Community Services Board with St. Bonaventure University, to signify the County's approval, for the provision of the above-described field instruction programs, for a term commencing September 1, 2022 to continue in full force and effect until terminated by either party hereto, according to the above-described terms.

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

Adopted September 14, 2022 by voice vote.

ACT NO. 399-2022 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH ERIE 1 BOCES TECHNOLOGY SERVICES
FOR CLEARTRACK COUNTY MEDICAID MODULE**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 250-2021 authorized a contract with Erie 1 BOCES Technology Services, 355 Harlem Road, West Seneca, New York 14224, for the access to the ClearTrack County Medicaid Module for the Special Needs Pre-K Program for the 2021-2022 school year, the term of which expired June 30, 2022, and

WHEREAS, Erie 1 BOCES can provide access to the ClearTrack County Medicaid Module, for an amount not to exceed \$5,462.80 for the 2022-2023 school year, to be paid as invoiced, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned module, 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 Erie 1 BOCES Technology Services for the provision of the above-described services, for a term commencing July 1, 2022 and terminating June 30, 2023, according to the above-described terms.

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

Adopted September 14, 2022 by voice vote.

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MR. MARSH moved, seconded by Mr. Snyder, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 400-2022 through Act No. 413-2022. Carried.

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ACT NO. 400-2022 by Mr. VanRensselaer
who asks immediate consideration

**APPOINTMENT OF SOIL & WATER CONSERVATION
DISTRICT BOARD MEMBER**

Pursuant to Section 153 of the County Law.

RESOLVED, that Lynn Telaak is hereby appointed to the Cattaraugus County Soil & Water Conservation District Board of Directors to fill the unexpired term of Joyce Telaak, the term of which will expire December 31, 2022, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Cattaraugus County Soil & Water Conservation District.

Adopted September 14, 2022 by voice vote.

ACT NO. 401-2022 by Ms. Schröder
who asks immediate consideration

**ABOLISHING ONE (1) PART-TIME POSITION OF LICENSED PRACTICAL NURSE AND
ONE (1) FULL-TIME POSITION OF RESIDENT SERVICES CLERK
IN THE DEPARTMENT OF NURSING HOMES**

Pursuant to Section 204 of County Law.

RESOLVED, that effective immediately, there is hereby abolished one (1) part-time position of Licensed Practical Nurse in the Department of Nursing Homes, Position No. 300-201-132, and be it further

RESOLVED, that effective immediately, there is hereby abolished one (1) full-time position of Resident Services Clerk in the Department of Nursing Homes, Position No. 200-282-114.

Adopted September 14, 2022 by voice vote.

ACT NO. 402-2022 by Mr. Klancer, Mr. Marsh and Mr. VanRensselaer
who ask immediate consideration

**ACCEPTANCE OF BID FOR PURCHASE OF
COUNTY-OWNED PROPERTY IN THE TOWN OF LITTLE VALLEY**

Pursuant to Section 215 of the County Law.

WHEREAS, Act 336-2022 declared County-owned property designated as Tax Map No. 54.003-1-39.2 and located in the Town of Little Valley no longer necessary for public use and authorized the public advertisement for the sale of such property, and

WHEREAS, the property was advertised for sale in the Olean Times Herald as required,
and

WHEREAS, the only bid received for the purchase of the aforementioned property was the bid of Gregory A. Peters, 9625 Dutch Hill Road, Little Valley, New York 14755, in the amount of \$1,000.00, now, therefore, be it

RESOLVED, that the bid of Gregory A. Peters be, and the same hereby is, accepted, and the Chairman is hereby authorized and directed to execute a Quit-Claim Deed conveying the above-described property to Gregory A. Peters upon receipt of \$1,000.00.

Adopted September 14, 2022 by voice vote.

ACT NO. 403-2022 by Mr. VanRensselaer
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SCHINDLER ELEVATOR CORPORATION
FOR ELEVATOR REPAIR, TRANSFER OF FUNDS
AND RESCINDING ACT 367-2022
(Contingent Fund to Maintenance of Elevators)**

Pursuant to Sections 215, 363, 365 and 450 of the County Law
and the Americans with Disabilities Act.

WHEREAS, the existing elevator in the Little Valley County Center is in need of emergency repair, and

WHEREAS, Act 367-2022 authorized the repair of the elevator generator, which has since been determined to not have been the problem, and

WHEREAS, Schindler Elevator Corporation, 80 Curtwright Drive, Suite 3, Williamsville, New York 14221, has provided all of the labor, parts and materials to repair the elevator door motor for an amount of \$9,882.00, to be paid as invoiced, and

WHEREAS, a transfer of funds is necessary to cover the cost of the aforementioned emergency repair, 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 Schindler Elevator Corporation, for the provision of the above-described emergency repair services, for a term commencing August 30, 2022 and terminating upon completion of the repair, according to the above-described terms, and be it further

RESOLVED, that Act 367-2022 be, and hereby is, rescinded, and be it further
 RESOLVED, that the County Administrator is hereby directed to make the following
 budgetary changes:

Decrease Appropriation Account:		
A.901.1990.0000.40601	Contingent Fund	\$9,882.00
Increase Appropriation Account:		
A.162.1620.0000.44406	Maintenance of Elevators	\$9,882.00.

Adopted September 14, 2022 by voice vote.

ACT NO. 404-2022 by Mr. Boberg and Mr. Klancer
 who ask immediate consideration

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

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

WHEREAS, Act 423-2015, as amended by Acts 493-2016, 324-2020 and 285-2021, authorized a contract with Tyler Technologies, Inc., [formerly New World Systems], for the provision of Standard Software Maintenance Services (SSMA) for Commercial Off The Shelf Integrated Financial Management, Payroll/Human Resources and eSuite financial management software, Personnel Actions Module (a/k/a Benefit Tracing Module), Leave Management (FMLA) Module software and support and maintenance services, the term of which expired August 31, 2022, with an automatic renewal for additional one (1) year periods, and

WHEREAS, an amendment is necessary to the aforementioned contract in order to include the eBenefits Module software, support and maintenance, and

WHEREAS, Tyler Technologies, Inc., can provide the eBenefits software, licenses and maintenance and support services for an amount as follows:

eBenefits Admin Implementation Fee	\$ 1,560.00
Professional Services	\$ 3,120.00
eBenefits Admin License Fees	\$14,850.00
Support and Maintenance	\$ 2,673.00 per year
Project Management	\$ 585.00,

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Tyler Technologies, Inc., for the provision of the above-described eBenefits software, licenses and maintenance and support services, for a term commencing upon installation of the eBenefits software and terminating August 31, 2023, with an automatic renewal for additional one (1) year periods, unless terminated by either party at least ninety (90) days prior to the end of the then-current term, according to the above-described terms, and be it further

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

Decrease Appropriation Account:

A.901.1990.0000.40601	Contingent Fund	\$22,788.00
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Increase Appropriation Accounts:

A.168.1680.0000.20006	Computer Equipment/Software	\$20,115.00
A.168.1680.0000.45203	Software License and Maintenance	\$ 2,673.00.

Adopted September 14, 2022 by voice vote.

ACT NO. 405-2022 by Mr. Benson and Mr. Marsh
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
BEARDSLEY ARCHITECTS & ENGINEERS FOR
ONOVILLE MARINA PARK REHABILITATION AND EXPANSION PROJECT
(Phase I – Design & Construction Administration)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 458-2021 authorized a contract with Beardsley Architects & Engineers, 64 South Street, Auburn, New York 13021, for the provision of architect and engineering services necessary for the completion of a feasibility analysis for improving and expanding the Onoville Marina, the term of which expires November 9, 2022, and

WHEREAS, the aforementioned contract should be modified to include Phase I Design and Construction Administration services, and

WHEREAS, Beardsley Architects & Engineers can provide for the detailed design, permitting coordination, and construction period services associated with implementation of Phase I improvements at the Onoville Marina Park for an amount of \$228,200.00, which includes reimbursable expenses, as follows:

<u>Project Task</u>	<u>Total Fee</u>
Task 1 – Preliminary Design	Included under Original Agreement
Task 2 – Site Investigative Services	\$28,673.00
Task 3 – Pre-Fabricated Building RFP Assistance	\$34,677.50
Task 4 – Construction Documents	\$82,878.00
Task 5 – Permitting & Approvals	\$29,235.00
Task 6 – Bidding & Construction	\$52,713.00,

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Beardsley Architects & Engineers, for the provision of the above-described Phase I Design & Construction Administration services, and to extend the term of the contract which commenced November 10, 2021 to terminate December 31, 2024, according to the above-described terms.

Adopted September 14, 2022 by voice vote.

ACT NO. 406-2022 by Mr. Boberg and Mr. Klancer
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES
FOR PUBLIC SAFETY ANSWERING POINTS OPERATIONS GRANT AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Sheriff's Office)**

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

WHEREAS, Act 275-2021 authorized a contract with the New York State Division of Homeland Security and Emergency Services for the 2020-2021 Public Safety Answering Points Operations Grant Program, and

WHEREAS, the Sheriff's Office has been awarded \$188,242.00 from the 2021-2022 Public Safety Answering Points Operations Grant Program, and

WHEREAS, the purpose of the aforementioned program is to facilitate the development, consolidation and/or improved operation of public safety communications to support and enhance statewide interoperable communications for first responders, and

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

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute 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 the term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms, and be it further

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

Increase Estimated Revenue Account:		
A.302.3020.0000.3389.04	E911 State Aid	\$23,242.00
Increase Appropriation Accounts:		
A.302.3020.0000.11000	Full-Time Wages	\$20,142.00
A.302.3020.0000.81000	FICA/Medicare	\$ 200.00
A.302.3020.0000.82000	Retirement	\$ 2,900.00.

Adopted September 14, 2022 by voice vote.

ACT NO. 407-2022 by Mr. Boberg and Mr. Klancer
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
AXON ENTERPRISE, INC. FOR SHERIFF'S OFFICE TASERS**

Pursuant to Section 450 of the County Law.

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

WHEREAS, Axon Enterprise, Inc., 17800 North 85th Street, Scottsdale, Arizona 85255, can provide tasers, hardware and accessories, plus support, maintenance and licenses for a total amount of \$37,761.60, over a 109-month period, as follows:

<u>Year of Contract</u>	<u>Payment Amount</u>
July 2022	\$346.41
June 2023	\$4,157.24
June 2024	\$4,157.24
June 2025	\$4,157.24
June 2026	\$4,157.24
June 2027	\$4,157.24
June 2028	\$4,157.24
June 2029	\$4,157.24
June 2030	\$4,157.24
June 2031	\$4,157.27

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Axon Enterprise, Inc., for the provision of the above-described tasers, hardware and accessories, support, maintenance and licenses, for a term commencing upon July 1, 2022 and terminating 109 months after delivery, acceptance and activation of the above-described equipment and hardware, according to the above-described terms.

Adopted September 14, 2022 by voice vote.

ACT NO. 408-2022 by Mr. Boberg and Mr. Klancer
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE MEMORANDUM OF UNDERSTANDING WITH
U.S. DEPARTMENT OF JUSTICE DRUG ENFORCEMENT ADMINISTRATION
FOR USE OF SHERIFF'S OFFICE SHOOTING RANGE**

Pursuant to Section 450 of the County Law.

WHEREAS, the U.S. Department of Justice Drug Enforcement Administration (DOJ-DEA) is desirous of using the Sheriff's Office shooting range located at 5285 Kyler Hill Road in the Town of Little Valley to conduct weapons and tactics training, and

WHEREAS, the County Sheriff's Office agrees to allow the DOJ-DEA access to its shooting range for the aforementioned weapons and tactics training at no cost, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a Memorandum of Understanding, on behalf of Cattaraugus County, with the U.S. Department of Justice Drug Enforcement Administration, for use of the Sheriff's Office shooting range, effective upon the date of the last signature to the Memorandum of Understanding and will remain in effect until canceled

by the mutual agreement of the parties or by either party upon providing a 30-day written notice to the other party by certified mail.

Adopted September 14, 2022 by voice vote.

ACT NO. 409-2022 by Mr. Boberg and Mr. Klancer
who ask immediate consideration

**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
(2022 SICG-Formula Program-Sheriff's Office)**

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

WHEREAS, Act 403-2021 authorized the Chairman to execute grant documents in order to accept, and receive, funding through the New York State Division of Homeland Security and Emergency Services for the 2021 Statewide Interoperable Communications Formula-Based Grant (SICG), and

WHEREAS, the Sheriff's Office has been awarded funding for the 2022 SICG Grant through the New York State Division of Homeland Security and Emergency Services in the amount of \$1,226,779.00, 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, 2022 and terminating December 31, 2024, 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	\$1,226,779.00
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Increase Appropriation Account:

H.311.3197.0000.21065.41603 Communications SICG Grant-Contracted Serv \$1,226,779.00.

Adopted September 14, 2022 by voice vote.

ACT NO. 410-2022 by Mr. Klancer
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
NEW YORK STATE OFFICE OF HOMELAND SECURITY AND EMERGENCY SERVICES
FOR 2022 DOMESTIC TERRORISM PREVENTION GRANT PROGRAM**

Pursuant to Governor Hochul's Executive Order No. 18 and
Section 450 of the County Law.

WHEREAS, the County, on behalf of the Office of Emergency Services and the Sheriff's Office, has been awarded \$172,413.00 through the New York State Office of Homeland Security and Emergency Services (DHSES) for the 2022 Domestic Terrorism Prevention Grant Program, and

WHEREAS, funding for this state grant award shall be utilized to support the County's capability to prevent targeted violence and domestic terrorism through the utilization of Threat Assessment and Management (TAM) teams and the development of comprehensive Domestic Terrorism Plans, and

WHEREAS, DHSES will manage and administer these program funds for the performance period for this grant, which will be from September 1, 2022 through August 31, 2024, and

WHEREAS, as a condition of this program funding, the County must develop and submit a Domestic Terrorism Plan to DHSES by December 31, 2022 as indicated by Executive Order No. 18, and

WHEREAS, grant documents must be executed in order to receive the aforementioned funding, and

WHEREAS, this program is 100% federally funded (CFDA #97.067), 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 Homeland Security and Emergency Services, in order to apply for, and receive, the above-described grant funding, for a term commencing September 1, 2022 and terminating August 31, 2024, according to the above-described terms, and be it further

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

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

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

Adopted September 14, 2022 by voice vote.

ACT NO. 411-2022 by Mrs. Andreano
who asks immediate consideration

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

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

WHEREAS, Act 722-2009, as amended by various resolutions, including Act 301-2021, authorized contracts for reimbursement for the Department of Nursing Homes skilled nursing services for individuals enrolled with Independent Health Association, Inc., and each of its subsidiaries and affiliates, and

WHEREAS, Independent Health Association, Inc., 511 Farber Lakes Drive, Buffalo, New York 14221, and each of its subsidiaries and affiliates, effective July 1, 2022, have increased its reimbursement rates at The Pines Healthcare and Rehabilitation Centers, as follows:

- Skilled Nursing Facility Services reimbursement \$319.00 per diem
- Subacute Services reimbursement (Machias only) \$386.00 per diem
- Antibiotic Infusion Pharmacy Services IH Community Rates
- Vaccination Services IH Community Rates
- Outpatient Therapy Services (Reimbursement Range) \$22.00 - \$63.00,

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute amended contracts, on behalf of Cattaraugus County, with Independent Health Association, Inc., and each of its subsidiaries and affiliates, for the provision of the above-described services to The Pines Healthcare and Rehabilitation Centers, for a term commencing July 1, 2022 to continue in full force and effect at the same rates until terminated by either party, according to the above-described terms.

Adopted September 14, 2022 by voice vote.

ACT NO. 412-2022 by Mr. Burr and Mr. VanRensselaer
who ask immediate consideration

**URGING NEW YORK STATE LEGISLATURE TO AMEND PARAGRAPH C OF
GENERAL MUNICIPAL LAW 209-B, SUBDIVISION 4,
TO ALLOW ALS INTERCEPT AGENCIES TO BILL DIRECTLY**

Pursuant to Section 153 of the County Law.

WHEREAS, volunteer fire departments in Cattaraugus County play a vital role in public safety, and

WHEREAS, the majority of volunteer fire departments in Cattaraugus County are supported through a combination of municipal funding and community donations, and they do not bill patients or insurers for services provided, and

WHEREAS, many non-billing agencies, including volunteer fire departments, are not able to provide Advanced Life Support (ALS) services to their communities, and

WHEREAS, those agencies are required to request ALS services when needed for patient care, as may ALS agencies when ALS volunteers are unavailable, and

WHEREAS, Paragraph C of Section 209-B, Subdivision 4, of the General Municipal Law, as amended effective July 8, 2022, requires ALS providers to bill transporting agencies for services provided and prohibits the direct billing of patients or insurers, and

WHEREAS, this structure requires non-billing agencies to either begin billing patient/insurers in order to recover those costs, or to seek additional funding from their municipalities and/or through donations, and

WHEREAS, existing funding through municipal and community support is not sufficient to cover the increased costs associated with ALS intercepts, and

WHEREAS, various fire departments in Cattaraugus County have neither the funding nor the personnel necessary to implement a billing apparatus, and

WHEREAS, fire departments in Cattaraugus County do not have access to funding that would support other losses incurred through increased operating expenses, insufficient reimbursements, or non-payments, and

WHEREAS, the undue financial burden placed upon our various fire departments will result in the continued depletion of effective EMS operations in Cattaraugus County, which are necessary, life-saving services that the Cattaraugus County Legislature is desirous that anyone living, working, and visiting any of our communities receives when requested, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby urges the New York State Legislature to amend Paragraph C of Section 209-B, Subdivision 4 of the General Municipal Law to allow ALS intercept agencies to bill directly, and be it further

II. RESOLVED, that the Clerk of the Cattaraugus County Legislature is hereby directed to forward certified copies of this resolution to Governor Kathy Hochul, Senate Majority Leader Andrea Stewart-Cousins, Senate Minority Leader Rob Ortt, Assembly Majority Leader Crystal D. Peoples-Stokes, Assembly Minority Leader William Barclay, Senator George Borrello, Assemblyman Joseph Giglio, and the Inter-County Association of Western New York.

Adopted September 14, 2022 by voice vote.

ACT NO. 413-2022 by Mr. Brisky, Mr. Burr and Mr. VanRensselaer
and Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Helmich,
Mr. Higgins, Mrs. Hunt, Mr. Klancer, Mr. Marsh, Mr. Morrow,
Mr. Parker, Ms. Schröder, Mr. Smith, Mr. Snyder and Mr. Koch¹
who ask immediate consideration

**OPPOSING SENATE BILL S.9517 AND ASSEMBLY BILL A.10644 IN RELATION TO
CERTAIN DUTIES AND RESPONSIBILITIES OF CEMETERY CORPORATIONS
AS TOO FINANCIALLY BURDENSOME**

Pursuant to Section 153 of the County Law.

WHEREAS, Senate Bill S.9517 and Assembly Bill A.10644 propose another layer of rules and regulations on cemetery corporations under the Not-for-Profit Corporation Law, and

WHEREAS, this legislation would require cemetery associations to carry liability insurance to cover claims filed if someone is injured or is killed by the collapse of any cemetery monument or marker; it would also require a cemetery corporation to carry liability insurance for monuments and other embellishments on a plot or cemetery lot, and

WHEREAS, activities like excavating a grave, setting concrete vaults, excavating foundations, concrete pouring, monument installation, maintenance and use of heavy machinery would require guidance from a licensed engineer, and

WHEREAS, cemeteries would also be required to remain available for grave openings and interments outside of normal business hours in the case of persons belonging to a religious and/or ethnic tradition that requires burial or interment prior to sunset on the date of the person's death, and

WHEREAS, those cemetery corporations that maintain and designate a burial section for persons of a particular religious belief or ethnic tradition would be required to appoint an inspector to ensure the cemetery is in compliance with the applicable rules and regulations governing those religious beliefs or ethnic traditions with respect to burials; inspectors would be appointed in consultation with local religious leaders, and

WHEREAS, this legislation also requires the cemetery corporation to disclose to a person purchasing a plot in the cemetery the condition of the soil under such lot, plot or part thereof, including but not limited to the existence of groundwater or any other defects or past disturbances which may substantially impair or alter the natural condition of the soil, and

WHEREAS, this legislation would create a huge financial burden upon the small rural cemetery corporations in Cattaraugus County by requiring them to hire a licensed engineer or excavating company to perform excavation work in the cemetery, purchase additional liability insurance to insure monuments and other embellishments belonging to individual plot owners, hire a religious inspector, and compensate cemetery employees to keep the premises open after normal business hours for grave openings and interments outside normal business hours, and

WHEREAS, this legislation would also require the cemetery corporation to contract for services to determine the soil conditions creating an additional financial burden on them, and

WHEREAS, the rural cemetery corporations of Cattaraugus County do not have adequate funds to support the additional financial burden this legislation would impose upon them, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby opposes Senate Bill S.9517 and Assembly Bill A.10644 and the amendments to the Not-for Profit Corporation Law contained therein as creating an enormous financial burden upon the rural cemetery corporations in Cattaraugus County, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Governor Kathy Hochul, Senate Majority Leader Andrea Stewart-Cousins, Senate Minority Leader Rob Ort, Assembly Majority Leader Crystal D. Peoples-Stokes, Assembly Minority Leader William Barclay, Senator George Borrello, Assemblyman Joseph Giglio, and the Inter-County Association of Western New York.

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

Adopted September 14, 2022 by voice vote.

* * * * *

MR. SMITH moved, seconded by Mr. Morrow, to adjourn until September 28, 2022 at 5:00 p.m.
Carried.

Meeting adjourned at 5:31 p.m.

Ann M. Giglio
Journal Clerk