

November 9, 2022

The meeting was called to order by Chairman VanRensselaer.

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed one Legislator absent - Klancer.

\* \* \* \* \*

There being no amendments or objections thereto, Chairman VanRensselaer noted that the minutes of the October 26, 2022 session stand approved as presented.

\* \* \* \* \*

**COMMUNICATIONS:**

M. Andrew Burr, Chairman, Finance Committee: Apportionment of Mortgage Taxes for the six-month period from April 1, 2022 through September 30, 2022. (see report on page 480)

\* \* \* \* \*

**APPOINTMENTS:**

**LEGISLATIVE REPRESENTATIVE**

**Youth Board:** Smith (*term to expire December 31, 2023*), replacing Morrow, who resigned October 1, 2022

\* \* \* \* \*

**PRIVILEGE OF THE FLOOR:**

CHAIRMAN VANRENSEALER 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. Mr. Morrow was accompanied by Marine Chad Caldwell from Portville. Mr. Morrow thanked Mrs. Andreano, Mr. Smith, the Department Heads, the Department of Social Services, and Diane Graham for their assistance with the Program. Mr. Smith then thanked Mr. Morrow for his leadership and outstanding commitment to the Program.

\* \* \* \* \*

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, 2022 through September 30, 2022 is \$665,355.33 and recommend that the amounts opposite the names of the cities/towns be paid to the fiscal officers of that city/town, and amounts in the column headed villages, be paid to the treasurers of the respective villages.							
Respectfully submitted, M. Andrew Burr, Chairman Finance Committee							
APPORTIONMENT OF MORTGAGE TAXES							
	ROW 1	ROW 2	ROW 3	ROW 4	ROW 5	ROW 6	ROW 7
	CITY/TOWN	DOUBLE	VILLAGE	VILLAGE	TOTAL AMOUNT		CITY/
	ASSESSED	CITY/TOWN	ASSESSED	PERCENTAGE	MORTGAGE TAX	VILLAGE	TOWN
	VALUATION	VALUATION	VALUATION	SHARE	DISTRIBUTED	SHARE	SHARE
ALLEGANY	364,473,629	728,947,258	75,556,054	0.10365092	55,088.97	5,710.02	49,378.95
ASHFORD	78,686,456	157,372,912		0.00000000	33,852.85	0.00	33,852.85
CARROLLTON	70,901,856	141,803,712		0.00000000	2,912.26	0.00	2,912.26
COLDSRING	69,462,343	138,924,686		0.00000000	3,482.95	0.00	3,482.95
CONEWANGO	33,224,794	66,449,588		0.00000000	9,039.45	0.00	9,039.45
DAYTON	77,070,237	154,140,474	16,967,259	0.11007660	7,408.03	815.45	6,592.58
EAST OTTO	88,098,806	176,197,612		0.00000000	6,458.78	0.00	6,458.78
ELLCOTTVILLE	617,857,015	1,235,714,030	139,074,214	0.11254563	110,112.37	12,392.67	97,719.70
FARMERSVILLE	67,647,702	135,295,404		0.00000000	5,213.04	0.00	5,213.04
FRANKLINVILLE	84,404,543	168,809,086	31,636,501	0.18740994	15,905.40	2,980.83	12,924.57
FREEDOM	138,704,002	277,408,004		0.00000000	15,012.93	0.00	15,012.93
GREAT VALLEY	179,360,077	358,720,154		0.00000000	21,691.83	0.00	21,691.83
HINSDALE	120,777,692	241,555,384		0.00000000	14,027.63	0.00	14,027.63
HUMPHREY	84,153,103	168,306,206		0.00000000	5,157.06	0.00	5,157.06
ISCHUA	40,724,658	81,449,316		0.00000000	5,665.13	0.00	5,665.13
LEON	47,513,890	95,027,780		0.00000000	1,702.10	0.00	1,702.10
LITTLE VALLEY	47,132,515	94,265,030	18,629,618	0.19763021	8,297.51	1,639.84	6,657.67
LYNDON	49,249,044	98,498,088		0.00000000	4,056.01	0.00	4,056.01
MACHIAS	181,866,134	363,732,268		0.00000000	18,097.87	0.00	18,097.87
MANSFIELD	142,860,109	285,720,218		0.00000000	21,223.13	0.00	21,223.13
NAPOLI	73,405,153	146,810,306		0.00000000	6,993.42	0.00	6,993.42
NEW ALBION	56,707,839	113,415,678	20,946,506	0.18468792	14,579.81	2,692.71	11,887.10
OLEAN,CITY	480,412,859	960,825,718		0.00000000	142,450.26	0.00	142,450.26
OLEAN, TOWN	89,724,369	179,448,738		0.00000000	9,173.44	0.00	9,173.44
OTTO	71,988,408	143,976,816		0.00000000	7,848.74	0.00	7,848.74
PERRYSBURG	56,699,605	113,399,210		0.00000000	9,527.12	0.00	9,527.12
PERSIA	58,668,630	117,337,260	40,799,651	0.34771266	10,701.22	3,720.95	6,980.27
PORTVILLE	135,033,403	270,066,806	27,624,346	0.10228708	18,496.57	1,891.96	16,604.61
RANDOLPH	84,289,745	168,579,490		0.00000000	17,535.72	0.00	17,535.72
RED HOUSE	223,731,309	447,462,618		0.00000000	0.00	0.00	0.00
SALAMANCA, CITY	14,743,788	29,487,576		0.00000000	7,135.73	0.00	7,135.73
SALAMANCA, TOWN	28,267,928	56,535,856		0.00000000	1,814.06	0.00	1,814.06
SOUTH VALLEY	32,279,459	64,558,918		0.00000000	1,340.62	0.00	1,340.62
YORKSHIRE	28,643,991	57,287,982	5,635,713	0.09837514	53,353.32	5,248.64	48,104.68
TOTALS	4,018,765,091		376,869,862		665,355.33	37,093.07	628,262.26

**ACT NO. 449-2022** by Mr. Benson and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
NEW YORK STATE UNIFIED COURT SYSTEM FOR  
COUNTY COURTROOM RENOVATION PROJECT AND  
AREA CLEANING SERVICES, REPAIRS AND MAINTENANCE  
(NYS Contract # C300467)**

Pursuant to Chapter 686 of the Laws of 1996, 22 NYCRR Part 34.1 and  
Section 450 of the County Law.

WHEREAS, Act 377-2018, as amended by Acts 299-2019 and 313-2021, authorized a five (5) year contract with the NYS Unified Court System for the cleaning of court facilities as well as repairs and maintenance, the term of which expires March 31, 2023, and

WHEREAS, Chapter 686 of the Laws of 1996, as amended, gives the State of New York the fiscal responsibility of managing the interior cleaning of court facilities and the performance of minor and emergency repairs, and

WHEREAS, the New York State Unified Court System shall reimburse the County an amount of \$89,445.00 for the cleaning of court facilities, repairs and maintenance for the period April 1, 2022 through March 31, 2023, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned cleaning, repairs and maintenance 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 the New York State Unified Court System for the provision of the above-described services and to accept reimbursement funds, covering the period April 1, 2022 through March 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 Public Works Committee.

Adopted November 9, 2022 by voice vote.

**ACT NO. 450-2022** by Mr. Benson and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
GREENMAN-PEDERSEN, INC. FOR  
MANSFIELD BRIDGE NO. 50 REPLACEMENT PROJECT  
CONSTRUCTION INSPECTION SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 116-2022 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 Mansfield Bridge No. 50 replacement project, located on Hinman Hollow Road over Mansfield Creek, the term of which expires December 31, 2022, and

WHEREAS, additional services are necessary in order to remove old bridge piles which were discovered on the site, and

WHEREAS, Greenman-Pedersen, Inc., can provide the aforementioned construction inspection services for the aforementioned project for an additional amount of \$2,970.52 not to exceed a total contract amount of \$27,970.52 to be paid periodically on a cost-plus basis as determined by the Department of Public Works, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Greenman-Pedersen, Inc., for the provision of the above-described construction inspection services for the above-described replacement project, to amend the original contract which commenced March 9, 2022 and terminates 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 November 9, 2022 by voice vote.

**ACT NO. 451-2022** by Mr. Boberg and Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
PROMESA, INC.  
FOR PROVISION OF METHADONE TO JAIL INMATES**

Pursuant to Section 626 of the Correction Law  
and Section 450 of the County Law.

WHEREAS, the Sheriff's Office is in need of the prescription medication Methadone for inmates of the Cattaraugus County Jail who are enrolled in an opioid treatment program during the time of incarceration, and

WHEREAS, Dunkirk Safe Point Lighthouse, 303 Main Street, Dunkirk, New York 14048, can provide the prescription medication Methadone for inmates of the Cattaraugus County Jail, who are already on Methadone, for an amount of \$105.00 per client per week, pro-rated per day for any services provided that are less than a full 7-day week, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contract, on behalf of Cattaraugus County, with Dunkirk Safe Point Lighthouse, for the provision of the above-described prescription medication Methadone, for a term commencing October 20, 2022, continuing for a period of one (1) year, with automatic renewals for additional one-year terms thereafter until terminated by either party, according to the above-described terms.

Approved by 6 members of the Finance Committee and 4 members of the County Operations/Public Safety Committee.

Adopted November 9, 2022 by voice vote.

**ACT NO. 452-2022** by Mr. Boberg and Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE AFFILIATION AGREEMENT  
WITH ST. BONAVENTURE UNIVERSITY FOR  
DISTRICT ATTORNEY PRE-LAW INTERNSHIP PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, St. Bonaventure University offers pre-law internships and educational programs to students who would benefit from such experience at the Cattaraugus County District Attorney's Office, and

WHEREAS, the District Attorney's Office believes that the value of the presence of such students would add to its operation, and

WHEREAS, the aforementioned pre-law internships and educational programs are conducted at no cost to the County, and

WHEREAS, an affiliation agreement is necessary with St. Bonaventure University for the aforementioned pre-law internship experience program, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an Affiliation Agreement, on behalf of Cattaraugus County, with St. Bonaventure University, for the provision of pre-law internships and educational experience, for a term commencing November 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, 4 members of the Labor Relations Committee, and 4 members of the County Operations/Public Safety Committee.

Adopted November 9, 2022 by voice vote.

**ACT NO. 453-2022** by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CHC WELLBEING FOR HEALTH WELLNESS PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 29-2022 authorized a contract with CHC Wellbeing, 5440 North Cumberland Avenue, Suite 225, Chicago, Illinois 60656, for the provision of a health wellness program for County employees, the term of which expires December 31, 2022, and

WHEREAS, the County is desirous of continuing a Healthy Activities program for County employees, and

WHEREAS, CHC Wellbeing can provide a health wellness program for County employees for an amount as follows:

Onsite or Test at a Lab	\$85.00 per screened participant
TSH tested (only for women over the age of 40)	\$15.00 per screened participant
Cost Per Eligible Participant	\$3.50 per employee per month

\*up to 5% increase in years 2 and 3,

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 CHC Wellbeing, for the provision of the above-described 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, 2025, according to the above-described terms.

Approved by 6 members of the Finance Committee and 4 members of the Labor Relations Committee.

Adopted November 9, 2022 by voice vote.

**ACT NO. 454-2022** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE LEASE EXTENSION WITH  
RYDER TRUCK RENTAL, INC. D/B/A RYDER TRANSPORTATION SERVICES  
FOR LAUNDRY TRUCK  
(Department of Nursing Homes)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 203-2015, as extended by Act 91-2022, authorized the five-year lease of a 2015 Ford F450 (Diesel) Super Duty cab & chassis, a 2015 Morgan aluminum van body, Model No. GVSD91-16, and a 2015 4 liftgate, through Ryder Truck Rental, Inc., d/b/a Ryder Transportation Services, 3247 New York Lakes-194, Buffalo, New York, the term of which expires November 30, 2022, and

WHEREAS, the Department of Nursing Homes is desirous of extending the term of the aforementioned lease to November 30, 2023, and

WHEREAS, Ryder Truck Rental, Inc., d/b/a Ryder Transportation Services, shall continue leasing the aforementioned vehicle to the Department of Nursing Homes, under the same terms and

conditions, for an amount not to exceed \$18,664.00, which includes mileage at the rate of \$.10 per mile, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease extension, on behalf of Cattaraugus County, with Ryder Truck Rental, Inc., d/b/a Ryder Transportation Services, extending the aforementioned lease to November 30, 2023, according to the above-described terms.

Approved by 6 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted November 9, 2022 by voice vote.

**ACT NO. 455-2022** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
FOX IN THE KITCHEN, LLC – GARDEN TO TABLE NUTRITION INTERNSHIP  
FOR EDUCATIONAL FIELD EXPERIENCE PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, the Fox in the Kitchen, LLC, 4026 224<sup>th</sup> Street, Suite #6, Bothell, Washington 98021, through its Garden to Table Nutrition Internship, is desirous of enabling Dietetic interns to develop abilities through planned supervised field experience, and

WHEREAS, the Department of Health is desirous of working collaboratively with Fox in the Kitchen, LLC, for the provision of planned supervised field experience to Dietetic interns who would benefit from field experience in the Cattaraugus County Department of Health, and

WHEREAS, the Department of Health has agreed to allow the program to be conducted at the Department's facilities at no cost to the County, and

WHEREAS, in the event other County departments are desirous of participating in a field experience program with Fox in the Kitchen, LLC, then additional contracts may be entered into pursuant to this act, 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 Fox in the Kitchen, LLC, through its Garden to Table Nutrition Internship Program, for the provision of the above-described planned supervised field experience program, for a term commencing December 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, 4 members of the Labor Relations Committee, and 5 members of the Human Services Committee.

Adopted November 9, 2022 by voice vote.

**ACT NO. 456-2022** by Mrs. Andreano and Mr. Helmich

**APPROVING CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD  
AND NATIONAL COUNCIL FOR BEHAVIORAL HEALTH D/B/A  
NATIONAL COUNCIL FOR MENTAL WELLBEING FOR CONSULTING SERVICES  
AND RESCINDING ACT 396-2022**

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, the National Council for Behavioral Health d/b/a National Council for Mental Wellbeing, 1400 K Street NW Suite 400, Washington, DC 20005, has partnered with MTM Services to provide a full range of consulting services to health care agencies, and

WHEREAS, the National Council for Behavioral Health d/b/a National Council for Mental Wellbeing 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 the National Council for Behavioral Health d/b/a National Council for Mental Wellbeing, to signify the County's approval, for the provision of the above-described consultant services, for a term commencing September 1, 2022 and terminating April 3, 2024, according to the above-described terms, and be it further

RESOLVED, that Act 396-2022 be, and hereby is, rescinded.

Approved by 6 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted November 9, 2022 by voice vote.



ACT NO. 457-2022 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT WITH  
CATTARAUGUS-LITTLE VALLEY CENTRAL SCHOOL DISTRICT FOR  
USE OF SPACE FOR COUNTY OFFICES  
(Department of Social Services)**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, the Department of Social Services is in need of office space for caseworkers,  
and

WHEREAS, the Cattaraugus-Little Valley Central School District (CLVCS), 25 North Franklin Street, Cattaraugus, New York 14719, has agreed to lease to the County the following office space, which includes Room No. 210 and associated common spaces (including hallways, bathrooms [one male and one female], entranceways, etc.), as follows:

Space and Cost

Room 210 540<sup>1</sup> square feet @ \$6.88/sq ft = \$3,715.20<sup>1</sup>/year

\*\* Subject to a 2% increase on the anniversary date each year

and

WHEREAS, CLVCS shall include parking spots in the parking lot adjacent to the premises and the parking lot owned by CLVCS across from the premises, with the County responsible for sanding and plowing of the parking lots and sidewalk areas, and

WHEREAS, the County will provide fiber optic cable for the rental space and telephone service, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease agreement, on behalf of Cattaraugus County, with the Cattaraugus-Little Valley Central School District, for the leasing of the above-described space in the Little Valley Campus building, for a term commencing November 1, 2022 and terminating October 31, 2023, with the option to renew for two (2) additional one-year terms, according to the above-described terms.

Approved by 6 members of the Finance Committee, 6 members of the Public Works Committee, and 5 members of the Human Services Committee.

<sup>1</sup>MRS. ANDREANO moved, seconded by Mr. Brisky, to amend as follows: In the Second Whereas, delete: "528", and replace with: "540"; delete: "\$3,632.64", and replace with: "\$3,715.20". Carried.

Adopted, as amended, November 9, 2022 by voice vote.

\* \* \* \* \*

MR. SMITH moved, seconded by Mr. Koch, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 458-2022 through Act No. 464-2022. Carried.

**ACT NO. 458-2022** by Mr. VanRensselaer  
who asks immediate consideration

**APPOINTMENTS TO CATTARAUGUS COUNTY BOARD OF HEALTH**

Pursuant to Section 343 of the Public Health Law.

RESOLVED, that Dr. Zahid Chohan is hereby reappointed to the Cattaraugus County Board of Health for a six-year term of which expires on December 31, 2028, and be it further

RESOLVED, that Kathryn Cooney-Thrush, NP, MSN, is hereby reappointed to the Cattaraugus Board of Health for a six-year term of which expires on December 31, 2028, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a copy of this resolution to the Cattaraugus County Board of Health.

MRS. ANDREANO moved, seconded by Mr. Brisky, to refer Act No. 458-2022 to the Human Services Committee. Carried.

**ACT NO. 459-2022** by Mrs. Andreano, Mr. Burr, Mr. Higgins and Mr. Smith  
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
JAMESTOWN COMMUNITY COLLEGE FOR PURCHASE OF GENERATORS  
AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS**

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

WHEREAS, Jamestown Community College has requested assistance from the County to purchase the following three (3) generators for the College:

<u>Location</u>	<u>Make</u>	<u>Model</u>	<u>KW</u>	<u>Fuel Type</u>	<u>Estimated Cost</u>
MTI	Spectrum	125GSG	125	NG	\$80,000
Depot	Spectrum	50GSGB	50	NG	\$50,000
LLAC	Spectrum	125GSG	125	NG	\$80,000

and

WHEREAS, the County is desirous of supporting Jamestown Community College by contributing an amount of \$105,000.00 towards the purchase of the above-described generators, and

WHEREAS, various appropriation accounts must be adjusted in order to cover the cost of the aforementioned generators, 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 Jamestown Community College for the provision of funds to assist with the purchase of generators for the College, according to the above-described terms, and be it further

RESOLVED, that the County Administrator is hereby directed to appropriate \$105,000.00 from Fund Balance Account A.909.0000, and be it further

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

Increase Appropriation Account:  
 A.298.2495.0000.42039 Jamestown Community College \$105,000.00.

Adopted November 9, 2022 by voice vote.

**ACT NO. 460-2022** by Mrs. Andreano and Mr. Helmich  
 who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
 NETSMART TECHNOLOGIES FOR HEALTH DEPARTMENT  
 MOBILE CAREGIVER+EVV PROFESSIONAL SERVICES APPLICATION AND  
 NTST HOMECARE MOBILE PHONE LITE SUBSCRIPTION SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, the Health Department is in need of homecare subscription services for its home health care clients, and

WHEREAS, Netsmart Technologies, can provide the Mobile Caregiver+EVV professional services application and the NTST Homecare Mobile Phone Lite subscription service for home health care clients of the Health Department for an amount as follows:

**PROFESSIONAL SERVICE CHARGES:**

<u>Product</u>	<u>Quantity</u>	<u>Unit</u>	<u>Fees</u>
Professional Services-Mobile Caregiver+EVV Medicaid	1	Fixed Fee	\$400.00
Professional Services – NTST Homecare Companion Device Consulting	1	Fixed Fee	\$1,000.00
Professional Services – NTST Homecare Server Configuration Services	1	Fixed Fee	\$400.00
Professional Services – NTST Homecare Configuration between NTST EVV and NTST Homecare	1	Fixed Fee	<u>\$1,600.00</u>
		Subtotal	\$3,400.00

**RECURRING CHARGES:**

<u>Product</u>	<u>Term</u>	<u>Quantity</u>	<u>Unit</u>	<u>Year 1 Fees</u>
NTST Homecare Mobile Phone Lite Subscription 25 skilled & 5 HHA	36	30	Each/mo	\$3,600.00
EVV Data Aggregation Subscription Aggregate data between client & receiving aggregator	36	2	Each/mo	\$2,160.00
Mobile Caregiver+EVV SaaS Includes EVV Mobile Application and/or Administration Console and EVV Connection	36	10	NAMDUSR/MO	<u>\$7,200.00</u>
			Subtotal	\$12,960.00

and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned services and software during 2022, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Netsmart Technologies, for the provision of the above-described 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 November 1, 2022 and

terminating December 31, 2023, with automatic one-year renewals thereafter until terminated by either party hereto, 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 November 9, 2022 by voice vote.

**ACT NO. 461-2022** by Mr. Higgins and Mr. Marsh  
who ask immediate consideration

**LOCAL LAW NUMBER 7 - 2022**  
**COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW ESTABLISHING FEE SCHEDULE**  
**FOR ONOVILLE MARINA BOATING AND CAMPING ACTIVITIES**

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 establish a fee schedule for the Onoville Marina boating and camping activities.

**SECTION 2. Onoville Marina Fees.** Effective January 1, 2023, the following fees shall be charged by the Cattaraugus County Onoville Marina for boating and camping activities:

<u>Docking</u>	<u>Day</u>	<u>Week</u>	<u>2 Weeks</u>	<u>Season</u>
<b>Non-Electric Slips</b>				
Slip Size A (23')	\$16.00	\$80.00	\$136.50	\$728.00
Slip Size B (27')	\$16.00	\$80.00	\$136.50	\$943.00
Slip Size C (31')	\$16.00	\$80.00	\$136.50	\$1108.00
<b>Slips With Electric</b>				
Slip Size D (27')	\$18.00	\$110.00	\$168.00	\$1038.00
Slip Size E (28')	\$18.00	\$110.00	\$168.00	\$1177.00
Slip Size F (32')	\$19.00	\$120.00	\$168.00	\$1656.00
Slip Size G (36')	\$20.00	\$130.00	\$168.00	\$1942.00
Slip Size H (40')	\$22.00	\$140.00	\$168.00	\$2370.00
Slip Size I (44')	\$23.00	\$150.00	\$210.00	\$2423.00
Slips with 50 Ampere Shorepower, add \$50.00				
	<u>Day</u>	<u>Week</u>	<u>Season</u>	
Launch & Park Ticket	\$10.00	\$40.00	\$150.00	
Launch Access with Dry Parking		\$40.00	\$450.00 (boats up to 30')	
(watercraft on trailer in parking lot)		\$50.00	\$550.00 (boats over 30')	

Vehicular Parking	\$5.00	\$20.00	\$50.00
Camping (Transient/Seasonal)	\$35.00	\$200.00	\$2100.00
Tent (1) with Primary Camping Unit	\$15.00		
Pumpout Fee	\$3.00 per token		
Seasonal Trailer Storage	\$200.00 (up to 28')		
	\$250.00 (over 28')		
<b>Holiday Rates:</b>	\$250.00 weekly rate		
Memorial Day			
July 4 <sup>th</sup>			
OnoFest			
Labor Day			

SECTION 3. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the particular provision directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4. Effect on Prior Legislation. This Local Law shall supersede Local Law Number 10-2021 (Intro No. 10-2021) which established a fee schedule for Onoville Marina boating and camping activities, and became effective January 1, 2022.

SECTION 5. Effective Date. This Local Law shall take effect January 1, 2023.

No further action taken at this time.

**ACT NO. 462-2022** by Mr. Higgins and Mr. Marsh  
who ask immediate consideration

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 7 - 2022**

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 November 9, 2022, a proposed Local Law entitled "A Local Law Establishing Fee Schedule for Onoville Marina Boating and Camping Activities", 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 22nd day of November, 2022, at 5:01 p.m. at the Legislature's Chambers, 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 November 9, 2022 by voice vote.

**ACT NO. 463-2022** by Mr. Higgins and Mr. Marsh  
*and Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky, Mr. Burr,  
 Mr. Helmich, Mrs. Hunt, Mr. Morrow, Mr. Parker, Ms. Schröder,  
 Mr. Smith, Mr. Snyder, Mr. VanRensselaer and Mr. Koch<sup>1</sup>*  
 who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH  
 NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION AND  
 CONTRACTS WITH CATTARAUGUS COUNTY FEDERATION OF SNOWMOBILE CLUBS, INC.  
 AND VARIOUS SNOWMOBILE CLUBS IN CATTARAUGUS COUNTY  
 FOR SNOWMOBILE TRAIL GRANT PROGRAM AND  
 ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
 (Department of Economic Development, Planning & Tourism)**

Pursuant to Article 27 of the Parks, Recreation and Historic  
 Preservation Law and Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 37-2022 authorized the Chair to execute contracts with the New York State Office of Parks, Recreation and Historic Preservation, the Cattaraugus County Federation of Snowmobile Clubs, Inc., and various snowmobile clubs for the snowmobile trail grant program, the terms of which expired March 31, 2022, and

WHEREAS, the County has been awarded funding through the New York State Office of Parks, Recreation and Historic Preservation for the maintenance of snowmobile trails for the 2022-2023 program year, and

WHEREAS, the Cattaraugus County Federation of Snowmobile Clubs, Inc., oversees the activities of various snowmobile clubs within the County, and

WHEREAS, the County desires that the development and maintenance of snowmobile trails be the responsibility of the Cattaraugus County Federation of Snowmobile Clubs, Inc., and

WHEREAS, the County shall act as a pass-through agency for purposes of disbursing the aforementioned grant funds, and

WHEREAS, the Cattaraugus County Federation of Snowmobile Clubs, Inc., shall distribute the aforementioned grant funds to the snowmobile clubs listed below:

	<u>2021-2022</u>	<u>2022-2023</u>
	<u>Grant</u>	<u>Grant</u>
Ashford Snowmobile Club, Inc. P.O. Box 96 West Valley, NY 14171	\$10,812.00	\$12,342.00
Elibomwons, Inc. 4164 Elm Creek Road Randolph, NY 14772	\$26,364.00	\$30,045.00
Enchanted Mountains Border Riders Snowmobile Club, Inc. P.O. Box 325 Westons Mills, NY 14788	\$4,032.00	\$4,608.00

Franklinville Snow Sled Club, Inc. P.O. Box 22 Franklinville, NY 14737	\$24,696.00	\$28,206.00
Portville Snowmobile Club, Inc. P.O. Box 466 Portville, NY 14770	\$11,760.00	\$13,440.00
Snow Bounders, Inc. 9189 Cattaraugus-Otto Road Cattaraugus, NY 14719	\$43,500.00	\$51,426.00
Southern Tier Snow Drifters, Inc. 5075 Woodside Road Springville, NY 14141	\$8,820.00	\$10,074.00
Tri-County Drift Hoppers, Inc. Snowmobile Club P.O. Box 161 Sandusky, NY 14133-0161	\$13,440.00	\$15,360.00
Western New York Snowmobile Club of Boston, Inc. P.O. Box 137 Boston, NY 14025	\$4,452.00	\$5,082.00

and

WHEREAS, the grant funding has been received and is in the budget to cover the aforementioned allocations, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents and contracts, on behalf of Cattaraugus County, with the New York State Office of Parks, Recreation and Historic Preservation, the Cattaraugus County Federation of Snowmobile Clubs, Inc., and the above-listed snowmobile clubs, in order to accept and receive the aforementioned funding, for a term commencing April 1, 2022 and terminating March 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, and be it further

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

Increase Estimated Revenue Account:		
A.644.7180.0000.3889.01	NYS Snowmobile Trail Grant	\$170,583.00

Increase Appropriation Account:

A.644.7180.0000.42037 Federation of Snowmobile Clubs \$170,583.00.

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: "Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky, Mr. Burr, Mr. Helmich, Mrs. Hunt, Mr. Morrow, Mr. Parker, Ms. Schröder, Mr. Smith, Mr. Snyder, Mr. VanRensselaer and Mr. Koch".

Adopted November 9, 2022 by voice vote.

**ACT NO. 464-2022** by Mr. VanRensselaer  
who asks immediate consideration

**AUTHORIZING PUBLIC HEARING ON 2023 TENTATIVE BUDGET**

Pursuant to Section 359 of the County Law.

WHEREAS, Section 359 of the County Law requires that a public hearing shall be held by the Legislature on the tentative budget before final adoption of the budget, and

WHEREAS, any individual or group concerned with the budget should have a reasonable opportunity to be heard, now, therefore, be it

RESOLVED, that the public hearing on the 2023 Cattaraugus County Budget will be held by the County Legislature at the Legislative Chambers in the County Center, 303 Court Street, Little Valley, New York, on Tuesday, November 22, 2022, at 5:02 p.m., and be it further

RESOLVED, that the Clerk of the Legislature be, and hereby is, authorized and directed to cause a notice to be published stating the time, place, and purpose of the public hearing and that copies of the tentative budget on which the public hearing will be held are available at his office and may be inspected or procured there by any interested person during business hours.

Adopted November 9, 2022 by voice vote.

\* \* \* \* \*

**PRIVILEGE OF THE FLOOR:**

CHAIRMAN VANRENSELAER granted Privilege of the Floor to Jack Searles, County Administrator, who presented the 2023 Tentative Budget to the Legislators.

\* \* \* \* \*

MR. BRISKY moved, seconded by Mr. Helmich, to adjourn until November 22, 2022 at 5:00 p.m. Carried.

Meeting adjourned at 6:02 p.m.

Ann M. Giglio  
Journal Clerk