

January 24, 2024

The meeting was called to order by Chairman Burr.

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed one Legislator absent - Hunt.

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COMMUNICATIONS:

Letter of Disclosure From:

Mrs. Kelly J. Andreano
Mr. Michael M. Brisky
Mr. M. Andrew Burr
Mr. Timothy J. Nagle

Dear Legislators:

This letter is to advise you that I am the duly elected, qualified and acting Majority Leader and County Legislator of District #5 of the Cattaraugus County Legislature.

It is to further advise you that I am employed by the Olean City School District as Chair of the Committee on Preschool Education and Speech. Cattaraugus County contracts with the Olean City School District for Preschool Special Education services.

This letter is intended as a written disclosure of my official capacities as required by Section 803 of the General Municipal Law.

Sincerely,
Kelly J. Andreano, County Legislator

Dear Legislators:

This letter is to advise you that I am the duly elected, qualified and acting County Legislator of District #2 and Vice Chairman of the Cattaraugus County Legislature.

It is to further advise you that my mother, Kelle Brisky, is employed by Cattaraugus County as the Republican Deputy Commissioner at the Board of Elections, and that her employment with Cattaraugus County preceded my service as a Legislator by many years. I further advise that my sister, Danielle Wing, is employed by Cattaraugus County as a Clerk at the Board of Elections..

It is to further advise you that my company, RMJB Property LLC, owns and operates a number of rental units in Cattaraugus County, and in connection therewith, I do at times rent to people who receive assistance from the Cattaraugus County Department of Social Services. Therefore, I am occasionally reimbursed indirectly for the rent of said individuals who receive benefits from the Department of Social Services.

This letter is intended as a written disclosure of my official capacities as required by Section 803 of the General Municipal Law.

Sincerely,
Michael M. Brisky, County Legislator

Dear Legislators:

This letter is to advise you that I am the duly elected, qualified and acting County Chairman and County Legislator of District #1 of the Cattaraugus County Legislature.

This is to advise that I serve as a Vice-President at Gernatt Family of Companies. I provide strategic oversight and financial management services on an as needed basis to the Gernatt Companies.

It is to further advise that I serve on the Board of Directors at Brooks-TLC Hospital System, which includes the assets of the former Brooks Memorial Hospital and TLC Health Network.

It is to further advise that I serve as a volunteer financial committee member for the Village of Gowanda.

It is to further advise that my father, Mark C. Burr, serves as President of Gowanda's Historic Hollywood Theater, Ltd., which is a not-for-profit organization that has received money from Cattaraugus County.

It is to further advise that I serve as Vice-Chairman of the Cattaraugus County Republican Committee.

This letter is intended as a written disclosure of my official capacities as required by Section 803 of the General Municipal Law.

Sincerely,
M. Andrew Burr, County Legislator

Dear Legislators:

This letter is to advise you that I am the duly elected, qualified and acting County Legislator of District #3 of the Cattaraugus County Legislature.

It is to further advise you that I rent to Chautauqua Opportunity clients that may or may not receive assistance from the Cattaraugus County Department of Social Services.

This letter is intended as a written disclosure of my official capacities as required by Section 803 of the General Municipal Law.

Sincerely,
Timothy J. Nagle, County Legislator

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APPOINTMENTS:

2024 Standing Committees Appointed by Chairman

* Chair
** Vice Chair

Finance: *Brisky, **Marsh, Andreano, Benson, Boberg, Higgins, Parker

County Operations/Public Safety: *Boberg, **Hunt, Nagle, Stoltenberg, Teachman

Development & Agriculture: *Marsh, **Higgins, Benson, Hunt, Smith

Human Services: *Andreano, **Helmich, Nagle, Schröder, Smith

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

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

Legislative Representatives

Aging Advisory Council: Smith (*one-year term to expire December 31, 2024*)

Agriculture & Farmland Protection Board: Boberg (*four-year term to expire December 31, 2027*)

Arson Task Force: Nagle (*four-year term to expire December 31, 2027*)

Criminal Justice Coordinating Advisory Council: Boberg, Hunt (*four-year terms to expire December 31, 2027*)

Emergency Services Board: Nagle, Parker (*Ex-Officio Members*)

Federated Sportsmen's Association: Helmich, Marsh (*one-year terms to expire December 31, 2024*)

Fleet Management: Parker, Teachman (*four-year terms to expire December 31, 2027*)

Friends of the Nursing Home: Smith (*four-year term to expire December 31, 2027*)

Heroin/Opioid Task Force: Andreano, Nagle, Schröder (*four-year terms to expire December 31, 2027*)

Land Bank Corporation Board: Helmich, Higgins, Marsh, Nagle *(four-year terms to expire December 31, 2027)*

Long Term Care Advisory: Andreano, Helmich, Schröder *(four-year terms to expire December 31, 2027)*

Nursing Home Quality Assurance Committee: Helmich, Smith *(four-year terms to expire December 31, 2027)*

Region 9 Fish & Wildlife Management Board: Helmich, Marsh *(two-year terms to expire December 31, 2025)*

Route 219 Corridor Development: Boberg, Helmich, Hunt *(four-year terms to expire December 31, 2027)*

Town Supervisors Association: Brisky, Parker *(one-year terms to expire December 31, 2024)*

Thatcher Brook Task Force: Burr, Stoltenberg *(four-year terms to expire December 31, 2027)*

Traffic Safety Board: Boberg *(three-year term to expire December 31, 2026)*

Village Officials Association: Marsh, Stoltenberg *(one-year terms to expire December 31, 2024)*

Youth Board: Teachman *(four-year term to expire December 31, 2027)*

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There being no amendments or objections thereto, Chairman Burr noted that the minutes of the January 3, 2024 session stand approved as presented.

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PUBLIC HEARING:

CHAIRMAN BURR announced this is the time and place called for a public hearing on **Local Law Number 1-2024, A Local Law Establishing Fee Schedule for Processing Certain Tax Title Property**, and that anyone wishing to speak for or against this may now do so.

There being no one wishing to speak, CHAIRMAN VANRENSELAER declared the public hearing closed.

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CHAIRMAN BURR called up **Act No. 34-2024, Local Law Number 1-2024**, A Local Law Establishing Fee Schedule for Processing Certain Tax Title Property, and asked that it be read.

CHAIRMAN BURR requested a Roll Call vote on Act No. 34-2024, which disclosed as follows:

Ayes: Andreano, Benson, Boberg, Brisky, Burr, Helmich, Higgins, Marsh, Nagle, Parker, Schröder, Smith, Stoltenberg, Teachman -14.

Nays: none.

Act No. 34-2024, Local Law Number 1-2024, having received a majority vote of the Legislature, was declared Adopted.

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ACT NO. 43-2024 by Mr. Burr

APPOINTMENT OF CATTARAUGUS COUNTY CAPITAL RESOURCE CORPORATION MEMBER

Pursuant to Section 153 of the County Law.

RESOLVED, that the following individual is appointed to the Cattaraugus County Capital Resource Corporation in accordance with the terms of Act 259-2009:

Thomas Cullen

Director, SBU Innovation Center

(replacing John Stahley),

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 Capital Resource Corporation.

Adopted January 24, 2024 by voice vote.

ACT NO. 44-2024 by Mrs. Andreano, Mr. Brisky, Mr. Burr and Mr. Higgins

**APPOINTMENT TO JAMESTOWN COMMUNITY COLLEGE
REGIONAL BOARD OF TRUSTEES**

Pursuant to Section 6310(1-a) of the Education Law.

RESOLVED, John Stitt is hereby appointed to the Jamestown Community College Regional Board of Trustees to fill a vacancy due to the resignation of John S. Stahley for the remainder of the seven-year term to expire June 30, 2028, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the President's Office of Jamestown Community College, 525 Falconer Street, Jamestown, New York 14701.

Adopted January 24, 2024 by voice vote.

ACT NO. 45-2024 by Mr. Burr

AMENDING ACT 10-2024 REGARDING CONTRACT FOR TAX FORECLOSURE SEARCHES

Pursuant to Article 11 of the Real Property Tax Law and
Section 450 of the County Law.

WHEREAS, Act 10-2024 authorized contracts with Cattaraugus Abstract Corporation, 406 Erie Street, Little Valley, New York 14755, and Empire Search Company, 208 Court Street, Little Valley, New York 14755, for the provision of tax foreclosure searches at a rate of \$90.00 per parcel, the terms of which expire December 31, 2024, and

WHEREAS, Cattaraugus Abstract Corporation and the Empire Search Company have requested an increase from \$90.00 per parcel to \$100.00 per parcel for tax foreclosure searches, and

WHEREAS, Act 10-2024 should be amended to reflect the increase in rate, now, therefore, be it

RESOLVED, that Act 10-2024 be, and hereby is, amended as follows: In the Fourth Whereas, delete: "\$90.00" and replace with: "\$100.00".

Adopted January 24, 2024 by voice vote.

ACT NO. 46-2024 by Mr. Burr

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
CATALOG & COMMERCE SOLUTIONS, LLC, FOR SOFTWARE LICENSES AND
MAINTENANCE FOR THE CIVIL SERVICE WEBSITE MANAGEMENT SYSTEM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 501-2013 authorized a contract with Catalog & Commerce Solutions, LLC, 263 East Street, Pittsford, New York 14534, for the development of a paperless system for the processing and management of Civil Service applications, and

WHEREAS, the cost of software licenses and maintenance for the Civil Service Website Management System has increased, and

WHEREAS, a contract amendment is needed to authorize the increased cost, and

WHEREAS, Catalog & Commerce Solutions, LLC, can provide software licenses and maintenance for the aforementioned Civil Service Website Management System for an amount of \$6,800.00 commencing January 1, 2024, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned software licenses and maintenance for this software system, 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 Catalog & Commerce Solutions, LLC, for the provision of the above-described system, to amend the contract which commenced November 18, 2013, and which continues in full force and effect until terminated by either party hereto, according to the above-described terms.

Adopted January 24, 2024 by voice vote.

ACT NO. 47-2024 by Mr. Burr

**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 69-2023 authorized contracts with various municipalities for the promotion of tourism in Cattaraugus County, the terms of which expired December 31, 2023, 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 \$262,931.00 for the promotion of tourism in Cattaraugus County, as follows:

Ellicottville Chamber of Commerce	\$149,871.00
Greater Olean, Inc., d/b/a	\$ 76,250.00
Greater Olean Area Chamber of Commerce	
Seneca Salamanca Area Chamber of Commerce	\$ 36,810.00,

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, 2025, 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 \$175,288.00 during the year 2024 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, 2024 and terminating December 31, 2024, 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 2024, not to exceed a total of \$438,219.00, 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 24, 2024 by voice vote.

ACT NO. 48-2024 by Mr. Burr

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CHC SOLUTIONS, INC. FOR DEPARTMENT OF NURSING HOMES
SPECIFIC MEDICAL SUPPLIES**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Nursing Homes is in need of specific medical supplies for wound care, urological, ostomy, CGM and tracheostomy for residents of The Pines Healthcare and Rehabilitation Centers-Olean and Machias Campuses, and

WHEREAS, the aforementioned specific medical supplies are covered by Medicare Part B and other health plans for qualified residents, and

WHEREAS, CHC Solutions, Inc., 162 Industry Drive, Pittsburgh, Pennsylvania 15275, can provide the aforementioned specific medical supplies and bill the resident's insurance directly, resulting in a cost savings to the County, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with CHC Solutions, Inc., for the provision of specific medical supplies for wound care, urological, ostomy, CGM and tracheostomy for residents of the Department of Nursing Homes, for a term commencing January 1, 2024 and terminating December 31, 2024, with automatic one year renewals thereafter until terminated by either party, according to the above-described terms.

Adopted January 24, 2024 by voice vote.

ACT NO. 49-2024 by Mr. Burr

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
WELLNOW URGENT CARE, P.C. FOR
CATTARAUGUS COUNTY RANDOM DRUG AND ALCOHOL TESTING PROGRAM
(Commercial Motor Vehicle Drivers, Sheriff's Office and Municipality Members)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 185-2023, as amended, authorized a contract with Wellnow Urgent Care, P.C., for the provision of drug and alcohol testing services for commercial motor vehicle drivers, the towns and villages of Cattaraugus County, and the Sheriff's Office, and

WHEREAS, a new contract is needed due to an increase in rates, and

WHEREAS, Wellnow Urgent Care, P.C., can provide random drug and alcohol testing services, in accordance with the fee schedule set out below, for the following:

- NYS Department of Transportation (NYSDOT) regulated CDL licensed drivers for the Department of Public Works
- Sheriff's Office Employee Unit
- NYSDOT regulated CDL licensed drivers for towns and villages of Cattaraugus County
- New employee drug testing services

<u>Drug and Alcohol Testing Services</u>	<u>4/1/2023-12/31/2023 Rates</u>	<u>1/1/2024-12/31/2024 Rates</u>
DOT Urine Drug Screen	\$72.00/screen	\$75.00/screen
Non-DOT Drug Screen – 5 Panel	\$67.00-\$72.00/screen	\$75.00/screen
Breath Alcohol Testing w/Confirmation	\$39.00/test	\$50.00/test
Random Management Program	\$300/year	\$300/year
**On-Site Collection	\$500/day	\$1,000/day

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 a contract, on behalf of Cattaraugus County, with Wellnow Urgent Care, P.C., for the provision of the above-described random drug and alcohol testing services, for a term commencing April 1, 2023 and terminating December 31, 2024, with automatic renewals each subsequent year for additional one-year periods, unless terminated by either party, according to the above-described terms.

Adopted January 24, 2024 by voice vote.

ACT NO. 50-2024 by Mr. Burr

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
ALLEGANY COUNTY FOR HEALTH DEPARTMENT
LEAD HAZARD REDUCTION CAPACITY BUILDING GRANT PROGRAM AND
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Health Department)**

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

WHEREAS, Act 366-2023 authorized the Chair to execute grant documents with the U.S. Department of Housing and Urban Development (HUD) for the Health Department Lead Hazard Reduction Capacity Building Grant, and

WHEREAS, the Health Department has been awarded federal funding in the amount of \$2.5 million for the aforementioned Lead Hazard Reduction Program, and

WHEREAS, the purpose of the Lead Hazard Reduction Capacity Building Program (Program) is to assist municipalities in developing the infrastructure necessary to undertake comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing, and

WHEREAS, Allegany County is desirous of participating in the aforementioned Program and will provide the components described below for an amount not to exceed \$703,145.36, to be paid as invoiced:

- Improve testing for childhood lead poisoning among children under 6 years of age by using targeted outreach in partnership with various agencies;
- Provide homeowners, landlords and contractors with renovation, repair or painting (RRP) and abatement education and online trainings;
- Partner with DSS to ensure that low income housing that is offered through County services meet or exceed EPA lead standards for housing;
- Provide lead safe housing information and laws to local real estate agency, lawyers, local codes and home inspectors;
- Hire a technician to assess and inspect homes included in this grant;
- Work with Land Bank for home inspection and assessment;
- Collaborate with and enter into Lead Smart partnership with Cattaraugus and Chautauqua Counties;
- Maintain database and track referrals,

and

WHEREAS, the County of Cattaraugus shall prepare an Environmental Review Record and comply the National Environmental Policy Act of 1969, as amended, and the environmental procedures, permit regulations and statutory obligations of the laws cited in 24 CFR 58.5; and shall also comply with 24 CFR 58.6 and applicable State, Federal and local laws, and

WHEREAS, the Program requires a tiered environmental review process including a broad-level review (Type I) and site-specific review (Type II), and

WHEREAS, Cattaraugus County as the environmental responsible entity, will be responsible for certification and approval of the broad-level and site-specific review for both Cattaraugus County and Allegany County, and

WHEREAS, as Allegany County differs in geographic features, environmental history, and local laws, a Type II site-specific review is best suited for Allegany County, while complying with the standards and procedures of the broad-level review approved by the Certifying Officer for Environmental Responsibility, and

WHEREAS, the aforementioned grant program is federally funded (CFDA #14.912), with a 10% match provided through Childhood Lead Poisoning Prevention grant (DOH01-T36975GG), and

WHEREAS, various appropriation accounts must be adjusted in order 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 Allegany County, for the provision of services associated with the Lead Hazard Reduction Capacity Building Grant, for a term commencing November 1, 2023 and terminating November 30, 2026, according to the above-described terms, and be it further

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

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

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

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

Decrease Appropriation Account:

A.401.4090.4075.41603	Contracted Services	\$300,000.00
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Increase Appropriation Account:

A.401.4090.4075.40823	Lead Grant Pass Through to Municipality	\$300,000.00.
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Adopted January 24, 2024 by voice vote.

ACT NO. 51-2024 by Mr. Burr

**APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY
SERVICES BOARD AND QUALIFACTS A/K/A INSYNC FOR
DEPARTMENT OF COMMUNITY SERVICES BILLING AND
ACCOUNTS RECEIVABLE MANAGEMENT SERVICES,
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
AND RESCINDING ACT 460-2023
(Department of Community Services)**

Pursuant to Section 41.07 of the Mental Hygiene Law and
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 36-2023 authorized approval for a contract with Healthcare Solutions WNY, for the provision of billing-related services and cash receipt reconciliation and contractual allowance management for the Department of Community Services clinic operations, the term of which expired December 31, 2023, and

WHEREAS, the County Department of Community Services is desirous of changing to a new billing software for electronic health records (HER), and

WHEREAS, Qualifacts a/k/a InSync, 315 Deaderick Street, Suite 2300, Nashville, Tennessee 37238, can provide billing software and electronic health records (EHR), for billing-related services and cash receipt reconciliation and contractual allowance management for the Department of Community Services clinic operations, for an amount as follows:

Initial Fee	\$22,088.00
Monthly Fee based on number of users	\$13,566.00
(*monthly fee will start after a 4 month training period),	

and

WHEREAS, this program is funded through a combination of state aid, billable insurance, federal (CFDA# 93.778), and local funds, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order 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 Qualifacts a/k/a InSync, to signify the County's approval, for the provision of the above-described services, for a term commencing November 1, 2023 to continue in full force and effect until terminated by either party hereto, according to the above-described terms, and be it further

RESOLVED, that Act 460-2023 be, and hereby is rescinded, 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.431.4335.2100.4401.10	Clinic DSRIP	\$22,088.00
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Increase Appropriation Account:

A.431.4335.2100.45203	Software Licenses & Maintenance	\$22,088.00.
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Adopted January 24, 2024 by voice vote.

ACT NO. 52-2024 by Mr. Burr

**APPROVING MEMBERSHIP IN PROFESSIONAL ORGANIZATION
(Department of Aging)**

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

WHEREAS, it is beneficial for the Department of Aging to be a member of the Western New York Integrated Care Collaborative (WNYICC), and

WHEREAS, membership in this organization is beneficial to the County and serves a public purpose, at no cost to the County, and

WHEREAS, through the aforementioned membership, the Department of Aging will be privy to new contracting opportunities and referrals, as well as being provided training and education to promote programs and services, now, therefore, be it

RESOLVED, that Cattaraugus County authorizes membership in the Western New York Integrated Care Collaborative (WNYICC).

Adopted January 24, 2024 by voice vote.

ACT NO. 53-2024 by Mr. Burr

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

Pursuant to 18 NYCRR Parts 405, 407 and 423, Article 6, Title 1 of the Social Services Law and Section 450 of the County Law.

WHEREAS, Act 498-2022 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the provision of child abuse prevention services for the Department of Social Services, the term of which expired December 31, 2023, and

WHEREAS, the Department of Social Services is desirous of amending the aforementioned contract to increase the contracted amount from \$352,098.73 to \$362,500.14, and

WHEREAS, Cattaraugus Community Action, Inc., can provide additional child abuse prevention services for a total amount not to exceed \$362,500.14, to be paid in monthly installments as invoiced, and

WHEREAS, this program is 100% federally funded, 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 Cattaraugus Community Action, Inc., for the provision of the aforementioned child abuse prevention services, for a term commencing January 1, 2023 and terminating December 31, 2023, according to the above-described terms.

Adopted January 24, 2024 by voice vote.

ACT NO. 54-2024 by Mr. Burr

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
CATTARAUGUS COMMUNITY ACTION, INC., FOR
NON-RESIDENTIAL SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE
AND ADVOCACY AND COUNSELING**

Pursuant to 18 NYCRR Parts 408 and 452.2(b), Article 6-A of the
Social Services Law and Section 450 of the County Law.

WHEREAS, Act 469-2023 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the provision of mandated approved non-residential services to victims of domestic violence, the term of which expires December 31, 2024, and

WHEREAS, the County Department of Social Services has received TANF funding for the provision of advocacy and counseling services to eligible TANF recipients through the non-residential services program, and

WHEREAS, Cattaraugus Community Action, Inc., has agreed to administer the aforementioned program, including the advocacy and counseling services, for an additional amount of \$24,999.00, for a total contract amount of \$49,999.00, to be paid on a monthly basis as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Cattaraugus Community Action, Inc., for the administration of the above-described program, for a term commencing January 1, 2024 and terminating December 31, 2024, according to the above-described terms, and be it further

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

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

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

Adopted January 24, 2024 by voice vote.

ACT NO. 55-2024 by Mr. Burr

RECREATING THATCHER BROOK WATERSHED TASK FORCE

Pursuant to Section 235 of the County Law.

WHEREAS, Act 435-1998 created the Thatcher Brook Watershed Task Force to recommend solutions and mitigation measures to the federal government, state government and local municipalities for flooding in the northwestern portion of Cattaraugus County, and

WHEREAS, the Thatcher Brook Watershed Task Force has been recreated over the years since the original enactment with the current term being enacted by Act 14-2020, which expired December 31, 2023, and

WHEREAS, the Task Force should be recreated to continue its purpose, now, therefore, be it

RESOLVED, that there is hereby recreated the Thatcher Brook Watershed Task Force, and be it further

RESOLVED, that the Task Force shall consist of 13 members to be appointed by the Chair of the County Legislature from the following entities:

Village of Gowanda recommendation	3 Members
(1 member from the Village of Gowanda shall be a member of the general public)	
Persia Town Board recommendation	2 Members
Dayton Town Board recommendation	2 Members
Perrysburg Town Board recommendation	2 Members
County Legislative District No. 1	2 Representatives
Gowanda School District recommendation	1 Representative
Commissioner of Public Works	1,

and be it further

RESOLVED, that the purpose of the Task Force shall be as described above, and be it further

RESOLVED, that the Task Force shall continue for a four-year term commencing January 1, 2024 and terminating December 31, 2027.

Adopted January 24, 2024 by voice vote.

ACT NO. 56-2024 by Mr. Burr

RECREATING CRIMINAL JUSTICE COORDINATING ADVISORY COUNCIL

Pursuant to Section 235 of the County Law.

WHEREAS, Act 418-1998 created the Criminal Justice Coordinating Advisory Council to examine the criminal justice system in Cattaraugus County and the existing jail facility, and make recommendations for improvements to the criminal justice system, as well as the future of the existing jail facility, and

WHEREAS, the Criminal Justice Coordinating Advisory Council has been recreated over the years since the original enactment with the current term having expired on December 31, 2023, and

WHEREAS, the Council should be recreated to continue making recommendations for improvements to the criminal justice system, and

WHEREAS, the Council will also act in the capacity of an advisory board for the Alternatives to Incarceration program, now, therefore, be it

RESOLVED, that there is hereby recreated the Criminal Justice Coordinating Advisory Council, and be it further

RESOLVED, that the Council shall consist of 26 members to be appointed by the Chair of the Legislature, and be it further

RESOLVED, that the purpose of the Council shall be as described above, and be it further

RESOLVED, that the Criminal Justice Coordinating Advisory Council shall continue for a four-year term commencing January 1, 2024 and terminating December 31, 2027.

Adopted January 24, 2024 by voice vote.

CHAIRMAN BURR named the following members to the Criminal Justice Coordinating Advisory Council:

CATTARAUGUS COUNTY CRIMINAL JUSTICE COORDINATING ADVISORY COUNCIL

Four-year terms to expire December 31, 2027

CHRISTOPHER BAKER	CATHERINE MACKAY
MELISSA BALL	MARY O'LEARY
DARRYL BLOOM	RONALD PLOETZ
WENDY CLEMONS	MICHAEL PRUTSMAN
BRANDON CROUSE	RONALD RICHARDSON
EVELYN DIAZ	LORI RIEMAN
NICHOLAS A. DICERBO, SR.	BRENDON RILEY
ANDREW DOMBECK	JOHN SEARLES
AMIE FEROLETO	MICHAEL SHARBAUGH
ERIC KELLER	ERIN WHITCOMB
MATTHEW KELLER	TIMOTHY WHITCOMB
FRANCIS LOUNSBURY	

ACT NO. 57-2024 by Mr. Burr

RECREATING ARSON TASK FORCE

Pursuant to Section 235 of the County Law.

WHEREAS, Act 6-1981 created the Cattaraugus County Arson Task Force to combat arson in Cattaraugus County by providing recommendations for combating arson and to serve in an advisory capacity to study arson in Cattaraugus County, and

WHEREAS, the Cattaraugus County Arson Task Force has been recreated over the years since the original enactment with the current term that expired on December 31, 2023, and

WHEREAS, the Task Force should be recreated to continue the aforementioned purpose, now, therefore, be it

RESOLVED, that the Cattaraugus County Arson Task Force is hereby recreated, and be it further

RESOLVED, that the purpose of the Task Force shall be as described above, and be it further

RESOLVED, that the Task Force shall consist of nine (9) members to be appointed by the Chairman of the Cattaraugus County Legislature, and be it further

RESOLVED, that the Cattaraugus County Arson Task Force shall continue for a four-year term commencing January 1, 2024 and terminating December 31, 2027.

Adopted January 24, 2024 by voice vote.

ACT NO. 58-2024 by Mr. Burr

**RECREATING CATTARAUGUS COUNTY EMERGENCY
MEDICAL SERVICES ADVISORY COUNCIL**

Pursuant to Section 235 of the County Law.

WHEREAS, Act 31-2021 recreated the Cattaraugus County Emergency Medical Services (EMS) Advisory Council which expired December 31, 2023, and

WHEREAS, the EMS Advisory Council should continue due to the continued need of mass casualty planning and improvement of EMS Operations in Cattaraugus County, and

WHEREAS, the EMS Advisory Council will facilitate the provision of mass casualty preparedness, large event planning regarding EMS, communication and distribution of EMS Information, and EMS training by the County, Office of Emergency Services, the Health Department, first responders and hospitals in Cattaraugus County, and

WHEREAS, the EMS Advisory Council should be a forum for planning, utilizing current resources, and not a forum for negotiating increased funding/resources, and

WHEREAS, the EMS Advisory Council is responsible for delegating six (6) representatives to the Regional (Southwestern) EMS Council, now, therefore, be it

RESOLVED, that the Cattaraugus County Emergency Medical Services Advisory Council is hereby recreated, and be it further

RESOLVED, that the purpose of the Council shall be as described above, and be it further

RESOLVED, that the Council shall consist of nineteen (19) voting members and four (4) ex-officio members to be appointed by the Chairman of the County Legislature, and be it further

RESOLVED, that the Council members shall receive no compensation for their services, and be it further

RESOLVED, that the Council shall terminate December 31, 2026.

Adopted January 24, 2024 by voice vote.

ACT NO. 59-2024 by Mr. Burr**RECREATING RECORDS MANAGEMENT ADVISORY BOARD**

Pursuant to Section 235 of the County Law.

WHEREAS, Act 134-1997 created the Records Management Advisory Board to organize and effectively operate the County's Records Management Program, and

WHEREAS, the Records Management Advisory Board has been recreated over the years since the original enactment with the most recent term expiring on December 31, 2023, and

WHEREAS, the Board should be re-established to continue its purpose, and

WHEREAS, the Board shall be committed to efficient and cost-effective records management, shall communicate what they learn to their respective program staffs, and shall ensure compliance with records management and archival practices throughout all the departments of the County, now, therefore, be it

RESOLVED, that there is hereby recreated the Records Management Advisory Board, and be it further

RESOLVED, that the Board shall consist of the Records Management Officer, the County Attorney, the County Treasurer, the County Administrator or his designee, the County Historian, and a private citizen to be appointed by the Chair of the County Legislature, and be it further

RESOLVED, that the purpose of the Board shall be as described above, and be it further

RESOLVED, that the Records Management Advisory Board shall continue for a four-year term commencing January 1, 2024 and terminating December 31, 2027.

Adopted January 24, 2024 by voice vote.

ACT NO. 60-2024 by Mr. Burr**RECREATING ROUTE 219 CORRIDOR DEVELOPMENT COMMITTEE**

Pursuant to Section 235 of the County Law.

WHEREAS, Act 457-1993 created the Route 219 Corridor Development Committee to make recommendations concerning the local land use and infrastructure study being performed by The Saratoga Associates, and

WHEREAS, the Route 219 Corridor Development Committee has been recreated over the years since the original enactment with the current term having expired December 31, 2023, and

WHEREAS, the Committee should be recreated to continue the aforementioned purpose, now, therefore, be it

RESOLVED, that there is hereby recreated the Route 219 Corridor Development Committee, and be it further

RESOLVED, that the Committee should consist of 21 members to be appointed by the Chairman of the Legislature, and be it further

RESOLVED, that the purpose of the Committee shall be as described above, and be it further

RESOLVED, that the Route 219 Corridor Development Committee shall continue for a four-year term commencing January 1, 2024 and terminating December 31, 2027.

Adopted January 24, 2024 by voice vote.

ACT NO. 61-2024 by Mr. Burr

APPOINTMENTS TO CATTARAUGUS COUNTY ETHICS BOARD

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

RESOLVED, that the following individuals are hereby appointed to the Cattaraugus County Ethics Board for a three-year term to expire December 31, 2026:

Dawn M. Pezzimenti
Howard V. VanRensselaer
Mark J. Ward.

Adopted January 24, 2024 by voice vote.

ACT NO. 62-2024 by Mr. Burr

APPOINTMENT TO CATTARAUGUS COUNTY BOARD OF HEALTH

Pursuant to Section 343 of the Public Health Law.

RESOLVED, that Kelly J. Andreano is hereby appointed to the Cattaraugus County Board of Health for a four-year term to expire on December 31, 2027, 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 Board of Health.

Adopted January 24, 2024 by voice vote.

ACT NO. 63-2024 by Mr. Burr

**AUTHORIZING SALE OF CERTAIN TAX TITLE PROPERTY AND
WAIVING RULE 40 OF THE RULES OF ORDER
(Towns of Allegany and Franklinville)**

Pursuant to Section 215 of the County Law, Section 1166 of the Real Property Tax Law,
Rule 33 of the Rules of Order of the Cattaraugus County Legislature, and
Section 72-h of the General Municipal Law.

WHEREAS, Cattaraugus County has tax title to certain properties located in the Town of Allegany described as Tax Map No. 112.001-1-12./2 and the Town of Franklinville described as Tax Map No. 40-063-4-19.3, and

WHEREAS, the County Treasurer has determined that it is in the County's best interest to sell the aforementioned properties as follows:

<u>TOWN OF ALLEGANY</u>			
Tax Map No.	Property Address	Purchaser & Address	Amount
112.001-1-12./2	Indian Creek Road	NorthCountry I, LLC 521 Willardshire Road Orchard Park, NY 14127	\$2,976.31
<u>TOWN OF FRANKLINVILLE</u>			
Tax Map No.	Property Address	Purchaser & Address	Amount
40.063-4-19.3	Pine Street	David Potts 31 Pine Street Franklinville, NY 14737	\$50.00

now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to accept the above-listed amounts for the aforementioned parcels known as Tax Map Number 112.001-1-12./2 in the Town of Allegany and Tax Map No. 40.063-4-19.3 in the Town of Franklinville, and be it further

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

Adopted January 24, 2024 by voice vote.

ACT NO. 64-2024 by Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky,
Mr. Burr, Mr. Helmich, Mr. Higgins, Mrs. Hunt,
Mr. Marsh, Mr. Nagle, Mr. Parker, Ms. Schröder,
Mr. Smith, Mr. Stoltenberg and Mr. Teachman

**EXPRESSING GRATITUDE TO GERARD F. LEFEBER FOR OVER 13 YEARS
OF SERVICE TO THE CATTARAUGUS COUNTY LEGISLATURE**

Pursuant to Section 153 of the County Law.

WHEREAS, Rev. Gerard F. leFeber has served as Chaplain for the Cattaraugus County Legislature since September 22, 2010, and

WHEREAS, Rev. leFeber has devoted his entire professional career serving people, retiring in 2011 after 33 years in the Lutheran ministry, and

WHEREAS, after retiring, Rev. leFeber continued to serve people as a City of Olean Alderman from 2013 – 2016, and

WHEREAS, this Legislature wishes to recognize the years of service Rev. leFeber has provided to Cattaraugus County through his inspirational invocations, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby expresses its sincere gratitude to the Rev. Gerard F. leFeber for over 13 years of service as the Legislative Chaplain, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Rev. Gerard F. leFeber.

Adopted January 24, 2024 by voice vote.

* * * * *

MR. BENSON moved, seconded by Mr. Boberg, to adjourn until February 14, 2024 at 5:00 p.m. Carried.

Meeting adjourned at 5:18 p.m.

Ann M. Giglio
Journal Clerk