

January 25, 2023

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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COMMUNICATIONS:

Nell Fellows: Thank you note for providing cable TV to nursing home residents.

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APPOINTMENTS:

2023 Standing Committees Appointed By Chairman

* Chair
** Vice Chair

Finance: *Burr, **Koch, Andreano, Brisky, Higgins, Marsh, Parker

County Operations/Public Safety: *Klancer, **Boberg, Higgins, Hunt, Morrow, Smith, Koch

Development & Agriculture: *Marsh, **Higgins, Benson, Burr, Hunt, Morrow, Koch

Human Services: *Andreano, **Helmich, Burr, Morrow, Schröder, Smith, Snyder

Labor Relations: *Schröder, **Marsh, Brisky, Helmich, Koch

Public Works: *Helmich, **Benson, Boberg, Brisky, Morrow, Parker, Snyder

Strategic Planning: *Benson, **Parker, Andreano, Boberg, Brisky, Klancer, Smith

Legislative Representatives

Aging Advisory Council: Smith (*one-year term to expire December 31, 2023*)

Federated Sportsmen's Association: Helmich, VanRensselaer (*one-year terms to expire December 31, 2023*)

Town Supervisors Association: Koch, Parker (*one-year terms to expire December 31, 2023*)

Village Officials Association: Higgins, Marsh (*one-year terms to expire December 31, 2023*)

CRIMINAL JUSTICE COORDINATING ADVISORY COMMITTEE

Catherine Mackay, *replacing Kathryn DeGross*
Captain Amie Feroletto, *replacing Captain Eugene Staniszewski*

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There being no amendments or objections thereto, Chairman VanRensselaer noted that the minutes of the January 4, 2023 session stand approved as presented.

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ACT NO. 43-2023 by Mr. VanRensselaer

APPOINTMENT TO CATTARAUGUS COUNTY ETHICS BOARD

Pursuant to Local Law Number 8-1990 of the
Cattaraugus County Legislature.

RESOLVED, that Wendy M. Brand is hereby appointed to the Cattaraugus County Ethics Board for a three-year term to expire December 31, 2025.

Adopted January 25, 2023 by voice vote.

ACT NO. 44-2023 by Mr. VanRensselaer

APPOINTMENT OF SENECA TRAIL RC & D PROJECT MEMBER

Pursuant to Section 153 of the County Law.

RESOLVED, that Laurie A. Hunt is hereby appointed to the Seneca Trail RC & D Project for a one-year term to expire December 31, 2023, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Seneca Trail RC & D Project.

Adopted January 25, 2023 by voice vote.

ACT NO. 45-2023 by Mr. VanRensselaer

**APPOINTMENT OF INTER-COUNTY ASSOCIATION OF
WESTERN NEW YORK MEMBERS**

Pursuant to Section 153 of the County Law.

RESOLVED, that the following individuals shall be the Cattaraugus County voting members to the Inter-County Association of Western New York for the year 2023:

Michael M. Brisky
Richard Helmich
David M. Koch

Frank H. Higgins (*alternate*)
Laurie A. Hunt (*alternate*)
Kip A. Morrow (*alternate*),

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Inter-County Association of Western New York.

Adopted January 25, 2023 by voice vote.

ACT NO. 46-2023 by Mr. VanRensselaer

**APPOINTMENTS TO CORNELL COOPERATIVE EXTENSION
ASSOCIATION OF CATTARAUGUS COUNTY**

Pursuant to Article V, Section 3B, of the Constitution of the Cornell Cooperative Extension Association of Cattaraugus County, State of New York.

RESOLVED, that the following individuals are hereby appointed to the Cornell Cooperative Extension Board for a one-year term to expire December 31, 2023:

Richard Helmich
Norman L. Marsh,

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Cornell Cooperative Extension Association of Cattaraugus County.

Adopted January 25, 2023 by voice vote.

ACT NO. 47-2023 by Mr. VanRensselaer

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

Pursuant to Section 153 of the County Law.

RESOLVED, that the following individuals are hereby appointed to the Cattaraugus County Soil & Water Conservation District Board of Directors for a one-year term to expire December 31, 2023:

R. Donald Benson
Michael M. Brisky,

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 January 25, 2023 by voice vote.

ACT NO. 48-2023 by Mr. VanRensselaer

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

Pursuant to Section 153 of the County Law.

RESOLVED, that Mark D. Alianello is hereby appointed to the Cattaraugus County Soil & Water Conservation District Board of Directors for a three-year term to expire December 31, 2024, 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 January 25, 2023 by voice vote.

ACT NO. 49-2023 by Mr. VanRensselaer

**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 for a three-year term to expire December 31, 2025, 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 January 25, 2023 by voice vote.

ACT NO. 50-2023 by Mr. Burr and Mr. VanRensselaer
*and Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky, Mr. Helmich,
Mr. Higgins, Mrs. Hunt, Mr. Klancer, Mr. Marsh, Mr. Morrow,
Mr. Parker, Ms. Schröder, Mr. Smith, Mr. Snyder and Mr. Koch¹*

APPOINTMENT OF COUNTY ADMINISTRATOR

Pursuant to Local Law Number 5-1985
(Intro Number 10-1985).

RESOLVED, that John R. Searles be, and hereby is, appointed Cattaraugus County Administrator for a term commencing September 14, 2023 and terminating September 13, 2027, to be compensated at such salary which has heretofore been, or may hereafter be, established.

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

Adopted January 25, 2023 by voice vote.

ACT NO. 51-2023 by Mrs. Andreano

**ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(2023 Capital Funds – The Pines-Olean Campus Door Repairs)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, various appropriation accounts must be adjusted to cover the cost of the door repairs at The Pines Healthcare and Rehabilitation Center-Olean Campus, now, therefore, be it

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

Decrease Appropriation Account:

EF.453.4530.1160.20002	Capital Building Improvements	\$13,531.00
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Increase Appropriation Account:

EF.453.4530.8220.44401	Building Repair and Maintenance	\$13,531.00.
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Adopted January 25, 2023 by voice vote.

ACT NO. 52-2023 by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
LISA TRAINA FNP-C FOR THE PINES HEALTHCARE &
REHABILITATION CENTER-OLEAN CAMPUS CONTINGENT MEDICAL DIRECTOR SERVICES**

Pursuant to 10 NYCRR Section 415.15 and Section 450 of the County Law.

WHEREAS, the Department of Nursing Homes is in need of a contingent medical director, in the event the current medical director for The Pines Healthcare and Rehabilitation Center-Olean Campus is unavailable, and

WHEREAS, Lisa Traina FNP-C, 77 Kent Boulevard, Salamanca, New York 14779, shall provide the services of Medical Director at The Pines Healthcare & Rehabilitation Center-Olean Campus, in the event the current medical director is unavailable, for an amount of \$125.00 per hour, to be paid as invoiced, 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 Lisa Traina FNP-C, for the provision of the above-described services, for a term commencing January 26, 2023 and terminating December 31, 2023, according to the above-described terms.

Adopted January 25, 2023 by voice vote.

ACT NO. 53-2023 by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION
WITH ADAPTHEALTH, LLC FOR
MEDICAL EQUIPMENT RENTAL AND RELATED SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 613-2018 authorized the acceptance of a bid submitted by QMES, LLC, now referred to as AdaptHealth, LLC, 122 Mill Road, Suite A130, Phoenixville, Pennsylvania 19460, with a local office at Olean General Healthcare System, 234 Homer Street, Olean, New York 14760, for the provision of medical equipment rental for The Pines Healthcare & Rehabilitation Centers-Olean and Machias Campuses, the term of which expired December 31, 2022, and

WHEREAS, it is necessary to extend the term of the aforementioned contract to June 30, 2023, to allow for time to rebid for 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 extension, on behalf of Cattaraugus County, with AdaptHealth, LLC, for the provision of the above-described services, to extend the term of the original contract which commenced February 27, 2019 to terminate June 30, 2023, according to the above-described terms.

Adopted January 25, 2023 by voice vote.

ACT NO. 54-2023 by Mr. VanRensselaer

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

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

WHEREAS, Act 302-2021 authorized the Chair to execute grant documents with the New York State Department of Health and Health Research, Inc., for the Public Health Corps Fellowship Program, to accept funding in the total amount of \$1,234,988.00 for a two (2) year period, and

WHEREAS, the County Health Department has been awarded additional funding in the amount of \$617,676.00 for the aforementioned Program, for a total contract amount of \$1,852,664.00, and

WHEREAS, a contract amendment is necessary in order to accept and receive the aforementioned additional federal funding, and to extend the contract end date to June 30, 2024, and

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

WHEREAS, various appropriation and revenue accounts must be adjusted in order to accommodate the additional funding, 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 Department of Health and Health Research, Inc., in order to accept and receive the aforementioned additional grant

funding for the Public Health Corps Fellowship Program, for the contract period September 1, 2021 through June 30, 2024, 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.401.4096.0000.4401.13	Fed Aid, Public Health PH Corps	\$308,838.00
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Increase Appropriation Accounts:

A.401.4096.0000.12000	PH Corps Grant – Part Time	\$222,158.31
A.401.4096.0000.13000	PH Corps Grant – Overtime	\$ 10,000.00
A.401.4096.0000.81000	PH Corps Grant – FICA	\$ 16,995.11
A.401.4096.0000.82000	PH Corps Grant – Retirement	\$ 18,216.99
A.401.4096.0000.83000	PH Corps Grant – Health Insurance	\$ 12,732.59
A.401.4096.0000.84000	PH Corps Grant – Dental	\$ 1,146.00
A.401.4096.0000.46102	PH Corps Grant – Employee Mileage	\$ 10,000.00
A.401.4096.0000.20006	PH Corps Grant – Computers	\$ 2,545.00
A.401.4096.0000.46106	PH Corps Grant – Training	\$ 10,000.00
A.401.4096.0000.46108	PH Corps Grant – Cell Phones	\$ 2,500.00
A.401.4096.0000.47002	PH Corps Grant – Office Supplies	\$ 2,544.00.

Adopted January 25, 2023 by voice vote.

ACT NO. 55-2023 by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
HOMECARE & HOSPICE FOR HEALTH DEPARTMENT
EMERGENCY LPN SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, the Health Department is in need of licensed practical nursing (LPN) services for emergency situations, and

WHEREAS, HomeCare & Hospice, 1225 West State Street, Olean, New York 14760, can provide LPN services on an emergent and as-needed basis for an amount of \$43.00 per hour, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned emergency LPN 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 HomeCare & Hospice, for the provision of the above-described services, for a term commencing January 17, 2023 and terminating December 31, 2023, according to the above-described terms.

Adopted January 25, 2023 by voice vote.

ACT NO. 56-2023 by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
HEALTH RESEARCH, INC. FOR PUBLIC HEALTH
PREPAREDNESS AND RESPONSE TO BIOTERRORISM**

Pursuant to Section 301 et seq. of the Public Health Service Act and
Section 450 of the County Law.

WHEREAS, Act 433-2021 authorized a contract with Health Research, Inc., in order to accept funding for the next phase of the terrorism emergency response and preparedness plan, the term of which expired June 30, 2022, and

WHEREAS, the County Health Department has been awarded funding through Health Research, Inc., Riverview Center, 150 Broadway, Suite 280, Menands, New York 12204, in the total contract amount of \$1,077,196.00, with a maximum reimbursement of \$77,196.00, for the period commencing July 1, 2022 and terminating June 30, 2023, and

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

WHEREAS, this program is 100% federally funded (CFDA# 93.069), 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 Health Research, Inc., in order to accept and receive the aforementioned grant funding, 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.

Adopted January 25, 2023 by voice vote.

ACT NO. 57-2023 by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT WITH
OLEAN FIRST PRESBYTERIAN CHURCH FOR
COUNTY OFFICE SPACE**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 545-2017 authorized a lease agreement with the Olean First Presbyterian Church, P.O. Box 1608, 212 Laurens Street, Olean, New York 14760, for approximately 4,588 square feet of space for the Department of Community Services, the term of which expired December 31, 2022, and

WHEREAS, the Department of Community Services is desirous of continuing a lease with the Olean First Presbyterian Church, and

WHEREAS, the Olean First Presbyterian Church has agreed to lease approximately 4,588 square feet of space to the County, for an amount of \$5.754 per square foot for a total cost of up to \$2,200.00 per month, which includes utilities, and

WHEREAS, the Olean First Presbyterian Church has further agreed to provide four (4) parking spaces with one being a handicapped parking space, 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 agreement, on behalf of Cattaraugus County, with the Olean First Presbyterian Church, for the leasing of County office space, for a term commencing January 1, 2023 and terminating December 31, 2025, with the option to renew for additional three (3) year periods with a 5% increase for each new three (3) year term, according to the above-described terms.

Adopted January 25, 2023 by voice vote.

ACT NO. 58-2023 by Mr. VanRensselaer

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

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

WHEREAS, Act 73-2022 authorized contracts with New York State Industries for the Disabled, Inc., for the provision of janitorial services at the PROS Facility and the Care Management Facility, located at 203 Laurens Street and 212 Laurens Street in the City of Olean, the terms of which expired December 31, 2022, and

WHEREAS, the Department of Community Services is desirous of renewing the aforementioned contracts, and

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

PROS Facility	\$19,973.52/year
203 Laurens Street	(subject to increase based upon NYSDOL
Olean, New York 14760	Prevailing Wage Rates)
Care Management Facility	\$11,389.17/year
212 Laurens Street	(subject to increase based upon NYSDOL
Olean, New York 14760	Prevailing Wage Rates),

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, between the Cattaraugus County Community Services Board and New York State

Industries for the Disabled, Inc., to signify the County's approval, for the provision of the above-described janitorial services, for a term commencing January 1, 2023 and terminating December 31, 2023, according to the above-described terms.

Adopted January 25, 2023 by voice vote.

ACT NO. 59-2023 by Mr. VanRensselaer

**APPROVING CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
DIRECTIONS IN INDEPENDENT LIVING, INC. FOR HEALTH HOME,
NON-MEDICAID CARE COORDINATION, MENTAL HEALTH CONSUMER ADVOCACY,
SUPPORT AND TRAINING PROGRAM**

Pursuant to Section 75.13 of the Mental Hygiene Law and
Section 450 of the County Law.

WHEREAS, Act 54-2022 authorized approval of a contract with Directions in Independent Living, Inc., 512 West State Street, Olean, New York 14760, for the provision of advocacy, support and training programs for consumers of mental health services, Health Home Care, and Non-Medicaid Care Coordination services, the term of which expired December 31, 2022, and

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

WHEREAS, Directions in Independent Living, Inc., can provide advocacy, support and training programs for consumers of mental health services, Health Home, and Non-Medicaid Care Coordination services for an amount not to exceed \$174,196.00 to be paid in quarterly installments, as invoiced, and

WHEREAS, this program is 100% state funded, 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 Directions in Independent Living, Inc., to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2023 and terminating December 31, 2023, 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 state aid funding or cost of living adjustments (COLAs) or reduction in funding 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 upon reduction of either state or federal funding for this program, the County, in its sole discretion, and upon notice, may reduce the rate for services provided by the percentage of reduction in state or federal funding, 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 January 25, 2023 by voice vote.

ACT NO. 60-2023 by Mr. VanRensselaer

APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND INTANDEM D/B/A CATTARAUGUS REHABILITATION CENTER, INC. FOR DEPARTMENT OF COMMUNITY SERVICES RESPITE SERVICES

Pursuant to Section 41.55 of the Mental Hygiene Law and Section 450 of the County Law.

WHEREAS, Act 482-2021 authorized a contract with Intandem d/b/a Cattaraugus Rehabilitation Center, Inc., 1439 Buffalo Street, Olean, New York 14760, for the provision of respite services for consumers of mental health services, the term of which expired December 31, 2022, and

WHEREAS, the Cattaraugus County Community Services Board is desirous of utilizing respite services for consumers of mental health services, and

WHEREAS, Intandem d/b/a Cattaraugus Rehabilitation Center, Inc., has agreed to provide the aforementioned respite services for an annual amount not to exceed \$12,139.00, to be paid on a monthly basis, as invoiced and in accordance with the current rate schedule, and

WHEREAS, this program is 86% state funded and 14% County funded, 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 Intandem d/b/a Cattaraugus Rehabilitation Center, Inc., to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2023 and terminating December 31, 2023, 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 state aid 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.

Adopted January 25, 2023 by voice vote.

ACT NO. 61-2023 by Mr. VanRensselaer

APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND SPECTRUM HUMAN SERVICES FOR ASSERTIVE COMMUNITY TREATMENT (ACT) TEAM

Pursuant to Section 41.13(a)(6) of the Mental Hygiene Law and Section 450 of the County Law.

WHEREAS, Act 48-2022 authorized approval of a contract with Mental Health Services Erie County Southeast Corporation V d/b/a Spectrum Human Services, 227 Thorn Avenue, Orchard Park, New York 14127, for the Cattaraugus County Community Services Board's acceptance of funding for the Assertive Community Treatment (ACT) Team, the term of which expired December 31, 2022, and

WHEREAS, the primary focus of the ACT Team is to deliver comprehensive and effective services to individuals who are diagnosed with a severe mental illness and whose needs have not been well met by more traditional service delivery approaches, and

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

WHEREAS, Mental Health Services Erie County Southeast Corporation V d/b/a Spectrum Human Services can operate a 48-slot ACT Team for the residents of Cattaraugus County for an amount of \$74,615.00, to be paid as invoiced, and

WHEREAS, this program is 100% state funded, 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 Mental Health Services Erie County Southeast Corporation V d/b/a Spectrum Human Services, to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2023 and terminating December 31, 2023, 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 state aid 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.

Adopted January 25, 2023 by voice vote.

ACT NO. 62-2023 by Mr. VanRensselaer

**APPROVING CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
SENECA NATION OF INDIANS FOR
CASE MANAGEMENT SERVICES FOR HOMELESS INDIVIDUALS WITH
CO-OCCURRING MENTAL HEALTH AND ADDICTION ISSUES**

Pursuant to 14 NYCRR 587.8(g) and Section 450 of the County Law.

WHEREAS, Act 50-2022 authorized approval for a contract with the Seneca Nation of Indians for case management services for homeless individuals with co-occurring mental health and addiction issues residing in Cattaraugus County, the term of which expired December 31, 2022, and

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

WHEREAS, the Seneca Nation of Indians, P.O. Box 231, 90 Ohi:Yo Way, Salamanca, New York 14779, can provide the aforementioned case management services for such homeless Seneca Nation of Indians individuals residing in Cattaraugus County, for an amount not to exceed \$52,947.00, to be paid as invoiced, and

WHEREAS, this program is 100% state funded, 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 Seneca Nation of Indians, to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2023 and terminating December 31, 2023, 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 state aid funding or cost of living adjustments (COLAs) or reduction in funding 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 upon reduction of either state or federal funding for this program, the County, in its sole discretion, and upon notice, may reduce the rate for services provided by the percentage of reduction in state or federal funding, 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 January 25, 2023 by voice vote.

ACT NO. 63-2023 by Mr. VanRensselaer

**APPROVING CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
CATHOLIC CHARITIES OF BUFFALO NEW YORK FOR HEALTH HOME CARE
MANAGEMENT SERVICES FOR CHILDREN**

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

WHEREAS, Act 55-2022 authorized approval of a contract with Catholic Charities of Buffalo New York, 525 Washington Street, Buffalo, New York 14203, for the provision of health home care management services for Cattaraugus County children, the term of which expired December 31, 2022, and

WHEREAS, the Department of Community Services is desirous of providing health home care management services to children, and

WHEREAS, Catholic Charities of Buffalo New York can provide health home care management services to children for an amount not to exceed \$42,892.00, to be paid in quarterly installments as invoiced, and

WHEREAS, this program is 100% state funded, 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 Catholic Charities of Buffalo New York, to signify the County's approval, for the provision of health home care management services for children, for a term commencing January 1, 2023 and terminating December 31, 2023, 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 state aid funding or cost of living adjustments (COLAs) or reduction in funding 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 upon reduction of either state or federal funding for this program, the County, in its sole discretion, and upon notice, may reduce the rate for services provided by the percentage of reduction in state or federal funding, 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 January 25, 2023 by voice vote.

ACT NO. 64-2023 by Mr. VanRensselaer

**APPROVING CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
SOUTHERN TIER ENVIRONMENTS FOR LIVING, INC. FOR
VARIOUS MENTAL HEALTH PROGRAMS**

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

WHEREAS, Act 49-2022 authorized approval of a contract with Southern Tier Environments for Living, Inc., (S.T.E.L.), 715 Central Avenue, Dunkirk, New York 14048, for the provision of Health Home Care Coordination and supported housing services for mentally ill individuals, the term of which expired December 31, 2022, and

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

WHEREAS, S.T.E.L., Inc., has agreed to provide Health Home Care Coordination Services and Supported Housing and Rental Assistance for a total amount not to exceed \$221,408.00, to be paid as invoiced, and

WHEREAS, this program is 100% state funded, 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 S.T.E.L., Inc., to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2023 and terminating December 31, 2023, 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 state aid funding or cost of living adjustments (COLAs) or reduction in funding 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 upon reduction of either state or federal funding for this program, the County, in its sole discretion, and upon notice, may reduce the rate for services provided by the percentage of reduction in state or federal funding, 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 January 25, 2023 by voice vote.

ACT NO. 65-2023 by Mr. VanRensselaer

**APPROVING CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
OLEAN GENERAL HOSPITAL FOR OPERATION OF
A 24-HOUR TELEPHONE CRISIS HOTLINE**

Pursuant to Chapter 119 of the Laws of 1997 and
Section 41.13(6) of the Mental Hygiene Law.

WHEREAS, Act 51-2022 authorized approval for a contract between the Cattaraugus County Community Services Board and the Olean General Hospital for the operation of a 24-hour telephone crisis hotline to service the residents of Cattaraugus County, the term of which expired December 31, 2022, and

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

WHEREAS, the Olean General Hospital, 515 Main Street, Olean, New York 14760, can operate a 24-hour telephone crisis hotline to service the residents of Cattaraugus County, and

WHEREAS, the County shall pay to Olean General Hospital an amount not to exceed \$143,279.00 for such purpose, to be paid on a quarterly basis as invoiced, and

WHEREAS, this program is 100% state 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, between the Cattaraugus County Community Services Board and Olean General Hospital, to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2023 and terminating December 31, 2023, 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 state aid 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.

Adopted January 25, 2023 by voice vote.

ACT NO. 66-2023 by Mr. VanRensselaer

**APPROVING CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
RECOVERY OPTIONS MADE EASY, INC. D/B/A
HOUSING OPTIONS MADE EASY, INC. FOR VARIOUS SERVICES,
SERVING AS THE LEAD AGENCY FOR RECOVERY CENTER SERVICES**

Pursuant to Sections 41.47 and 41.55 of the Mental Hygiene Law
and Section 450 of the County Law.

WHEREAS, Act 53-2022 authorized approval of a contract with Recovery Options Made Easy, Inc. d/b/a Housing Options Made Easy, Inc. (HOME), 75 Jamestown Street, Gowanda, New York 14070, for supported housing for mentally ill people, the provision of a consumer operated client systems advocacy service, and the operation of a telephone “warm” line, innovative vocational services, non-Medicaid Care coordination, as well as serving as the lead agency for Recovery Center Services, the term of which expired December 31, 2022, and

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

WHEREAS, HOME can provide the aforementioned various services for mentally ill people in Cattaraugus County for an amount not to exceed \$1,138,208.00, to be paid in quarterly installments as invoiced, and

WHEREAS, the 2023 County budget provides for the payment of \$1,138,208.00 to HOME for the aforementioned programs, and

WHEREAS, the above programs are funded through 100% state funds with a net County cost of zero, 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 Recovery Options Made Easy, Inc. d/b/a Housing Options Made Easy, Inc., to signify the County’s approval, for the provision of the above-mentioned programs, for a term commencing January 1, 2023 and terminating December 31, 2023, 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 state aid funding or cost of living adjustments (COLAs) or reduction in funding 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 upon reduction of either state or federal funding for this program, the County, in its sole discretion, and upon notice, may reduce the rate for services provided by the percentage of reduction in state or federal funding, 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 January 25, 2023 by voice vote.

ACT NO. 67-2023 by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
OUTREACHSYSTEMS FOR SOFTSHARE BID MATCH SERVICES FOR
PROCUREMENT TECHNICAL ASSISTANCE PROGRAM**

Pursuant to 10 USCS 4211 and Section 450 of the County Law.

WHEREAS, Act 69-2022 authorized a contract with OutreachSystems for the provision of governmental bid opportunities to clients of the County's Procurement Technical Assistance Program, for an amount of \$7,250.00, the term of which expires January 31, 2023, and

WHEREAS, the Department of Economic Development, Planning and Tourism is desirous of continuing the aforementioned services, and

WHEREAS, OutreachSystems, 5385 Hollister Avenue, Santa Barbara, California 93111, has agreed to continue providing governmental bid opportunities to clients of the County's Procurement Technical Assistance Program for an amount of \$9,000.00, to be paid as invoiced, and

WHEREAS, sufficient funds are included in the 2023 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with OutreachSystems, for the provision of the above-described services, for a term commencing February 1, 2023 and terminating January 31, 2024, according to the above-described terms.

Adopted January 25, 2023 by voice vote.

ACT NO. 68-2023 by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
BROCHURES UNLIMITED FOR
DISTRIBUTION OF BROCHURES
(Enchanted Mountains of Cattaraugus County)**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Economic Development, Planning and Tourism is desirous of distributing brochures to promote Cattaraugus County, and

WHEREAS, Brochures Unlimited, 340 Parma-Center Road, Hilton, New York 14468, can distribute 33,500 copies of the Enchanted Mountains of Cattaraugus County brochure for an amount of \$13,903.00, 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 Brochures Unlimited, for the provision of the above-described brochures, for a term commencing January 1, 2023 and terminating December 31, 2023, according to the above-described terms.

Adopted January 25, 2023 by voice vote.

ACT NO. 69-2023 by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
VARIOUS ENTITIES FOR TOURISM PROMOTION**

Pursuant to Sections 224(14) and 450 of the County Law and
Local Law Number 20-2003 (Intro Number 21-2003).

WHEREAS, Act 528-2017 established the allocation of a portion of the Cattaraugus County hotel and motel tax to the various municipalities, and

WHEREAS, Act 38-2022 authorized contracts with various municipalities for the promotion of tourism in Cattaraugus County, the terms of which expired December 31, 2022, and

WHEREAS, the Department of Economic Development, Planning and Tourism is desirous of continuing the promotion of tourism in Cattaraugus County, and

WHEREAS, the three (3) entities listed below shall collectively receive funding in the amount of \$214,742.00 for the promotion of tourism in Cattaraugus County, as follows:

Ellicottville Chamber of Commerce	\$122,403.00
Greater Olean, Inc., d/b/a	\$ 62,275.00
Greater Olean Area Chamber of Commerce	
Seneca Salamanca Area Chamber of Commerce	\$ 30,064.00,

and

WHEREAS, in order to assist the County with tourism promotion, each of the three (3) chambers listed above will assist, in cooperation with the Cattaraugus County Department of Economic Development, Planning and Tourism, with promotion of events and festivals in their respective areas as outlined below:

- Ellicottville Chamber of Commerce – Greater Ellicottville area, including Village and Town of Ellicottville, West Valley and the Otto area;
- Greater Olean Area Chamber of Commerce – Greater Olean area, including the City and Town of Olean, the Town and Village of Allegany, Pfeiffer Nature, Bonagany, Olean Airport, Hinsdale Heritage Day and Portville Heritage Day;
- Seneca Salamanca Area Chamber of Commerce – Greater Salamanca area, including the City and Town of Salamanca, Little Valley and Great Valley,

and

WHEREAS, the above-listed entities have agreed to utilize funding for the promotion of tourism in Cattaraugus County in the following categories:

- Radio advertising, local and regional
- Television advertising, local and regional
- Production costs associated with approved advertising media
- Advertising in newspaper, magazine, travel guide, newsletter, and special edition inserts
- Website development and upgrades including purchase of search engine key words
- Outdoor advertising
- Direct response & direct mail advertising
- Brochure development and printing
- Paid distribution of brochures and travel guides
- Development and promotion of special "travel & trip packages"
- Use of professional public relation firms,

and

WHEREAS, the above-listed entities will return any unexpended funds to the County by January 10, 2024, and

WHEREAS, the Cattaraugus County Legislature hereby determines that the Department of Economic Development, Planning and Tourism should expend an additional amount not to exceed \$143,161.00 during the year 2023 to defray advertising costs or other expenses incurred for various county-wide festivals, events and other tourism marketing initiatives, 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 contracts, on behalf of Cattaraugus County, with the above-listed various entities, for the provision of the above-described tourism promotion services, for a term commencing January 1, 2023 and terminating December 31, 2023, according to the above-described terms, and be it further

RESOLVED, that the Department of Economic Development, Planning and Tourism is hereby authorized to expend such amounts as may be deemed necessary during the year 2023, not to exceed a total of \$357,903.00, to cover the cost of tourism promotion services and defray advertising costs or other expenses incurred or to be incurred by the organizations and events listed above.

Adopted January 25, 2023 by voice vote.

ACT NO. 70-2023 by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
H. SICHERMAN/THE HARRISON STUDIO FOR
GRANT WRITING TECHNICAL ASSISTANCE**

Pursuant to Title I of the Housing and Community Development Act of 1974, as amended, and Section 450 of the County Law.

WHEREAS, Act 34-2022 authorized a contract with H. Sicherman/The Harrison Studio, 160 Washburn Street, Suite 200, P.O. Box 473, Lockport, New York 14095, for the provision of technical assistance for grant writing for various programs, the term of which expired December 31, 2022, and

WHEREAS, the Department of Economic Development, Planning and Tourism is desirous of continuing the aforementioned grant writing technical assistance services, and

WHEREAS, H. Sicherman/The Harrison Studio can continue providing technical assistance for grant writing services for an amount not to exceed \$10,000.00, which will be billed at the following rates and paid as invoiced:

Harry Sicherman	\$185/hour
R. Charles Bell	\$165/hour
Michael Zimmerman	\$145/hour
Diane Church	\$145/hour
Michael Thomas	\$145/hour
Greg Merriam, II	\$130/hour
Karen Burke	\$110/hour
Rate in Travel Status	\$80/hour (all personnel),

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 H. Sicherman/The Harrison Studio for the provision of the above-described services, for a term commencing January 1, 2023 and terminating December 31, 2023, according to the above-described terms.

Adopted January 25, 2023 by voice vote.

ACT NO. 71-2023 by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
H. SICHERMAN/THE HARRISON STUDIO FOR HUD SMALL CITIES COMMUNITY
DEVELOPMENT BLOCK GRANT ADMINISTRATION SERVICES**

Pursuant to 42 USCS 5303 and Section 450 of the County Law.

WHEREAS, Act 35-2022 authorized a contract with H. Sicherman & Company, Inc., for assistance in the administration of the Microenterprise Development Revolving Loan Fund, the term of which expired December 31, 2022, and

WHEREAS, the County is the recipient of United States Department of Housing and Urban Development (HUD) Small Cities Community Development Block Grant funds and has an existing Microenterprise Development Revolving Loan Fund portfolio to maintain, and

WHEREAS, the Small Cities Community Development Block Grant was obtained for the purpose of establishing and continuing a Microenterprise Development Revolving Loan Fund, Microenterprise Outreach Program and Microenterprise Business Education Program, and

WHEREAS, the County shall administer the Microenterprise Development Revolving Loan Fund portfolio, and

WHEREAS, H. Sicherman/The Harrison Studio, 160 Washburn Street, Suite 200, P.O. Box 473, Lockport, New York 14095, shall provide technical assistance on program administration, loan reviews and credit analyses for the loan committee for the Microenterprise Development Revolving Loan Fund portfolio for an amount not to exceed \$7,000.00 per year, which will be billed at the following rates and paid as invoiced:

Harry Sicherman	\$185/hour
R. Charles Bell	\$165/hour
Michael Zimmerman	\$145/hour
Diane Church	\$145/hour
Michael Thomas	\$145/hour
Greg Merriam, II	\$130/hour
Karen Burke	\$110/hour
Rate in Travel Status	\$80/hour (all personnel),

and

WHEREAS, unused balances of previous Community Development Block Grant funds, as well as program income from loan repayments, will be used for the Microenterprise Development Revolving Loan Fund for the microenterprises in the County, less administrative expenses identified above, 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 H. Sicherman/The Harrison Studio for the administration and management of the above-referenced grant application, for a term commencing January 1, 2023 and terminating December 31, 2023, according to the above-described terms, and be it further

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

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

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

Adopted January 25, 2023 by voice vote.

ACT NO. 72-2023 by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
THE INSTITUTE FOR FORENSIC PSYCHOLOGY FOR
PSYCHOLOGICAL TESTING FOR PROBATION DEPARTMENT**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 348-2022 authorized a contract with The Institute for Forensic Psychology, 5 Fir Court, Suite 2, Oakland, New Jersey 07436, for the provision of psychological testing services for newly hired and existing employees in the Probation Department, the term of which expired December 31, 2022, and

WHEREAS, the Probation Department is desirous of renewing the aforementioned contract, and

WHEREAS, The Institute for Forensic Psychology will continue to provide the psychological testing services for newly hired and existing employees in the Probation Department as needed by the County, in accordance with the following:

Post-Offer Evaluation (for existing staff)

- Includes several different questionnaires (CPI, HPI, etc.), tailored to job duties with descriptors, rather than comparison to other candidates;
- Questionnaires and interviews would be held in Olean initially, with new hires going to Rochester - \$400.00 per evaluation

Bifurcated Model (for new hires)

- Initial, non-medical screening, pre-offer, addressing personality traits (integrity, responsibility, interpersonal skills) – no interview - \$200.00/screening
- Secondary, psychological, post-offer – interview - \$200.00/screening,

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 The Institute for Forensic Psychology, for the

provision of the above-described services, for a term commencing January 1, 2023, to continue in full force and effect at the same rates, terms and conditions, until terminated by either party hereto, according to the above-described terms.

Adopted January 25, 2023 by voice vote.

ACT NO. 73-2023 by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT
WITH OLEAN 2020, LLC FOR
OFFICE SPACE FOR PUBLIC DEFENDER**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 162-2009, as amended, authorized a lease agreement with Park Centre Development, Inc., for the leasing of approximately 4,100 square feet of office space located at 175 North Union Street, Olean, New York, for the Public Defender's Office, at a rate of \$4,612.50 per month, plus utilities, and

WHEREAS, the Office of the Public Defender is desirous of leasing additional office space, and

WHEREAS, Olean 2020, LLC, as successor-in-interest to Park Centre Development, Inc., 295 Main Street, Suite 700, Buffalo, New York 14203, has agreed to lease an additional 1,650 square feet of space, bringing the total square footage of leased space to 5,750 square feet for a total monthly amount of \$7,667.00, plus utilities, and

WHEREAS, a new lease agreement is necessary to include the additional 1,650 square feet of space, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease agreement, on behalf of Cattaraugus County, with Olean 2020, LLC, as successor-in-interest to Park Centre Development, Inc., for the Public Defender's Office, for a term commencing as of the Expansion Space Commencement Date and terminating five years thereafter, with an option to renew for an additional five (5) year period with rent to be mutually agreed upon between the parties, and in accordance with the same terms and conditions of the lease, according to the above-described terms, and be it further

RESOLVED, that this lease hereby supersedes the lease authorized by Act 162-2009, dated May 27, 2009.

MR. BRISKY moved, seconded by Ms. Schröder, to refer Act No. 73-2023 to the County Operations/Public Safety Committee and the Finance Committee. Carried.

ACT NO. 74-2023 by Mr. VanRensselaer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
TOWN OF ALLEGANY FOR ASSESSMENT SERVICES**

Pursuant to Section 1537(4) of the Real Property Tax Law
and Section 450 of the County Law.

WHEREAS, Real Property Tax Law Section 1537(4) authorizes municipalities which have adopted a resolution subject to permissive referendum providing for a single appointed assessor to enter into an agreement with a county for assessment services, and

WHEREAS, the Cattaraugus County Real Property Tax Service Office has the ability to provide assessment services to municipalities within the County that request such services, and

WHEREAS, a municipal cooperation agreement between the Town of Allegany and the County is necessary, and

WHEREAS, the County Real Property Tax Service Office shall provide the aforementioned assessment services to the Town of Allegany in accordance with the following fee schedule:

<u>Fee</u>	<u>Year</u>
\$5,143.50	2022
\$15,155.50	2023
\$15,458.50	2024
\$11,825.50	2025,

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 Town of Allegany, for the provision of the above-described assessment services, for a term commencing September 1, 2022 and terminating September 30, 2025, according to the above-described terms.

Adopted January 25, 2023 by voice vote.

ACT NO. 75-2023 by Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
THOMAS C. BRADY, ESQ. FOR INDIGENT LEGAL SERVICES
TRAINING COORDINATOR/RESOURCE ATTORNEY SERVICES**

Pursuant to Executive Law Section 832 (4), Article 18-B of the County Law
and Section 450 of the County Law.

WHEREAS, Act 369-2019 authorized a five-year contract with the New York State Office of Indigent Legal Services for the Statewide Expansion of the Hurrell-Harring Reform Grant, which includes a requirement that an attorney having significant trial experience act as Training Coordinator/Resource Attorney, and

WHEREAS, Thomas C. Brady, Esq., whose office address is 41 Main Street, Salamanca, New York 14779, has agreed to act as the Training Coordinator/Resource Attorney and provide the legal services required under the Hurrell-Harring Reform Grant for an annual amount of \$54,600.00, to be paid in monthly installments of \$4,550.00, and

WHEREAS, sufficient funds are included in the Hurrell-Harring 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 Thomas C. Brady, Esq., for the provision of the above-described legal services, for a term commencing February 1, 2023 and terminating March 31, 2024, according to the above-described terms.

Adopted January 25, 2023 by voice vote.

ACT NO. 76-2023 by Mr. Burr
*and Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky,
 Mr. Helmich, Mr. Higgins, Mrs. Hunt, Mr. Klancer, Mr. Marsh, Mr. Morrow,
 Mr. Parker, Ms. Schröder, Mr. Smith, Mr. Snyder, Mr. VanRensselaer and Mr. Koch¹*

**OPPOSING GOVERNOR HOCHUL'S
 BAN OF GAS STOVES AND OTHER NEW FOSSIL FUEL HEATING EQUIPMENT**

Pursuant to Section 153 of the County Law.

WHEREAS, Governor Hochul's State-of-the-State address contained a proposal to prohibit the sale of new fossil fuel powered heating systems by 2030 for smaller buildings and by 2035 for larger buildings, and

WHEREAS, Governor Hochul is further calling for zero-emission new construction, with no on-site fossil fuel combustion by 2025 for smaller buildings and by 2028 for larger buildings, and

WHEREAS, President Biden and the White House have come out against any prohibition of gas stoves, and

WHEREAS, the Governor's ban is intended to help address climate change, but this government mandate is more of a burden on our region's working-class residents and will have a devastating effect on restaurants, businesses and manufacturing facilities when they have to convert to all electric, and

WHEREAS, the cost to convert a house to electric will result in a cost between \$20,000 - \$50,000 per household and would not include any kind of backup system in the event of a power outage, and

WHEREAS, the conversion to electric will create unnecessary financial burden and hardship for businesses that compete on a national or global level, and

WHEREAS, the ban will push a lot of businesses out of state and will contribute to accelerated population loss for those that are fed up with high taxes, the high cost of living, unreasonable government mandates, reckless spending by the government, and unrealistic environmental mandates not consistent with our geographic region, and

WHEREAS, a ban on natural gas appliances and water heaters is not feasible for Western New York with harsh winter weather and an exposed electrical infrastructure; appliances used to heat water and cook food need to work during power outages especially during times of inclement weather, and

WHEREAS, this past December saw a blizzard rip through the Buffalo Metro Area leaving tens of thousands of residents stuck in their home without power, many for several days; gas appliances, fed by a more resilient infrastructure, allowed those residents to heat their homes, boil water, and safely cook their food during the days needed to clear the roads and restore electricity;

more than 40 people died during this storm - some froze to death; many more would have suffered if they had to rely on a power grid for cooking and emergency heating, and

WHEREAS, current technology, that is expected to replace gas appliances, such as space heating, does not work well in our climate; this fact was noted in the recent Climate Action Council's report which proposed requiring two heating sources for New York Residents who live in areas that are frequently too cold, and

WHEREAS, electrical appliances have more moving parts and are expensive to maintain and repair, and

WHEREAS, all electric appliances have been shown to be less efficient and therefore cost more to generate the same amount of heat than natural gas fed appliances, and

WHEREAS, mandating the purchase of electrical appliances is an unnecessary burden we are placing on families across New York State at a time when the cost of living has significantly outpaced wage growth, and

WHEREAS, with the higher costs, energy bills will go through the roof for residents, further exacerbating the recent price spikes in food, transportation, and general merchandise, and

WHEREAS, as we have seen with California's recent push to make everything electric, this government mandate will likely lead to an increased strain on our state's electrical grid leading to black outs and rationing, which is especially dangerous with the winter weather we routinely experience, and

WHEREAS, the costs to bury power lines, increase renewable energy infrastructure, and increase the capacity of transformers will be passed on directly to consumers in the form of increased energy costs, and

WHEREAS, individual homes, especially those in older housing stock like Buffalo, will be forced to conduct costly in-home electrical panel upgrades to accommodate the increased demand from their appliances, and

WHEREAS, the ban on fossil-fuel powered heating equipment and appliances will cause severe hardship on the residents and businesses within Cattaraugus County and Western New York, and

WHEREAS, the Cattaraugus County Legislature condemns the New York State Legislature and Governor Hochul for continuing to pass hypocritical and nonsensical environmental laws which burden the working-class citizens of this county and state all the while ignoring the largest source of pollution - China, a country that has virtually no environmental protections and continues to be irresponsible and indefensible with environmental policies which ultimately end up subsidized by United States consumers through the purchase of hundreds-of-billions of imports much of which are brought to market through New York City ports, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby vehemently opposes the Governor's plan to ban natural gas heating and appliances as not feasible or warranted for Cattaraugus County and much of Western New York, and be it further

RESOLVED, that the Cattaraugus County Legislature hereby strongly urges Governor Hochul and the New York State Legislature to fully examine the real life impact their decisions will have for all New Yorkers, especially those least able to afford them, and be it further

III. RESOLVED, that certified copies of this resolution be forwarded to Governor Hochul, the Western New York Delegation to the New York State Senate and Assembly, New York State Association of Counties, and any other party deemed necessary and proper.

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

Adopted January 25, 2023 by voice vote.

ACT NO. 77-2023 by Mr. Benson and Mr. Helmich

**BID ACCEPTANCE FOR PRECAST CONCRETE BOX CULVERT
FOR FARMERSVILLE CULVERT NO. 7
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and
Sections 215 and 450 of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of a precast concrete box culvert for Farmersville Culvert No. 7, located on County Road No. 21 (Elton Road), in the Town of Farmersville, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications was the bid of Kistner Concrete Products, Inc., 8713 Read Road, P.O. Box 218, East Pembroke, New York 14056, for the provision of a precast concrete box culvert for Farmersville Culvert No. 7, for an amount of \$104,190.00, to be paid as invoiced, and

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

RESOLVED, that the bid of Kistner Concrete Products, Inc., be, and the same hereby is, accepted, for a term commencing upon Notice of Award with shop drawings submitted within ten (10) working days after the execution of the contract with delivery anticipated on August 8, 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.

Four sets of specifications were sent out.

Three bids were received which met specifications.

Adopted January 25, 2023 by voice vote.

ACT NO. 78-2023 by Mr. Klancer

**AUTHORIZING COUNTY CLERK TO REQUEST RETENTION OF
ADDITIONAL EXPENSES FOR MORTGAGE TAX RECORDING**

Pursuant to Section 262 of the Tax Law.

WHEREAS, Act 554-2014 authorized the County Clerk to request retention of \$14,447.56 a month for mortgage tax recording, and

WHEREAS, the County Clerk’s Office would be entitled to increased funds for its expenses, if the County Legislature requests the New York State Tax Commission for such an increase, and

WHEREAS, the Tax Commission has requested that Cattaraugus County provide the Commission with the amount that the County desires to retain for those expenses, now, therefore, be it

RESOLVED, that Cattaraugus County hereby requests that \$19,386.50 per month be retained by the County for the following necessary expenditures for mortgage tax recording:

Personnel Costs	\$167,391.90
Non-Personnel Costs	<u>\$ 65,246.10</u>
Total Annual Costs	\$232,638.00,

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to the New York State Tax Commission and the New York State Department of Audit and Control.

Adopted January 25, 2023 by voice vote.

ACT NO. 79-2023 by Mr. Brisky and Ms. Schröder

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR
CRIMINAL JUSTICE DISCOVERY REFORM GRANT
(Contract #C460063)**

Pursuant to Section 450 of the County Law.

WHEREAS, the County has been notified by the New York State Division of Criminal Justice Services (DCJS) that funding up to \$341,379.00 is available to support local law enforcement agencies with expenses related to the implementation of discovery and bail reforms that took effect January 1, 2020, and

WHEREAS, funding is contingent upon submission by the County, and subsequent DCJS approval, of a Discovery Reform Funding Plan, and

WHEREAS, it is necessary to execute grant documents with the New York State Division of Criminal Justice Services in order to apply for, and accept, the aforementioned funding, and

WHEREAS, this program is 100% state funded, 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 Criminal Justice Services, in order to apply for, and accept, the above-described 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.

Adopted January 25, 2023 by voice vote.

* * * * *

MR. BENSON moved, seconded by Mr. Burr, to adjourn until February 8, 2023 at 5:00 p.m.
Carried.

Meeting adjourned at 5:18 p.m.

Ann M. Giglio
Journal Clerk