

October 14, 2015

The meeting was called to order by Chairman Norman L. Marsh.

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed all Legislators present.

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MR. SNYDER, SR. moved, seconded by Mr. Teachman that the minutes of the September 23, 2015 session be approved. Carried.

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COMMUNICATIONS:

New York State Department of State: Acknowledging receipt of Local Law No. 7-2015 (Intro No. 8-2015) and the filing of the same on September 17, 2015.

New York State Department of Health: Signed copy of the Order of Consolidation for the Town of Little Valley and the Village of Little Valley into a single primary registration district.

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CHAIRMAN MARSH announced that it is the time and place for a public hearing on **Act No. 463-2015, Local Law Number 9-2015**, entitled, "A Local Law Prohibiting the Sale of Personal Care Products Containing Microbeads in Cattaraugus County", and that anyone wishing to speak for or against this local law may now do so.

Dr. Sherri A. Mason, professor at SUNY Fredonia, gave a video presentation entitled, "Great Lakes Plastic Pollution Survey", based upon research she has performed in the Great Lakes.

Jon Rivera, aide to Erie County Executive Mark Poloncarz, spoke regarding Erie County's ban on microbeads and in support of our local law.

Nate Drag, Watershed Project Coordinator for the Great Lakes Watershed, spoke in support of banning microbeads.

Rick Winter, lobbyist for the cosmetic industry, agreed that microbeads should be removed from our waters, however, control and enforcement of the elimination of microbeads from all products, not just cosmetic products needs to occur; suggested requesting state officials to advocate elimination in the entire industry.

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

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PRIVILEGE OF THE FLOOR:

Chairman Marsh granted Privilege of the Floor to Legislator Padlo who recognized the students present at the meeting from the BOCES Student Government Intern Program. This year the following schools are participating: Allegany-Limestone, Cattaraugus-Little Valley, Franklinville and Randolph. Each intern present introduced themselves.

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CHAIRMAN MARSH called up **Act No. 463-2015, Local Law Number 9-2015**, A Local Law Prohibiting the Sale of Personal Care Products Containing Microbeads in Cattaraugus County, and asked that it be read.

The following Legislators requested their names be listed as additional sponsors: "Mr. Boser, Mr. Koch, Mr. Lamberson and Mr. Keller".

CHAIRMAN MARSH requested a Roll Call vote on Act No. 463-2015, Local Law Number 9-2015, as amended, which disclosed as follows:

Ayes: Boser 1.0267, Edstrom 0.8673, Edwards 0.9684, Felton 1.0972, Keller, 0.8673, Klancer 1.1005, Koch 0.8685, Labuhn 0.8685, Lamberson 1.0267, Murphy 1.1005, Marsh 1.1278, Padlo 0.8673, Snyder, Sr. 0.8673, Sprague 1.0230, Stockman 1.0003, Teachman 0.8673, VanRensselaer 1.1278, Vickman 1.0972, Weller 1.0972 – 18.8668.

Nays: Hale 1.0655, Snyder, Jr. 1.0655 – 2.131.

Act No. 463-2015, Local Law Number 9-2015, as amended, having received the majority vote of the Legislature was declared Adopted.

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ACT NO. 469-2015 by Mr. Weller and Mr. Koch
and Mr. Klancer, Mr. Teachman and Mr. Lamberson¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE INDUSTRIES FOR THE DISABLED FOR
OLEAN OFFICE FACILITY JANITORIAL SERVICES**

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

WHEREAS, Act 555-2013, as amended by Act 447-2015, authorized a contract with New York State Industries for the Disabled, 155 Washington Avenue, Suite 400, Albany, New York 12210, through SubCon Industries, Inc., for the provision of janitorial services for the Olean Office Facility, the term of which expires December 31, 2015, and

WHEREAS, County Department of Public Works is desirous of renewing the aforementioned contract for a term commencing January 1, 2016 and terminating December 31, 2017, and

WHEREAS, the New York State Industries for the Disabled, through SubCon Industries, Inc., has agreed to perform the aforementioned janitorial services at a monthly cost of \$14,660.11 not to exceed \$175,921.32 per year, for a total contract amount of \$351,842.64, to be paid on a monthly basis as invoiced, with the option to increase if the minimum wage increases, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2016 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with New York State Industries for the Disabled, through SubCon Industries, Inc., for the provision of the above-described services, for a term commencing January 1, 2016 and terminating December 31, 2017, according to the above-described terms, and be it further

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

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

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

Approved by 9 members of the Finance Committee and 6 members of the Public Works Committee.

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

Adopted October 14, 2015 by voice vote. Mrs. Labuhn and Mr. Padlo abstained from vote.

ACT NO. 470-2015 by Mr. Murphy

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH NYS DIVISION OF CRIMINAL JUSTICE SERVICES
FOR CRIME PREVENTION AND REDUCTION STRATEGIES PROGRAMS**

Pursuant to Chapter 53 of the Laws of New York of 2015
and Section 450 of the County Law.

WHEREAS, a joint grant in the amount of \$75,000.00 in Bullet Aid funding has been awarded to Cattaraugus and Allegany Counties for the Southern Tier Regional Drug Task Force from state funds for Crime Prevention and Reduction Strategies Programs allocated to New York State for the 2015-2016 State Fiscal Year, and

WHEREAS, Cattaraugus County shall act as lead agency, on behalf of Allegany County, to process costs incurred by both County Sheriff's Offices in the fighting of illegal drug activity, combating drug trafficking and conducting investigations, and in support of efforts related to the Southern Tier Regional Drug Task Force, and

WHEREAS, each county shall receive grant funding in the amount of \$37,500.00 to cover costs incurred through the aforementioned purposes, and

WHEREAS, this program is 100% state funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2016 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with NYS Division of Criminal Justice Services, in order to apply for, accept and receive the aforementioned funding, for a term commencing January 1, 2016 and terminating December 31, 2016, according to the above-described terms, and be it further

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

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

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

Approved by 9 members of the Finance Committee and 7 members of the Public Safety Committee.

Adopted October 14, 2015 by voice vote.

ACT NO. 471-2015 by Mr. Murphy

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
NEW YORK STATE OFFICE OF HOMELAND SECURITY AND EMERGENCY SERVICES
FOR 2016 STATE HOMELAND SECURITY PROGRAM GRANT AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Sheriff's Office)**

Pursuant to Public Law 107-56, Department of Homeland Security
Appropriations Act of 2005, Public Law 108-334 and
Section 450 of the County Law.

WHEREAS, Act 236-2014 authorized the Chairman to execute grant documents with the New York State Office of Homeland Security for a grant in the amount of \$40,000.00 for the fiscal year 2014 State Homeland Security Program, and

WHEREAS, the County has been awarded \$40,000.00 under the fiscal year 2015 State Homeland Security Program that must be allocated as follows:

Cattaraugus County Sheriff's Office – A Law Enforcement Terrorism Prevention Program contract in the amount of \$40,000.00 will be initiated to provide funds for the law enforcement community to support terrorism prevention and preparedness efforts;

and

WHEREAS, this program is 100% federally funded and various appropriation and revenue accounts must be adjusted in order to accommodate the aforementioned funding, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Office of Homeland Security and Emergency Services, in order to receive the above-described grant funding, for a

term commencing September 1, 2015 and terminating August 31, 2018, according to the above-described terms, and be it further

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

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

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

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

Increase Estimated Revenue Account:

A.311.3645.3645.4389.01	Homeland Security 2015 Grant	\$40,000.00
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Increase Appropriation Accounts:

A.311.3645.3645.20006	Computer Equipment	\$22,000.00
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A.311.3645.3645.20007	Homeland Security Equipment	\$18,000.00.
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Approved by 9 members of the Finance Committee and 7 members of the Public Safety Committee.

Adopted October 14, 2015 by voice vote.

ACT NO. 472-2015 by Mr. Murphy

**AUTHORIZING THE SHERIFF TO EXECUTE CONTRACTS WITH
VARIOUS TOW COMPANIES FOR TOWING SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, the Sheriff's Office has established and implemented a policy for the towing of vehicles to effectively serve the needs of law enforcement agencies, dispatch centers, the general public and towing companies, and

WHEREAS, contracts are necessary with various towing companies for the provision of towing services, in accordance with the current rate schedule established by the Sheriff's Office, on an as-needed basis, as requested, now, therefore, be it

RESOLVED, that the Sheriff be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with various towing companies, for the provision of the above-described towing services, for a term commencing on the date the agreement is signed and terminating one year thereafter, with the option to renew for successive one-year terms at the same rates, terms and conditions, according to the above-described terms.

Approved by 9 members of the Finance Committee and 7 members of the Public Safety Committee.

Adopted October 14, 2015 by voice vote.

ACT NO. 473-2015 by Mr. Murphy and Mr. Snyder, Sr.

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES FOR
INDIGENT LEGAL SERVICES FUNDING AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(June 1, 2014 – May 31, 2017 Grant Round 4)**

Pursuant to Article 30 of the Executive Law,
Article 18-B and Sections 363, 366 and 450 of the County Law.

WHEREAS, the New York State Office of Indigent Legal Services has announced that it is accepting proposals for a three-year distribution of funds from the Indigent Legal Services Fund (ILSF) for the period June 1, 2014 through May 31, 2017, and

WHEREAS, a three-year plan must be submitted to the Office of Indigent Legal Services which demonstrates that the funding provided will be utilized to improve the quality of legal representation under Article 18-B of the County Law, and

WHEREAS, Cattaraugus County has been notified that it shall receive an amount of \$80,733.00 per year for three (3) years, for a total three-year grant in the amount of \$242,199.00 for the period June 1, 2014 through May 31, 2017, and

WHEREAS, the application for the aforementioned funding shall reflect the following proposed uses as have been agreed upon by the Public Defender, the Administrator of Assigned Counsel and Legal Assistance of Western New York, with the approval of the County Administrator:

<u>Description</u>	<u>3 Year Total</u>
Regional Appellate Program (continuation)	\$105,000.00
Pay Parity for Assistant Public Defenders and Administrator of Assigned Counsel (continuation)	\$ 92,913.00
Pay Parity-Fringe Benefits for Assistant Public Defenders and Administrator of Assigned Counsel (continuation)	\$ 23,025.00
Internet Access for Public Defender Office Staff (renewal)	\$ 2,883.00
Education and Training Efforts for Public Defender's Office, Administrator of Assigned Counsel and Legal Aid of Western New York (continuation)	\$ 6,378.00
Internship for Public Defender's Office and Assigned Counsel Office and	\$ 12,000.00

WHEREAS, it is in the best interests of Cattaraugus County to submit the aforementioned three-year proposal and apply for the ILSF funding at no cost to the County, and

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

RESOLVED, that the Public Defender's Office, with the agreement of the Administrator of Assigned Counsel and Legal Assistance of Western New York, and subject to the advice and consent of the Cattaraugus County Administrator, be, and hereby is, authorized and directed to submit to the NYS Office of Indigent Legal Services a three-year proposal for its proposed use of the aforementioned funds within the parameters set forth herein, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents and a contract, on behalf of Cattaraugus County, with the New York State Office of Indigent Legal Services, in order to apply, accept and receive the aforementioned Round 4 grant funds, and commit Cattaraugus County to their use as prescribed by such office, for a term commencing June 1, 2014 and terminating May 31, 2017, according to the above-described terms, and be it further

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

Increase Estimated Revenue Account:

A.117.1170.1180.3025	State Aid, ILS Fund	\$21,423.00
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Increase Appropriation Accounts:

A.117.1170.1180.11000	Full-time wages	\$ 6,925.00
A.117.1170.1180.12000	Part-time wages	\$ 1,414.00
A.117.1170.1180.40401.2	Assigned Counsel Regional Appellate Defender	\$ 8,750.00
A.117.1170.1180.41404	Internet Contracts	\$ 241.00
A.117.1170.1180.81000	FICA	\$ 638.00
A.117.1170.1180.82000	Retirement	\$ 1,629.00
A.117.1170.1180.46106	Training	\$ 1,826.00.

Approved by 9 members of the Finance Committee, 7 members of the Public Safety Committee and 5 members of the Labor Relations Committee.

Adopted October 14, 2015 by voice vote.

ACT NO. 474-2015 by Mr. Murphy and Mr. Snyder, Sr.

**AUTHORIZING PLAN FOR DISBURSEMENT OF
CERTAIN FUNDS RECEIVED FROM THE
NEW YORK STATE INDIGENT LEGAL SERVICES FUND (ILSF)
(June 1, 2014 – May 31, 2017 Grant Round 4)**

Pursuant to Section 363 of the County Law.

WHEREAS, Act 174-2014 authorized the Chairman to apply for a three (3) year Indigent Legal Services Funding grant from the New York State Office of Indigent Legal Services for the purpose of improving the availability and quality of indigent legal services, the term of which commenced June 1, 2014 and terminates May 31, 2017, and

WHEREAS, in order to receive such funds, the County submitted a plan to the Office of Indigent Legal Services for the disbursement of such funds, which has been approved, and

WHEREAS, one component of the plan for the disbursement of such funds includes salary enhancements made payable to the Assistant Public Defenders and the Administrator of Assigned Counsel (AAC), and

WHEREAS, the criteria established in the Office of Indigent Legal Services Standards and Criteria for the Provision of Mandated Representation effective January 1, 2013, provides that counties must ensure that attorneys and programs providing mandated legal services have and use adequate

resources and procedures to receive or provide compensation commensurate with that of opposing counsel and opposing counsel's office, and

WHEREAS, Act 473-2015 authorized a plan for the disbursement of ILSF funds for the purpose of salary enhancements for Assistant Public Defenders and the Administrator of Assigned Counsel, which were made on a quarterly basis, covering services provided October 1, 2015 through September 30, 2018, and

WHEREAS, the salary enhancements were made in accordance with the aforementioned criteria and provide parity in the assistant attorney salaries between the Public Defender's Office and the District Attorney's Office, and

WHEREAS, the County will receive the amount of \$80,733.00 per year, for a three (3) year period, for the purpose of improving the availability and quality of indigent legal services, and

WHEREAS, the ILSF grant provides for the reimbursement to the County on a quarterly basis, now, therefore, be it

RESOLVED, that in addition to the regular compensation of the Assistant Public Defenders and the Administrator of Assigned Counsel (AAC), the following amounts be disbursed as indicated on the following chart, so long as the employee has been employed for the complete preceding calendar quarter, minus withholding tax, FICA, retirement and other required withholdings therefrom:

<u>Position Number</u>	<u>Paid on a Bi-Weekly Pay Schedule</u>	
	<u>10/1/15 – 12/31/15</u>	<u>Bi-Weekly Amount as</u>
	<u>Total Amount including</u>	<u>adjustment to pay</u>
	<u>county share of FICA and</u>	
	<u>Retirement</u>	
001	\$2,541.09	\$287.08
002	\$2,328.36	\$263.16
003	\$1,979.37	\$223.62
004	\$1,905.82	\$215.31
AAC	\$1,848.16	\$201.93

<u>Position Number</u>	<u>1/1/16 – 12/31/16</u>	
	<u>Total Amount including</u>	<u>Bi-Weekly Amount as</u>
	<u>county share of FICA and</u>	<u>adjustment to pay</u>
	<u>Retirement</u>	
001	\$9,277.56	\$287.08
002	\$8,504.54	\$263.16
003	\$7,226.73	\$223.62
004	\$6,958.17	\$215.31
AAC	\$6,731.34	\$201.93

<u>Position Number</u>	<u>1/1/17 – 12/31/17</u>	
	<u>Total Amount including</u>	<u>Bi-Weekly Amount as</u>
	<u>county share of FICA and</u>	<u>adjustment to pay</u>
	<u>Retirement</u>	
001	\$9,229.33	\$287.08
002	\$8,460.33	\$263.16
003	\$7,189.16	\$223.62
004	\$6,922.00	\$215.31
AAC	\$6,691.35	\$201.93

<u>Position Number</u>	<u>1/1/18 – 9/30/18</u> <u>Total Amount including</u> <u>county share of FICA and</u> <u>Retirement</u>	<u>Bi-Weekly Amount as</u> <u>adjustment to pay</u>
001	\$6,744.51	\$287.08
002	\$6,182.55	\$263.16
003	\$5,253.62	\$223.62
004	\$5,058.39	\$215.31
AAC	\$4,889.84	\$201.93

and be it further

RESOLVED, that upon cessation of this three-year program all positions of Assistant Public Defender and Administrator of Assigned Counsel shall revert back to their 2012 salary subject to any authorized salary adjustments and cost of living increases, and be it further

RESOLVED, that upon termination of state funding for this program, then this program and the salary enhancements hereby authorized shall be automatically abolished, and be it further

RESOLVED, that upon the reduction of any such funding, the County, in its sole discretion, may terminate such program and salary enhancements.

Approved by 9 members of the Finance Committee, 7 members of the Public Safety Committee and 5 members of the Labor Relations Committee.

Adopted October 14, 2015 by voice vote.

ACT NO. 475-2015 by Mr. Murphy and Mr. Snyder, Sr.

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
THE LEGAL AID BUREAU OF BUFFALO, INC. FOR
INDIGENT CRIMINAL APPELLATE DEFENSE SERVICES**

Pursuant to Sections 450 and 722 of the County Law.

WHEREAS, Act 542-2012, as amended by Act 293-2015, authorized a contract with The Legal Aid Bureau of Buffalo, Inc., 237 Main Street, Suite 1602, Buffalo, New York 14203, for the provision of appellate representation for a maximum of 25 persons convicted of crimes or violations in the courts of Cattaraugus County in an effort to reduce costs involved with the representation of indigent criminals in the Appellate Division, the term of which expired September 30, 2015, and

WHEREAS, the aforementioned services should be continued to further efforts to reduce costs associated with the defense of indigents and continue to improve the quality of services, and

WHEREAS, The Legal Aid Bureau of Buffalo, Inc., can provide appellate representation for a maximum of 24 cases appealed from the courts of Cattaraugus County for an amount of \$35,000.00 per year, for a total three (3) year contract amount of \$105,000.00, to be paid as invoiced, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned costs, 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 Legal Aid Bureau of Buffalo, Inc., for

the provision of the above-described indigent appellate legal services, for a term commencing October 1, 2015 and terminating September 30, 2018, according to the above-described terms.

Approved by 9 members of the Finance Committee and 7 members of the Public Safety Committee.

Adopted October 14, 2015 by voice vote.

ACT NO. 476-2015 by Mr. VanRensselaer and Mr. Boser

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

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

WHEREAS, Act 424-2014 authorized the Chair to execute a grant application and contract with the Defense Logistics Agency, 8725 John J. Kingman Road, Ft. Belvoir, Virginia 22060-6221, in order to secure funding for the continuation of the Procurement Technical Assistance Program and such funding was received, and

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

WHEREAS, it is estimated that the project cost will not exceed \$161,367.00, of which Cattaraugus County's cash contribution and in-kind contribution will not exceed \$41,000.00, and

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

WHEREAS, sufficient funds are included in the budget to cover the County's cost of the aforementioned program, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a grant application and contract, on behalf of Cattaraugus County, with the Defense Logistics Agency in order to secure funding for the continuation of the Procurement Technical Assistance Program, and be it further

RESOLVED, that the Procurement Technical Assistance Program will commence January 16, 2016 and terminate January 15, 2017, and be it further

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

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

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

Approved by 9 members of the Finance Committee and 7 members of the Development and Agriculture Committee.

Adopted October 14, 2015 by voice vote.

ACT NO. 477-2015 by Mr. VanRensselaer and Mr. Boser

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
LAMAR COMPANIES FOR ADVERTISING SERVICES
ON DIGITAL AND VINYL BILLBOARDS**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Economic Development, Planning and Tourism is desirous of promoting Cattaraugus County through the use of advertisements on digital and vinyl billboards, and

WHEREAS, Lamar Companies, 1565 West 12th Street, Erie, Pennsylvania 16501, can provide advertising services, promoting Cattaraugus County, through the use of digital and vinyl billboards for an amount of \$13,000.00, to be paid as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Lamar Companies, for the provision of the above-described services, for a term commencing September 28, 2015 and terminating December 31, 2015, according to the above-described terms.

Approved by 9 members of the Finance Committee and 7 members of the Development and Agriculture Committee.

Adopted October 14, 2015 by voice vote.

ACT NO. 478-2015 by Ms. Edstrom and Mrs. Stockman
and Mr. Lamberson¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
JAMESTOWN COMMUNITY COLLEGE FOR
STAFF DEVELOPMENT AND TRAINING COORDINATOR SERVICES**

Pursuant to Section 112 of the Social Services Law and
Section 450 of the County Law.

WHEREAS, Act 510-2014 authorized a contract with Jamestown Community College for an employee education and training program, the term of which expires December 31, 2015, and

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

WHEREAS, Jamestown Community College, P.O. Box 5901, 260 North Union Street, Olean, New York 14760, has agreed to provide a full-time training coordinator who will provide the above-described staff development services to employees of the Cattaraugus County Department of Social Services, and

WHEREAS, the maximum amount for 2016 is \$100,503.00, of which \$70,342.00 is charged to the Cattaraugus County Department of Social Services, and

WHEREAS, this program is 100% reimbursable through state and federal funds, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2016 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Jamestown Community College, for the provision of the above-described employee education program, for a term commencing January 1, 2016 and terminating December 31, 2016, according to the above-described terms, and be it further

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

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

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

Approved by 9 members of the Finance Committee and 7 members of the Human Services Committee.

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

Adopted October 14, 2015 by voice vote.

ACT NO. 479-2015 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
DENISE SCHALLER FOR CUSTOMER SERVICE TRAINING
FOR DEPARTMENT OF SOCIAL SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Social Services is desirous of obtaining customer service training for its support staff in order to better serve clients and to effectively represent the County to the general public, and

WHEREAS, Denise Schaller, 279 Colvin Avenue, Buffalo, New York 14216, can provide a "Bridges Out of Poverty" training session to the support staff of the Department of Social Services for an amount not to exceed \$5,367.00, to be paid as invoiced, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned training 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 Denise Schaller, for the provision of the above-described customer service training services, for a term commencing October 1, 2015 and terminating December 31, 2015, according to the above-described terms.

Approved by 9 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted October 14, 2015 by voice vote.

ACT NO. 480-2015 by Ms. Edstrom and Mrs. Stockman

**AMENDING ACT 404-2015 REGARDING CONTRACT WITH
WIDER OPPORTUNITIES FOR GREATER OLEAN, INC. FOR
DEPARTMENT OF SOCIAL SERVICES TANF SERVICES GRANT FUNDING**

Pursuant to Public Law 104-1993 and
Section 450 of the County Law.

WHEREAS, Act 404-2015 authorized a contract with Wider Opportunities for Greater Olean, Inc., for the provision of comprehensive pre-employment related and supportive services to TANF-eligible recipients and 200% TANF-eligible recipients, for an amount of \$10,000.00, the term of which expires September 30, 2016, and

WHEREAS, Act 404-2015 should be amended due to an error in the dollar amount, now, therefore, be it

RESOLVED, that Act 404-2015 be, and hereby is, amended as follows: In the 3rd Whereas, delete: "\$10,000.00" and replace with: "\$20,000.00".

Approved by 9 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted October 14, 2015 by voice vote.

ACT NO. 481-2015 by Ms. Edstrom and Mrs. Stockman

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

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

WHEREAS, Act 56-2013, as amended, authorized a contract with New York State Department of Health for pre-set reimbursement rates for human rabies treatment, animal specimens prepared and shipped, and for pet vaccination clinics that are conducted over the five-year period April 1, 2012 through March 31, 2017, and

WHEREAS, the New York State Department of Health has authorized a cost-of-living adjustment (COLA) in the amount of \$2,575.00 for the period April 1, 2015 through March 31, 2016, and

WHEREAS, a contract amendment is necessary in order to obtain the aforementioned COLA funding, and

WHEREAS, this program is 100% state funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute 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 rabies reimbursement, for a term commencing April 1, 2015 and terminating March 31, 2016, according to the above-described terms, and be it further

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

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

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

Approved by 9 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted October 14, 2015 by voice vote.

ACT NO. 482-2015 by Ms. Edstrom and Mrs. Stockman

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

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

WHEREAS, Act 471-2013, as amended by Act 318-2014, authorized a contract with the New York State Department of Health for the administration of the Western Region Immunization Consortium, the term of which expires March 31, 2018, and

WHEREAS, the New York State Department of Health has authorized a cost-of-living adjustment (COLA) in the amount of \$3,221.00, for the period April 1, 2015 through March 31, 2016, 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 immunization program, for a term commencing April 1, 2015 and terminating March 31, 2016, according to the above-described terms.

Approved by 9 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted October 14, 2015 by voice vote.

ACT NO. 483-2015 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH STERIS FOR HEALTH DEPARTMENT LABORATORY
AUTOCLAVE PREVENTIVE MAINTENANCE SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, the Health Department is in need of preventive maintenance services for the Autoclave in the County Laboratory, which is an instrument that sterilizes glassware, and

WHEREAS, STERIS, 5960 Heisley Road, Mentor, Ohio 44060, is the sole source provider for the Autoclave instrument and can provide preventive maintenance services for an amount of \$3,759.67 per year for a three (3) year period, for a total contract amount of \$11,279.01, to be paid as invoiced, 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 STERIS, contingent upon and subject to the inclusion in the 2016 budget of sufficient funds to cover the costs of the aforementioned services, for the provision of the above-described preventive maintenance services, for a term commencing January 1, 2016 and terminating December 31, 2018, according to the above-described terms.

Approved by 9 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted October 14, 2015 by voice vote.

ACT NO. 484-2015 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
JAMESTOWN REHAB SERVICES, PT, OT, SLP, PLLC FOR
HEALTH DEPARTMENT HOME HEALTH CARE PROGRAM
THERAPY SERVICES**

Pursuant to 10 NYCRR 763.3, Section 3602 of the Public Health Law
and Section 450 of the County Law.

WHEREAS, Act 529-2014 authorized a contract with Jamestown Rehab Services, PT, OT, SLP, PLLC, 4482 Kathaleen Street, Hamburg, New York 14075, for the provision of various therapy services for the patients of the Health Department Home Health Care Program, the term of which expires December 31, 2015, and

WHEREAS, the County Department of Health is in need of certified occupational therapy assistant services, and

WHEREAS, Jamestown Rehab Services, PT, OT, SLP, PLLC, has agreed to provide certified occupational therapy assistant services to Cattaraugus County Health Department patients at the rate of \$73.92 per visit, and

WHEREAS, this program is funded through a variety of sources, including, but not limited to, state and federal funding, private pay, private and third-party insurance and the County, 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 Jamestown Rehab Services, PT, OT, SLP, PLLC, for the provision of the above-described services, for a term commencing September 1, 2015 and terminating December 31, 2015.

Approved by 9 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted October 14, 2015 by voice vote.

ACT NO. 485-2015 by Ms. Edstrom and Mrs. Stockman
and Mr. Lamberson¹

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR CHILDREN WITH
SPECIAL HEALTH SERVICES NEEDS (CSHSN) (COLA)**

Pursuant to Public Law 98-8 and Section 450 of the County Law.

WHEREAS, Act 527-2014, as amended by Act 576-2014, authorized the Chair to execute a contract with the New York State Department of Health and various entities for the Children with Special Health Services Needs Program (CSHSN) for the period October 1, 2014 to September 30, 2017, and

WHEREAS, the Cattaraugus County Health Department has been awarded a cost-of-living adjustment (COLA) in the amount of \$1,604.00 for the period April 1, 2015 through March 31, 2016, and

WHEREAS, an amended contract is necessary with the New York State Department of Health in order to obtain reimbursement through the above-referenced program, and

WHEREAS, this program is 100% state funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with the New York State Department of Health in order to obtain reimbursement through the above-referenced program for the period April 1, 2015 through March 31, 2016, for a contract term commencing October 1, 2014 and terminating September 30, 2017, according to the above-described terms, and be it further

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

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

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

Approved by 9 members of the Finance Committee and 7 members of the Human Services Committee.

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

Adopted October 14, 2015 by voice vote.

ACT NO. 486-2015 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR
FAMILY PLANNING PROGRAMS**

Pursuant to 10 NYCRR Part 40-1 and Section 450 of the County Law.

WHEREAS, Act 647-2014 authorized a contract with the New York State Department of Health, Division of Family & Local Health, Corning Tower, Empire State Plaza, Room 878, Albany, New York 12237-0675, for the provision of a Family Planning Program in the County's Health Department, the term of which expires December 31, 2015, and

WHEREAS, the New York State Health Department has awarded the County Health Department a COLA in the amount of \$21,993.00 for the period April 1, 2015 through March 31, 2016, and

WHEREAS, this program is 100% state funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with the New York State Department of Health for the provision of a Family Planning Program in Cattaraugus County, for a term commencing January 1, 2015 and terminating March 31, 2016, according to the above-described terms, and be it further

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

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

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

Approved by 9 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted October 14, 2015 by voice vote.

ACT NO. 487-2015 by Mr. Felton and Ms. Vickman
and Mr. VanRensselaer¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
VNA HOMECARE OPTIONS, LLC FOR
HEALTH AND LONG TERM CARE SERVICES**

Pursuant to Section 95-a of the General Municipal Law and
Section 450 of the County Law.

WHEREAS, VNA Homecare Options, LLC, 1050 West Genesee Street, Syracuse, New York 13204-2215, is desirous of obtaining health and long term care services from the County Department of Nursing Homes for eligible participants, and

WHEREAS, the Department of Nursing Homes has agreed to provide health and long term care services to eligible participants in accordance with NYS Medicaid approved rates, and

WHEREAS, VNA Homecare Options, LLC, shall pay to the County an amount based on 110% of the latest published Medicaid rates if we collect the resident NAMI amount, 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 VNA Homecare Options, LLC, for the provision of the above-described health and long term care services, for a term commencing November

1, 2015 to continue in full force and effect until terminated by either party hereto, according to the above-described terms.

Approved by 9 members of the Finance Committee and 6 members of the Senior Services Committee.

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

Adopted October 14, 2015 by voice vote.

ACT NO. 488-2015 by Ms. Edstrom

**AMENDING ACT 221-2015 REGARDING CONTRACT
WITH ERIE 1 BOCES
FOR CLEARTRACK COUNTY MEDICAID MODULE**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 221-2015 authorized a contract with Erie 1 BOCES, 355 Harlem Road, West Seneca, New York 14224, for the access to the ClearTrack County Medicaid Module for the Special Needs Pre-K Program for the 2015-2016 school year, for an amount of \$3,525.00, and

WHEREAS, Erie 1 BOCES has advised the Youth Bureau that the cost is actually \$3,932.50 for the 2015-2016 school year, and

WHEREAS, Act 221-2015 should be amended to reflect the correct amount, now, therefore, be it

RESOLVED, that Act 221-2015 be, and hereby is, amended as follows: In the 2nd Whereas, delete: "\$3,525.00" and replace with: "\$3,932.50".

Approved by 9 members of the Finance Committee, 6 members of the County Operations Committee and 7 members of the Human Services Committee.

Adopted October 14, 2015 by voice vote.

ACT NO. 489-2015 by Ms. Edstrom and Mrs. Stockman

**APPROVING AMENDED CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
CATTARAUGUS COUNTY CHAPTER NYSARC, INC. AND
CATTARAUGUS REHABILITATION CENTER, INC. FOR PROVISION OF SERVICES
AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

Pursuant to Sections 41.07 and 75.13 of the Mental Hygiene Law and
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 44-2015, as amended by Act 365-2015, authorized approval of a contract with the Cattaraugus Rehabilitation Center, Inc., for the provision of family support services at the Pioneer Central School, the term of which expires December 31, 2015, and

WHEREAS, Act 54-2015, as amended by Act 365-2015, authorized approval of a contract with the Cattaraugus County Chapter NYSARC, Inc., and the Cattaraugus Rehabilitation Center, Inc., 1439 Buffalo Street, Olean, New York 14760, for the provision of adult day care services and comprehensive programs and service facilities for the mentally ill, developmentally disabled, and physically handicapped residents of Cattaraugus County, the term of which expires December 31, 2015, and

WHEREAS, the NYS Office of Mental Health has awarded a 2% funding increase for salary and salary-related fringe benefit costs of certain staff at not-for-profit providers in the amount of \$1,786.00 for the period January 1, 2015 through December 31, 2015, and

WHEREAS, an amended contract is necessary in order to pass the additional funding on to the Cattaraugus Rehabilitation Center, Inc., and

WHEREAS, this program is 100% state 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 an amended contract, between the Cattaraugus County Community Services Board with the Cattaraugus County Chapter NYSARC, Inc., and the Cattaraugus Rehabilitation Center, Inc., to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2015 and terminating December 31, 2015, according to the above-described terms, and be it further

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

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

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

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

Increase Estimated Revenue Account:

A.434.4322.2720.3490.034J	State Aid, OMH Adult Case Management	\$ 1,786.00
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Increase Appropriation Account:

A.434.4322.2720.42020.034J	State Aid, OMH Adult Case Management	\$ 1,786.00.
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Approved by 7 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted October 14, 2015 by voice vote. Mrs. Labuhn and Mr. Padlo abstained from vote.

ACT NO. 490-2015 by Ms. Edstrom and Mrs. Stockman
and Mr. Padlo¹

**APPROVING AMENDED CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
DIRECTIONS IN INDEPENDENT LIVING, INC. FOR
MENTAL HEALTH CONSUMER ADVOCACY AND TRAINING PROGRAM AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

Pursuant to Section 75.13 of the Mental Hygiene Law and
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 45-2015, as amended by Act 364-2015, authorized approval of a contract with Directions in Independent Living, Inc., 514 West State Street, Olean, New York 14760, for the provision of advocacy and training programs for consumers of mental health services and case management, the term of which expires December 31, 2015, and

WHEREAS, NYS Office of Mental Health has awarded a 2% funding increase for salary and salary-related fringe benefit costs of certain staff at not-for-profit providers in the amount of \$513.00 for the period January 1, 2015 through December 31, 2015, and

WHEREAS, an amended contract is necessary in order to pass the additional funding on to Directions in Independent Living, Inc., and

WHEREAS, this program is 100% state 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 an amended contract for the year 2015, between the Cattaraugus County Community Services Board and Directions in Independent Living, Inc., to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2015 and terminating December 31, 2015, according to the above-described terms, and be it further

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

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

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

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

Increase Estimated Revenue Account:

A.438.4322.2720.3490.034J	State Aid-Adult Case Mgt & ACT	\$513.00
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Increase Appropriation Account:

A.438.4322.2720.42024.034J	Directions in Ind. Living, Adult Case Mgt & ACT	\$513.00.
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Approved by 9 members of the Finance Committee and 7 members of the Human Services Committee.

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

Adopted October 14, 2015 by voice vote.

ACT NO. 491-2015 by Mr. Marsh

**APPROVING AMENDED CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
SENECA NATION OF INDIANS FOR
CASE MANAGEMENT SERVICES FOR HOMELESS INDIVIDUALS WITH
CO-OCCURRING MENTAL HEALTH AND ADDICTION ISSUES AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

Pursuant to 14 NYCRR 587.8(g) and
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 52-2015 authorized approval for a contract with the Seneca Nation of Indians for case management services for homeless individuals with co-occurring mental health and addiction issues residing in Cattaraugus County, the term of which expires December 31, 2015, and

WHEREAS, NYS Office of Mental Health has awarded a 2% funding increase for salary and salary-related fringe benefit costs of certain staff at not-for-profit providers in the amount of \$597.00 for the period January 1, 2015 through December 31, 2015, and

WHEREAS, an amended contract is necessary in order to pass the additional funding on to the Seneca Nation of Indians, and

WHEREAS, this program is 100% state 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 an amended contract for the year 2015, between the Cattaraugus County Community Services Board and the Seneca Nation of Indians, to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2015 and terminating December 31, 2015, according to the above-described terms, and be it further

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

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

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

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

Increase Estimated Revenue Account:

A.436.4322.2720.3490.034J	State Aid, OMH Adult Case Mgt & ACT	\$597.00
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Increase Appropriation Account:

A.436.4322.2720.42022.034J	SNI, Adult Case Mgt and ACT	\$597.00.
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Approved by 9 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted October 14, 2015 by voice vote.

ACT NO. 492-2015 by Ms. Edstrom and Mrs. Stockman

APPROVING AMENDED CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND RAJAN GULATI PHYSICIAN, P.C. FOR DEPARTMENT OF COMMUNITY SERVICES MEDICAL SERVICES

Pursuant to 14 NYCRR Section 587.8(d)(3) and (i) and
Section 450 of the County Law.

WHEREAS, Act 540-2014 authorized a contract with Rajan Gulati Physician, P.C., 45 West Main Street, Cuba, New York 14727, for the provision of medical services for the Department of Community Services, the term of which expires December 31, 2015, and

WHEREAS, the Department of Community Services would like to add 12 hours to the existing contract with Dr. Gulati, and

WHEREAS, Rajan Gulati Physician, P.C., shall provide an additional 12 hours of medical services for the Department of Community Services mental health clinic, at a rate of \$130.00 per hour of direct care for a maximum contract of 78 hours annually, plus \$50.00 per hour for travel not to exceed 12 hours annually, for a total revised contract amount not to exceed \$10,740.00, to be paid on a monthly basis as invoiced, and

WHEREAS, this program is funded through federal, state and local funds, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, between the Cattaraugus County Community Services Board and Rajan Gulati Physician, P.C., to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2015 and terminating December 31, 2015, according to the above-described terms.

Approved by 9 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted October 14, 2015 by voice vote.

ACT NO. 493-2015 by Mr. Hale and Mr. Snyder, Jr.
*and Mr. Padlo*¹

**GRANTING APPROVAL TO COMBINE THE TOWN OF PORTVILLE AND
VILLAGE OF PORTVILLE VITAL STATISTIC REGISTRATION DISTRICTS**

Pursuant to Section 4120.2(a) of the Public Health Law.

WHEREAS, the Registrars of Vital Statistics of the Town of Portville and the Village of Portville have entered into an agreement to consolidate the Village of Portville with the Town of Portville into one primary registration district of the Town of Portville, and

WHEREAS, in accordance with Section 4120.2(a) of the Public Health Law, such action is subject to the approval of the Cattaraugus County Legislature, and

WHEREAS, based upon approval by the Cattaraugus County Legislature, the New York Commissioner of Health will issue an order combining the two districts, now, therefore, be it

RESOLVED, that upon the request of the Town of Portville and the Village of Portville, the Cattaraugus County Legislature does hereby approve the consolidation and combination of the Town of Portville and the Village of Portville into one Town of Portville Primary Registration District, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to send a certified copy of this resolution to the New York State Commissioner of Health, the Clerk of the Town of Portville, the Supervisor of the Town of Portville, the Clerk of the Village of Portville, and the Mayor of the Village of Portville.

Approved by 9 members of the Finance Committee and 7 members of the County Operations Committee.

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

Adopted October 14, 2015 by voice vote.

ACT NO. 494-2015 by Mr. Marsh

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
HARBIDGE CONSULTING GROUP, LLC FOR
GASB 45 ACTUARIAL, CONSULTING AND
ADMINISTRATIVE SERVICES FOR POST-RETIREMENT HEALTH CARE BENEFITS
AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Department of Human Resources)**

Pursuant to Section 1860D-22 of the Social Security Act,
42 CFR Section 423.880, 42 USC Section 1395w-101 and
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 149-2014 authorized a contract with Harbridge Consulting Group, LLC, 1387 Fairport Road, Building 700-Suite 720, Fairport, New York 14450, for the provision of GASB 45

actuarial, consulting and administrative services for post-retirement medical benefits, the term of which expired May 1, 2014, and

WHEREAS, the County is desirous of obtaining actuarial, consulting and administrative services for post-retirement health care benefits valuations for the fiscal year ending December 31, 2014, and

WHEREAS, Harbridge Consulting Group, LLC, can provide the aforementioned services for fiscal year ending December 31, 2014, for an amount of \$7,350.00, to be paid as invoiced, and

WHEREAS, various appropriation accounts must be adjusted in order to cover the cost of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Harbridge Consulting Group, LLC, for the provision of the actuarial, consulting and administrative services for post-retirement health care benefits valuations services, for a term commencing January 1, 2015 and terminating May 1, 2015, according to the above-described terms, and be it further

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

Decrease Appropriation Account:

A.175.1750.0000.41004	Health Plan Admin Fees	\$4,350.00
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Increase Appropriation Account:

A.175.1750.0000.41209	Actuarial Service	\$4,350.00.
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Approved by 9 members of the Finance Committee and 5 members of the Labor Relations Committee.

Adopted October 14, 2015 by voice vote.

ACT NO. 495-2015 by Mr. Marsh

**LOCAL LAW NUMBER 10-2015
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law, Section 1202-u of the Tax Law and Chapter 563 of the Laws of 2003.

A LOCAL LAW CONTINUING THE CATTARAUGUS COUNTY HOTEL AND MOTEL TAX

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

SECTION 1. Legislative Intent. Local Law 20-2003 (Intro Number 21-2003), as continued by Local Law Number 3-2006 (Intro Number 3-2006), Local Law Number 20-2009 (Intro Number 20-2009) and Local Law Number 9-2012 (Intro Number 11-2012), imposed a tax on facilities providing lodging on an overnight basis and provided for the collection thereof in order to make funds available for tourism and economic development. The aforementioned Local Law should be further continued for an additional period of three (3) years.

SECTION 2. Continuation of Hotel and Motel Tax. The Cattaraugus County Hotel and Motel Tax established by Local Law 20-2003 (Intro Number 21-2003), as continued by Local Law Number 3-2006 (Intro Number 3-2006), Local Law Number 20-2009 (Intro Number 20-2009) and Local Law Number 9-2012 (Intro Number 11-2012), shall remain in full force and effect until three years from the date of enactment hereof.

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

Approved by 9 members of the Finance Committee and 7 members of the Development and Agriculture Committee.

No action taken at this time.

ACT NO. 496-2015 by Mr. Marsh

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 10-2015

Pursuant to Section 10 of the Municipal Home Rule Law, Section 1202-u of the Tax Law and Chapter 563 of the Laws of 2003.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on October 14, 2015, a proposed Local Law entitled "A Local Law Continuing the Cattaraugus County Hotel and Motel Tax", 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 October, 2015, at 3:01 p.m. at the Legislature's Chambers, County Office Building, 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 9 members of the Finance Committee and 7 members of the Development and Agriculture Committee.

Adopted October 14, 2015 by voice vote.

ACT NO. 497-2015 by Mr. Weller and Mr. Koch
and Mr. Lamberson¹

**BID ACCEPTANCE FOR EMERGENCY STREAMBANK STABILIZATION-PHASE II
(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 emergency streambank stabilization-Phase II services, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications for the following four (4) sites is the bid of D & H Excavating, Inc., 11939 Route 98 South, Arcade, New York 14009, in the total amount of \$39,847.50, as follows, to be paid as invoiced:

East Otto Bridge No. 20 (Crumb Hill Road)
East Otto Bridge No. 15 (Meyer Hill Road)
East Otto Culvert No. 11 (County Road No. 14)
County Road No. 12 @ East Otto Bridge No. 9,

and

WHEREAS, sufficient funds are included in the 2015 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the bid of D & H Excavating, Inc., be, and the same hereby is, accepted, for a term commencing upon Notice of Award, with the work to be completed by October 31, 2015, and terminating December 31, 2015, and be it further

RESOLVED, that vouchers submitted in accordance with the provisions of the General Municipal Law §106-b and certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

No State bid.

Four sets of specifications were sent out.

Three bids were received.

Approved by 9 members of the Finance Committee and 7 members of the Public Works Committee.

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

Adopted October 14, 2015 by voice vote.

ACT NO. 498-2015 by Mr. VanRensselaer and Mr. Boser
*and Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Klancer,
Mr. Marsh, Mr. Murphy, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman
Mr. Teachman, Ms. Vickman, Mr. Weller, Mr. Koch, Mrs. Labuhn,
Mr. Lamberson, Mr. Padlo, Mr. Sprague and Mr. Keller¹*

**AMENDING ACT 101-2015 REGARDING CONTRACTS WITH
CATTARAUGUS COUNTY FEDERATION OF SNOWMOBILE CLUBS, INC. AND
VARIOUS SNOWMOBILE CLUBS IN CATTARAUGUS COUNTY FOR
SNOWMOBILE TRAIL GRANT PROGRAM AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Economic Development, Planning & Tourism)**

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

WHEREAS, Act 101-2015, as amended by Act 258-2015, authorized contracts with the New York State Office of Parks, Recreation and Historic Preservation, the Cattaraugus County Federation of Snowmobile Clubs, Inc., and various snowmobile clubs for the snowmobile trail grant program, for a term commencing April 1, 2014 and terminating March 31, 2015, and

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation has advised the Department of Economic Development, Planning & Tourism that some of the original figures allocated for the above-listed term were incorrect, and

WHEREAS, Act 101-2015 should be amended to reflect the correct grant figures, and

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

RESOLVED, that Act 101-2015 be, and hereby is, amended as follows: In the 6th Whereas, in the column 2015 Grant, after Franklinville Snow Sled Club, Inc., delete: "\$24,710.00", and replace with: "\$24, 675.00"; and after Snow Bounders, Inc., delete: "\$46,690.00" and replace with: "\$51,730.00", and be it further

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

Increase Estimated Revenue Account:

A.644.7180.0000.3889.01	NYS Snowmobile Trail Grant	\$5,005.00
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Increase Appropriation Account:

A.644.7180.0000.42037	NYS Snowmobile Trail Program	\$5,005.00.
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Approved by 9 members of the Finance Committee and 7 members of the Development and Agriculture Committee.

¹The following Legislators requested their names be listed as additional sponsors: "Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Klancer, Mr. Marsh, Mr. Murphy, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. Teachman, Ms. Vickman, Mr. Weller, Mr. Koch, Mrs. Labuhn, Mr. Lamberson, Mr. Padlo, Mr. Sprague and Mr. Keller".

Adopted October 14, 2015 by voice vote.

ACT NO. 499-2015 by Mr. Weller
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
ZUECH'S ENVIRONMENTAL SERVICES, INC. FOR
SEPTIC TANK, OIL SEPARATOR TANK AND GREASE/WATER TANK CLEANING SERVICES
IN VARIOUS LOCATIONS THROUGHOUT COUNTY**

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

WHEREAS, Act 323-2011 authorized a contract with Zuech's Environmental Services, Inc., 8300 Route 98 North, Franklinville, New York 14737, for the provision of septic tank, oil separator

tank and grease/water tank cleaning services in various locations throughout the County, the term of which expired August 31, 2015, and

WHEREAS, the Department of Public Works is desirous of extending the term of the aforementioned contract until December 31, 2015 in order to allow for time to rebid the services, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract extension, on behalf of Cattaraugus County, with Zuech's Environmental Services, Inc., for the provision of the above-described services, for a term commencing September 1, 2015 and terminating December 31, 2015, according to the above-described terms.

MS. VICKMAN moved, seconded by Mrs. Labuhn to waive Rule 12. Carried.

Adopted October 14, 2015 by voice vote.

ACT NO. 500-2015 by Mr. Edwards and Mr. Marsh
who ask immediate consideration

ESTABLISHING LOOK-BACK MEASUREMENT PERIOD

Pursuant to the Patient Protection and Affordable Care Act, Public Law 111-148.

WHEREAS, for the purpose of health insurance coverage, the Patient Protection and Affordable Care Act mandates that employers must establish a look-back period of time to determine an employee's full-time status under the law, and

WHEREAS, the Legislature desires to establish a one year look-back measurement period for the County, now, therefore, be it

RESOLVED, that it is hereby established that the period November 15 through November 14 of the following year of each year will be considered the look-back measurement period for the purpose of determining an employee's full-time employment status for health insurance coverage in consideration of the Patient Protection and Affordable Care Act.

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

Adopted October 14, 2015 by voice vote.

ACT NO. 501-2015 by Mr. Marsh
*and Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Klancer,
 Mr. Murphy, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. Teachman,
 Mr. VanRensselaer, Ms. Vickman, Mr. Weller, Mr. Boser, Mr. Koch,
 Mrs. Labuhn, Mr. Lamberson, Mr. Padlo, Mr. Sprague and Mr. Keller¹*
 who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
 BMI AUDIT SERVICES, LLC FOR HEALTH BENEFIT CLAIMS AUDIT SERVICES
 AND TRANSFER OF FUNDS
 (Self-Insured Health Plan)**

Pursuant to Sections 362 and 450 of the County Law.

WHEREAS, Cattaraugus County is desirous of obtaining an audit of the County's health benefit claims services, and

WHEREAS, BMI Audit Services, LLC, 202 S. Michigan #200, South Bend, Indiana 46601, has agreed to perform an audit for an amount not to exceed \$40,250.00, plus reimbursement for auditor travel expenses not to exceed \$3,000.00, and

WHEREAS, a transfer of funds is necessary in order to cover the cost of the aforementioned auditor 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 BMI Audit Services, LLC, for the provision of the above-described auditing services, for a term commencing October 15, 2015 and terminating March 31, 2016, according to the above-described terms, and be it further

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

Decrease Appropriation Account:

A.175.1752.0000.40410.01	Health Claims Medical	\$43,250.00
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Increase Appropriation Account:

A.175.1750.0000.41208	Audit Services Contracted	\$43,250.00.
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MR. TEACHMAN moved, seconded by Mr. Padlo to waive Rule 12. Carried.

¹The following Legislators requested their names be listed as additional sponsors: "Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Klancer, Mr. Murphy, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. Teachman, Mr. VanRensselaer, Ms. Vickman, Mr. Weller, Mr. Boser, Mr. Koch, Mrs. Labuhn, Mr. Lamberson, Mr. Padlo, Mr. Sprague and Mr. Keller".

Adopted October 14, 2015 by voice vote.

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CHAIRMAN MARSH requested a moment of silence in memory of Undersheriff William M. Nichols who lost his battle with leukemia.

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MR. VANRENSELAER moved, seconded by Mr. Lamberson to adjourn until October 28, 2015 at 3:00 p.m. Carried.

Meeting adjourned at 4:10 p.m.

Ann M. Giglio
Journal Clerk