

April 14, 2010

The meeting was called to order by Chairman Michael T. O'Brien.

The invocation was given by Rev. Piatt.

The Attendance Roll Call disclosed two Legislators absent - Mr. McLarney and Mr. Ward.

CHAIRMAN O'BRIEN asked the Journal Clerk to read the Proclamation: "In Recognition of their 50th Anniversary the Eight Counties of Western New York Proclaim the Week of May 2nd to May 8th, 2010 Western New York Armed Forces Week". The Pledge to the Flag was led by Steven Stimson, Cattaraugus County American Legion Commander, and Stanley Board, Cattaraugus-Allegany County Commander for the Veterans of Foreign Wars.

MR. MARSH moved, seconded by Mr. Ward that the minutes of the March 24, 2010 session be approved. Carried.

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COMMUNICATIONS:

Governor Paterson: Letter acknowledging receipt of Act Nos. 141-2010, 142-2010, 150-2010 and 151-2010.

Assembly Member Giglio: Letter acknowledging receipt of Act No. 193-2010.

Essex County Board of Supervisors: Copy of its Resolution No. 109, Resolution Calling on the Governor of the State of New York to Enforce the Collection of Sales Taxes on Tobacco Sold on Indian Lands.

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PROCLAMATION:

CHAIRMAN O'BRIEN proclaimed the week of April 18 - 24, 2010 as **National Volunteer Week** in Cattaraugus County.

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CHAIRMAN O'BRIEN granted privilege of the floor to Crystal Abers, Director of Economic Development, Planning and Tourism, who introduced Jeremy Knab, Website Technician, who previewed the updated Enchanted Mountains of Cattaraugus County website. This updated website should be a fabulous marketing tool for the County. Any business connected to tourism can be listed on this site. There is a link from the Cattaraugus County website, www.cattco.org, to the new website.

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ACT NO. 196-2010 by Mr. Aiello, Mr. Ellis, Mr. Marsh,
Mrs. Stockman, Mr. Teachman and Mr. Padlo
and Mr. Burrell, Mr. Neal and Mr. Sprague¹

APPOINTMENT OF DIRECTOR OF REAL PROPERTY TAX SERVICES

Pursuant to Section 201 of the County Law and
Section 1530 of the Real Property Tax Law.

RESOLVED, that Daniel T. Martonis, 10095 Route 242, Little Valley, New York 14755, be, and hereby is, appointed Director of Real Property Tax Services effective April 15, 2010 for the unexpired term of the incumbent, Nancy C. Barney, who retired, with such unexpired term ending September 30, 2013 and be it further

RESOLVED, that Daniel T. Martonis will be compensated at an annualized salary of \$67,000 for 2010, and at any salary as hereafter may be established.

Approved by 8 members of the Finance Committee, 5 members of the County Operations Committee and 5 members of the Labor Relations Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Burrell, Mr. Neal and Mr. Sprague".

Adopted April 14, 2010 by voice vote.

ACT NO. 197-2010 by Mr. Ellis, Mr. Marsh, Mr. Neal,
Mr. Giardini and Mr. Sprague

**BID ACCEPTANCE FOR GLULAMINATED BRIDGE DECKING
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of glulaminate bridge decking for South Valley Bridge No. 26 and Yorkshire Bridge No. 20, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest bid received for South Valley Bridge No. 26 was Laminated Concepts, Inc., P.O. Box 369, Big Flats, New York 14814, in the amount of \$35,187, and

WHEREAS, the lowest bid received for Yorkshire Bridge No. 20 was Associated Components, Inc., P.O. Box 174, Lafayette, New York 13084, in the amount of \$69,583, and

WHEREAS, sufficient funds are included in the 2010 budget to cover the costs of the aforementioned materials, now, therefore, be it

RESOLVED, that the bid of Laminated Concepts, Inc. be, and the same hereby is, accepted, and be it further

RESOLVED, that the bid of Associated Components, Inc. be, and the same hereby is, accepted, and be it further

RESOLVED, that the vouchers accordingly certified by the Commissioner of Public Works be audited by the Auditor and paid by the County Treasurer.

No State Bid.

Four sets of specifications were sent out.

Two bids were received.

Approved by 8 members of the Finance Committee and 8 members of the Public Works Committee.

Adopted April 14, 2010 by voice vote.

ACT NO. 198-2010 by Mr. Giardini
and Mr. Ellis

BID ACCEPTANCE FOR CONCRETE PIPE (CLASS III & IV)
(Department of Public Works)

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of round and elliptical concrete pipe (Class III & IV), according to specifications provided by the Public Works Committee, now, therefore, be it

RESOLVED, that the Commissioner of Public Works is authorized to contract for concrete pipe (Class III & IV) with Southern Tier Municipal & Construction Supply Co., as recommended by the Public Works Committee for the term May 1, 2010 through April 30, 2011, and be it further

RESOLVED, that any county, city, village, town, school, or fire district in Cattaraugus County may participate in the bid prices by dealing directly with the bidder, and be it further

RESOLVED, that the County of Cattaraugus reserves the right to make purchases of the aforementioned items at any time during the term for which the bids are taken and to require suitable bond to guarantee delivery.

ROUND CONCRETE PIPE (CLASS III & IV)

Description	2009 Rate	2010 Rate
24 Inch (Class III) per foot	\$ 27.77	\$ 29.90
24 Inch (Class IV) per foot	\$ 35.00	\$ 31.65
24 Inch Flared End		\$ 828.00
30 Inch (Class III) per foot	\$ 42.35	\$ 42.55
30 Inch (Class IV) per foot	\$ 47.82	\$ 44.85
30 Inch Flared End		\$1062.00
36 Inch (Class III) per foot	\$ 60.50	\$ 58.65
36 Inch (Class IV) per foot	\$ 64.48	\$ 59.80
36 Inch Flared End		\$1472.00
42 Inch (Class III) per foot	\$ 78.38	\$ 88.55
42 Inch (Class IV) per foot	\$ 86.88	\$ 90.85
42 Inch Flared End		\$1725.00
48 Inch (Class III) per foot	\$ 93.15	\$ 97.75
48 Inch (Class IV) per foot	\$ 100.15	\$ 103.50
48 Inch Flared End		\$2120.00
54 Inch (Class III) per foot		\$ 119.65
54 Inch (Class IV) per foot		\$ 135.75
54 Inch Flared End		\$2640.00
60 Inch (Class III) per foot		\$ 145.45
60 Inch (Class IV) per foot		\$ 166.75
60 Inch Flared End		\$3520.00
66 Inch (Class III) per foot		\$ 173.10

66 Inch (Class IV) per foot	\$ 196.65
66 Inch Flared End	\$4180.00
72 Inch (Class III) per foot	\$ 199.50
72 Inch (Class IV) per foot	\$ 224.80
72 Inch Flared End	\$4620.00

ELLIPTICAL CONCRETE PIPE (CLASS III & IV)

<u>Description</u>	2009 Rate	2010 Rate
24 Inch (Class III) per foot (19 x 30)	\$ 50.75	\$ 39.10
24 Inch (Class IV) per foot	\$ 51.60	\$ 40.25
24 Inch Flared End (each)	\$2000.00	\$1188.00
30 Inch (Class III) per foot (24 x 38)	\$ 66.43	\$ 54.05
30 Inch (Class IV) per foot	\$ 72.24	\$ 58.65
30 Inch Flared End (each)	\$2240.00	\$1792.00
36 Inch (Class III) per foot (29 x 45)	\$ 98.86	\$ 81.65
36 Inch (Class IV) per foot	\$ 99.10	\$ 83.35
36 Inch Flared End (each)	\$2620.00	\$2015.00
42 Inch (Class III) per foot (34 x 53)	\$ 125.43	\$ 102.35
42 Inch (Class IV) per foot	\$ 130.15	\$ 105.80
42 Inch Flared End (each)	\$3360.00	\$2640.00
48 Inch (Class III) per foot (38 x 60)	\$ 159.55	\$ 129.95
48 Inch (Class IV) per foot	\$ 168.00	\$ 136.85
48 Inch Flared End (each)	\$4200.00	\$3300.00
54 Inch (Class III) per foot (43 x 68)	\$ 196.48	\$ 160.45
54 Inch (Class IV) per foot	\$ 207.90	\$ 169.65
54 Inch Flared End (each)	\$6370.00	\$5390.00
60 Inch (Class III) per foot (48 x 76)	\$ 233.45	\$ 184.00
60 Inch (Class IV) per foot	\$ 246.45	\$ 193.75
60 Inch Flared End (each)	\$7080.00	\$6490.00
66 Inch (Class III) per foot (53 x 83)	\$ 279.15	\$ 228.25
66 Inch (Class IV) per foot	\$ 320.00	\$ 251.85
66 Inch Flared End (each)	\$8474.00	\$7700.00
72 Inch (Class III) per foot (58 x 91)	\$ 314.75	\$ 257.05
72 Inch (Class IV) per foot	\$ 360.70	\$ 285.20
72 Inch Flared End (each)	\$9706.00	\$8470.00

No State Bid.

Three sets of specifications were sent out.

One bid was received.

Approved by 8 members of the Finance Committee and 8 members of the Public Works Committee.

Adopted April 14, 2010 by voice vote.

ACT NO. 199-2010 by Mr. Giardini
and Mr. Ellis

**ACCEPTING MATERIAL BIDS FOR PLASTIC CORRUGATED DRAINAGE PIPE,
STEEL CORRUGATED PIPE AND PIPE ARCHES AND BRIDGE STRUCTURAL STEEL
(Department of Public Works)**

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

RESOLVED, that the Commissioner of Public Works is authorized to contract for plastic corrugated drainage pipe, steel corrugated pipe and pipe arches and bridge structural steel, with the following bidders recommended by the Public Works Committee for the term May 1, 2010 through April 30, 2011, and be it further

RESOLVED, that any city, village, town, school, or fire district in Cattaraugus County may participate in the bid prices by dealing directly with the bidder, and be it further

RESOLVED, that the County of Cattaraugus reserves the right to make purchases of the aforementioned items at any time during the term for which the bids are taken and to require suitable bond to guarantee delivery.

Expanded Supply Products, Inc.
3330 Route 9
Cold Spring, New York 10516

**Plastic & Polyethylene Corrugated Drainage Pipe
Or Tubing**

<u>Index No.</u>	<u>Diameter</u>	<u>Description</u>	<u>2009 Rate</u>	<u>2010 Rate</u>
CPDP18	18	Per foot		\$ 9.25
CPDP18	18	Per coupler		\$ 9.25
CPDP18	18	Flared End		\$128.00
CPDP24	24	Per foot		\$ 14.50
CPDP24	24	Per coupler		\$ 14.50
CPDP24	24	Flared End		\$165.00

Southern Tier Municipal & Construction Supply Co.
1801 Washington Street
P.O. Box 0892
Jamestown, New York 14701

**Plastic & Polyethylene Corrugated Drainage Pipe
Or Tubing**

<u>Index No.</u>	<u>Diameter</u>	<u>Description</u>	<u>2009 Rate</u>	<u>2010 Rate</u>
CPDP4	4	Per foot		\$ 0.335
CPC4	4	Per coupler		\$ 1.70
CPDP6	6	Per foot		\$ 0.855
CPC6	6	Per coupler		\$ 4.30
CPDP8	8	Per foot		\$ 1.65
CPC8	8	Per coupler		\$ 3.30
CPDP10	10	Per foot	\$ 2.73	\$ 2.54
CPC10	10	Per coupler	\$ 3.41	\$ 5.08
CPDP12	12	Per foot	\$ 3.83	\$ 3.12
CPC12	12	Per coupler	\$ 5.13	\$ 6.24
CPFE12	12	Flared End	\$ 85.00	\$ 95.00
CPDP15	15	Per foot		\$ 5.54
CPC15	15	Per coupler		\$ 11.08
CPFE15	15	Flared End		\$ 95.00

Polyethylene Corrugated High Capacity Smooth Interior Pipe

CPDP12SI	12	Per foot	\$ 4.11	\$ 4.52
CPC12SI	12	Per coupler	\$ 5.13	\$ 9.04
CPFE12SI	12	Flared End	\$ 85.00	\$ 95.00
CPDP24SI	24	Per foot		\$ 13.92
CPC24SI	24	Per coupler		\$ 27.84
CPFE24SI	24	Flared End		\$160.00
CPDP30SI	30	Per foot	\$ 18.90	\$ 20.11
CPC30SI	30	Per coupler	\$ 37.89	\$ 40.22
CPFE30SI	30	Flared End	\$462.00	\$355.00
CPDP36SI	36	Per foot		\$ 26.94
CPC36SI	36	Per coupler		\$ 53.88
CPFE36SI	36	Flared End		\$376.00
CPDP42SI	42	Per foot		\$ 35.96
CPC42SI	42	Per coupler		\$ 71.92
CPDP48SI	48	Per foot		\$ 43.89
CPC48SI	48	Per coupler		\$ 87.78

Category II Integral Bell Joint

CPDPSL12	12	Per foot	\$ 4.30	\$ 4.60
CPSCP12	12	Split coupler	\$ 5.15	\$ 5.75
CPDPSL24	24	Per foot		\$ 13.92
CPSCP24	24	Split coupler		\$ 20.88
CPDPSL30	30	Per foot		\$ 21.44
CPSCP30	30	Split coupler		\$ 42.88
CPDPSL42	42	Per foot		\$ 37.85
CPSCP42	42	Split coupler		\$ 75.70
CPDPSL48	48	Per foot		\$ 46.20
CPSCP48	48	Split coupler		\$ 92.40

Vellano Brothers, Inc.
10 Lancaster Parkway
Lancaster, New York 14086-9713

Polyethylene Corrugated High Capacity Smooth Interior Pipe

<u>Index No.</u>	<u>Diameter</u>	<u>Description</u>	<u>2009 Rate</u>	<u>2010 Rate</u>
CPDP15SI	15	Per foot		\$ 5.83
CPC15SI	15	Per coupler		\$ 11.00
CPFE15SI	15	Flared End		\$142.00
CPDP18SI	18	Per foot		\$ 8.63
CPC18SI	18	Per coupler		\$ 16.00
CPFE18SI	18	Flared End		\$198.00

Category II Integral Bell Joint

CPDPSL15	15	Per foot		\$ 5.83
CPSCP15	15	Split coupler		\$ 11.00
CPDPSL18	18	Per foot		\$ 8.63
CPSCP18	18	Split coupler		\$ 16.00
CPDPSL36	36	Per foot		\$ 27.85
CPSCP36	36	Split coupler		\$ 66.00

State Bid. Prices will be compared with the prices on State Contract and be purchased from the source most beneficial to the County.
Seven sets of specifications were sent out.
Five bids were received.

- **CORRUGATED STEEL PIPE AND PIPE ARCHES**

Expanded Supply Products, Inc.

3330 Route 9
Cold Spring, New York 10516

<u>Index No.</u>	<u>Diameter</u>	<u>Description</u>	<u>2009 Rate</u>	<u>2010 Rate</u>
<u>Plain Galvanized Helically Corrugated Pipe with Rerolled Ends</u>				
CMDP12	12	(16 ga.) per linear foot	\$ 8.37	\$ 8.75
CMC1212	12	12" connect. band	\$ 8.37	\$ 8.75
CMC1224	12	24" connect. band	\$ 16.74	\$ 17.50
CMFE12	12	Flared End	\$ 57.50	\$ 55.00
CMDP18	18	(16 ga.) per linear foot	\$ 12.60	\$ 13.30
CMC1812	18	12" connect. band	\$ 12.60	\$ 13.30
CMC1824	18	24" connect. band	\$ 25.20	\$ 26.60
CMFE18	18	Flared End	\$ 94.39	\$ 93.75
<u>Round Corrugated Steel Pipe & Pipe Arches Class II</u>				
CMDP36	36	(14 ga.) /linear foot		\$ 40.65
CMC3612	36	12" connect. band		\$ 40.65
CMC3624	36	24" connect. band		\$ 81.30
CMFE36	36	Flared End		\$ 490.00
<u>Fully Bituminous Coated w/o Pavement Helically Corrugated Pipe Arch w/Rerolled Ends</u>				
CMDP3524	35" x 24"	Per linear foot		\$ 39.96
CMSC3524		24" connect. band		\$ 79.92
CMDP4229	42" x 29"	Per linear foot		\$ 48.75
CMSC4229		24" connect. band		\$ 97.50
CMDP4933	49" x 33"	Per linear foot		\$ 64.29
CMSC4933		24" connect. band		\$ 128.58
CMDP5738	57" x 38"	Per linear foot		\$ 91.36
CMSC5738		24" connect. band		\$ 182.72
CMDP6443	64" x 43"	Per linear foot		\$ 105.75
CMSC6443		24" connect. band		\$ 211.50
CMDP7147	71" x 47"	Per linear foot		\$ 139.50
CMSC7147		24" connect. band		\$ 279.00
CMDP7752	77" x 52"	Per linear foot		\$ 155.00
CMSC7752		24" connect. band		\$ 310.00

Southern Tier Municipal & Construction Supply Co.
1801 Washington Street
P.O. Box 0892
Jamestown, New York 14701

<u>Index No.</u>	<u>Diameter</u>	<u>Description</u>	<u>2009 Rate</u>	<u>2010 Rate</u>
<u>Perforated Plain Galvanized Corrugated Steel Pipe Underdrain</u>				
CMDP6	6	(18 ga.) per linear foot		\$ 4.86
CMDP8	8	(16 ga.) per linear foot		\$ 5.61
<u>Plain Galvanized Helically Corrugated Pipe with Rerolled Ends</u>				
CMDP10	10	(16 ga.) per linear foot		\$ 6.22
CMC1012	10	12" connect. Band		\$ 6.22
CMC1024	10	24" connect. Band		\$ 12.44
CMFE10	10	Flared end		\$137.70
CMDP15	15	(16 ga.) per linear foot		\$ 10.65
CMC1512	15	12" connect. band		\$ 10.65
CMC1524	15	24" connect. band		\$ 21.30
CMFE15	15	Flared End		\$ 85.00

<u>Round Corrugated Steel Pipe & Pipe Arches Class II</u>			<u>2009 Rate</u>	<u>2010 Rate</u>
CMDP24	21	(16 ga.) /linear foot		\$ 15.10
CMC2412	21	12" connect. band		\$ 15.10
CMC2424	21	24" connect. band		\$ 30.20
CMFE24	21	Flared End		\$ 140.00
CMDP24	24	(14 ga.) /linear foot		\$ 21.34
CMC2412	24	12" connect. band		\$ 21.34
CMC2424	24	24" connect. band		\$ 42.68
CMFE24	24	Flared End		\$ 172.00
CMDP30	30	(14 ga.) /linear foot		\$ 26.66
CMC3012	30	12" connect. band		\$ 39.39
CMC3024	30	24" connect. band		\$ 79.98
CMFE30	30	Flared End		\$ 342.50
CMDP42	42	(12 ga.) /linear foot		\$ 50.65
CMC4212	42	12" connect. band		\$ 75.68
CMC4224	42	24" connect. band		\$ 151.95
CMFE42	42	Flared End		\$ 898.00
CMDP48	48	(12 ga.) /linear foot		\$ 57.77
CMC4812	48	12" connect. band		\$ 86.66
CMC4824	48	24" connect. band		\$ 173.31
CMFE48	48	Flared End		\$1064.00
CMDP60	60	(12 ga.) /linear foot		\$ 91.54
CMC6012	60	12" connect. band		\$ 137.31
CMC6024	60	24" connect. band		\$ 274.62
CMFE60	60	Flared End		\$1726.00
CMDP72	72	(12 ga.) /linear foot		\$ 109.33
CMC7212	72	12" connect. band		\$ 218.66
CMC7224	72	24" connect. band		\$ 437.32
CMFE72	72	Flared End		\$1995.75
CMDP84	84	(8 ga.) /linear foot		\$ 136.87
CMC8412	84	12" connect. band		\$ 273.74
CMC8424	84	24" connect. band		\$ 547.48
CMFE84	84	Flared End		\$2399.70

**Fully Bituminous Coated w/o Pavement Helically
Corrugated Pipe Arch w/Rerolled Ends**

CMDP8357	83" x 57"	Per linear foot		\$ 268.18
CMSC8357		24" connect. band		\$ 536.36

State Bid. Prices will be compared with the prices on State Contract and be purchased from the source most beneficial to the County.

Six sets of specifications were sent out.

Three bids were received.

• **BRIDGE STRUCTURAL STEEL**

Chemung Supply Corp.

P.O. Box 527

Elmira, New York 14902

<u>Index No.</u>	<u>Description</u>	<u>2009 Rate</u>	<u>2010 Rate</u>
SS-A	Structural Angles, Channels, all sizes up to and including 15"	\$.75/lb.	\$.94/lb.
SS-B	Ship and Car Channel (MC section), 6" to 18"	\$.80/lb.	\$.99/lb.
SS-C1a	I-Beams Standard [up to and inc. 12"]	\$.75/lb.	\$.87/lb.

SS-C1b	(up to 60' long) I-Beams Standard [up to and inc. 12"] (60' and greater)	\$.80/lb.	\$.89/lb.
SS-C2a	I-Beams Standard [14" to 36"] (up to 60' long)	\$.75/lb.	\$.94/lb.
SS-C2b	I-Beams Standard [14" to 36"] (60' and greater)	\$.80/lb.	\$.99/lb.
SS-D1a	Wide Flange [up to and inc. 12"] (up to 60' long)	\$.81/lb.	
SS-D1b	Wide Flange [up to and inc. 12"] (60' and greater)	\$.86/lb.	\$.89/lb.
SS-D2a	Wide Flange [14" to 36"] (up to 60' long)	\$.88/lb.	\$.92/lb.
SS-D2b	Wide Flange [14" to 36"] (60' and greater)	\$.88/lb.	\$.94/lb.
SS-D2c	Wide Flange [14" to 36"] (up to 60' long - precambered)	\$.92/lb.	\$.99/lb.
SS-D2d	Wide Flange [14" to 36"] (60' and greater - precambered)	\$.92/lb.	\$1.01/lb.
SS-E	H-Piles - all sized up to, and including, 14"	\$.89/lb.	
SS-F	Flat Steel Plates, 6' wide x 20' long x 5/16"	\$.81/lb.	
SS-G	Flat Steel Plates, 4' wide x 8' long, all thicknesses from 1/4" to 1"	\$.81/lb.	
SS-H	Steel Sheet Piling - Trade Arbed AZ-13	\$1.05/lb.	\$1.10/lb.
SS-I	Concrete Re-Enforcing Bar, Grade 60, sizes no. 3 through no. 8, 20' lengths	\$.38/lb.	\$.42/lb.

State Line Supply Co.
1333 East Main Street
Bradford, Pennsylvania 16701

<u>Index No.</u>	<u>Description</u>	<u>2009 Rate</u>	<u>2010 Rate</u>
SS-D1a	Wide Flange [up to and inc. 12"] (up to 60' long)		\$.75/lb.
SS-E	H-Piles - all sized up to, and including, 14"		\$.73/lb.
SS-F	Flat Steel Plates, 6' wide x 20' long x 5/16"		\$.65/lb.
SS-G	Flat Steel Plates, 4' wide x 8' long, all thicknesses from 1/4" to 1"		\$.73/lb.

No State Bid.
Five sets of specifications were sent out.
Two bids were received.

Approved by 8 members of the Finance Committee and 8 members of the Public Works Committee.

Adopted April 14, 2010 by voice vote.

ACT NO. 200-2010 by Mr. Giardini
and Mr. Ellis

**BID ACCEPTANCE FOR PURCHASE OF EQUIPMENT
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and

Rule 41 of the Rules of Order.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the purchase of equipment, according to bid specifications and general information provided by the Public Works Committee, and

WHEREAS, the lowest bid received for the purchase of two (2) Airman/PD1185S 185 CFM portable air compressors (trailer type) was submitted by George & Swede Sales & Services, Inc., 7155 Big Tree Road, Pavilion, New York 14525, in the amount of \$26,024, and

WHEREAS, the lowest bid received for the purchase of new and unused Mettler Toledo / 7562 PDX steel deck motor truck scales was submitted by Brady Systems, 811 North Alvord Street, Syracuse, New York 13208-2015, in the amount of \$43,000 plus \$1,000 for trench and conduit work, now, therefore, be it

RESOLVED, that the bid of George & Swede Sales & Services, Inc., for the purchase of two (2) 185 CFM portable air compressors (trailer type), be, and the same hereby is, accepted, and be it further

RESOLVED, that the bid of Brady Systems for the purchase of a new and unused steel deck motor truck scale, be, and the same hereby is, accepted, and be it further

RESOLVED, that the vouchers accordingly certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

CFM Portable Air Compressors:

No State bid.

Eleven sets of specifications were sent out.

Five bids were received.

Steel Deck Motor Truck Scales:

No State bid.

Ten sets of specifications were sent out.

Four bids were received.

Approved by 8 members of the Finance Committee and 8 members of the Public Works Committee.

Adopted April 14, 2010 by voice vote.

ACT NO. 201-2010 by Mr. Giardini
and Mr. Ellis

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH BRADY SYSTEMS
FOR TRUCK SCALE MAINTENANCE PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 200-2010 authorized a contract with Brady Systems, 811 North Alvord Street, Syracuse, New York 13208-2015, for the purchase of Mettler Toledo / 7562 PDX steel deck motor truck scales, and

WHEREAS, the Department of Public Works is desirous of purchasing a comprehensive preventative maintenance plan for the aforementioned truck scales, and

WHEREAS, Brady Systems can provide a five-year comprehensive preventative maintenance plan for the aforementioned Mettler Toledo / 7562 PDX steel deck motor truck scales for a total cost of \$5,300, and

WHEREAS, sufficient funds are included in the 2010 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 Brady Systems for the provision of the above-described maintenance plan, for a five-year term commencing upon installation of the above-described scales and terminating five years thereafter, according to the above-described terms.

Approved by 8 members of the Finance Committee and 8 members of the Public Works Committee.

Adopted April 14, 2010 by voice vote.

ACT NO. 202-2010 by Mr. Giardini
and Mr. Ellis
and Mr. Aiello, Mr. Burrell and Mr. Hebdon¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
SIMPLEXGRINNELL LP FOR LIFE SAFETY SERVICE
AGREEMENT FOR COUNTY JAIL**

Pursuant to Section 215 of the County Law and Act 636-2009 of the Cattaraugus County Legislature.

WHEREAS, Act 591-2009 authorized a contract with SimplexGrinnell, LP, for the provision of maintenance services for the closed circuit TV (CCTV), public address (PA) systems and master clocks at the County Jail in Little Valley and fire and smoke alarm testing and inspection at the Stone House in Machias, the term of which expires June 30, 2010, and

WHEREAS, the County Department of Public Works is desirous of continuing the aforementioned services, and

WHEREAS, SimplexGrinnell LP, has agreed to provide maintenance services for the closed circuit TV (CCTV), the public address (PA) systems and the master clocks at the County Jail in Little Valley, as follows:

	<u>Site</u>	<u>Address</u>	<u>Amount</u>
County Jail-CCTV		301 Court Street Little Valley, NY 14755	\$4,005.00
County Jail-PA System Maintenance		301 Court Street Little Valley, NY 14755	\$ 275.00
County Jail-Master Clock Maintenance		301 Court Street Little Valley, NY 14755	\$ 830.00
County Jail-CCTV Full System parts replacement/24 hr. coverage		301 Court Street Little Valley, NY 14755	\$6,600.00

and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with SimplexGrinnell LP, for the provision of the above-described services, for a term commencing July 1, 2010 and terminating June 30, 2011, according to the above-described terms.

Approved by 8 members of the Finance Committee, 6 members of the Public Safety Committee and 8 members of the Public Works Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Mr. Burrell and Mr. Hebdon".

Adopted April 14, 2010 by voice vote.

ACT NO. 203-2010 by Mr. Giardini
and Mr. Ellis

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
SIMPLEXGRINNELL LP FOR LIFE SAFETY SERVICE
AGREEMENT FOR VARIOUS COUNTY BUILDINGS**

Pursuant to Section 215 of the County Law and
Act 636-2009 of the Cattaraugus County Legislature.

WHEREAS, Act 296-2009 authorized a contract with SimplexGrinnell LP, for the provision of annual systems test & inspections, smoke detector cleaning/sensitivity testing, panel parts replacement coverage and informal training for the Little Valley County Center and Jail Facility, the Olean Office Facility and the DPW Facility, the term of which expires June 30, 2010, and

WHEREAS, Act 472-2009 authorized a contract with SimplexGrinnell LP, for the provision of annual inspection and testing of the fire and smoke alarm system at the Pines Healthcare and Rehabilitation Center - Machias Campus, the term of which expires June 30, 2010, and

WHEREAS, the County Department of Public Works is desirous of continuing the aforementioned services, and

WHEREAS, SimplexGrinnell LP has agreed to provide the following services:

**Annual Systems Test & Inspections of Fire & Smoke Alarms
Smoke Detector Cleaning/Sensitivity Testing
Panel Parts Replacement Coverage**

<u>Site</u>	<u>Address</u>	<u>Amount</u>
LV County Center Building	303 Court Street Little Valley, NY 14755	\$5,850.00
Olean Office Facility	1 Leo Moss Drive Olean, NY 14760	\$1,325.00
DPW Facility	8810 Route 242 Little Valley, NY 14755	\$1,500.00
Security Panel Parts Coverage	8810 Route 242 Little Valley, NY 14755	\$1,150.00

Pines Healthcare and Rehabilitation Center - Machias Campus	9822 Route 16 Machias, NY 14101	\$3,925.00
Stone House	9824 Route 16 Machias, NY 14101	\$ 380.00
Guidepost/PROS Facility	203 Laurens Street Olean, NY 14760	\$1,125.00
Guidepost/PROS Facility Smoke Detector Cleaning	203 Laurens Street Olean, NY 14760	\$ 200.00

and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with SimplexGrinnell LP, for the provision of the above-described services, for a term commencing July 1, 2010 and terminating June 30, 2013, according to the above-described terms.

Approved by 8 members of the Finance Committee, 6 members of the Human Services Committee, 6 members of the Senior Services Committee and 8 members of the Public Works Committee.

Adopted April 14, 2010 by voice vote.

ACT NO. 204-2010 by Mr. Giardini
Mr. Ellis and Mr. Murphy

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
JON W. MOWRY FOR CABIC POND GRASS CUTTING**

Pursuant to Section 215 of the County Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 282-2008 authorized the County Administrator to execute a contract with Jon W. Mowry, 7966 Route 353, Cattaraugus, New York 14719, for the provision of grass cutting and weed removal around a body of water known as Cabic Pond, located within County Reforestation Property #25, situated in the Towns of Persia and New Albion, the term of which expires May 31, 2010, and

WHEREAS, the County desires to renew the aforementioned contract for a term commencing June 1, 2010 and terminating May 31, 2012, and

WHEREAS, Jon W. Mowry has agreed to continue providing the aforementioned services for an amount of \$41.00 per acre and a total not to exceed \$750 per year, and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Jon W. Mowry, for the provision of the above-described services, for a term commencing June 1, 2010 and terminating May 31, 2012, according to the above-described terms.

Approved by 7 members of the Finance Committee and 8 members of the Public Works Committee.

Adopted April 14, 2010 by voice vote.

ACT NO. 205-2010 by Mr. Giardini
and Mr. Ellis

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION
WITH ABATE ASSOCIATES ENGINEERS & SURVEYORS, P.C. FOR
CONSTRUCTION INSPECTION SERVICES FOR OTTO BRIDGE NO. 14
TEMPORARY BRIDGE CONSTRUCTION PROJECT**

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

WHEREAS, Act 644-2009 authorized a contract with Abate Associates Engineers & Surveyors, P.C., 4455 Genesee Street, P.O. Box 218, Buffalo, New York 14225-0218, for the provision of construction inspection services for the Otto Bridge No. 14 temporary bridge construction project, the term of which expired March 31, 2010, and

WHEREAS, a contract extension is necessary to June 30, 2010 in order to complete the aforementioned project, at no cost to the County, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract extension, on behalf of Cattaraugus County, with Abate Associates Engineers & Surveyors, P.C., for the provision of the above-described services, for a term commencing April 1, 2010 and terminating June 30, 2010, according to the above-described terms.

Approved by 7 members of the Finance Committee and 8 members of the Public Works Committee.

Adopted April 14, 2010 by voice vote.

ACT NO. 206-2010 by Mr. Burrell and Ms. Vickman

**AUTHORIZING PARTIAL RELEASE OF EASEMENT
TO FRANKLINVILLE CENTRAL SCHOOL DISTRICT
FOR COUNTY WATERSHED PROTECTION DISTRICT**

Pursuant to Article 5-D and Section 215 of the County Law.

WHEREAS, the Franklinville Central School District granted an easement to the Ischua Creek County Small Watershed Protection District on May 18, 1971, for the purposes of flood control, and

WHEREAS, during the course of a capital project for the School District, it was discovered that the survey description developed in the 1970's for the easement is incorrect, and

WHEREAS, in order to correct the aforementioned description, the County should release to the School District a portion of the permanent easement, and

WHEREAS, the County shall retain the following rights and privileges:

1. the right to enter upon the School District's lands for the purpose only of maintaining and repairing such dikes, and if need be, to rebuild such dikes in the event that it should develop that such diking is damaged to an extent that repairing the same would not fulfill the purpose of their existence and the control of the water of the Ischua Creek, and
2. the right to enter upon the School District's property in order to have access to the easement areas,

now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a Release of Easement, on behalf of Cattaraugus County, with the Franklinville Central School District, according to the above-described terms.

Approved by 8 members of the Finance Committee and 8 members of the Public Works Committee.

Adopted April 14, 2010 by voice vote.

ACT NO. 207-2010 by Mr. Giardini
and Mr. Ellis

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
COMMUNICATION SERVICES OF WNY & PA, INC. D/B/A EAGLE RADIO
TECHNOLOGIES FOR RADIO MAINTENANCE**

Pursuant to Sections 408 and 450 of the County Law.

WHEREAS, Act 130-2008 authorized a contract with Communication Services of WNY & PA, Inc., d/b/a Eagle Radio Technologies, 1367 East Second Street, Jamestown, New York 14701, for the maintenance of two-way radio communications equipment for the Department of Public Works, Health Department, Office of Emergency Services, and Fire Advisory Board, according to specifications submitted under the direction of the Public Works Committee, the term of which expired March 31, 2010, and

WHEREAS, the Department of Public Works has solicited proposals from four (4) companies for the aforementioned radio maintenance services, and

WHEREAS, the lowest proposal received meeting specifications was the proposal of Communication Services of WNY & PA, Inc., d/b/a Eagle Radio Technologies, as follows:

<u>REMOVALS:</u>	<u>Mount</u>	<u>Single Unit</u>	<u>Multiple Units</u>
Prices per unit			
Cars	Front	\$ 25.00	\$ 22.50
	Rear	\$ 75.00	\$ 72.50
Pickup Trucks	Front	\$ 45.50	\$ 42.50
	Rear	\$ 75.00	\$ 72.50
Ambulances	Front	\$ 45.00	\$ 42.50
	Rear	\$100.00	\$ 97.50
Graders	Front	\$ 25.00	\$ 22.50

ACT NO. 208-2010 by Mr. Giardini
and Mr. Ellis

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
STEARNS & WHELER, LLC FOR FIVE POINTS LANDFILL
LEACHATE TREATABILITY STUDY**

Pursuant to Sections 226-b and 450 of the County Law.

WHEREAS, Act 447-2002, as amended by Act 542-2002 and Act 308-2004, authorized a contract with Stearns & Wheler, LLC, University Centre, 415 North French Road, Suite 100, Amherst, New York 14228, for the provision of an evaluation and feasibility study of the leachate handling and management of the closed Five Points Landfill, and

WHEREAS, Act 235-2009 authorized a contract with Stearns & Wheler, LLC for an update of the Five Points Landfill Leachate Management Plan, and

WHEREAS, the County Department of Public Works is in need of a treatability study for the Five Points Landfill, and

WHEREAS, Stearns & Wheler, LLC, can provide the professional services necessary for a Leachate Treatability Study for the Five Points Landfill for a lump sum amount of \$54,900 base fee, plus an amount of \$9,000 for a fourth round of analytical testing, if such fourth round is requested by the County, and

WHEREAS, sufficient funds are included in the 2010 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 Stearns & Wheler, LLC, for the provision of the above-described services, for a term commencing March 25, 2010 and terminating July 31, 2010, according to the above-described terms.

Referred to the Finance Committee and the Public Works Committee.

ACT NO. 209-2010 by Mr. McLarney and Mr. Ward

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENTS
WITH VARIOUS ENTITIES FOR RENTAL OF SPACE
FOR CIVIL SERVICE TESTING**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, the County Department of Human Resources is desirous of renting space at various locations for Civil Service testing, and

WHEREAS, the following entities have agreed to lease space to the County, on an as-needed basis, for the following amounts:

Little Valley Fire Department, Inc. 101 3 rd Street Little Valley, New York 14755	\$100/use
 Cattaraugus County Agricultural Society, Inc. P.O. Box 182 Little Valley, New York 14755,	 \$100/use

and

WHEREAS, sufficient funds are included in the 2010 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 lease agreements, on behalf of Cattaraugus County, with the above-listed various entities, for the rental of space for Civil Service testing, for a term commencing March 1, 2010, to continue in full force and effect, under the same terms and conditions, until terminated by either party hereto, according to the above-described terms.

Approved by 8 members of the Finance Committee and 5 members of the Labor Relations Committee.

Adopted April 14, 2010 by voice vote.

ACT NO. 210-2010 by Mr. McLarney and Mr. Boser
and Mr. Aiello, Mr. Burrell, Mr. Neal, Mr. Teachman and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
CHALLENGER LEARNING CENTER OF THE TWIN TIER REGION, INC.
FOR SPACE-THEMED LEARNING CENTER**

Pursuant to Section 99-h of the State Finance Law and
Section 450 of the County Law.

WHEREAS, Act 95-2009 authorized a contract with the Challenger Learning Center of the Twin Tier Region, Inc., for a space-themed learning center, and

WHEREAS, Cattaraugus County recognizes the unique nature of this opportunity to offer such a learning center, and is desirous of further assisting the Learning Center, and

WHEREAS, the County should provide an additional amount of \$50,000 from its casino proceeds for construction costs and equipment for the transporter room at the Challenger Learning Center, 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 Challenger Learning Center of the Twin Tier Region, Inc., c/o Buffamante, Whipple, Buttafaro, PC, 130 South Union Street, Olean, New York 14760, for further assistance with the aforementioned project, for a term commencing January 1, 2010 and terminating December 31, 2010, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the Development and Agriculture Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Mr. Burrell, Mr. Neal, Mr. Teachman and Mr. Padlo".

Adopted April 14, 2010 by voice vote.

ACT NO. 211-2010 by Mr. Neal and Mr. Snyder
and Mr. Marsh¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT
WITH ALLEGANY COUNTY FOR HEALTH DEPARTMENT
CANCER SERVICES PROGRAM**

Pursuant to Act 636-2009 of the Cattaraugus County Legislature.

WHEREAS, Act 306-2009 authorized a contract with the Allegany County Health Department for the provision of medical services, including cancer screening services, by the Cattaraugus County Health Department, the term of which expired March 31, 2010, and

WHEREAS, the parties are desirous of continuing the aforementioned program, and

WHEREAS, the Cattaraugus County Health Department is able to provide the aforementioned medical services, including colposcopy, colposcopy-directed biopsy and pathology, in accordance with the NYS maximum allowable reimbursement rates, for the Allegany County Health Department, and

WHEREAS, this program is 100% state funded, now, therefore, be it
RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Allegany County for the provision of the above-described services, for a term commencing April 1, 2010 and terminating March 31, 2011, according to the above-described terms.

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

¹ The following Legislator requested his name be listed as an additional sponsor: "Mr. Marsh".

Adopted April 14, 2010 by voice vote.

ACT NO. 212-2010 by Mr. Neal and Mr. Snyder
and Mr. Padlo¹

**BID ACCEPTANCE FOR MOSQUITO SPRAYING
(Health Department)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for aerial application and insect control, according to specifications provided by the Cattaraugus County Health Department, and

WHEREAS, the only bid received was Duflo Spray-Chemical, Inc., 8369 State Route 812, Lowville, New York 13367, as follows:

Applications - Applied Rates

Teknar HP-D & Zoecon Altosid Mixture	
1st larvicide application	\$11.95/acre x 4,120 acres = \$49,234.00
Subsequent larvicide application	\$11.65/acre x 4,120 acres = \$47,998.00
1st adulticide application	
if Scourge is used	\$4.35/acre x 11,590 acres = \$49,605.20

subsequent adulticide	\$4.18/acre x 11,590 acres = \$48,446.20
2nd adulticide application	
if Anvil 10 + 10 is used	\$4.35/acre x 11,590 acres = \$49,605.20
subsequent adulticide	\$4.18/acre x 11,590 acres = \$48,446.20,

and

WHEREAS, the aforementioned services are 36% state, 20% county and 44% locally funded, and

WHEREAS, sufficient funds are included in the 2010 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the bid of Duflo Spray-Chemical, Inc. be, and the same hereby is, accepted, and be it further

RESOLVED, that the vouchers accordingly certified by the Public Health Director of the Health Department be audited by the Auditor and paid by the County Treasurer.

No State Bid.

51 sets of specifications were sent out.

Only one bid was received.

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

¹ The following Legislator requested his name be listed as an additional sponsor: "Mr. Padlo".

Adopted April 14, 2010 by voice vote.

ACT NO. 213-2010 by Mr. Neal and Mr. Snyder

AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NEW YORK STATE DEPARTMENT OF HEALTH FOR IMMUNIZATION CONSORTIUM REIMBURSEMENT

Pursuant to 10 NYCRR Section 40-1.52 and Section 450 of the County Law.

WHEREAS, Act 186-2009 authorized a contract with the New York State Department of Health for the administration of the Western Region Immunization Consortium, the term of which expired March 31, 2010, and

WHEREAS, the New York State Department of Health has authorized a cost-of-living adjustment (COLA) in the amount of \$3,105, for the period April 1, 2009 through March 31, 2010, and

WHEREAS, a contract amendment is necessary in order to obtain the aforementioned COLA 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, in order to receive the aforementioned COLA for immunization program, for a term commencing April 1, 2009 and terminating March 31, 2010, according to the above-described terms.

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted April 14, 2010 by voice vote.

ACT NO. 214-2010 by Mr. Neal and Mr. Snyder
and Mr. Aiello, Mr. Vecchiarella and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR ADOLESCENT TOBACCO
USE PREVENTION ACT ENFORCEMENT PROGRAM**

Pursuant to Article 13-F of the Public Health Law and
Section 450 of the County Law.

WHEREAS, Act 517-2009 authorized a contract with New York State Department of Health for a youth tobacco enforcement and preventive work plan to reduce the use and accessibility of tobacco to youths under 18 years of age, the term of which expires September 30, 2010, and

WHEREAS, the New York State Department of Health has authorized a cost-of-living adjustment (COLA) in the amount of \$2,555, for the period April 1, 2009 through March 31, 2010, and

WHEREAS, a contract amendment is necessary in order to obtain the aforementioned COLA 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, in order to receive the aforementioned COLA for the Adolescent Tobacco Use Prevention Act Program, for a term commencing April 1, 2009 and terminating September 30, 2010, according to the above-described terms.

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Mr. Vecchiarella and Mr. Padlo".

Adopted April 14, 2010 by voice vote.

ACT NO. 215-2010 by Mr. Neal and Mr. Snyder
and Mr. Aiello and Ms. Vickman¹

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT
WITH NEW YORK STATE DEPARTMENT OF HEALTH
FOR RABIES PROGRAM REIMBURSEMENT**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 373-2008 authorized a contract with the New York State Department of Health for reimbursement for the rabies program, the term of which expires March 31, 2012, and

WHEREAS, the New York State Department of Health has authorized a cost-of-living adjustment (COLA) in the amount of \$2,785, for the period April 1, 2009 through March 31, 2010, and

WHEREAS, a contract amendment is necessary in order to obtain the aforementioned COLA 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, in order to receive the aforementioned COLA for rabies reimbursement, for a term

commencing April 1, 2009 and terminating March 31, 2012, according to the above-described terms.

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello and Ms. Vickman".

Adopted April 14, 2010 by voice vote.

ACT NO. 216-2010 by Mr. Murphy and Mr. Teachman
and Mr. Aiello, Mr. Neal, Mr. Teachman, Mr. Boser and Mr. McClune¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CITY OF OLEAN FOR FIRE TRAINING FACILITY REPAIR AND UPGRADE**

Pursuant to Section 119-o of the General Municipal Law and
Section 450 of the County Law.

WHEREAS, Act 435-2009, as amended by Act 91-2010, authorized a contract with the City of Olean for repairs to its fire training facility, the term of which expires June 30, 2010, and

WHEREAS, the City of Olean is desirous of repairing and/or upgrading its fire training facility, including, but not limited to, the following services:

- Install steel door and frame in the first floor of the tower;
- Point and patch block work and seal exterior walls on the tower - three stories;
- Form and pour a 12' x 24' x 4" concrete pad at the garage;
- Complete tear off and new roof installation on garage;
- Complete tear off and new roof installation on third story of the training tower;
- Replace soffits and missing shingles on the classroom building;
- Install dry-hydrant system for water supply,

and

WHEREAS, the County Office of Emergency Services is desirous of assisting the City of Olean with costs associated with the aforementioned repairs and/or upgrades to the fire training facility, and

WHEREAS, the County Office of Emergency Services shall pay to the City of Olean an amount not to exceed \$20,000 for the aforementioned repairs and/or upgrades, and

WHEREAS, sufficient funds are included in the 2010 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 the City of Olean, for the provision of the above-described services, for a term commencing April 1, 2010 and terminating December 31, 2010, according to the above-described terms.

Approved by 8 members of the Finance Committee and 7 members of the Public Safety Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Mr. Neal, Mr. Teachman, Mr. Boser and Mr. McClune".

Adopted April 14, 2010 by voice vote.

ACT NO. 217-2010 by Mr. Murphy and Mr. Teachman
and Mr. Aiello, Mr. Neal and Mr. McClune¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CITY OF SALAMANCA FOR FIRE TRAINING FACILITY REPAIR AND UPGRADE**

Pursuant to Section 119-o of the General Municipal Law and
Section 450 of the County Law.

WHEREAS, Act 436-2009 authorized a contract with the City of Salamanca for assistance with repairs and/or upgrades to the fire training facility, and

WHEREAS, the County Office of Emergency Services is desirous of assisting the City of Salamanca with costs associated with further upgrades to the fire training facility, and

WHEREAS, the City of Salamanca is desirous of repairing and/or upgrading its fire training facility, as follows:

- Re-lining the live fire burn facility with fireproofing material;
- Purchase a storage shelter to house equipment and props,

and

WHEREAS, the County Office of Emergency Services shall pay to the City of Salamanca an amount not to exceed \$20,000 for the aforementioned repairs and/or upgrades, and

WHEREAS, sufficient funds are included in the 2010 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 the City of Salamanca, for the provision of the above-described services, for a term commencing April 1, 2010 and terminating December 31, 2010, according to the above-described terms.

Approved by 8 members of the Finance Committee and 7 members of the Public Safety Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Mr. Neal and Mr. McClune".

Adopted April 14, 2010 by voice vote.

ACT NO. 218-2010 by Public Safety Committee:

Mr. Murphy, Mr. Teachman, Mr. Aiello,
Mr. Neal, Mr. Vecchiarella, Mr. Hebdon and Mr. Padlo

**ABOLISHING TWO TEMPORARY POSITIONS OF ASSISTANT TO THE
DIRECTOR OF EMERGENCY SERVICES DEPARTMENT AND
CREATING ONE FULL-TIME POSITION OF ASSISTANT TO THE
DIRECTOR OF EMERGENCY SERVICES IN THE DEPARTMENT OF EMERGENCY SERVICES AND
ESTABLISHING COMPENSATION FOR SAME AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Emergency Services)**

Pursuant to Sections 204, 205, 363 and 366 of the County Law and
Section 22 of the Civil Service Law.

WHEREAS, Act 481-2009 created two positions of Assistant to the
Director of Emergency Services, due to the declared state of emergency in the
County, with state reimbursement funding under FEMA and the State Emergency
Management Office (SEMO), and

WHEREAS, Act 481-2009 provided that effective February 28, 2011,
these positions shall automatically be abolished, unless such action is taken
to abolish them sooner if such positions cease to be needed, and

WHEREAS, these positions are no longer needed, and

WHEREAS, additional funding is available under Homeland Security
to fund a position of Assistant to the Director of Emergency Services, at no
cost to the County, for a period of two years, and

WHEREAS, this additional position would greatly enhance the
County's ability to update Federal NIMS compliance, as well as create and
update much needed hazard plans, and

WHEREAS, the New Position Duties Statement has been submitted to
the Cattaraugus County Civil Service Commission, which has approved and
certified the title as Assistant to the Director of Emergency Services in
accordance with Section 22 of the Civil Service Law, and

WHEREAS, various appropriation and revenue accounts must be
adjusted, now, therefore, be it

RESOLVED, that the two temporary positions of Assistant to the
Director of Emergency Services in the Department of Emergency Services
created by Act 481-2009 are hereby abolished, effective immediately, and be
it further

RESOLVED, that effective immediately, there is hereby created one
position of Assistant to the Director of Emergency Services in the Department
of Emergency Services to be compensated at Grade 19 (\$17.94 - \$19.95 per
hour), General Bargaining Unit, and be it further

RESOLVED, that this position shall automatically be abolished on
December 31, 2011, unless legislative action is taken prior to December 31,
2011 to extend this position, and be it further

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

Increase Estimated Revenue Account:

A.4385	Homeland Security Grant 2009	\$180,698.00
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Increase Appropriate Accounts:

A.3645.101	Full-time Wages	\$ 24,334.00
A.3645.203	Computer Equipment/Software	\$110,952.00
A.3645.210	Communication Equipment	\$ 18,000.00
A.3645.455	Professional Services	\$ 20,000.00
A.3645.490	Small Equipment	\$ 2,800.00

A.3645.828	Retirement	\$ 2,750.00
A.3645.833	FICA	\$ 1,862.00.

Approved by 8 members of the Finance Committee and 5 members of the Labor Relations Committee.

Adopted April 14, 2010 by voice vote.

ACT NO. 219-2010 by Mr. Neal and Mr. Snyder
and Mr. Aiello and Mr. Teachman¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE AMENDED CONTRACT WITH
OLEAN GENERAL HOSPITAL FOR DEPARTMENT OF SOCIAL SERVICES
MEDICAL AND TESTING SERVICES FOR CHILD PROTECTIVE SERVICES**

Pursuant to 45 CFR Parts 74 and 92 and
Act 636-2009 of the Cattaraugus County Legislature.

WHEREAS, Act 673-2009 authorized contracts with various entities for the provision of medical and testing services for persons needing evaluations, the term of which expires December 31, 2010, and

WHEREAS, the County Department of Social Services is desirous of amending the aforementioned contract with the Olean General Hospital to include the following medical and testing services:

Professional Panel Urine Drug Collection & Screen	\$95.00
Hair Collection & Screen	\$90.00,

and

WHEREAS, this program is 65% state and 35% county funded, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with the Olean General Hospital, for the provision of the above-described services, for a term commencing January 1, 2010 and terminating December 31, 2010, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello and Mr. Teachman".

Adopted April 14, 2010 by voice vote.

ACT NO. 220-2010 by Mr. Neal and Mr. Snyder
and Mr. Aiello and Mr. Teachman¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE AMENDED CONTRACT WITH
OLEAN GENERAL HOSPITAL FOR DEPARTMENT OF SOCIAL SERVICES
MEDICAL AND TESTING SERVICES FOR CHILD PROTECTIVE SERVICES**

Pursuant to 45 CFR Parts 74 and 92 and
Act 636-2009 of the Cattaraugus County Legislature.

WHEREAS, Act 691-2008 authorized contracts with various entities for the provision of medical and testing services for persons needing evaluations, the term of which expired December 31, 2009, and

WHEREAS, the County Department of Social Services is desirous of amending the aforementioned contract with the Olean General Hospital to include the following medical and testing services:

Professional Panel Urine Drug Collection & Screen	\$95.00
Hair Collection & Screen	\$90.00,

and

WHEREAS, this program is 65% state and 35% county funded, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with the Olean General Hospital, for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello and Mr. Teachman".

Adopted April 14, 2010 by voice vote.

ACT NO. 221-2010 by Mr. Neal and Mr. Snyder
and Mr. Aiello and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE SUBLEASE AGREEMENT
WITH NEW YORK STATE DEPARTMENT OF LABOR FOR
CATTARAUGUS ONE-STOP OFFICE SPACE**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 375-2008 authorized a sublease agreement with the New York State Department of Labor for approximately 273 square feet of office space on the first floor at One Blue Bird Square for the Cattaraugus One-Stop Center, the term of which expired June 30, 2009, and

WHEREAS, the County Department of Social Services is in need of the aforementioned space, and

WHEREAS, a new sublease agreement should be executed with the New York State Department of Labor for the aforementioned space, and

WHEREAS, the New York State Department of Labor has agreed to sublease approximately 273 square feet of space on the first floor at One Blue Bird Square for the Cattaraugus One-Stop Center for an amount of \$20.74 per square foot equal to \$471.84 per month, and

WHEREAS, the County shall reimburse the NYS Department of Labor on a quarterly basis for 30% of all phone costs associated with the above-described leased office space, and

WHEREAS, this program is 100% federally funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a sublease agreement, on behalf of Cattaraugus County, with the New York State Department of Labor for the subleasing of approximately 273 square feet of space for the Cattaraugus One-Stop, for a term commencing July 1, 2009 to continue on a month-to-month basis at the same rate, until terminated by the County on thirty (30) days prior notice, according to the above-described terms.

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello and Mr. Padlo".

Adopted April 14, 2010 by voice vote.

ACT NO. 222-2010 by Mr. Neal and Mr. Snyder
and Mr. Teachman and Mr. Padlo¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
OLEAN YMCA, INC. FOR DEPARTMENT OF SOCIAL SERVICES
COMMON SENSE PARENTING TRAINING**

Pursuant to CFDA 93.667, 18 NYCRR Parts 405 and 423.4(f) and Act 636-2009 of the Cattaraugus County Legislature.

WHEREAS, Act 126-2009 authorized a contract with Olean YMCA, Inc., 1101 Wayne Street, Olean, New York 14760, for the provision of parenting training to staff and clients, the term of which expired December 31, 2009, and

WHEREAS, the County Department of Social Services is desirous of providing the aforementioned training again, which will be provided with the assistance of the Western New York Psychiatric Center at no cost to the County, and

WHEREAS, the "Common Sense Parenting Training" will be held at the Olean YMCA, for an amount of \$1,250 per a course of six sessions for three (3) full courses, for a total not to exceed \$3,750, which covers the rental of the training room and the provision of necessary day care services during the training, and

WHEREAS, this training is funded with 63% state funds and 37% county funds, and

WHEREAS, sufficient funds are included in the 2010 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Olean YMCA, Inc., for the provision of the above-described parent training services for a term commencing May 1, 2010 and terminating December 31, 2010, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Teachman and Mr. Padlo".

Adopted April 14, 2010 by voice vote.

ACT NO. 223-2010 by Human Services Committee:

Mr. Snyder, Mr. Neal, Mr. Aiello,
Mrs. Stockman, Ms. Vickman, Mr. Nenno and Mr. Ward

**ABOLISHING ONE POSITION OF SUPPORT OFFICER,
ONE POSITION OF KEYBOARD SPECIALIST AND
ONE POSITION OF CHIEF INVESTIGATOR (SOCIAL SERVICES) AND
CREATING ONE POSITION OF SOCIAL SERVICES EXAMINER,
ONE POSITION OF SENIOR SOCIAL SERVICES EXAMINER AND
ONE POSITION OF SENIOR INVESTIGATOR (SOCIAL SERVICES) IN
DEPARTMENT OF SOCIAL SERVICES AND
ESTABLISHING COMPENSATION FOR SAME
(SOCIAL SERVICES)**

Pursuant to Sections 204 and 205 of the County Law and
Section 22 of the Civil Service Law.

WHEREAS, the Department of Social Services is being restructured to provide more efficient and economical services to its clients, and

WHEREAS, this restructuring requires the abolition of a vacant Support Officer, vacant Keyboard Specialist and vacant Chief Investigator (Social Services) and the creation of a Senior Social Services Examiner, Social Services Examiner and a Senior Investigator (Social Services), and

WHEREAS, this reorganization will provide for an increase in services to clients while reducing costs, and

WHEREAS, the New Position Duties Statements have been submitted to the Cattaraugus County Civil Service Commission, which has approved and certified the titles as Senior Social Services Examiner, Social Services Examiner and a Senior Investigator (Social Services) in accordance with Section 22 of the Civil Service Law, now, therefore, be it

RESOLVED, that effective immediately, there is hereby abolished vacant position of Keyboard Specialist, and be it further

RESOLVED, that effective immediately, there is hereby created one position of Senior Social Services Examiner to be compensated at Grade 22 (\$21.21 - \$23.80 per hour), Supervisory Bargaining Unit, and be it further

RESOLVED, that effective May 12, 2010, there is hereby abolished one vacant position of Support Officer, and be it further

RESOLVED, that effective May 13, 2010, there is hereby created one position of Social Services Examiner to be compensated at Grade 19 (\$17.94-\$19.95), General Bargaining Unit, and be it further

RESOLVED, that that effective July 1, 2010, there is hereby abolished one vacant position of Chief Investigator (Social Services) in the Department of Social Services, and be it further

RESOLVED, that effective July 2, 2010, there is hereby created one position of Senior Investigator (Social Services) in the Department of Social Services to be compensated at Grade 23 (\$21.38 - \$23.93 per hour), Supervisory Bargaining Unit.

Approved by 8 members of the Finance Committee and 4 members of the Labor Relations Committee.

Adopted April 14, 2010 by voice vote.

ACT NO. 224-2010 by Mr. Marsh and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH IDS VIRTUAL DEPOT, INC. FOR
COUNTY CLERK'S OFFICE BOOK TO IMAGE SERVICES PROJECT**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 768-2009 authorized a contract with IDS Virtual Depot, Inc., 443 Buffalo Street, Jamestown, New York 14701, for Book to Image Services for the Cattaraugus County's Clerk's Office, and

WHEREAS, due to the financial climate of New York State, grant funding from New York State that was originally expected in August of 2009, was received on March 25, 2010, with a required project completion date of June 30, 2010, and

WHEREAS, additional services are needed in order to complete the aforementioned project by the June 30, 2010 deadline, and

WHEREAS, IDS Virtual Depot, Inc., can provide pre-indexing services for an amount of \$0.01 per image for approximately 590,074 images, and

WHEREAS, sufficient funds are included in the grant 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 IDS Virtual Depot, Inc., for the provision of the above-described services, for a term commencing April 1, 2010 and terminating June 30, 2010, according to the above-described terms.

Approved by 8 members of the Finance Committee and 6 members of the County Operations Committee.

Adopted April 14, 2010 by voice vote.

ACT NO. 225-2010 by Mr. Marsh, Mr. Hebdon,
Mr. Padlo and Mr. Sprague

**TRANSFER OF FUNDS
(Contingent Fund - County Clerk)**

Pursuant to Sections 363 and 365 of the County Law.

WHEREAS, the three (3) motor vehicle offices located in Cattaraugus County have minor security deficiencies, and

WHEREAS, the work can be completed in house and shall not exceed \$3,000, and

WHEREAS, a transfer of funds from the Contingent Fund is necessary to cover the cost of the aforementioned work, now, therefore, be it

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

Decrease Appropriation Account:

A.1990.445	Contingent Fund	\$3,000.00
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Increase Appropriation Accounts:

A.1411.422	Equipment Repair & Maintenance	\$1,000.00
A.1412.422	Equipment Repair & Maintenance	\$1,000.00
A.1413.422	Equipment Repair & Maintenance	\$1,000.00.

Approved by 8 members of the Finance Committee and 6 members of the County Operations Committee.

Adopted April 14, 2010 by voice vote.

ACT NO. 226-2010 by Ms. Vickman and Mr. McClune
and Mr. Teachman and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH PLANNING COMMITTEE ON THE PROBLEMS OF THE AGING FOR
MANAGEMENT OF OLEAN SENIOR WELLNESS AND NUTRITION PROGRAM SITE**

Pursuant to Title III-C of the Older Americans Act and
Section 450 of the County Law.

WHEREAS, Act 200-2009 authorized a contract with the Planning Committee on the Problems of the Aging, Olean Senior Center, 112 North Barry Street, Olean, New York 14760, for the provision of management services for a senior wellness and nutrition (SWAN) program site in the City of Olean, the term of which expired March 31, 2010, and

WHEREAS, the County Department for the Aging is desirous of renewing the aforementioned contract, and

WHEREAS, the County Department for the Aging has agreed to provide the following for the continuation of the aforementioned SWAN site:

Meals for the program in bulk	Support food service staff person
Delivery of meals to the site	Monitor for compliance with senior
In-service training	nutrition guidelines
Nutrition education & counseling	Ongoing activity support, etc.
Printed menus,	

and

WHEREAS, the Planning Committee on the Problems of the Aging, shall provide management services for a SWAN program site in Olean for an amount of \$17,000 for the period April 1, 2010 through March 31, 2011, and an amount of \$18,000 for the period April 1, 2011 through March 31, 2012, 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 the Planning Committee on the Problems of the Aging, for the provision of the above-described services, for a term commencing April 1, 2010 and terminating March 31, 2012, according to the above-described terms.

Approved by 8 members of the Finance Committee and 6 members of the Senior Services Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Teachman and Mr. Padlo".

Adopted April 14, 2010 by voice vote.

ACT NO. 227-2010 by Ms. Vickman and Mr. McClune
**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
DAMYANT PURI FOR CONSULTING DIETICIAN SERVICES FOR
DEPARTMENT OF AGING AND RESCINDING ACT 681-2009**

Pursuant to Section 95-a of the General Municipal Law and
Act 636-2009 of the Cattaraugus County Legislature.

WHEREAS, Act 681-2009 authorized a contract with Damyant Puri for the provision of consulting dietician services for the Department of Aging, at a rate of \$41 per hour for an average of 12 hours per week, plus training costs of \$600, the term of which expires December 31, 2011, and

WHEREAS, the Department of Aging is desirous of modifying the aforementioned contract to reflect a maximum of 624 hours per calendar year rather than 12 hours per week, and

WHEREAS, Damyant Puri, 9 Barley Sheaf Road, Flemington, New Jersey 08822, has agreed to continue providing the aforementioned consulting dietician services at a rate of \$41 per hour for a maximum of 624 hours per calendar year, plus annual training costs of \$600, and

WHEREAS, this program is funded through federal, state and county funds, and

WHEREAS, sufficient funds are included in the 2010 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Damyant Puri for the provision of the above-described consulting dietician services, for a term commencing January 1, 2010 and terminating December 31, 2011, according to the above-described terms, and be it further

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

RESOLVED, that Act 681-2009 be, and hereby is, rescinded.

Approved by 8 members of the Finance Committee and 6 members of the Senior Services Committee.

Adopted April 14, 2010 by voice vote.

ACT NO. 228-2010 by Ms. Vickman and Mr. McClune
and Mr. Neal, Mr. Teachman and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED LEASE AGREEMENT
WITH CITY OF OLEAN FOR DEPARTMENT OF AGING
SENIOR WELLNESS AND NUTRITION PROGRAM SITE**

Pursuant to Section 95-a of the General Municipal Law,
Title III-C of the Older Americans Act of 1965, as amended and
Sections 215 and 450 of the County Law.

WHEREAS, Act 700-2007 authorized a lease agreement with the City of Olean, Municipal Building, P.O. Box 668, Olean, New York 14760, for the County Department of Aging Senior Wellness and Nutrition (SWAN) Program sites, the term of which expires December 31, 2010, and

WHEREAS, the City of Olean leases space in the John J. Ash Community Center for the SWAN program at a rate of \$400 per month, and

WHEREAS, Act 700-2007 authorized the County to split the cost of the purchase and installation of an air conditioner/heater unit which was installed on the roof of the John J. Ash Community Center, and

WHEREAS, the County has received notification that it is no longer obligated to contribute for the cost of the air conditioner/heater unit, due to the City of Olean paying for the entire cost of the unit with other funding sources, and

WHEREAS, an amended lease agreement is necessary, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended lease agreement, on behalf of Cattaraugus County, with the City of Olean, for the leasing of the John J. Ash Community Center for a Senior Wellness and Nutrition Program site, for a term commencing January 1, 2008 and terminating December 31, 2010, according to the above-described terms.

Approved by 8 members of the Finance Committee and 6 members of the Senior Services Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Neal, Mr. Teachman and Mr. Padlo".

Adopted April 14, 2010 by voice vote.

ACT NO. 229-2010 by Mr. Neal and Mr. Snyder
and Mr. McClune¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
VARIOUS SCHOOL DISTRICTS FOR
PRE-SCHOOL HANDICAPPED TRANSPORTATION SERVICES**

Pursuant to 8 NYCRR Part 4410 and Section 450 of the County Law.

WHEREAS, Act 305-2009 authorized contracts with various school districts for the provision of pre-school handicapped transportation services, the terms of which expire June 30, 2010, and

WHEREAS, transportation services are required for pre-school children with handicapping conditions within the County of Cattaraugus, and

WHEREAS, various school districts in Cattaraugus County have agreed to provide the aforementioned transportation services at the rate of \$3.40 per mile per day, plus \$7.25 per hour per bus for an aide, on a case-by-case basis, when deemed necessary with proof of documentation in the child's IEP requiring such aide, and

WHEREAS, the aforementioned services shall be provided in accordance with the provisions of Section 103 of the General Municipal Law and Section 4410 of the Education Law, and

WHEREAS, this program is 59.5% state funded and 40.5% locally funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with various school districts, for the provision of the above-described transportation services, for a term commencing July 1, 2010 and terminating June 30, 2011, according to the above-described terms.

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

¹ The following Legislator requested his name be listed as an additional sponsor: "Mr. McClune".

Adopted April 14, 2010 by voice vote.

ACT NO. 230-2010 by Mr. Neal and Mr. Snyder
and Mr. Vecchiarella and Mr. McClune¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SALAMANCA CITY CENTRAL SCHOOL DISTRICT FOR
PRE-SCHOOL HANDICAPPED TRANSPORTATION SERVICES**

Pursuant to 8 NYCRR Part 4410 and
Section 450 of the County Law.

WHEREAS, Act 453-2009 authorized a contract with the Salamanca City Central School District for the provision of transportation services for preschool children with handicapping conditions, children living within the Salamanca City Central School District who attend classes at a BOCES preschool special education class at Prospect Elementary school, the term of which expires June 30, 2010, and

WHEREAS, the Salamanca City Central School District has agreed to continue providing the aforementioned services at a rate of \$3.70 per mile per day, plus \$7.25 per hour per bus for an aide, on a case-by-case basis, when deemed necessary with proof of documentation in the child's IEP requiring such aide, and

WHEREAS, these services shall be provided in accordance with the provisions of Section 103 of the General Municipal Law and Section 4410 of the Education Law, and

WHEREAS, these services are 59.5% State and 40.5% County funded, 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 Salamanca City Central School District for the provision of the above-described pre-school handicapped transportation services, for a term commencing July 1, 2010 and terminating June 30, 2011, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Vecchiarella and Mr. McClune".

Adopted April 14, 2010 by voice vote.

ACT NO. 231-2010 by Mr. Neal and Mr. Snyder
and Mr. Burrell¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
FRANKLINVILLE CENTRAL SCHOOL DISTRICT FOR
PRE-SCHOOL HANDICAPPED TRANSPORTATION SERVICES**

Pursuant to 8 NYCRR Part 4410 and
Section 450 of the County Law.

WHEREAS, Act 303-2009 authorized a contract with Franklinville Central School District, North Main Street, Franklinville, New York 14737, for the provision of transportation services for preschool children with handicapping conditions within the Franklinville Central School District to a BOCES pre-school speech class located at Pioneer-Delevan Elementary School, the term of which expires June 30, 2010, and

WHEREAS, Franklinville Central School District has agreed to continue providing the aforementioned services at a rate of \$1.28 per mile per day, plus \$7.25 per hour per bus for an aide, on a case-by-case basis, when deemed necessary with proof of documentation in the child's IEP requiring such aide, and

WHEREAS, these services shall be provided in accordance with the provisions of Section 103 of the General Municipal Law and Section 4410 of the Education Law, and

WHEREAS, these services are 59.5% State and 40.5% County funded, 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 Franklinville Central School District for the provision of the above-described pre-school handicapped transportation services, for a term commencing July 1, 2010 and terminating June 30, 2011, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

¹ The following Legislator requested his name be listed as an additional sponsor: "Mr. Burrell".

Adopted April 14, 2010 by voice vote.

ACT NO. 232-2010 by Mr. Neal and Mr. Snyder
and Mr. Teachman, Ms. Vickman and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
VARIOUS HANDICAPPED EDUCATION PROVIDERS FOR
YOUTH BUREAU CHILDREN WITH SPECIAL NEEDS PROGRAM**

Pursuant to Section 236 of the Family Court Act and
Section 450 of the County Law.

WHEREAS, Act 304-2009 authorized contracts with various handicapped education providers for the provision of educational and evaluation services for various County preschool-aged children with special needs, the terms of which expire June 30, 2010, and

WHEREAS, the Family Court Act mandates that the County provide payment for the educational and evaluation services which are approved by the Court, and

WHEREAS, contracts are necessary with education providers, related-service providers, and evaluators which are accredited by the New York State Education Department, and

WHEREAS, payments to the education providers, related-service providers, and evaluators will be in accordance with the budgetary tuition rate approved by the County and/or the State, and

WHEREAS, these services are 59.5% State funded and 40.5% County funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with various education providers, related-service providers, and evaluators for the provision of the above-described services, for a term commencing July 1, 2010 and terminating June 30, 2011, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Teachman, Ms. Vickman and Mr. Padlo".

Adopted April 14, 2010 by voice vote.

ACT NO. 233-2010 by Mr. Murphy
and Mr. Aiello¹

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
GLOBAL TEL*LINK CORPORATION FOR JAIL INMATE CALLING PROGRAM**

Pursuant to Sections 217 and 450 of the County Law.

WHEREAS, Act 191-2009 authorized a contract with Global Tel*Link Corporation, 12021 Sunset Hills Road, Suite 100, Reston, Virginia 20190, for participation in the inmate telephone service program, the term of which expires May 15, 2014, and

WHEREAS, Global Tel*Link Corporation has revised the rates of the aforementioned contract, and

WHEREAS, Global Tel*Link currently charges \$1.58 plus \$.09/minute for local calls and \$1.58 plus \$.18/minute for intra-lata calls, and

WHEREAS, effective April 1, 2010, Global Tel*Link will charge \$1.75 plus \$.10/minute for local calls and \$1.75 plus \$.20/minute for intra-lata calls, and

WHEREAS, Global Tel*Link Corporation shall pay to the County a monthly commission at the rate of 44% of the gross revenue from AT&T Undesignated Non-Sent Paid calls placed from the Inmate Telephones at the County Jail, 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 Global Tel*Link Corporation, for the provision of the above-described services, for a term commencing April 1, 2010 and terminating May 15, 2014, according to the above-described terms.

Approved by 8 members of the Finance Committee and 7 members of the Public Safety Committee.

¹ The following Legislator requested his name be listed as an additional sponsor: "Mr. Aiello".

Adopted April 14, 2010 by voice vote.

ACT NO. 234-2010 by Mr. Neal

**REQUESTING NEW YORK STATE LEGISLATURE INCREASE
SPEED LIMIT FOR SCHOOL BUSES**

Pursuant to Section 153 of the County Law.

WHEREAS, New York State Education Law Section 3624 sets a maximum speed limit of 55 miles per hour for school vehicles engaged in pupil transportation that are operated on roads, interstates or other highways, parkways or bridges or portions thereof that have posted speed limits in excess of 55 miles per hour, and

WHEREAS, school buses can safely travel at 65 miles per hour on interstate highways, and

WHEREAS, New York State Education Law Section 3624 should be amended to authorize the operation of school buses at a maximum speed of 65 miles per hour on interstate highways, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby supports an increase in the maximum speed limit from 55 miles per hour to 65 miles per hour for school vehicles engaged in pupil transportation on interstate highways, and be it further

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

Referred to the Finance Committee and the Public Safety Committee.

ACT NO. 235-2010 by Mr. Aiello

**LOCAL LAW NUMBER 1-2010
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW PROHIBITING THE CONSUMPTION OF
ALCOHOLIC BEVERAGES AND/OR ILLEGAL DRUGS BY MINORS ON
PRIVATE PREMISES IN CATTARAUGUS COUNTY**

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

Section 1: Title. This law shall be known as the "Social Host Law to Prohibit the Consumption of Alcoholic Beverages and/or Illegal Drugs by Minors on Private Premises in Cattaraugus County".

Section 2. Declaration of intent.

2.1 The New York State Legislature has acted to proscribe the unlawful giving, selling and possessing of alcoholic beverages and/or illegal drugs in relation to minors. However, the Legislature has not regulated the situation where a person age sixteen (16) or over knowingly permits the consumption of alcohol by a minor in his or her home, or on premises under his or her control.

2.2 The purpose of this law is to protect the public interest, welfare, health and safety of our citizens by prohibiting the consumption of alcoholic beverages or illegal drugs by persons under the age of twenty-one (21) at, or on, private premises located in Cattaraugus County, and to give law enforcement a viable recourse against anyone who permits such conduct.

2.3 The underage consumption of alcoholic beverages often leads to behaviors requiring the intervention of local law enforcement, and threatening the well-being of the citizenry. This Local Law will serve to limit the availability of alcoholic beverages to minors by holding those persons who permit underage drinking on their property responsible.

Section 3. Definitions. As used in this Local Law, the following terms shall have the meanings indicated:

3.1 "Minor" shall mean any person under the age of twenty-one (21).

3.2 "Private premises" shall mean any home, apartment, condominium, co-operative unit or other dwelling unit of any kind, including yards, open areas adjacent thereto, vacant land or farmland, and accessory structures.

3.3 "Knowingly" shall mean aware of, or having reason to be aware of.

3.4 "Alcoholic beverage" shall mean liquor, wine, beer, spirits, cider or other liquid, or solid composed of, or containing alcohol or spirits, whether or not brewed, fermented or distilled, and capable of being consumed by a person, except that confectionery containing alcohol as provided by Section 200(12) of the Agriculture and Markets Law shall not be regarded as an alcoholic beverage within the meaning of this Local Law.

3.5 "Illegal drugs" shall mean and includes any substance listed in section 3306 of the Public Health Law and not prescribed by a physician.

3.6 "Social gathering" means a party or gathering at a residence or other private premises of two or more persons, at least one of whom is not related by blood to the others in attendance and is a minor.

3.7 "Control" means the actual or apparent authority and ability to regulate, direct or dominate private premises, including, but not limited to the control exercised by tenants, lessees, owners and/or landlords who have notice of underage drinking on their premises.

Section 4. Prohibition. Effective May 1, 2010, it shall be unlawful for any person age sixteen (16) or over who owns, rents, or otherwise controls private premises, to knowingly host, permit or allow a gathering at which he or she allows the consumption of alcoholic beverages or illegal drugs by any minor on such premises or fails to take reasonable corrective action upon learning of the possession or consumption of alcoholic beverages or illegal drugs by any minor on such premises. Reasonable corrective action shall include, but not be limited to:

4.1 verifying the age of the persons attending the social gathering by inspecting drivers licenses or other government-issued identification cards;

4.2 making a prompt demand that such minor either forfeit the alcoholic beverages or illegal drugs and refrain from the consumption of such or depart from the premises;

4.3 if such minor does not comply with such request, either promptly reporting such underage consumption of alcohol 1) to the local law enforcement agency or 2) to any other person having a greater degree of authority over the conduct of such minor.

Section 5. Exceptions. The provisions of this Local Law shall not apply to:

5.1 The possession or consumption of an alcoholic beverage by persons lawfully permitted to do so pursuant to Section 65-c of the Alcoholic Beverage Control Law, or any applicable law; or

5.2 The possession or consumption of a drug for which the individual has a current, valid prescription or as otherwise permitted by any other applicable law; or

5.3 The possession or consumption of alcohol or alcoholic beverages by a minor for legitimate religious purposes.

Section 6. Penalties. Each offense shall be punishable as follows:

6.1 First Offense: Any person who violates Section 4 of this local law shall be punished by a fine of two hundred fifty dollars (\$250), where such violation constitutes the person's first offense in violation of this provision. A first offense shall constitute a Violation.

6.2 Second Offense: Any person who violates Section 4 of this local law shall be punished by a fine of five hundred dollars (\$500), where such violation constitutes the person's second offense in violation of this provision. In addition, for each offense, successful completion of a court-approved alcohol and drug awareness program is required. A second offense shall constitute an Unclassified Misdemeanor.

6.3 Third and Subsequent Offenses: Any person who violates Section 4 of this local law shall be punished by either a fine of one thousand dollars (\$1,000), a term of imprisonment not to exceed one (1) year, or both a fine of one thousand dollars (\$1,000) and a term of imprisonment not to exceed one (1) year, where such violation constitutes the person's third offense in violation of this provision. In addition, for each offense, successful completion of a court-approved alcohol and drug awareness program is required. A third or subsequent offense shall constitute an Unclassified Misdemeanor.

Section 7. Effect on Other Laws. The provisions of Section 4 of this local law shall not in any way affect the application of any other law, where appropriate, including, but not limited to, Penal Law Section 260.10 (endangering the welfare of a minor) and Penal Law Section 260.20(2) (unlawfully dealing with a child).

Section 8. Severability. If any section, subsection, sentence, clause, phrase or other portion of this local law is for any reason declared unconstitutional, or invalid or in whole or in part by any court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidation shall not affect the validity of the remaining portions of this law which remaining portions shall remain in full force and effect.

Section 9. Effective date. This local law shall take effect immediately.

Referred to the Finance Committee, the Human Services Committee and the Public Safety Committee.

ACT NO. 236-2010 by Mr. Aiello

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 1 - 2010

Pursuant to Section 20 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on April 14, 2010, a proposed Local Law entitled "A Local Law Prohibiting the Consumption of Alcoholic Beverages and/or Illegal Drugs by Minors on Private Premises in Cattaraugus County", and

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

RESOLVED, that a public hearing shall be held on the proposed Local Law by this County Legislature on the 28th day of April, 2010, at 3:01 p.m. at the Legislature's Chambers, Cattaraugus County Center, 303 Court Street, Little Valley, New York, and that at least five days notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Referred to the Finance Committee, the Human Services Committee and the Public Safety Committee.

ACT NO. 237-2010 by Mr. Nenno and Mr. Padlo

**LOCAL LAW NUMBER 2-2010
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 421-f of the Real Property Tax Law and Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW TO PROVIDE A PARTIAL TAX EXEMPTION FOR
CERTAIN CAPITAL IMPROVEMENTS TO ONE AND TWO FAMILY
RESIDENTIAL BUILDINGS**

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

SECTION 1. Legislative Intent. The intent of this Local Law is to provide a partial exemption from taxation for certain capital improvements to one and two family residential buildings and to encourage County residents to invest in their homes and neighborhoods and to continue to reside in the County.

SECTION 2. Exemption.

2.1 Such buildings shall be exempt for a period of one (1) year to the extent of 100% of the increase in assessed value thereof attributable to such reconstruction, alteration or improvement and for an additional period of seven (7) years subject to the following:

<u>Year of Exemption</u>	<u>Percentage of Exemption Base</u>
1	100%
2	87.5%
3	75%
4	62.5%
5	50%
6	37.5%
7	25%
8	12.5%

The "exemption base" shall be the increase in assessed value as determined in the initial year of the term of the exemption, except as provided in Section 2.2 infra..

2.2 In any year in which a change in level of assessment of 15% or more is certified for a final assessment roll pursuant to the rules of the state board, the exemption base shall be multiplied by a fraction, the numerator of which shall be the total assessed value of the parcel on such

final assessment roll (after accounting for any physical or quantity changes to the parcel since the immediately preceding assessment roll), and the denominator of which shall be the total assessed value of the parcel on the immediately preceding final assessment roll. The result shall be the new exemption base. The exemption shall thereupon be recomputed to take into account the new exemption base, notwithstanding the fact that the assessor receives certification of the change in level of assessment after the completion, verification and filing of the final assessment roll. In the event the assessor does not have custody of the roll when such certification is received, the assessor shall certify the recomputed exemption to the local officers having custody and control of the roll, and such local officers are hereby directed and authorized to enter the recomputed exemption certified by the assessor on the roll. The assessor shall give written notice of such recomputed exemption to the property owner, who may, if he or she believes that the exemption was recomputed incorrectly, apply for a correction in the manner provided by Title 3 of Article 5 of the NYS Real Property Tax Law for the correction of clerical errors.

2.3 Such exemption shall be limited to Eighty Thousand Dollars (\$80,000.00) in increased market value of the property attributable to such reconstruction, alteration or improvement and any increase in market value greater than such amount shall not be eligible for the exemption pursuant to NYS Real Property Tax Law Section 421-f. For the purposes of NYS Real Property Tax Law Section 421-f, the market value of the reconstruction, alteration or improvement shall be equal to the increased assessed value attributable to such reconstruction, alteration or improvement divided by the most recently established state equalization rate, except where the state equalization rate or special equalization rate equals or exceeds 95%, in which case the increase in assessed value attributable to such reconstruction, alteration or improvement shall be deemed to equal the market value of such reconstruction, alteration or improvement.

2.4 No such exemption shall be granted for reconstruction, alterations or improvements unless:

1. such reconstruction, alteration or improvement was commenced subsequent to the effective date of this local law;
2. the value of such reconstruction, alteration or improvement exceeds Three Thousand Dollars (\$3,000.00); and
3. the greater portion, as so determined by square footage of the building reconstructed, altered or improved, is at least five (5) years old.

2.5 For purposes of NYS Real Property Tax Law Section 421-f, the terms reconstruction, alteration and improvement shall not include ordinary maintenance and repairs.

2.6 Such exemption shall be granted only upon application by the owner of such building on a form prescribed by the state board. The application shall be filed with the assessor of the city or town having the power to assess property for taxation on or before the appropriate taxable status date of the County.

2.7 If the assessor is satisfied that the applicant is entitled to an exemption pursuant to NYS Real Property Tax Law Section 421-f, the assessor shall approve the application and such building shall thereafter be exempt from taxation and special ad valorem levies as herein provided commencing with the assessment roll prepared on the basis of the taxable status date referred to in subdivision 2.6 of this local law. The assessed value of any exemption granted pursuant to this local law shall be entered by the assessor on the assessment roll with the taxable property, with the amount of the exemption shown in a separate column.

2.8 For the purposes of this local law, a residential building shall mean any building or structure designed and occupied exclusively for residential purposes by not more than two families.

2.9 In the event that a building granted an exemption pursuant to this local law ceases to be used primarily for residential purposes, or title thereto is transferred to other than the heirs or distributees of the owner, the exemption granted pursuant to this local law shall cease.

SECTION 3. Effective Date. This Local Law shall take effect immediately.

Approved by 5 members of the Finance Committee and 6 members of the County Operations Committee.

¹ MR. PADLO moved, seconded by Mr. Marsh to postpone action on Act No. 237-2010 until April 28, 2010. Carried.

ACT NO. 238-2010 by Mr. Nenzo and Mr. Padlo

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 2 - 2010

Pursuant to Section 20 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on April 14, 2010, a proposed Local Law entitled "A Local Law to Provide a Partial Tax Exemption for Certain Capital Improvements to One and Two Family Residential Buildings", and

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

RESOLVED, that a public hearing shall be held on the proposed Local Law by this County Legislature on the 28th day of April, 2010, at 3:02 p.m. at the Legislature's Chambers, Cattaraugus County Center, 303 Court Street, Little Valley, New York, and that at least five days notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Approved by 5 members of the Finance Committee and 6 members of the County Operations Committee.

Adopted April 14, 2010 by voice vote.

ACT NO. 239-2010 by Mr. Burrell, Mr. Ellis, Mr. Marsh,
 Mr. McLarney, Mr. Murphy, Mr. Neal, Mr. O'Brien,
 Mrs. Stockman, Mr. Vecchiarella, Ms. Vickman, Mr. Boser,
 Mr. Giardini, Mr. Hebdon, Mr. McClune and Mr. Ward
 who ask immediate consideration

SALE OF TAX TITLE PROPERTY TO FORMER OWNERS

(Towns of Allegany, Ashford, Carrollton, Conewango, Dayton,
 Farmersville, Franklinville, Persia, Portville, Randolph and Salamanca)

Pursuant to Section 215 of the County Law and
 Rule 40 of the Rules of Order of the
 Cattaraugus County Legislature.

WHEREAS, Cattaraugus County has tax title to certain properties
 situate in the Towns of Allegany, Ashford, Carrollton, Conewango, Dayton,
 Farmersville, Franklinville, Persia, Portville, Randolph and Salamanca, as
 described below, and

WHEREAS, the former owners of these properties have offered to
 purchase the same at a cost which will cover the County's financial
 involvement in these premises, and

WHEREAS, the costs involved for these premises have been tendered
 to the County Treasurer's Office, now, therefore, be it

RESOLVED, that the County Treasurer be, and hereby is, authorized
 and directed, on behalf of Cattaraugus County, to execute County Treasurer's
 Deeds conveying these properties to the following individuals:

TOWN OF ALLEGANY

#	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
2	92.002-2-10	Douglas Bridenbaker Louis Bridenbaker	4687 S. Nine Mile Rd. Allegany, NY 14706	\$10,800.55
6	93.043-2-8	Richard Fortuna	57 Maple Ave. Allegany, NY 14706	\$6,985.21

TOWN OF ASHFORD

#	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
17	20.001-1-3.4	Deloras Graca	27 Jane Drive Cheektowaga, NY 14227	\$11,560.17

TOWN OF CARROLLTON

#	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
24	92.004-2-7.1	Valerie Ackley	1648 Chipmonk Rd. Allegany, NY 14706	\$1,899.96

TOWN OF CONEWANGO

#	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
51	60.016-1-7	Harold Weis	30 Cottage Rd. Conewango Valley, NY 14726	\$1,881.75

TOWN OF DAYTON

#	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
53	33.033-6-32	Robert Dissell	6 First St. PO Box 401 South Dayton, NY 14138	\$10,363.51
57	25.002-1-12.2	Robert Huffman	c/o Lori Carias-Keefe 1500 Steam Valley Rd. Olean, NY 14760	\$2,102.92

TOWN OF FARMERSVILLE

#	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
82	23.014-1-55.1	Kathy Lynn Dick	1046 Elton Rd. Franklinville, NY 14737	\$1,887.42

TOWN OF FRANKLINVILLE

#	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
84	32.001-1-18.3	John Morris Nellie Morris	c/o Deborah Thompson 86 Cascade Dr. Amherst, NY 14228	\$9,856.64
98	49.001-1-39	Charles D. Peterson	2955 Cooney Rd. Franklinville, NY 14737	\$3,258.66

TOWN OF PERSIA

#	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
303	16.036-2-21	Arthur Bouquin	c/o Deborah Bouquin 32 Frederick St. Gowanda, NY 14070	\$9,130.42

TOWN OF PORTVILLE

#	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
318	104.074-2-15	Patrick McRae	185 Main St. S Portville, NY 14770	\$10,688.13

TOWN OF RANDOLPH

#	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
337	70.004-1-19.3	Robert A. Walters Tammy Walters	3601 Ireland Rd. Randolph, NY 14772	\$3,170.51

TOWN OF SALAMANCA

#	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
338	71.002-1-12.2	Jeannine K. DeWindt	4122 Bucktooth Run Little Valley, NY 14755	\$18,317.47

MR. AIELLO moved, seconded by Mr. Boser to waive Rules 12. Carried.

Adopted April 14, 2010 by voice vote.

ACT NO. 240-2010 by Mr. O'Brien
who asks immediate consideration

APPOINTMENT TO CATTARAUGUS COUNTY FIRE ADVISORY BOARD

Pursuant to Section 225-a of the County Law.

RESOLVED, that the following individual is appointed to the Cattaraugus County Fire Advisory Board for a term of three (3) years to expire on December 31, 2012:

Charles Lindberg
10471 Lebanon Road
Randolph, New York 14772.

MR. McCLUNE moved, seconded by Mr. Sprague to waive Rule 12. Carried.

Adopted April 14, 2010 by voice vote.

ACT NO. 241-2010 by Senior Services Committee:
Ms. Vickman, Mr. McClune, Mr. Ellis, Mr. Murphy,
Mr. Neal, Mr. Boser and Mr. Nenno
who ask immediate consideration

ABOLISHING ONE POSITION OF NUTRITION SITE MANAGER IN DEPARTMENT OF AGING

Pursuant to Sections 204 and 205 of the County Law.

WHEREAS, the Department Of Aging is desirous of restructuring its organization and services within the Gowanda service area, which will lead to more efficient and economical services to the senior citizens of this area, and

WHEREAS, the Healthy Community Alliance (HCA) has recently finished the renovation of "Academy Place", which is a project to house

senior citizens and provide other services to senior citizens at a centralized location, and

WHEREAS, the Department of Aging wishes to contract with HCA for nutrition site space and nutrition services, effective May 1, 2010, and

WHEREAS, a collaborative effort has proven to have positive results at the Olean Nutrition Site, which has seen an increase in program participation, and

WHEREAS, as a result of this collaborative effort, HCA will provide site management and nutrition services to the senior citizens of the Gowanda area, thereby resulting in the need to abolish one part-time position of Nutrition Site Manager, now, therefore, be it

RESOLVED, that effective May 1, 2010, there is hereby abolished one position of Nutrition Site Manager in the Department of Aging.

MR. PADLO moved, seconded by Mr. Murphy to waive Rule 12. Carried.

Adopted April 14, 2010 by voice vote.

ACT NO. 242-2010 by Ms. Vickman and Mr. McClune
and Mr. Murphy, Mr. Neal, Mr. Hebdon and Mr. Sprague¹
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT WITH
HEALTHY COMMUNITY ALLIANCE, INC. FOR DEPARTMENT OF AGING
SENIOR WELLNESS AND NUTRITION PROGRAM SITE AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Aging)**

Pursuant to Section 95-a of the General Municipal Law, Title III-C
of the Older Americans Act of 1965, as amended and
Sections 215, 363, 366 and 450 of the County Law.

WHEREAS, Act 759-2009 authorized a lease agreement with the Gowanda Free Methodist Church for the provision of a Senior Wellness and Nutrition Program (SWAN) site for the Department of the Aging, the term of which expires April 30, 2010, and

WHEREAS, the County Department of Aging is desirous of relocating the aforementioned SWAN site, and

WHEREAS, the Healthy Community Alliance, Inc., 26 Jamestown Street, Gowanda, New York 14070, can provide a SWAN site in the Gowanda area for an amount of \$17,159 for the period May 1, 2010 through December 31, 2010 and an amount of \$24,626 for the period January 1, 2011 through December 31, 2011, and

WHEREAS, the Healthy Community Alliance, Inc., shall also provide for the management of the Gowanda SWAN site and part-time personnel to staff the site, and

WHEREAS, this program is 90% federal and 10% county funded, and

WHEREAS, various appropriation and revenue accounts must be adjusted, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease and staffing agreement, on behalf of Cattaraugus County, with the Healthy Community Alliance, Inc., for the leasing of a Senior Wellness and Nutrition Program site, for a term commencing May 1, 2010 and terminating December 31, 2011, according to the above-described terms, and be it further

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

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

Decrease Appropriation Accounts:

A.6777.455	In-Home Services, Daycare	\$11,000.00
A.6778.487	Client Travel	\$24,300.00
A.6782.487	Client Travel	\$ 3,070.00
A.6784.487	Client Travel	\$ 450.00
A.6778.488	Transportation Coordinator	\$ 5,440.00
A.6782.488	Transportation Coordinator	\$ 650.00
A.6784.488	Transportation Coordinator	\$ 90.00
A.6793.455	Professional Services	\$ 8,000.00
A.6782.109	Part-Time Wages	\$10,535.00
A.6782.411	Rental	\$ 4,400.00
A.6782.439	Waste Disposal	\$ 450.00
A.6782.467	Telephone	\$ 230.00
A.6782.828	Retirement	\$ 738.00
A.6782.833	FICA	\$ 806.00

Increase Appropriation Accounts:

A.6774.455	Contracted Services	\$53,000.00
A.6782.455	Contracted Services	\$17,159.00.

MR. ELLIS moved, seconded by Mr. Marsh to waive Rule 12. Carried.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Murphy, Mr. Neal, Mr. Hebdon and Mr. Sprague".

Adopted April 14, 2010 by voice vote.

**MOTION TO ADJOURN IN MEMORY OF
PHILLIP C. ABBOTT**

WHEREAS, Phillip C. Abbott, 76, of Franklinville, passed away on Wednesday, March 31, 2010, at Buffalo General Hospital, and

WHEREAS, Mr. Abbott served on the Cattaraugus County Museum Board since April 28, 2004, and

WHEREAS, Mr. Abbott was also a member of Franklinville VFW Post 9487, American Legion Post 526, Franklinville Conservation Club, IOOB #1517 of Franklinville, life member of the Ischua Valley Historical Society and a member of the New York State Hardware Association,

WHEREAS, Mr. Abbott worked for Martiny Bros. Hardware of Franklinville, then became a hardware salesman for 50 years, working for Bigham Co., Geo. Worthington Co, and the Kruse Hardware Co. of Cincinnati, Ohio, from which he retired, and

WHEREAS, Mr. Abbott is survived by his wife Donna, a daughter, Amy McDonnell of Trumansburg; a son, Lee of Fredonia; two grandsons, and a brother, Keith of Lindenhurst, Illinois, and

WHEREAS, the loss of his presence will be sadly felt by his many friends and colleagues in Cattaraugus County, now, therefore, Legislator Burrell hereby

MOVES, that the Cattaraugus County Legislature hereby adjourns, and stands adjourned, in memory of the Phillip C. Abbott and this Motion be seconded by Legislator Vickman, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby adjourns, and stands adjourned, until its next meeting, unless specially convened, in memory of Phillip C. Abbott, and be it further

RESOLVED, that the Clerk of the Legislature be, and hereby is, directed to forward a certified copy of this Motion to his wife.

MR. GIARDINI moved, seconded by Mr. Teachman to adjourn until April 28, 2010 at 3:00 p.m. Carried.

Meeting adjourned at 3:47 p.m.

Ann M. Giglio
Journal Clerk