

November 24, 2015

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

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed three Legislators absent – Boser, Keller and Koch.

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MR. WELLER moved, seconded by Mrs. Labuhn that the minutes of the November 10, 2015 session be approved. Carried.

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#### COMMUNICATIONS:

New York State Department of State: Acknowledging receipt of Local Law No. 8-2015 (Intro No. 9-2015 and the filing of the same on October 21, 2015, and Local Law No. 9-2015 (Intro No. 10-2015) and the filing of the same on November 3, 2015.

James J. Snyder, Sr., Chairman, Finance Committee: Apportionment of Mortgage Taxes for the six-month period from April 1, 2015 through September 30, 2015. (see report on page 621)

Ontario County Board of Supervisors: Resolution No. 691-2015, Requesting Expedited Decision Making by the New York State Department of Environmental Conservation Concerning the Ontario County Landfill Expansion Permits.

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#### APPOINTMENTS:

##### **CATTARAUGUS COUNTY AGING ADVISORY COUNCIL**

*Terms to expire December 31, 2015*

Sandra Deal  
824 South Union Street Branch  
Olean, New York 14760,  
*to fill the unexpired term of William Button, deceased*

Frank Aloï  
9 Goss Avenue  
Portville, New York 14770,  
*to fill the unexpired term of Kathy Hamed, who resigned.*

**CATTARAUGUS COUNTY LONG TERM CARE ADVISORY COUNCIL***Term to expire December 31, 2015*

Susan Styborski  
11754 Main Street  
Perrysburg, New York 14129,  
*to fill the unexpired term of Gary Heim, who resigned.*

\* \* \* \* \*

CHAIRMAN MARSH announced this is the time and place called for a public hearing on **Act No. 557-2015**, Local Law Number 11-2015, entitled, "A Local Law Establishing Fees for Department of Nursing Homes Resident Private Pay Rates and Repealing Act 512-2014", and that anyone wishing to speak for or against this local law may now do so.

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

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CHAIRMAN MARSH announced this is the time and place called for a public hearing on **Act No. 571-2015**, Local Law Number 13-2015, entitled, "A Local Law Establishing Salaries for Certain County Officers", and that anyone wishing to speak for or against this local law may now do so.

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

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CHAIRMAN MARSH announced this is the time and place called for a public hearing on the 2016 Tentative Budget and that anyone wishing to speak on the 2016 Tentative Budget may now do so.

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

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To: The Chairman and Legislature of Cattaraugus County:							
I, the Chairman of the Finance Committee, which committee has charge of Apportionment of Mortgage Taxes, respectfully report that the amount to be apportioned for the six-month period from April 1, 2015 through September 30, 2015 is \$321,781.33 and recommend that the amounts opposite the names of the cities/towns be paid to the fiscal officers of that city/town, and amounts in the column headed villages, be paid to the treasurers of the respective villages.							
Respectfully submitted,							
James J. Snyder, Chairman							
Finance Committee							
APPORTIONMENT OF MORTGAGE TAXES							
	ROW 1	ROW 2	ROW 3	ROW 4	ROW 5	ROW 6	ROW 7
	CITY/TOWN	DOUBLE	VILLAGE	VILLAGE	TOTAL AMOUNT		CITY/
	ASSESSED	CITY/TOWN	ASSESSED	PERCENTAGE	MORTGAGE TAX	VILLAGE	TOWN
	VALUATION	VALUATION	VALUATION	SHARE	DISTRIBUTED	SHARE	SHARE
ALLEGANY	324,925,017	649,850,034	69,129,427	0.10637751	36,957.30	3,931.43	33,025.87
ASHFORD	76,109,233	152,218,466		0.00000000	13,527.86	0.00	13,527.86
CARROLLTON	79,886,998	159,773,996		0.00000000	6,019.12	0.00	6,019.12
COLDSPRING	58,823,160	117,646,320		0.00000000	2,043.22	0.00	2,043.22
CONEWANGO	33,633,999	67,267,998		0.00000000	3,805.92	0.00	3,805.92
DAYTON	49,381,634	98,763,268	13,160,504	0.13325302	3,129.32	416.99	2,712.33
EAST OTTO	50,217,052	100,434,104		0.00000000	2,819.26	0.00	2,819.26
ELLICOTTVILLE	569,292,139	1,138,584,278	122,850,225	0.10789735	40,543.14	4,374.50	36,168.64
FARMERSVILLE	57,845,368	115,690,736		0.00000000	4,191.59	0.00	4,191.59
FRANKLINVILLE	83,821,223	167,642,446	32,382,275	0.19316274	11,406.00	2,203.21	9,202.79
FREEDOM	117,218,835	234,437,670		0.00000000	8,666.73	0.00	8,666.73
GREAT VALLEY	168,911,781	337,823,562		0.00000000	9,075.54	0.00	9,075.54
HINSDALE	72,489,008	144,978,016		0.00000000	9,673.74	0.00	9,673.74
HUMPHREY	49,863,611	99,727,222		0.00000000	6,256.83	0.00	6,256.83
ISCHUA	40,799,932	81,599,864		0.00000000	2,063.44	0.00	2,063.44
LEON	48,021,726	96,043,452		0.00000000	4,567.83	0.00	4,567.83
LITTLE VALLEY	46,477,961	92,955,922	19,159,680	0.20611575	7,559.97	1,558.23	6,001.74
LYNDON	45,826,239	91,652,478		0.00000000	3,264.12	0.00	3,264.12
MACHIAS	129,240,386	258,480,772		0.00000000	10,179.05	0.00	10,179.05
MANSFIELD	108,282,668	216,565,336		0.00000000	8,793.45	0.00	8,793.45
NAPOLI	32,975,405	65,950,810		0.00000000	3,946.69	0.00	3,946.69
NEW ALBION	56,963,712	113,927,424	21,480,807	0.18854817	8,210.63	1,548.10	6,662.53
OLEAN,CITY	497,889,372	995,778,744		0.00000000	42,296.61	0.00	42,296.61
OLEAN, TOWN	86,144,105	172,288,210		0.00000000	8,889.16	0.00	8,889.16
OTTO	54,715,563	109,431,126		0.00000000	6,112.59	0.00	6,112.59
PERRYSBURG	55,199,571	110,399,142		0.00000000	5,467.31	0.00	5,467.31
PERSIA	58,022,896	116,045,792	40,294,070	0.34722560	8,102.79	2,813.50	5,289.29
PORTVILLE	135,114,873	270,229,746	28,114,530	0.10403936	10,671.58	1,110.26	9,561.32
RANDOLPH	83,120,800	166,241,600		0.00000000	12,064.91	0.00	12,064.91
RED HOUSE	127,983,994	255,967,988		0.00000000	284.44	0.00	284.44
SALAMANCA, CITY	16,889,501	33,779,002		0.00000000	5,079.07	0.00	5,079.07
SALAMANCA, TOWN	27,475,802	54,951,604		0.00000000	902.76	0.00	902.76
SOUTH VALLEY	30,410,925	60,821,850		0.00000000	2,576.61	0.00	2,576.61
YORKSHIRE	29,733,343	59,466,686	6,075,587	0.10216791	12,632.75	1,290.66	11,342.09
TOTALS	3,503,707,832		352,647,105		321,781.33	19,246.88	302,534.45

MR. SNYDER, SR. moved, seconded by Mr. Sprague to accept the Finance Committee Report on the 2016 Tentative Budget. Carried.

\* \* \* \* \*

CHAIRMAN MARSH called up the budget resolutions for immediate consideration.

**ACT NO. 619-2015** by Mr. Snyder, Sr.

**ADOPTION OF 2016 BUDGET**

Pursuant to Section 360 of the County Law.

RESOLVED, that the tentative County Budget for the year 2016, as amended and filed with the Clerk of the Legislature and as hereafter attached, is hereby adopted as the County Budget for 2016 and the budget requires the raising by tax of the amount of \$53,439,242.00.

Adopted November 24, 2015 by voice vote.

**ACT NO. 620-2015** by Mr. Snyder, Sr.

**APPORTIONMENT OF COUNTY BUDGET**

Pursuant to Section 804 of the Real Property Tax Law.

RESOLVED, that the following report of the assessed value of all property assessed in each of the several towns and cities of the County for 2016 shows the equalized value of real estate and the amount of the County budget apportioned to each district:

\*\*\* Assessment Values as of November 23, 2015.

Adopted November 24, 2015 by voice vote.

**ACT NO. 621-2015** by Mr. Snyder, Sr.

**APPROPRIATIONS FOR THE FISCAL YEAR 2016**

Pursuant to Sections 356 and 360 of the County Law.

WHEREAS, the Cattaraugus County Legislature has, by resolution, adopted a budget for the fiscal year 2016, now, therefore, be it

RESOLVED, that the several subtotals specified in such budget, in the column headed "Adopted" opposite the several items of expenditures, be approved for such items, effective January 1, 2016.

Adopted November 24, 2015 by voice vote.

**ACT NO. 622-2015** by Mr. Snyder, Sr.

**AUTHORIZING THE CHAIR AND CLERK TO SIGN AND ATTACH WARRANTS**

Pursuant to Section 904 of the Real Property Tax Law.

RESOLVED, that tax levies as extended upon the several rolls of the County be, and they hereby are, approved, and be it further

RESOLVED, that the Chair and the Clerk of the Legislature be, and they hereby are, authorized and directed to sign and attach warrants thereto under the date of December 10, 2015.

Adopted November 24, 2015 by voice vote.

**ACT NO. 623-2015** by Mr. Snyder, Sr.

**AUTHORIZATION TO DEBIT AND CREDIT ACCOUNTS OF TOWNS AND CITIES**

Pursuant to Section 940 of the Real Property Tax Law.

WHEREAS, at the meeting of the Legislature on November 24, 2015, a report was filed by the County Treasurer in the Office of the County Treasurer showing the debits and credits of all the towns and cities in the County, now, therefore, be it

RESOLVED, that the Clerk of the Legislature be, and hereby is, authorized and directed to debit and credit the respective towns and cities as set forth on such report in the tax levy:

<u>TOWN</u>	<u>DEBIT</u>	<u>CREDIT</u>
Allegany		
Ashford	9.12	
Carrollton		

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Coldspring	
Conewango	
Dayton	
East Otto	
Ellicottville	
Farmersville	
Franklinville	.07
Freedom	.22
Great Valley	
Hinsdale	.12
Humphrey	.07
Ischua	
Leon	
Little Valley	
Lyndon	.04
Machias	
Mansfield	
Napoli	
New Albion	
Olean City	
Olean Town	
Otto	
Perrysburg	
Otto	
Perrysburg	
Persia	
Portville	
Randolph	.30
Red House	
Salamanca City	.96
Salamanca Town	
South Valley	.02
Yorkshire	

Adopted November 24, 2015 by voice vote.

**ACT NO. 624-2015** by Mr. Snyder, Sr.

**AUTHORIZING RELEVY OF RETURNED SCHOOL TAXES AND  
RETURNED CITY TAXES OF THE CITY OF OLEAN**

Pursuant to Section 1330 of the Real Property Tax Law.

RESOLVED, that effective November 30, 2015, the Clerk of the Legislature be, and hereby is, authorized and directed to relevy all returned school taxes and returned city taxes of the City of Olean.

Adopted November 24, 2015 by voice vote.

**ACT NO. 625-2015** by Mr. Snyder, Sr.

**AUTHORIZING RELEVY OF VILLAGE TAXES OF  
THE COUNTY OF CATTARAUGUS**

Pursuant to Section 1442 of the Real Property Tax Law.

RESOLVED, that effective November 30, 2015, the Clerk of the Legislature be, and hereby is, authorized and directed to relevy all returned village taxes of the County of Cattaraugus.

Adopted November 24, 2015 by voice vote.

**ACT NO. 626-2015** by Mr. Snyder, Sr.

**AUTHORIZATION TO APPLY PORTION OF TOWN OF PORTVILLE'S  
SHARE OF SALES TAX REVENUE TO REDUCTION OF  
COUNTY TAX LEVIED AGAINST THE TOWN**

Pursuant to Article 29 of the Tax Law.

WHEREAS, the Town of Portville has elected to take its share of the sales tax revenue in cash, and

WHEREAS, the share due to the Town of Portville will result in a surplus, and

WHEREAS, the Town of Portville has requested that a portion of such surplus be applied to reduce the County Tax against the Town of Portville (outside), now, therefore, be it,

RESOLVED, that \$344,500.00 of the 2016 sales tax revenue due the Town of Portville be applied to the reduction of the County Tax levied against the real property in the Town of Portville (outside).

Adopted November 24, 2015 by voice vote.

**ACT NO. 627-2015** by Mr. Snyder, Sr.

**AUTHORIZATION TO APPLY PORTION OF TOWN OF GREAT VALLEY'S  
SHARE OF SALES TAX REVENUE TO REDUCTION OF  
COUNTY TAX LEVIED AGAINST THE TOWN**

Pursuant to Article 29 of the Tax Law.

WHEREAS, the Town of Great Valley has elected to take its share of the sales tax revenue in cash, and

WHEREAS, the share due to the Town of Great Valley will result in a surplus, and

WHEREAS, the Town of Great Valley has requested that a portion of such surplus be applied to reduce the County Tax against the Town of Great Valley, now, therefore, be it,



RESOLVED, that \$535,000.00 of the 2016 sales tax revenue due the Town of Great Valley be applied to the reduction of the County Tax levied against the real property in the Town of Great Valley.

Adopted November 24, 2015 by voice vote.

**ACT NO. 628-2015** by Mr. Snyder, Sr.

**AUTHORIZATION TO APPLY PORTION OF TOWN OF FARMERSVILLE'S  
SHARE OF SALES TAX REVENUE TO REDUCTION OF  
COUNTY TAX LEVIED AGAINST THE TOWN**

Pursuant to Article 29 of the Tax Law.

WHEREAS, the Town of Farmersville has elected to take its share of the sales tax revenue in cash, and

WHEREAS, the share due to the Town of Farmersville will result in a surplus, and

WHEREAS, the Town of Farmersville has requested that a portion of such surplus be applied to reduce the County Tax against the Town of Farmersville, now, therefore, be it,

RESOLVED, that \$182,500.00 of the 2016 sales tax revenue due the Town of Farmersville be applied to the reduction of the County Tax levied against the real property in the Town of Farmersville.

Adopted November 24, 2015 by voice vote.

**ACT NO. 629-2015** by Mr. Snyder, Sr.

**AUTHORIZATION TO APPLY PORTION OF TOWN OF RED HOUSE'S  
SHARE OF SALES TAX REVENUE TO REDUCTION OF  
COUNTY TAX LEVIED AGAINST THE TOWN**

Pursuant to Article 29 of the Tax Law.

WHEREAS, the Town of Red House has elected to take its share of the sales tax revenue in cash, and

WHEREAS, the share due to the Town of Red House will result in a surplus, and

WHEREAS, the Town of Red House has requested that a portion of such surplus be applied to reduce the County Tax against the Town of Red House, now, therefore, be it,

RESOLVED, that \$377,000.00 of the 2016 sales tax revenue due the Town of Red House be applied to the reduction of the County Tax levied against the real property in the Town of Red House.

Adopted November 24, 2015 by voice vote.

**ACT NO. 630-2015** by Mr. Snyder, Sr.

**ADOPTION OF EQUALIZATION RATES**

Pursuant to Section 804 of the Real Property Tax Law.

RESOLVED, that the Cattaraugus County Legislature does hereby adopt the equalization rate fixed by the State Board of Real Property Tax Services for the year 2016 as follows:

<u>Towns</u>	<u>Equalization</u> <u>Rates</u>
Allegany	100.00
Ashford	59.00
Carrollton	85.00
Cold Spring	97.00
Conewango	53.00
Dayton	75.00
East Otto	65.00
Ellicottville	100.00
Farmersville	93.00
Franklinville	72.00
Freedom	100.00
Great Valley	100.00
Hinsdale	88.00
Humphrey	100.00
Ischua	88.00
Leon	100.00
Little Valley	71.00
Lyndon	100.00
Machias	98.00
Mansfield	100.00
Napoli	100.00
New Albion	72.00
Olean, City	95.00
Olean, Town	78.00
Otto	100.00
Perrysburg	71.00
Persia	77.00
Portville	100.00
Randolph	81.00
Red House	100.00
Salamanca, Town	91.00
Salamanca, City	17.00
South Valley	75.00
Yorkshire	17.50

Adopted November 24, 2015 by voice vote.

ACT NO. 631-2015 by Mr. Snyder, Sr.  
who asks immediate consideration

**BOND RESOLUTION DATED NOVEMBER 24, 2015.**

**A RESOLUTION AUTHORIZING BRIDGE IMPROVEMENTS IN AND FOR THE  
COUNTY OF CATTARAUGUS, NEW YORK, AT A MAXIMUM ESTIMATED COST OF  
\$2,584,000 AND AUTHORIZING THE ISSUANCE OF \$1,220,000  
BONDS OF SAID COUNTY TO PAY PART OF THE COST THEREOF**

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Cattaraugus, New York, as follows:

Section 1. Bridge improvements, including retaining walls, drainage, landscaping and incidental costs and improvements, is hereby authorized in and for said County of Cattaraugus at a maximum estimated cost of \$2,584,000.

Section 2. The plan for the financing of such maximum estimated cost shall be as follows:

- a) By the issuance of \$1,220,000 bonds of said County hereby authorized to be issued pursuant to the provisions of the Local Finance Law;
- b) By the expenditure of \$1,264,000 to be received as grants-in-aid; and
- c) By the expenditure of \$100,000 available funds.

Section 3. It is hereby determined that the period of probable usefulness of said class of objects or purposes is twenty years, pursuant to subdivision 10 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Cattaraugus, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

- Section 7. The validity of such bonds and bond anticipation notes may be contested only if:
- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
  - 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,
- and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the Salamanca Press and the Olean Times Herald, the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

MR. HALE moved, seconded by Mrs. Labuhn to waive Rule 12. Carried.

CHAIRMAN MARSH requested a Roll Call vote on Act No. 631-2015, which disclosed as follows:

Ayes: Edstrom 0.8673, Edwards 0.9684, Felton 1.0972, Hale 1.0655, Klancer 1.1005, Labuhn 0.8685, Lamberson 1.0267, Marsh 1.1278, Murphy 1.1005, Padlo 0.8673, Snyder, Sr. 0.8673, Snyder, Jr. 1.0655, Sprague 1.0230, Stockman 1.0003, Teachman 0.8673, VanRensselaer 1.1278, Vickman 1.0972, Weller 1.0972 – 18.2353.

Nays: none.

Act No. 631-2015, having received a two-thirds majority vote of the Legislature, was declared Adopted.

**ACT NO. 632-2015** by Mr. Snyder, Sr.  
who asks immediate consideration

**BOND RESOLUTION DATED NOVEMBER 24, 2015.**

**A RESOLUTION AUTHORIZING ROAD IMPROVEMENTS IN AND FOR THE  
COUNTY OF CATTARAUGUS, NEW YORK, AT A MAXIMUM ESTIMATED COST OF  
\$6,200,000 AND AUTHORIZING THE ISSUANCE OF \$3,070,000 BONDS OF SAID  
COUNTY TO PAY PART OF THE COST THEREOF**

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Cattaraugus, New York, as follows:

Section 1. Road improvements, including drainage, sidewalks, curbs, gutters, landscaping and other costs incidental thereto, is hereby authorized in and for said County of Cattaraugus at a maximum estimated cost of \$6,200,000.

Section 2. The plan for the financing of such maximum estimated cost shall be as follows:

- a) By the issuance of \$3,070,000 bonds of said County hereby authorized to be issued pursuant to the provisions of the Local Finance Law;
- b) By the expenditure of \$2,245,000 to be received as grants-in-aid; and
- c) By the expenditure of \$885,000 available funds.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Cattaraugus, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably

expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the Salamanca Press and the Olean Times Herald, the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

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

CHAIRMAN MARSH requested a Roll Call vote on Act No. 632-2015, which disclosed as follows:

Ayes: Edstrom 0.8673, Edwards 0.9684, Felton 1.0972, Hale 1.0655, Klancer 1.1005, Labuhn 0.8685, Lamberson 1.0267, Marsh 1.1278, Murphy 1.1005, Padlo 0.8673, Snyder, Sr. 0.8673, Snyder, Jr. 1.0655, Sprague 1.0230, Stockman 1.0003, Teachman 0.8673, VanRensselaer 1.1278, Vickman 1.0972, Weller 1.0972 – 18.2353.

Nays: none.

Act No. 632-2015, having received a two-thirds majority vote of the Legislature, was declared Adopted.

**ACT NO. 633-2015** by Mr. Snyder, Sr.  
who asks immediate consideration

**BOND RESOLUTION DATED NOVEMBER 24, 2015.**

**A RESOLUTION AUTHORIZING CULVERT IMPROVEMENTS, IN AND FOR THE  
COUNTY OF CATTARAUGUS, NEW YORK, AT A MAXIMUM ESTIMATED COST OF  
\$260,000, AND AUTHORIZING THE ISSUANCE OF \$210,000 BONDS OF SAID  
COUNTY TO PAY PART OF THE COST THEREOF**

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Cattaraugus, New York, as follows:

Section 1. Culvert improvements, including drainage, landscaping and incidental costs, are hereby authorized in and for said County of Cattaraugus at a maximum estimated cost of \$260,000.

Section 2. The plan for the financing of such maximum estimated cost shall be as follows:

- a) By the issuance of \$210,000 bonds of said County hereby authorized to be issued pursuant to the provisions of the Local Finance Law; and
- b) By the expenditure of \$50,000 available funds.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Cattaraugus, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the Salamanca Press and the Olean Times Herald, the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

MR. VANRENSELAER moved, seconded by Mr. Lamberson to waive Rule 12. Carried.

CHAIRMAN MARSH requested a Roll Call vote on Act No. 633-2015, which disclosed as follows:

Ayes: Edstrom 0.8673, Edwards 0.9684, Felton 1.0972, Hale 1.0655, Klancer 1.1005, Labuhn 0.8685, Lamberson 1.0267, Marsh 1.1278, Murphy 1.1005, Padlo 0.8673, Snyder, Sr. 0.8673, Snyder, Jr.

1.0655, Sprague 1.0230, Stockman 1.0003, Teachman 0.8673, VanRensselaer 1.1278, Vickman 1.0972, Weller 1.0972 – 18.2353.

Nays: none.

Act No. 633-2015, having received a two-thirds majority vote of the Legislature, was declared Adopted.

**ACT NO. 634-2015** by Mr. Weller and Mr. Koch  
who ask immediate consideration

**INCREASING APPROPRIATION AND ESTIMATED REVENUE ACCOUNTS  
(Department of Public Works)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, Acts 631-2015, 632-2015 and 633-2015 authorized bond issues in the total amount of \$4,500,000.00, and

WHEREAS, it is necessary to create appropriation and revenue accounts to accommodate the aforementioned bond funds, now, therefore, be it

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

Increase Estimated Revenue Accounts:

H.504.5197.5198.5710.01	Serial Bonds Culverts	\$ 210,000.00
H.504.5197.5198.5710.02	Serial Bonds Bridges	\$1,220,000.00
H.504.5197.5198.5710.03	Serial Bonds Roads	\$3,070,000.00

Increase Appropriation Accounts:

H.504.5197.5198.23057.41603	New Albion Culvert No. 42	\$ 100,000.00
H.504.5197.5198.23066.41603	East Otto Culvert No. C7519642	\$ 110,000.00
H.504.5197.5195.25020.41603	Ashford Bridge No. 37	\$ 320,000.00
H.504.5197.5198.25082.41603	Otto Bridge No. 2	\$ 300,000.00
H.504.5197.5198.25070.41603	Mansfield Bridge No. 58	\$ 600,000.00
H.504.5197.5198.27039.41603	County Road No. 12	\$ 450,000.00
H.504.5197.5198.27033.41603	County Road No. 13	\$2,060,000.00
H.504.5197.5198.27066.41603	County Road No. 24	\$ 560,000.00.

MS. VICKMAN moved, seconded by Mr. Padlo to waive Rule 12. Carried.

Adopted November 24, 2015 by voice vote.



**ACT NO. 635-2015** by Mr. Weller and Mr. Koch  
who ask immediate consideration

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(CHIPS – Department of Public Works)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, Cattaraugus County has received CHIPS funding in the amount of \$2,795,000.00 for 2016, and

WHEREAS, the Department of Public Works is desirous of allocating the CHIPS funding for various highway projects, and

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

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

Increase Estimated Revenue Account:

H.504.5197.5197.3501	Consolidated Highway Aid	\$ 2,795,000.00
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Increase Appropriation Accounts:

H.504.5197.5197.27033.41603	County Road No. 13	\$ 1,935,000.00
H.504.5197.5197.27066.41603	County Road No. 24	\$ 310,000.00
H.504.5197.5197.27067.41603	County Road No. 35	\$ 200,000.00
H.504.5197.5197.25083.41603	East Otto Bridge No. 1	\$ 50,000.00
H.504.5197.5197.25059.41603	Humphrey Bridge No. 2	\$ 200,000.00
H.504.5197.5197.23064.41603	East Otto Culvert No. 24	\$ 100,000.00.

MR. TEACHMAN moved, seconded by Mr. Weller to waive Rule 12. Carried.

Adopted November 24, 2015 by voice vote.

\* \* \* \* \*

CHAIRMAN MARSH called up **Act No. 557-2015** and asked that it be read.

CHAIRMAN MARSH requested a Roll Call vote on Act No. 557-2015, Local Law Number 11-2015, which disclosed as follows:

Ayes: Edstrom 0.8673, Edwards 0.9684, Felton 1.0972, Hale 1.0655, Klancer 1.1005, Labuhn 0.8685, Lamberson 1.0267, Marsh 1.1278, Murphy 1.1005, Padlo 0.8673, Snyder, Sr. 0.8673, Snyder, Jr. 1.0655, Sprague 1.0230, Stockman 1.0003, Teachman 0.8673, VanRensselaer 1.1278, Vickman 1.0972, Weller 1.0972 – 18.2353.

Nays: none.

Act No. 557-2015, Local Law Number 11-2015, having received the majority vote of the Legislature, was declared Adopted.

\* \* \* \* \*

CHAIRMAN MARSH called up **Act No. 571-2015** and asked that it be read.

CHAIRMAN MARSH requested a Roll Call Vote on Act No. 571-2015, Local Law Number 13-2015, which disclosed as follows:

Ayes: Edwards 0.9684, Felton 1.0972, Hale 1.0655, Klancer 1.1005, Labuhn 0.8685, Lamberson 1.0267, Marsh 1.1278, Murphy 1.1005, Padlo 0.8673, Snyder, Sr. 0.8673, Snyder, Jr. 1.0655, Sprague 1.0230, Stockman 1.0003, Teachman 0.8673, Vickman 1.0972, Weller 1.0972 – 16.2402.

Nays: none.

Ms. Edstrom and Mr. VanRensselaer abstained from vote.

Act No. 571-2015, Local Law Number 13-2015, having received the majority vote of the Legislature, was declared Adopted.

\* \* \* \* \*

**ACT NO. 573-2015** by Mr. Weller and Mr. Koch

**BID ACCEPTANCE FOR SEPTIC TANK, OIL SEPARATOR TANK AND  
GREASE/WATER TANK CLEANING SERVICES IN  
VARIOUS LOCATIONS THROUGHOUT COUNTY  
(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 septic tank, oil separator tank and grease/water tank cleaning services in various locations throughout the County, according to specifications provided by the Public Works Committee, and

WHEREAS, the only bid received meeting specifications was the bid of Zuech's Environmental Services, Inc., P.O. Box 108, 8312 Route 98 North, Franklinville, New York 14737, for the following amounts:

Oil Traps:

Allegany Highway Facility	\$ 750.00
Franklinville Highway Facility	\$ 750.00
Five Points Highway Facility	\$ 750.00
Cattaraugus County DPW, LV	\$ 750.00
Markhams Highway Facility	\$ 750.00
Randolph Highway Facility	\$ 750.00
West Valley Highway Facility	\$ 750.00

Grease Traps:

Cattaraugus County Jail	\$ 275.00
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Nursing Homes-Machias Campus	\$3,540.00
Septic Tank:	
Nursing Homes-Machias Campus	\$ 620.00
Circulating Tank (per 1,000 gallons)	
Nursing Homes-Machias Campus	\$ 145.00/1,000 gallons
Miscellaneous Services	\$ 175.00/hour,

and

WHEREAS, Zuech's Environmental Services, Inc., shall provide the aforementioned services for a term commencing January 1, 2016 and terminating December 31, 2018, with the option to renew for one additional two (2) year period, at the same terms and conditions, at the sole discretion of the County, now, therefore, be it

RESOLVED, that the aforementioned bid be, and the same hereby is, accepted, contingent upon and subject to the inclusion in the 2016 budget of sufficient funds to cover the costs of the aforementioned services, and be it further

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

No State Bid.

Eight sets of specifications were sent out.

One bid was received.

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

Adopted November 24, 2015 by voice vote.

**ACT NO. 574-2015** by Mrs. Stockman, Mr. Weller and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH  
GREENMAN-PEDERSEN, INC. FOR ENGINEERING SERVICES FOR RECONSTRUCTION  
OF COUNTY ROAD NO. 57 INTERSECTION WITH BENTLEY ROAD**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 315-2010, as amended by Acts 624-2010, 287-2011, 493-2012, 551-2013 and 399-2014, authorized a contract with Abate Associates Engineers & Surveyors, P.C. (now known as Greenman-Pederson, Inc.), 4950 Genesee Street, Suite 100, Buffalo, New York 14225, for the provision of engineering services for the reconstruction of County Road No. 57 intersection with Bentley Road in the Town of Dayton, the term of which expires December 31, 2015, and

WHEREAS, an extension of the aforementioned contract to December 31, 2016 is necessary in order to complete the aforementioned reconstruction project, at no additional 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 Greenman-Pederson, Inc. (formerly Abate Associates Engineers & Surveyors, P.C.) for the provision of the above-described

services, extending the term of the contract which commenced March 1, 2010 to terminate December 31, 2016, according to the above-described terms.

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

Adopted November 24, 2015 by voice vote.

**ACT NO. 575-2015** by Mr. Weller and Mr. Koch  
*and Mrs. Stockman*<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
VILLAGE OF GOWANDA FOR LEACHATE DISPOSAL SERVICES**

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

WHEREAS, Act 234-2015 authorized a contract with the Village of Gowanda, 27 East Main Street, Gowanda, New York 14070, for the provision of leachate disposal services, the term of which expires December 31, 2015, and

WHEREAS, the Department of Public Works is desirous of disposing of leachate from its Five Points Landfill into a NYSDEC-permitted wastewater treatment facility, and

WHEREAS, the Village of Gowanda has jurisdiction over, and management of, the Gowanda Wastewater Treatment Plant, and

WHEREAS, the County shall pay the Village of Gowanda the sum of \$.0053 per gallon of waste disposed of, 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 the Village of Gowanda, for the provision of the above-described services, for a term commencing January 1, 2016 and terminating December 31, 2018, according to the above-described terms.

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

<sup>1</sup>The following Legislator requested her name be listed as an additional sponsor: "Mrs. Stockman".

Adopted November 24, 2015 by voice vote.

**ACT NO. 576-2015** by Mr. Klancer, Mr. Murphy, Mr. Weller and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH  
WATTS ARCHITECTURE AND ENGINEERING, P.C. FOR  
LEON BRIDGE NO. 7 FEDERAL-AID REPLACEMENT PROJECT  
ENGINEERING DESIGN SERVICES**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 161-2011, as amended by Acts 554-2013 and 631-2014, authorized a contract with Watts Architecture and Engineering, P.C., 95 Perry Street, Suite 300, Buffalo, New York 14203, for the provision of engineering design services for the replacement of Leon Bridge No. 7 (County Road No. 6) in the Town of Leon, the term of which expires December 31, 2015, and

WHEREAS, the County Department of Public Works is desirous of extending the term of the aforementioned contract to December 31, 2016, in order to allow for more time to complete the project, at no additional cost to the County, and

WHEREAS, Watts Architecture and Engineering, P.C., has agreed to complete the aforementioned project by December 31, 2016, 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 Watts Architecture and Engineering, P.C., for the provision of the above-described services, extending the term of the contract which commenced April 3, 2011 to terminate December 31, 2016, according to the above-described terms.

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

Adopted November 24, 2015 by voice vote.

**ACT NO. 577-2015** by Mr. Felton, Ms. Vickman, Mr. Weller and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
WENDEL WD ARCHITECTURE, ENGINEERING, SURVEYING &  
LANDSCAPE ARCHITECTURE, P.C. FOR ENGINEERING SERVICES  
FOR ROOF REPLACEMENT PROJECT**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 170-2013, as amended by Acts 310-2014 and 622-2014, authorized a contract with Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C., for the provision of engineering services for the replacement of the roof at The Pines Healthcare and Rehabilitation Center – Olean Campus, the term of which expires December 31, 2015, and

WHEREAS, the County Department of Public Works is desirous of amending the aforementioned contract to extend the term to December 31, 2016, and

WHEREAS, Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C., 375 Essjay Road, Suite 200, Williamsville, New York 14221, has agreed to complete the

aforementioned services by December 31, 2016 at no additional cost to 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 Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C., for the provision of the above-described engineering services, extending the term of the contract which commenced April 11, 2013 to terminate December 31, 2016, according to the above-described terms.

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

Adopted November 24, 2015 by voice vote.

**ACT NO. 578-2015** by Mr. Felton, Ms. Vickman, Mr. Weller and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH  
WENDEL WD, ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.  
FOR ENGINEERING SERVICES FOR THE PINES HEALTHCARE AND REHABILITATION  
CENTER-OLEAN CAMPUS 2015 CAPITAL IMPROVEMENTS PROJECT**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 213-2015 authorized a contract with Wendel WD, Engineering, Surveying & Landscape Architecture, P.C., for the provision of engineering services for the capital improvements project at The Pines Healthcare and Rehabilitation Center-Olean Campus, the term of which expires December 31, 2015, and

WHEREAS, the County Department of Public Works is desirous of amending the aforementioned contract to extend the term to December 31, 2017, and

WHEREAS, Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C., 375 Essjay Road, Suite 200, Williamsville, New York 14221, has agreed to complete the aforementioned services by December 31, 2017 at no additional cost to 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 Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C., for the provision of the above-described engineering services, extending the term of the contract which commenced April 22, 2015 to terminate December 31, 2017, according to the above-described terms.

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

Adopted November 24, 2015 by voice vote.

**ACT NO. 579-2015** by Mr. Murphy, Mr. Weller and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH  
STANTEC CONSULTING SERVICES, INC. FOR ENGINEERING SERVICES FOR  
NEW ALBION BRIDGE NO. 35 FEDERAL-AID REPLACEMENT PROJECT**

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

WHEREAS, Act 95-2007, as amended by Acts 646-2008, 549-2010, 505-2011, 74-2013 and 623-2014, authorized a contract with Stantec Consulting Services, Inc., 2250 Brighton-Henrietta Town Line Road, Rochester, New York 14623-2706, for the provision of engineering services for the New Albion Bridge No. 35 Replacement Project located on Tannery Street over Tributary South Branch Cattaraugus Creek, BIN 3-32281-0, in the Town of New Albion, the term of which expires December 31, 2015, and

WHEREAS, the Department of Public Works is desirous of extending the term of the aforementioned contract to December 31, 2016, in order to complete the aforementioned project, at no additional cost to the County, and

WHEREAS, Stantec Consulting Services, Inc., has agreed to complete the aforementioned project by December 31, 2016, 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 Stantec Consulting Services, Inc., for the provision of the above-described services, for a term commencing February 15, 2007 and terminating December 31, 2016, according to the above-described terms.

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

Adopted November 24, 2015 by voice vote.

**ACT NO. 580-2015** by Mr. Weller and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH GREENMAN-PEDERSEN, INC.  
FOR ENGINEERING SERVICES NECESSARY TO PREPARE  
COMPREHENSIVE LOCAL SOLID WASTE MANAGEMENT PLAN**

Pursuant to 6 NYCRR Part 360, Section 27-0107 of the Environmental  
Conservation Law and Section 450 of the County Law.

WHEREAS, Act 261-1990 authorized a contract for the provision of consultant services to assist with the preparation of the Comprehensive Local Solid Waste Management Plan (LSWMP), and

WHEREAS, the Cattaraugus County Legislature adopted the Cattaraugus County Solid Waste Management Plan on February 26, 1992, and it now requires an update, and

WHEREAS, Greenman-Pedersen, Inc., 4950 Genesee Street, Suite 100, Buffalo, New York 14225, can provide the engineering services necessary for the required update of the LSWMP for an amount of \$24,650.00, 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, 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 Greenman-Pedersen, Inc., for the provision of the above-described services, for a term commencing November 1, 2015 and terminating December 31, 2017, according to the above-described terms.

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

Adopted November 24, 2015 by voice vote.

**ACT NO. 581-2015** by Mr. Murphy  
*and Mr. VanRensselaer<sup>1</sup>*

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATTARAUGUS COUNTY AGRICULTURAL SOCIETY, INC. FOR  
SHERIFF'S DEPARTMENT SECURITY SERVICES AND COUNTY SPACE RENTAL**

Pursuant to Sections 215, 450 and 650 of the County Law.

WHEREAS, Act 31-2015 authorized the Chair to execute a contract with the Cattaraugus County Agricultural Society, Inc., P.O. Box 182, Little Valley, New York 14755, for the provision of security services at various events at the County Fairgrounds, including the annual Cattaraugus County Fair, and the rental of space, the term of which expires December 31, 2015, and

WHEREAS, it is proposed that the Cattaraugus County Sheriff provide security services at the Cattaraugus County Fairgrounds during the 2016 year, and

WHEREAS, the Agricultural Society will reimburse the County on an hourly basis for the provision of these services, except for the first \$500.00 in services to be provided by the Sheriff's Office in 2016, and

WHEREAS, the Agricultural Society will charge the County the following rental costs for the use of space at the County Fairgrounds:

Tourism Booths	\$400.00
Stop DWI Space	\$600.00
Storage	\$200.00/boat
Civil Service	\$100.00/testing day
Museum	\$450.00
Health	\$400.00,

now, therefore, be it

RESOLVED, 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 the Cattaraugus County Agricultural Society, Inc., for the above-described security services and space rental, for a term commencing January 1, 2016 and terminating December 31, 2016, according to the above-described terms.



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

<sup>1</sup>The following Legislator requested his name to be listed as an additional sponsor: "Mr. VanRensselaer".

Adopted November 24, 2015 by voice vote.

**ACT NO. 582-2015** by Mr. Murphy  
and Mr. VanRensselaer<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
MONROE COUNTY FOR FORENSIC UNIT SERVICES**

Pursuant to Sections 504 and 508 of the Correction Law and  
Section 450 of the County Law.

WHEREAS, Act 263-2010 authorized a contract with Monroe County for the provision of forensic unit services for treating mentally ill inmates, the term of which expires December 31, 2015, and

WHEREAS, the Sheriff's Office is desirous of renewing the aforementioned contract, and

WHEREAS, the Correction Law provides for the designation of substitute jails, and for the removal of the aforementioned mentally ill inmates from jail to appropriate facilities for care and treatment, and

WHEREAS, Monroe County, through the Rochester Psychiatric Center Forensic Unit, can provide forensic services for an amount of \$140 per day per inmate, 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 Monroe County, for the provision of the above-described services, for a term commencing January 1, 2016 and terminating December 31, 2020, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the Public Safety Committee.

<sup>1</sup>The following Legislator requested his name be listed as an additional sponsor: "Mr. VanRensselaer".

Adopted November 24, 2015 by voice vote.

**ACT NO. 583-2015** by Mr. Murphy  
and Mr. Padlo<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CRAIG ZUCKERMAN, D.Ed. FOR SHERIFF'S OFFICE  
PRE-EMPLOYMENT PSYCHOLOGICAL SCREENING SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 585-2014 authorized a contract with Craig Zuckerman, D.Ed., Licensed Psychologist, 784 Main Street, Olean, New York 14760, for the provision of pre-employment psychological evaluations of prospective employees of the Sheriff's Office, the term of which expires December 31, 2015, and

WHEREAS, the Sheriff's Office is desirous of continuing the aforementioned services, and

WHEREAS, Craig Zuckerman, D.Ed., Licensed Psychologist and independent contractor, has agreed to provide pre-employment psychological evaluations of prospective employees using the enhanced 16PF and the Protective Services Report Plus, as the basis for written reports and recommendations, for an amount of \$125.00 per report, 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, contingent upon and subject to the inclusion in the 2016 budget of sufficient funds to cover the costs of the aforementioned services, with Craig Zuckerman, for the provision of the above-described services, 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 7 members of the Finance Committee, 5 members of the Public Safety Committee and 5 members of the Labor Relations Committee.

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

Adopted November 24, 2015 by voice vote.

**ACT NO. 584-2015** by Mr. Murphy

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
OLEAN MEDICAL GROUP, LLP FOR JAIL PHYSICIAN SERVICES**

Pursuant to Section 501 of the Correction Law,  
9 NYCRR Part 7010 and Section 450 of the County Law.

WHEREAS, Act 586-2014 authorized a contract with the Olean Medical Group, LLP, 535 Main Street, Olean, New York 14760, for the provision of jail physician services, the term of which expires December 31, 2015, and

WHEREAS, the County Sheriff's Office is desirous of continuing the aforementioned services, and

WHEREAS, the Olean Medical Group, LLP, can provide the aforementioned jail physician services at the rate of \$170.00 per hour for services provided, which includes mileage, to be paid on a monthly basis 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, contingent upon and subject to the inclusion in the 2016 budget of sufficient funds to cover the costs of the aforementioned services, with Olean Medical Group, LLP, for the provision of the above-described services, 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 7 members of the Finance Committee and 5 members of the Public Safety Committee.

Adopted November 24, 2015 by voice vote.

**ACT NO. 585-2015** by Mr. VanRensselaer and Mrs. Labuhn  
and Mr. Padlo<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE LICENSE AGREEMENT  
WITH DUNKIRK AND FREDONIA TELEPHONE COMPANY FOR SPACE  
ON COMMUNICATIONS TOWERS THROUGHOUT CATTARAUGUS COUNTY**

Pursuant to Section 450 of the County Law.

WHEREAS, Dunkirk and Fredonia Telephone Company (DFT), 40 Temple Street, Fredonia, New York 14063, is desirous of occupying space on communications towers located throughout Cattaraugus County for the installation of Broadband internet service in the rural areas, and

WHEREAS, the County is desirous of allowing DFT to occupy space on its communications towers, and

WHEREAS, in exchange for space on the Perrysburg tower, DFT shall provide the County with a 10x10 MB internet connection with 1 IP address to the County Building in Little Valley, which is a value of \$499.00 per month in service, and

WHEREAS, space on other communications towers throughout the County may be needed in order to bring Broadband internet service to other areas of the County, and

WHEREAS, other conditions and/or restrictions may be negotiated with DFT in exchange for space on any other tower, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a License Agreement, on behalf of Cattaraugus County, with Dunkirk and Fredonia Telephone Company, for the use of space on the County's communication towers, for the above-described services, for a term commencing November 25, 2015 to continue in full force and effect for a period of three (3) years, with automatic renewals on a year-to-year basis, according to the above-described terms.

Approved by 7 members of the Finance Committee, 8 members of the Public Works Committee, 5 members of the Development and Agriculture Committee and 5 members of the Public Safety Committee.

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

Adopted November 24, 2015 by voice vote.

**ACT NO. 586-2015** by Mr. VanRensselaer and Mr. Boser

**INTENT TO DECLARE CATTARAUGUS COUNTY LEAD AGENCY FOR  
SEQR REVIEW AND AUTHORIZING PUBLIC HEARING REGARDING  
ADOPTION OF CATTARAUGUS COUNTY COMPREHENSIVE PLAN**

Pursuant to Section 6 NYCRR Section 617.

WHEREAS, the County Comprehensive Plan was adopted in 1978 and last updated in 1982, and

WHEREAS, the County Comprehensive Plan has been updated and the Cattaraugus County Legislature is proposing to adopt it, and

WHEREAS, the proposed action is subject to review under 6 NYCRR Section 617, the New York State Environmental Quality Review (SEQR) Act, and

WHEREAS, under SEQR, a Lead Agency must be designated to conduct an environmental review of the action, and

WHEREAS, the Department of Economic Development, Planning and Tourism is preparing the Environmental Assessment Form (EAF) for the project, and

WHEREAS, the County anticipates that the adoption of the updated County Comprehensive Plan will not have a significant environmental impact, and

WHEREAS, Cattaraugus County is requesting Lead Agency status and anticipates filing a Negative Declaration for the proposed action which would make the preparation of an Environmental Impact Statement (EIS) not necessary, based on currently available information, and

WHEREAS, a public hearing is necessary on the proposed adoption, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby determines that the proposed adoption of the updated County Comprehensive Plan is a Type I Action as described in 6 NYCRR Section 617.4, and that the County anticipates that this action will not have a significant environmental impact, and be it further

RESOLVED, that the Cattaraugus County Legislature hereby requests Lead Agency status for this proposed action and shall notify all 47 municipalities in Cattaraugus County and other concerned parties, as interested agencies, and that pursuant to 6 NYCRR Section 617.6, a Lead Agency must be

notified within thirty (30) calendar days of the date the Lead Agency is designated and the EAF transmitted if any agency objects to our acting as Lead Agency, and be it further

RESOLVED, that the EAF will be transmitted to all involved agencies on November 24, 2015, and that if no objection to the Lead Agency request is received by December 24, 2015, the Cattaraugus County Legislature will assume Lead Agency status for this proposed action, and be it further

RESOLVED, that the Cattaraugus County Legislature anticipates filing a Negative Declaration for the proposed action which would make the preparation of an Environmental Impact Statement (EIS) not necessary, based on currently available information, and be it further

RESOLVED, that the Cattaraugus County Legislature hereby authorizes a public hearing on the adoption of an updated County Comprehensive Plan, to be held at the Cattaraugus County Legislature's Chambers, 303 Court Street, Little Valley, New York, on the 9th day of December, 2015, at 3:01 p.m.

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

Adopted November 24, 2015 by voice vote.

**ACT NO. 587-2015** by Mr. VanRensselaer and Mr. Boser

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

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

WHEREAS, Act 313-2013 established the allocation of a portion of the Cattaraugus County hotel and motel tax to the various municipalities, and

WHEREAS, Act 655-2014 authorized contracts with various municipalities for the promotion of tourism in Cattaraugus County, the terms of which expire December 31, 2015, and

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

WHEREAS, the three (3) entities listed below shall collectively receive funding in the amount of \$132,005.00 for the promotion of tourism in Cattaraugus County, as follows:

Ellicottville Chamber of Commerce	\$75,243.00
Greater Olean, Inc., d/b/a	\$38,281.00
Greater Olean Area Chamber of Commerce	
Salamanca Area Chamber of Commerce, Inc.	\$18,481.00,

and

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

- Ellicottville Chamber of Commerce – Greater Ellicottville area, including Village and Town of Ellicottville, West Valley and the Otto area;

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

and

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

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

and

WHEREAS, the above-listed entities will return any unexpended funds to the County by January 10, 2017, and

WHEREAS, the Cattaraugus County Legislature hereby determines that the Department of Economic Development, Planning and Tourism should expend an additional amount not to exceed \$88,003.00 during the year 2016 to defray advertising costs or other expenses incurred for various county-wide festivals, events and other tourism marketing initiatives, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with the above-listed various entities, for the provision of the above-described tourism promotion services, for a term commencing January 1, 2016 and terminating December 31, 2016, according to the above-described terms, and be it further

RESOLVED, that the Department of Economic Development, Planning and Tourism is hereby authorized to expend such amounts as may be deemed necessary during the year 2016, not to exceed a total of \$88,003.00, to defray advertising costs or other expenses incurred or to be incurred by the organizations and events listed above.

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

Adopted November 24, 2015 by voice vote.

**ACT NO. 588-2015** by Mr. VanRensselaer and Mr. Boser

**BID ACCEPTANCE FOR PRINTING OF  
2016 CATTARAUGUS COUNTY ACTIVITIES GUIDE  
(Department of Economic Development, Planning & Tourism)**

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 printing of the 2016 Cattaraugus County Activities Guide, according to specifications provided by the Development and Agriculture Committee, and

WHEREAS, the lowest bid received meeting specifications for 100,000 copies of the 2016 Cattaraugus County Activities Guide was the bid of Kenyon Press, Inc., 1 Kenyon Press Drive, Sherburne, New York 13460-8086, for a total print cost of \$32,702.00, based on each of the following categories:

Printing of 2016 Cattaraugus County Activities Guide

100,000 copies	56 pages	\$27,359.00
8-3/8" x 10-7/8", four color,		
4 page cover - 100# Gloss Text #3;		
Inside 52 pages - 45# Gloss Text #3;		
folded, gathered, saddle stitched and trimmed to size		

<u>Option #1</u> – 100,000 copies	Fold-Out Map Insert	\$ 5,343.00
40# White offset, #3 Coated for map		
Map will be 21.5" x 33.5" flat, folded down,		
trimmed and stitched into center of guide,		

and

WHEREAS, the aforementioned cost is 50% reimbursable through New York State matching funds, now, therefore, be it

RESOLVED, that the bid of Kenyon Press, Inc., be, and the same hereby is, accepted, for a term commencing November 1, 2015 and terminating May 31, 2016, and be it further

RESOLVED, that the vouchers accordingly certified by the Director of the Department of Economic Development, Planning & Tourism be audited by the Auditor and paid by the County Treasurer.

No State Bid.

Thirty-Three sets of specifications were sent out.

Three bids were received.

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

Adopted November 24, 2015 by voice vote.

**ACT NO. 589-2015** by Mr. Felton and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATTARAUGUS COMMUNITY ACTION, INC. FOR  
COORDINATION OF HOME DELIVERED MEALS PROGRAM**

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

WHEREAS, Act 637-2014 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the coordination of home-delivered meals in the Salamanca area, the term of which expires December 31, 2015, and

WHEREAS, the County Department of Aging is desirous of continuing the provision of home delivered meals in the Salamanca area, and

WHEREAS, Cattaraugus Community Action, Inc., can provide for the coordination of the home delivered meal program, volunteer coordination and transportation reservations in the Salamanca area for an annual amount not to exceed \$9,338.00 for two (2) hours per day of operation, which includes all wages, fringe benefits, travel, phone and administration costs, to be paid on a monthly basis as invoiced, and

WHEREAS, this program is 90% federal and 10% county 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, with Cattaraugus Community Action, Inc., for the provision of the above-described services, 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 7 members of the Finance Committee and 7 members of the Senior Services Committee.

Adopted November 24, 2015 by voice vote.

**ACT NO. 590-2015** by Mr. Felton and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
HEALTHY COMMUNITY ALLIANCE, INC. FOR MANAGEMENT OF  
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 581-2014 authorized a lease and staffing agreement with Healthy Community Alliance, Inc., Academy Place, 1 School Street, Suite 100, Gowanda, New York 14070, for the management of a Senior Wellness and Nutrition Program (SWAN) site in the Gowanda area for the Department of Aging, the term of which expires December 31, 2015, and

WHEREAS, the Department of Aging is desirous of continuing the staffing agreement for the management of the Gowanda SWAN site, and



WHEREAS, Healthy Community Alliance, Inc., shall continue providing for the management of, and part-time personnel to staff the Gowanda SWAN site for an amount not to exceed \$21,176.91, to be paid on a quarterly basis, as invoiced, and

WHEREAS, this program is 90% federal and 10% 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, contingent upon and subject to the inclusion in the 2016 budget of sufficient funds to cover the costs of the aforementioned services, with Healthy Community Alliance, Inc., for the management of the Gowanda SWAN site, 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 7 members of the Finance Committee and 7 members of the Senior Services Committee.

Adopted November 24, 2015 by voice vote.

**ACT NO. 591-2015** by Mr. Felton and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENTS WITH  
VARIOUS ENTITIES FOR DEPARTMENT OF AGING  
SENIOR WELLNESS AND NUTRITION PROGRAM SITES**

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 640-2014 authorized lease agreements with various entities for the County Department of Aging Senior Wellness and Nutrition Program sites in the County, the terms of which expire December 31, 2015, and

WHEREAS, the County Department of Aging is desirous of renewing the aforementioned lease agreements, and

WHEREAS, the following various entities have agreed to renew the aforementioned lease agreements, as follows:

<u>SITE</u>	<u>2016 RATE</u>
Village of Little Valley	\$216/mo.
Municipal Building	
Rock City Street	
Little Valley, New York 14755	

Jeff Buncy 8101 Lakeshore Drive Caneadea, New York 14717 or 10086 Blue Street Delevan, New York 14042	\$349/mo. plus \$254/mo. for utilities
Free Methodist Church 327 Pine Street P.O. Box 261 South Dayton, New York 14138,	\$242/mo.
Portville Lodge #579 F.& A.M. 14 Temple Street Portville, New York 14770	\$433/mo.
Healthy Community Alliance Academy Place 1 School Street Gowanda, New York 14070	\$464/mo.
Town of Randolph 72 Main Street Randolph, New York 14772	\$492/mo.
Presbyterian Church 25 South Main Street Franklinville, New York 14737	\$443.90/mo. plus \$13.27/mo. cleaning fee
St. Paul's United Methodist Church 9372 Route 240 West Valley, New York 14171	\$342/mo.,

and

WHEREAS, this program is 90% federal and 10% county funded, now, therefore, be it  
RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute lease agreements, 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 the above-listed various entities, for the leasing of Senior Wellness and Nutrition Program sites, 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 7 members of the Finance Committee and 7 members of the Senior Services Committee.

Adopted November 24, 2015 by voice vote.

**ACT NO. 592-2015** by Mr. Felton and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
HARMONY INFORMATION SYSTEMS, INC., SYNERGY  
SOFTWARE TECHNOLOGIES FOR DATA COLLECTION SYSTEM  
FOR DEPARTMENT OF AGING**

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

WHEREAS, Act 582-2014 authorized a contract with Harmony Information Systems, Inc., Synergy Software Technologies, 25 New England Drive, Essex Junction, Vermont 05452, for the provision of a comprehensive data collection system to meet federal and state requirements, the term of which expires December 31, 2015, and

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

WHEREAS, Harmony Information Systems, Inc., Synergy Software Technologies, shall continue providing the aforementioned comprehensive data collection system, technical support and training, through a web-based server, for an amount of \$16,419.60, 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, contingent upon and subject to the inclusion in the 2016 budget of sufficient funds to cover the costs of the aforementioned services, with Harmony Information Systems, Inc., Synergy Software Technologies, for the provision of the above-described services, 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 7 members of the Finance Committee, 6 members of the County Operations Committee and 7 members of the Senior Services Committee.

Adopted November 24, 2015 by voice vote.

**ACT NO. 593-2015** by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
ENRIQUE BARRERA FOR SPANISH INTERPRETER SERVICES**

Pursuant to 14 NYCRR Section 527.4 (a), (b) and (c) and  
Section 450 of the County Law.

WHEREAS, Act 567-2014 authorized a contract with Enrique Barrera for Spanish interpreter services for various County departments, the term of which expires December 31, 2015, and

WHEREAS, County departments are desirous of continuing the aforementioned services,  
and

WHEREAS, Enrique Barrera, 6750 Poverty Hill Road, Ellicottville, New York 14731, shall provide Spanish interpreter services at a rate not to exceed \$36.00 per hour, plus mileage at the County rate in effect at the time services are rendered, and

WHEREAS, this service may be paid through various funding streams ranging from 50% federal funds, 25% state funds and 25% county funds, 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, contingent upon and subject to the inclusion in the 2016 budget of sufficient funds to cover the costs of the aforementioned services, with Enrique Barrera, for the provision of the above-described Spanish interpreter services, 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted November 24, 2015 by voice vote.

**ACT NO. 594-2015** by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATTARAUGUS COMMUNITY ACTION, INC., FOR CHILD ABUSE  
SERVICES FOR DEPARTMENT OF SOCIAL SERVICES**

Pursuant to 42 USCS 1397, 18 NYCRR Parts 405, 407 and 423,  
Article 6, Title 1 of the Social Services Law and  
Section 450 of the County Law.

WHEREAS, Act 563-2014 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the provision of a Child Abuse Prevention Program, the term of which expires December 31, 2015, and

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

WHEREAS, Cattaraugus Community Action, Inc., can provide parent aid services, nurturing services and parent education programs for a Child Abuse Prevention Program for an amount not to exceed \$41,163.00, plus \$24.00 per hour for supervised visitation, to be paid on a monthly basis as invoiced, and

WHEREAS, this program is 62% federal and state and 38% 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, contingent upon and subject to the inclusion in the 2016 budget of sufficient funds to cover the costs of the aforementioned services, with Cattaraugus Community Action, Inc., for the provision of the above-described services, 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted November 24, 2015 by voice vote.

**ACT NO. 595-2015** by Ms. Edstrom and Mrs. Stockman

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

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

WHEREAS, Act 569-2014 authorized a contract with Cattaraugus Community Action, Inc., for the provision of mandated approved non-residential services to victims of domestic violence, the term of which expires December 31, 2015, and

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

WHEREAS, Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, has agreed to administer the aforementioned program at an annual cost not to exceed \$25,000.00, to be paid on a monthly basis as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, contingent upon and subject to the inclusion in the 2016 budget of sufficient funds to cover the costs of the aforementioned services, with Cattaraugus Community Action, Inc., for the administration of the above-described 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted November 24, 2015 by voice vote.

**ACT NO. 596-2015** by Ms. Edstrom and Mrs. Stockman  
and Mr. Teachman and Mr. Padlo<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
GENESIS HOUSE OF OLEAN, INC. FOR HOMELESS SHELTER SERVICES FOR  
DEPARTMENT OF SOCIAL SERVICES ELIGIBLE RECIPIENTS**

Pursuant to Article 2-A of the Social Services Law and  
Section 450 of the County Law.

WHEREAS, Act 568-2014 authorized a contract with the Genesis House of Olean, Inc., for the provision of homeless shelter services for eligible recipients, the term of which expires December 31, 2015, and

WHEREAS, the County Department of Social Services is desirous of continuing the aforementioned homeless shelter services, and

WHEREAS, Genesis House of Olean, Inc., 107 South Barry Street, Olean, New York 14760, can provide homeless shelter services on an as-needed basis in accordance with the following rate schedule:

Single Person	\$30.00 per night
Family (any size)	\$40.00 per night
After 30 Days	\$35.00 per night
Hotel reimbursement in emergency situations at a reasonable rate for a maximum of 3 nights,	

and

WHEREAS, the above-described services for families are 50% federal, 25% state and 25% local funded and for individuals are 50% state and 50% local 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, contingent upon and subject to the inclusion in the 2016 budget of sufficient funds to cover the costs of the aforementioned services, with Genesis House of Olean, Inc., for the provision of the above-described services, 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

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

Adopted November 24, 2015 by voice vote.

**ACT NO. 597-2015** by Ms. Edstrom and Mrs. Stockman  
*and Mr. Teachman and Mr. Padlo*<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
GREATER OLEAN, INC., FOR DEPARTMENT OF SOCIAL SERVICES  
TANF ON-THE-JOB TRAINING SERVICES**

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

WHEREAS, Act 511-2014 authorized a contract with Greater Olean, Inc., for the provision of on-the-job training for TANF-eligible participants, the term of which expires December 31, 2015, and

WHEREAS, the County Department of Social Services is desirous of continuing the aforementioned on-the-job training for TANF-eligible participants, and

WHEREAS, Greater Olean, Inc., 120 North Union Street, Olean, New York 14760, has agreed to develop and manage on-the-job training for participants that are TANF-eligible for an annual amount not to exceed \$55,000.00, to be paid on a monthly basis, as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute 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 Greater Olean, Inc., for a term commencing January 1, 2016 and terminating December 31, 2016, for the provision of the above-described services, 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: "Mr. Teachment and Mr. Padlo".

Adopted November 24, 2015 by voice vote.

**ACT NO. 598-2015** by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH  
VARIOUS ENTITIES FOR DEPARTMENT OF SOCIAL SERVICES  
DAY CARE SERVICES**

Pursuant to Sections 410 and 410-a of the Social Services Law  
and Section 450 of the County Law.

WHEREAS, Act 574-2014 authorized contracts with various entities for the provision of Child Care Block Grant day care services to eligible recipients of Cattaraugus County, the terms of which expire December 31, 2015, and

WHEREAS, the County Department of Social Services is desirous of renewing the contracts for the provision of day care services to eligible recipients, in accordance with the following revised rate schedule, or the 2016 rate established by the NYS Office of Children and Family Services:

**CATTARAUGUS COUNTY- WEEKLY MARKET RATES**

Effective October 1, 2011

Age of Child:	<u>Under 1½</u>	<u>1½ - 2</u>	<u>3 - 5</u>	<u>6 - 12</u>
<b>DAY CARE CENTER</b>				
Weekly	\$190.00	\$180.00	\$170.00	\$160.00
Daily	42.00	40.00	38.00	35.00
Part-Day	28.00	27.00	25.00	23.00
Hourly	6.75	6.75	6.25	6.25
<b>SCHOOL AGE CHILD CARE</b>				
Weekly	\$0	\$0	\$0	\$160.00
Daily	0	0	0	35.00
Part-Day	0	0	0	23.00
Hourly	0	0	0	6.25

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, contingent upon and subject to the inclusion in the 2016 budget of sufficient funds to cover the costs of the aforementioned services, with various



entities for the provision of the above-described day care services, 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted November 24, 2015 by voice vote.

**ACT NO. 599-2015** by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATTARAUGUS COMMUNITY ACTION, INC. FOR  
ALTERNATE HOURS VISITATION FOR AT-RISK CHILDREN**

Pursuant to CFR Parts 74 and 92 and Section 450 of the County Law.

WHEREAS, Act 566-2014 authorized a contract for the provision of alternate hours visitation services for at-risk children, the term of which expires December 31, 2015, and

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

WHEREAS, Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, can provide both planned and unplanned visits to families working with the Cattaraugus County Child Welfare Unit for an annual amount not to exceed \$27,000.00, to be paid on a monthly basis as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, contingent upon and subject to the inclusion in the 2016 budget of sufficient funds to cover the costs of the aforementioned services, with Cattaraugus Community Action, Inc., for the provision of the above-described services, 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted November 24, 2015 by voice vote.

**ACT NO. 600-2015** by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATTARAUGUS COMMUNITY ACTION, INC., FOR  
RESIDENTIAL SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE**

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

WHEREAS, Act 570-2014 authorized a contract with Cattaraugus Community Action, Inc., for the provision of necessary and available approved residential services to victims of domestic violence, the term of which expires December 31, 2015, and

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

WHEREAS, Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, has agreed to administer the aforementioned program at a cost of \$69.77 per person per day, or at the 2016 rate as set by the New York State Office of Children and Family Services, to be paid on a monthly basis, as invoiced, and

WHEREAS, this program is 50% federal, 25% state and 25% 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, contingent upon and subject to the inclusion in the 2016 budget of sufficient funds to cover the costs of the aforementioned services, with Cattaraugus Community Action, Inc., for the administration of the above-described 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted November 24, 2015 by voice vote.

**ACT NO. 601-2015** by Ms. Edstrom and Mrs. Stockman  
and Mr. Padlo<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
PARENT EDUCATION PROGRAM, INC., FOR PROTECTIVE/PREVENTIVE  
SERVICES FOR CHILDREN AT RISK OF PLACEMENT**

Pursuant to P.L. 96-272, 18 NYCRR Parts 405, 407 and 423, Sections 409 and 409-b of  
the Social Services Law and Section 450 of the County Law.

WHEREAS, Act 564-2014 authorized a contract with the Parent Education Program, Inc.,  
234 North Union Street, Olean, New York 14760, for the provision of "Families Together" and "Families  
First" services for families with children who may be placed in foster care, the term of which expires  
December 31, 2015, and

WHEREAS, the County Department of Social Services is desirous of renewing the  
aforementioned contract and providing the following services:

- The Families Together Program will serve one (1) family at a time that is referred by  
the County; and
- The Families First Program will provide in-home parenting skills and related services  
to approximately 15 Cattaraugus County families per month,

and

WHEREAS, the Parent Education Program, Inc., has agreed to provide the above-  
described services for an annual amount of \$61,062.00, to be paid on a monthly basis, as invoiced, and

WHEREAS, this program is 62% state and 38% 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, contingent upon and subject to the inclusion in  
the 2016 budget of sufficient funds to cover the costs of the aforementioned services, with the Parent  
Education Program, Inc., for the provision of the above-described services, 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 7 members of the Finance Committee and 7 members of the Human Services  
Committee.

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

Adopted November 24, 2015 by voice vote.

**ACT NO. 602-2015** by Ms. Edstrom and Mrs. Stockman  
*and Mr. Teachman and Mr. Padlo*<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
SOUTHERN TIER HEALTH CARE SYSTEM, INC. FOR CHILD PROTECTION  
SERVICES THROUGH SOUTHERN TIER CHILD ADVOCACY CENTER**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 572-2014 authorized a contract with Southern Tier Health Care System, Inc., for the conduct of examinations and interviews for open child protection cases, the term of which expires December 31, 2015, and

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

WHEREAS, Southern Tier Health Care System, Inc., One Blue Bird Square, Olean, New York 14760, through its Southern Tier Child Advocacy Center, can conduct the aforementioned examinations and interviews for an annual amount not to exceed \$15,000.00, to be paid on a monthly basis, as invoiced, and

WHEREAS, this program is 62% state and 38% 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, contingent upon and subject to the inclusion in the 2016 budget of sufficient funds to cover the costs of the aforementioned services, with Southern Tier Health Care System, Inc., for the provision of services through its Southern Tier Child Advocacy Center, 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: "Mr. Teachment and Mr. Padlo".

Adopted November 24, 2015 by voice vote.

**ACT NO. 603-2015** by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
JAMES MCGUINNESS & ASSOCIATES, INC. FOR  
MAINTENANCE SUPPORT SERVICES FOR  
CHILDREN WITH SPECIAL NEEDS SOFTWARE**

Pursuant to Article 19-A of the Executive Law,  
Section 4410 of the Education Law and Section 450 of the County Law.

WHEREAS, Act 619-2013 authorized a contract with James McGuinness & Associates, Inc., for the provision of a software program with maintenance support for the Children with Special Needs Program, the term of which expires December 31, 2015, and

WHEREAS, the County Youth Bureau is desirous of continuing its maintenance support for the aforementioned software, and

WHEREAS, James McGuinness & Associates, Inc., 1482 Erie Boulevard, Schenectady, New York 12305, has agreed to continue providing maintenance support for an amount not to exceed \$5,500.00 per year, 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, 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 James McGuinness & Associates, Inc., for the provision of the above-described maintenance support services, for a term commencing January 1, 2016 and terminating December 31, 2017, according to the above-described terms.

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

Adopted November 24, 2015 by voice vote.

**ACT NO. 604-2015** by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE DOCUMENTS  
REGARDING YOUTH PROGRAMS FOR 2016**

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

WHEREAS, Act 575-2014 authorized the Chair to execute such agreements, applications and other documents as were necessary to effect the establishment of the various youth programs in 2015, and

WHEREAS, a sum not to exceed \$130,000.00 will be used for various youth-related projects in Cattaraugus County during 2016, and

WHEREAS, it is necessary for the County to enter into various contracts with the individual sponsoring agencies throughout 2016 to comply with New York State Office of Children & Family Services' requirements, and

WHEREAS, these programs are 100% state funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute such contracts, applications and other documents, on behalf of Cattaraugus County, as deemed necessary to effect the establishment of the various youth programs in 2016, contingent upon, and subject to, inclusion in the 2016 budget of sufficient funds to cover the costs of the aforementioned services, and be it further

RESOLVED, that prior to entering into any contract for youth programs for 2016, such programs shall be approved, in writing, by the Cattaraugus County Youth Bureau Board of Directors, and be it further

RESOLVED, that any such contracts, applications, or other documents are further contingent upon subsequent approval by the New York State Office of Children & Family Services of the program and program budgeting and are null and void until and unless such approval is obtained, and be it further

RESOLVED, that the County's participation in any of the various programs will be to reimburse the sponsoring agency 100% for reimbursable expenditures as defined under the New York State Office of Children & Family Services Guidelines and approved by the Cattaraugus County Youth Bureau with reimbursement set forth infra, and be it further

RESOLVED, that all reimbursement to the sponsoring agency by the County of Cattaraugus up to the maximum of the approved program cost for fiscal year 2016 will take effect after the sponsoring agency has filed appropriate state aid forms with the Cattaraugus County Youth Bureau, and the Youth Bureau has approved those forms, and be it further

RESOLVED, that any such contract entered into between the County and a sponsoring agency shall provide, inter alia, a provision that, in the event the State of New York fails to reimburse the County as contractually outlined, the sponsoring agency shall reimburse the County for the total amount of funds provided by the County pursuant hereto, 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted November 24, 2015 by voice vote.

**ACT NO. 605-2015** by Ms. Edstrom and Mrs. Stockman  
and Mr. Padlo<sup>1</sup>

**APPROVING AMENDED CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
SOUTHERN TIER ENVIRONMENTS FOR LIVING, INC. FOR  
VARIOUS MENTAL HEALTH PROGRAMS 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 51-2015 authorized approval of a contract with Southern Tier Environments for Living, Inc., (S.T.E.L.), 715 Central Avenue, Dunkirk, New York 14048, for the provision of intensive case management, supportive case management and supported housing services for mentally ill individuals, the term of which expires December 31, 2015, and

WHEREAS, the NYS Office of Mental Health increased the per bed rate for supported housing services by \$35.00 and also added funding for two (2) supported housing beds to be managed by S.T.E.L., and

WHEREAS, a contract amendment is necessary due to the increase in state aid, and

WHEREAS, S.T.E.L. has agreed to provide supported housing services for a total amount not to exceed \$178,512.00, which includes an increase in state aid in the amount of \$4,557.00 to cover twelve (12) beds at the increased rate and the two (2) additional beds, and

WHEREAS, this program is 100% state funded, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to accommodate the increase in state aid, 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 S.T.E.L., Inc., to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2015 and terminating December 31, 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:

Increase Estimated Revenue Accounts:

A.440.4322.6050.3490.078	State Aid, OMH Supported Housing	\$ 4,557.00
A.440.4322.6050.3490.078	State Aid, OMH Supported Housing	\$36,198.00

Decrease Appropriation Account:

A.440.4322.6060.42026.078	STEL, Supported Housing	\$36,198.00
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Increase Appropriation Account:

A.440.4322.6050.42026.078	STEL, Supported Housing	\$40,755.00
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Decrease Estimated Revenue Account:

A.440.4322.6060.3490.078	State Aid, OMH Supported Housing	\$36,198.00.
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Approved by 7 members of the Finance Committee and 7 members of the Human Services Committee.

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

Adopted November 24, 2015 by voice vote.

**ACT NO. 606-2015** by Ms. Edstrom and Mrs. Stockman

**APPROVING AMENDED CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
HOUSING OPTIONS MADE EASY, INC. FOR VARIOUS SERVICES,  
SERVING AS THE LEAD AGENCY FOR RECOVERY CENTER SERVICES  
AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Community Services)**

Pursuant to Sections 41.47 and 41.55 of the Mental Hygiene Law and  
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 43-2015 authorized approval of a contract with Housing Options Made Easy, Inc., 75 Jamestown Street, Gowanda, New York 14070, for supported housing for mentally ill people and the homeless, the provision of a consumer operated client systems advocacy service, and the operation of a telephone "warm" line, innovative vocational services, as well as serving as the lead agency for Recovery Center Services, the term of which expires December 31, 2015, and

WHEREAS, the NYS Office of Mental Health increased the per bed rate for supported housing services by \$35.00, and

WHEREAS, a contract amendment is necessary due to the increase in state aid, and

WHEREAS, Housing Options Made Easy, Inc., has agreed to provide the aforementioned various services for mentally ill people in Cattaraugus County for an amount not to exceed \$975,641.00, which includes an increase in state aid in the amount of \$210.00 to cover twelve (12) beds at the increased rate, and

WHEREAS, this program is 100% state funded, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to accommodate the increase in state aid, 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 Housing Options Made Easy, Inc., to signify the County's approval, for the provision of the above-mentioned programs, for a term commencing January 1, 2015 and terminating December 31, 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:

Increase Estimated Revenue Accounts:

A.437.4322.6050.3490.078	State Aid-OMH-Supported Housing	\$105.00
A.437.4322.6060.3490.078	State Aid-OMH-Supported Housing	\$105.00



## Increase Appropriation Accounts:

A.437.4322.6050.42023.078	HOME-Supported Housing	\$105.00
A.437.4322.6060.42023.078	HOME-Supported Housing	\$105.00.

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

Adopted November 24, 2015 by voice vote.

**ACT NO. 607-2015** by Ms. Edstrom and Mrs. Stockman

**APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY  
COMMUNITY SERVICES BOARD AND  
NEW DIRECTIONS YOUTH & FAMILY SERVICES, INC. FOR RESPITE SERVICES**

Pursuant to 14 NYCRR Sections 587.9(d)(6) and 587.9(e)(1) and (2) and  
Section 450 of the County Law.

WHEREAS, Act 547-2014 authorized a contract with New Directions Youth & Family Services, Inc., for the provision of short-term respite placement services for consumers of mental health services, the term of which expires December 31, 2015, and

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

WHEREAS, New Directions Youth & Family Services, Inc., 356 Main Street, Randolph, New York 14772, has agreed to provide therapeutic foster care respite homes for the provision of respite services based upon the current rate schedule not to exceed an annual amount of \$17,377.00, to be paid in monthly installments as invoiced, and

WHEREAS, this program is 62% state and 38% County 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, between the Cattaraugus County Community Services Board and New Directions Youth & Family Services, Inc., to signify the County's approval, for the provision of the above-described services, 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted November 24, 2015 by voice vote.

**ACT NO. 608-2015** by Ms. Edstrom and Mrs. Stockman  
*and Mr. Teachman and Mr. Padlo*<sup>1</sup>

**APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY  
SERVICES BOARD AND OLEAN CHILD DAY CARE CENTER, INC. FOR  
DAY CARE SERVICES FOR DEPARTMENT OF COMMUNITY SERVICES PROS CLIENTS**

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

WHEREAS, Act 544-2014 authorized a contract with Olean Child Day Care Center, Inc., for the provision of day care services to PROS clients with children, in order to allow clients to attend programs more regularly, the term of which expires December 31, 2015, and

WHEREAS, the Cattaraugus County Community Services Board is desirous of continuing the provision of the aforementioned services, and

WHEREAS, Olean Child Day Care Center, Inc., 212 Laurens Street, Olean, New York 14760, has agreed to provide the aforementioned day care services for an amount not to exceed a total program amount of \$3,643.00, in accordance with the Olean Child Day Care Center's current rate schedule, to be paid on a monthly basis, as invoiced, and

WHEREAS, this program is 38% county funded and 62% 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, between the Cattaraugus County Community Services Board and Olean Child Day Care Center, Inc., to signify the County's approval, for the provision of the above-described services, 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

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

Adopted November 24, 2015 by voice vote. Mr. Weller abstained from vote.

**ACT NO. 609-2015** by Ms. Edstrom and Mrs. Stockman

**APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY  
SERVICES BOARD AND CATTARAUGUS REHABILITATION CENTER, INC. FOR  
DEPARTMENT OF COMMUNITY SERVICES RESPITE SERVICES**

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

WHEREAS, Act 546-2014 authorized a contract with Cattaraugus Rehabilitation Center, Inc., 1439 Buffalo Street, Olean, New York 14760, for the provision of respite services for consumers of mental health services, the term of which expires December 31, 2015, and

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

WHEREAS, Cattaraugus Rehabilitation Center, Inc., has agreed to provide the aforementioned respite services for an amount not to exceed \$17,377.00, to be paid on a monthly basis, as invoiced and in accordance with the current rate schedule, and

WHEREAS, this program is 62% state and 38% County 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, between the Cattaraugus County Community Services Board 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, 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 6 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted November 24, 2015 by voice vote. Mrs. Labuhn, Mr. Padlo and Mr. Weller abstained from vote.

**ACT NO. 610-2015** by Ms. Edstrom and Mrs. Stockman

**APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY  
SERVICES BOARD AND CATTARAUGUS REHABILITATION CENTER, INC.  
FOR DEPARTMENT OF COMMUNITY SERVICES  
VOCATIONAL SERVICES FOR PROS PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 542-2014 authorized a contract with Cattaraugus Rehabilitation Center, Inc., 1439 Buffalo Street, Olean, New York 14760, for the provision of vocational services for its PROS Program, the term of which expires December 31, 2015, and

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

WHEREAS, the Cattaraugus Rehabilitation Center, Inc., can provide vocational services for the Department of Community Services PROS Program for an amount not to exceed \$90,000.00, 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 a contract, contingent upon and subject to the inclusion in the 2016 budget of sufficient funds to cover the costs of the aforementioned services, between the Cattaraugus County Community Services Board and Cattaraugus Rehabilitation Center, Inc., to signify the County's approval, for the provision of the above-described services, 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 5 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted November 24, 2015 by voice vote. Mrs. Labuhn, Mr. Padlo and Mr. Weller abstained from vote.

**ACT NO. 611-2015** by Ms. Edstrom and Mrs. Stockman

**APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY  
SERVICES BOARD AND JAMESTOWN PSYCHIATRIC, P.C. FOR DEPARTMENT OF  
COMMUNITY SERVICES MEDICAL DIRECTOR SERVICES**

Pursuant to 14 NYCRR Section 587.8(d)(3) and (i),  
Section 41.07 of the Mental Hygiene Law and  
Section 450 of the County Law.

WHEREAS, Act 443-2013 authorized a contract with Jamestown Psychiatric, P.C., for the provision of medical director services to oversee the provision of medical services in the Department of Community Services mental health clinics, the term of which expires December 31, 2015, and

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

WHEREAS, Jamestown Psychiatric, P.C., 305 East Fairmount Avenue, Lakewood, New York 14750, through Israr Abbasi, M.D., shall provide the services of Medical Director for the

Department of Community Services mental health clinics for an annual amount of \$16,000.00, to be paid on a monthly basis, as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2016 budget of sufficient funds to cover the costs of the aforementioned services, between the Cattaraugus County Community Services Board and Jamestown Psychiatric, P.C., to signify the County's approval, for the provision of the above-described services, 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 6 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted November 24, 2015 by voice vote.

**ACT NO. 612-2015** by Ms. Edstrom and Mrs. Stockman

**APPROVING CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
ADVANCE PRACTICE SOLUTIONS FOR  
DEPARTMENT OF COMMUNITY SERVICES  
SCRIBE SUPPORT STAFF FOR MENTAL HEALTH CLINIC**

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

WHEREAS, Act 537-2014 authorized a contract with Advance Practice Solutions, 305 East Fairmount Avenue, Lakewood, New York 14750, for the provision of scribe support staff to assist psychiatric professionals with clinical documentation in the Department of Community Services mental health clinic and PROS Program, the term of which expires December 31, 2015, and

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

WHEREAS, Advance Practice Solutions can provide scribe support staff to assist psychiatric professionals with clinical documentation in the Department of Community Services mental health clinic and PROS Program for an amount not to exceed \$33,696.00, to be paid on a monthly basis, as invoiced, and

WHEREAS, the funding for these services are provided through a combination of state aid, billable insurance, and County 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, between the Cattaraugus County Community Services Board and Advance Practice Solutions, to signify the County's approval, for the provision of the above-described services, 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted November 24, 2015 by voice vote.

**ACT NO. 613-2015** by Ms. Edstrom and Mrs. Stockman

**APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY  
SERVICES BOARD AND GUSTAVUS ADOLPHUS CHILD AND FAMILY SERVICES, INC. FOR  
SKILL BUILDING AND RESPITE SERVICES FOR  
DEPARTMENT OF COMMUNITY SERVICES CHILD/ADOLESCENT CLIENTS**

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

WHEREAS, Act 545-2014 authorized a contract with Gustavus Adolphus Child and Family Services, Inc., 1293 Union Road, West Seneca, New York 14224, for the provision of skill-building services and respite services for Department of Community Services child/adolescent clients, the term of which expires December 31, 2015, and

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

WHEREAS, Gustavus Adolphus Child and Family Services, Inc., can provide the aforementioned skill-building and respite services for children and adolescent clients for a total contract amount not to exceed \$37,377.00, to be paid on a monthly basis, as invoiced, and in accordance with the current rate schedule, and

WHEREAS, this program is 38% County funded and 62% 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, between the Cattaraugus County Community Services Board and Gustavus Adolphus Child and Family Services, Inc., to signify the County's approval, for the provision of the above-described services, 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted November 24, 2015 by voice vote.

**ACT NO. 614-2015** by Mrs. Stockman  
*and Ms. Edstrom, Mr. Edwards, Ms. Vickman, Mr. Koch, Mr. Padlo and Mr. Keller<sup>1</sup>*

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING  
THROUGH NEW YORK STATE OFFICE OF CHILDREN AND  
FAMILY SERVICES/NEW YORK STATE COMMISSION ON NATIONAL AND  
COMMUNITY SERVICE FOR AMERICORPS START PROGRAM**

Pursuant to 42 USCS Section 12501 and  
Section 450 of the County Law.

WHEREAS, Act 662-2014 authorized the Chair to apply for funding through the New York State Commission on National and Community Service for the Southern Tier AmeriCorps Resource Team (START) Program for the 2015-2019 program term, and

WHEREAS, funding up to \$250,000.00 per program year is available through the New York State Office of Children and Family Services/New York State Commission on National and Community Service for the 2016-2020 Southern Tier AmeriCorps Resource Team (START) Program term, and

WHEREAS, the County should apply to the New York State Office of Children and Family Services/New York State Commission on National and Community Service for the aforementioned funding, and

WHEREAS, the aforementioned funding, if received, will be used to provide 12 full-time, 6 part-time and 25 minimum-time AmeriCorps members to contracted school districts and agencies as youth mentors and community service providers, and

WHEREAS, the aforementioned program is 100% federally funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a grant application, on behalf of Cattaraugus County, with the New York State Office of Children and Family Services/New York State Commission on National and Community Service, in order to apply for funding for the AmeriCorps START Program, 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 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: “Ms. Edstrom, Mr. Edwards, Ms. Vickman, Mr. Koch, Mr. Padlo and Mr. Keller”.

Adopted November 24, 2015 by voice vote.

**ACT NO. 615-2015** by Mr. Edwards, Mr. Marsh and Mr. Lamberson  
*and Mr. Padlo*<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
EMPLOYEE SERVICES, INC., FOR EMPLOYEE ASSISTANCE PROGRAM**

Pursuant to Section 205 of the County Law.

WHEREAS, Act 37-2015 authorized a contract with Employee Services, Inc., 111 West Pearl Street, Wellsville, New York 14895, for the provision of an Employee Assistance Program, the term of which expires December 31, 2015, and

WHEREAS, Employee Services, Inc. has advised the County that a new rate of \$27.45 per non-public safety employee and \$39.62 per public safety employee will be charged effective January 1, 2016, for a total not to exceed \$26,918.72, based on the number of covered employees, and

WHEREAS, in the event substance abuse evaluations are required by the NYSDOT, a fee of \$850.00 per evaluation will be charged, and

WHEREAS, the total number of covered employees may increase or decrease up to, and including, five percent (5%) without effecting the total value of the agreement, and

WHEREAS, if the number of covered employees increases or decreases by more than five percent, then the total agreement value may be revised quarterly to reflect the changes in employees covered, 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 Employee Services, Inc., for the provision of the above-described services, for a term commencing January 1, 2016 and terminating December 31, 2016, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the Labor Relations Committee.

<sup>1</sup>The following Legislator requested his name be listed as an additional sponsor: “Mr. Padlo”.

Adopted November 24, 2015 by voice vote.



**ACT NO. 616-2015** by Mr. Sprague  
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, Mr. VanRensselaer, Ms. Vickman, Mr. Weller,  
Mrs. Labuhn, Mr. Lamberson and Mr. Padlo<sup>1</sup>

**LOCAL LAW NUMBER 14 - 2015**  
**COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law and  
Section 1650 of the Vehicle & Traffic Law.

**A LOCAL LAW ENTITLED "CATTARAUGUS COUNTY ROAD PRESERVATION AND  
REGULATION OF CERTAIN COMMERCIAL AND INDUSTRIAL TRUCK TRAFFIC ASSOCIATED  
WITH TEMPORARY PROJECTS THAT WOULD INJURE COUNTY ROADS"**

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

Section 1. Authority. The County is authorized to adopt this local law by Section 1650(4) of the New York State Vehicle and Traffic Law and by the Municipal Home Rule Law.

Section 2. Purpose. The purpose of this law is to maintain the safety and general welfare of County residents by regulating heavy commercial or industrial uses of County roads that have the potential to adversely affect such roads. Well-maintained roads are important to the economic well-being of the County. Commercial or industrial endeavors, such as timber harvesting, utility work, construction, mining, and natural gas drilling are also of economic interest. This law is not intended to regulate such businesses: the intent is to protect the public roads from damage.

Section 3. Definitions.

3.1 High Frequency, High-Impact Truck Traffic: Traffic to or from a single project site that generates more than ten (10) truck trips per day for more than three (3) days in a week (any consecutive seven (7) day period) involving trucks averaging a gross weight that exceeds twenty (20) tons (truck and load combined), or such other motor vehicle traffic connected to a temporary project that, in the opinion of the Commissioner of Public Works, subjects any county roads to damage.

3.2 Bond: A commercial indemnity bond to ensure that the condition of the County roads is not adversely impacted by high-frequency, high-impact truck traffic. The County Legislature may accept an equivalent financial guarantee in lieu of bond.

3.3 Bond Release: A bond release given by the Commissioner of Public Works based on satisfactory road conditions at project completion.

3.4 Commissioner: The Cattaraugus County Commissioner of Public Works.

3.5 Permittee: The permittee is the person responsible under this law to obtain a permit regardless of whether the person in fact obtains a permit. The permittee is the person responsible for the project generating the high-frequency, high-impact truck traffic. In any instance in which another permit is required, such as a building or mining permit, any person who obtained any such permit or was required to obtain such other permit shall be deemed the permittee for purposes of this law. In the event no other permit is required, the owner of any property on which the activity is taking place shall be deemed the permittee for purposes of this law.

3.6 Person: Any individual, public or private corporation, political subdivision, government

agency, municipality, industry, co-partnership, association, firm, trust, estate, or any other legal entity whatsoever.

3.7 Motor Vehicle: A motor vehicle as defined under §125 of the New York State Vehicle and Traffic Law.

3.8 Temporary Project: Any non-permanent commercial activity for which a state or local permit is required, or which generates high-frequency, high-impact truck traffic on county roads whether or not the project itself is located in the County.

3.9 Exclusions: The following are excluded from the requirements of this local law:

3.9.1 Vehicles and implements and combinations thereof designed and intended for use in agricultural operations as defined by New York State Agricultural District Law or in the movement of agricultural products;

3.9.2 Omnibuses or buses used solely for the transportation of children to and from school;

3.9.3 "Authorized emergency vehicles", as defined in §101 of the Vehicle and Traffic Law;

3.9.4 Vehicles which, as determined by the Commissioner, upon application pursuant to §4.3 hereof.

#### Section 4. General Provisions.

4.1 The County Legislature determines that high-frequency, high-impact truck traffic associated with temporary projects would materially injure County roads.

4.2 Upon a determination by the Commissioner that a temporary project may generate high-frequency, high impact truck traffic, the Commissioner shall erect signs on the appropriate sections of County highways setting forth the notice that such vehicles are excluded, and such notice shall also be published in a newspaper in Cattaraugus County.

4.3 Any permittee may apply to the County Department of Public Works for a permit providing for an appropriate exemption for the vehicles serving a temporary project. Such permit shall be granted, upon appropriate terms and conditions, if the vehicles are performing essential local pick-up or delivery. For purposes of this law, pickup and delivery associated with New York State-permitted mining or gas-drilling operations shall be deemed essential local pickup or delivery.

4.4 Any such permit may designate the route to be traversed and contain other reasonable restrictions or conditions deemed necessary by the Commissioner. The permit shall be carried on all vehicles serving the project and shall be open to inspection by any peace officer acting pursuant to his special duties, or police officer. Such permit shall be for the duration of the temporary project.

4.5 In order to obtain a permit, the permittee must submit a permit application to the County Department of Public Works, which shall include all information required by the Commissioner, including but not limited to: vehicle identification and owners/operators, vehicle weights, load weights, materials carried, route to be followed through the County to site, duration of activity (beginning date and end date), frequency of trips and times of operation. The applicant shall pay a permit fee to be established by the County Legislature, but in no event shall the fee be less than \$50.

4.6 The Commissioner may require the permittee to submit documentation (including, but not limited to, photographs and videos) of the condition of the roads, shoulders, and all structures (culverts, bridges, etc.,) that will be traversed by the permitted traffic as a condition of the permit.

4.7 In addition to the restrictions on routes and other reasonable restrictions, the Commissioner will decide if the scope of work is such that a Bond is required, and the amount of any such bond. The determination of the need and amount of any bond shall be based on a determination of potential damage to County roads based on the truck routes, weight of the vehicles, frequency of

travel, and the type-category (classification) of the roads on the approved routes.

4.8 A permittee aggrieved by a determination of the Commissioner may within ten (10) days of the determination appeal to the County Administrator. No action inconsistent with the determination of the Commissioner shall take place pending the determination of the County Administrator.

4.9 The permittee shall be responsible for assuring that any County road that is impacted by high frequency, high-impact truck traffic remains in safe and useable condition for all legal uses of the road throughout the duration of the temporary project.

4.10 Upon completion of the project, the permittee will apply to the Commissioner for a Bond Release. Upon inspection of the traveled roads, as necessary, the Commissioner may approve the release of the Bond. If the release is not approved, the Commissioner will specifically document the tasks that must be accomplished in order for the Bond to be released, which may include, but not be limited to, the payment of money for the repair to damaged roads. The permittee must remedy the specified problems before the bond may be released.

4.11 If the permittee does not comply with this law and all the terms and conditions of the permit and operate within the parameters specified on the permit, the permit may be revoked at the discretion of the Commissioner.

4.12 In the event that high-frequency, high-impact truck traffic uses any County roads without the required valid permit, the Commissioner, and any law enforcement officer or code enforcement officer, is hereby authorized to deny access by such traffic to the roads and, in cases where a County permit was required, to shut down the project. This relief is in addition to any and all damages and penalties.

4.13 The permittee will be responsible for the repair of any damages that occur to any County road when a project proceeds with or without a proper permit, as well as for all fines and penalties specified in this law.

#### Section 5. Enforcement.

5.1 The Commissioner, in consultation with the County Attorney, shall enforce the provisions of this law and all rules, regulations, and designations made pursuant thereto. Such enforcement shall include, but not be limited to, legal or equitable proceedings, including without limitation an action for specific performance or injunction brought in the name of the County.

5.2 If a permittee does not comply with this law and all the terms and conditions of the permit and operate within the parameters specified on the permit, the permit may be suspended or revoked at the discretion of the Commissioner.

#### Section 6. Penalties for Offenses.

6.1 Any person who violates this article shall be guilty of a violation and subject to a fine of not more than \$500 and/or imprisonment for not more than fifteen (15) days. Each and every act committed that is prohibited by this law shall constitute a separate violation. Each time high-frequency, high-impact truck traffic travels on a County road without a permit as required by this law shall constitute a separate violation. Violations may be prosecuted by the County District Attorney or any other person with authority to prosecute violations within the County.

6.2 Upon failure of any permittee to comply with the requirements of this article, the permit shall be subject to suspension, revocation or to the imposition of conditions.

Section 7. Invalid Segment. Should any section or provision of this Local Law be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Local Law as a whole or any part thereof other than the part declared to be invalid.

Section 8. Effective Date. This Local Law shall take effect upon filing with the Secretary of State.

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

<sup>1</sup>The 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, Mr. VanRensselaer, Ms. Vickman, Mr. Weller, Mrs. Labuhn, Mr. Lamberson and Mr. Padlo".

No further action taken at this time.

**ACT NO. 617-2015** by Mr. Sprague

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 14 - 2015**

Pursuant to Section 20 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on November 24, 2015, a proposed Local Law entitled A Local Law Entitled "Cattaraugus County Road Preservation and Regulation of Certain Commercial and Industrial Truck Traffic Associated with Temporary Projects That Would Injure County Roads", 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 9th day of December, 2015, at 3:02 p.m. at the Legislature's Chambers, County Center, 303 Court Street, Little Valley, New York, and that at least five days' notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

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

Adopted November 24, 2015 by voice vote.

**ACT NO. 618-2015** by Ms. Edstrom and Mrs. Stockman  
*and Mr. Koch and Mr. Padlo<sup>1</sup>*

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
CATTARAUGUS COMMUNITY ACTION, INC. FOR ASSISTANCE WITH  
FOOD FOR THOUGHT CULINARY ARTS EMPLOYMENT TRAINING PROGRAM  
AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS  
(Department of Social Services)**

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

WHEREAS, Act 462-2014 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the Food for Thought Culinary Arts Employment Training Program, the term of which expires December 31, 2015, and

WHEREAS, the Program is operated by Cattaraugus Community Action, Inc. and is funded through the New York State Department of State's Community Services Block Grant discretionary funding program, and

WHEREAS, Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, is requesting \$90,000.00 to support the Food for Thought Culinary Arts Employment Training Program through 2016, and

WHEREAS, the County is desirous of contributing the amount of \$90,000.00 to support the aforementioned program, and

WHEREAS, it is necessary to amend the aforementioned contract to contribute an additional amount of \$90,000.00 and to extend the term to December 31, 2016, and

WHEREAS, various appropriation accounts must be adjusted in order to cover the aforementioned \$90,000.00, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Cattaraugus Community Action, Inc., in order to contribute an amount of \$90,000.00 towards the cost of the Food for Thought Culinary Arts Employment Training Program, which contribution shall be contingent upon Cattaraugus Community Action, Inc., failing to be awarded the Consolidated Funding Application (CFA) through the WNY Regional Empire Development Program, for a term commencing December 1, 2015 and terminating December 31, 2016, and be it further

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

Decrease Appropriation Account:

A.601.6102.0000.40403	Medical Assistance Local Share	\$70,000.00
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Increase Estimated Revenue Account:

A.601.6151.0000.4615	Federal Aid, Flexible Fund for Family Services	\$20,000.00
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Increase Appropriation Account:

A.601.6151.0000.41607.30	CCA Food for Thought	\$90,000.00.
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Approved by 7 members of the Finance Committee and 8 members of the Human Services Committee.

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: "Mr. Koch and Mr. Padlo".

Adopted November 24, 2015 by voice vote.

**ACT NO. 636-2015** by Labor Relations Committee:

Mr. Edwards, Mr. Lamberson, Ms. Edstrom,  
Ms. Vickman and Mr. Boser  
*and Mr. Felton*<sup>1</sup>

who ask immediate consideration

**AUTHORIZING THE CHAIR TO ENTER INTO AN AGREEMENT  
REGARDING TERMS AND CONDITIONS OF PUBLIC EMPLOYMENT  
BETWEEN THE COUNTY OF CATTARAUGUS AND THE  
CATTARAUGUS COUNTY PART-TIME EMPLOYEE UNIT OF THE  
CIVIL SERVICE EMPLOYEES ASSOCIATION, INC. LOCAL 1000,  
AFSCME AFL-CIO FOR THE PERIOD  
JANUARY 1, 2016 TO DECEMBER 31, 2016**

Pursuant to Article 14 of the Civil Service Law.

WHEREAS, the Cattaraugus County Part-Time Employee Unit #6200-06 is the bargaining agent for part-time employees of Cattaraugus County, and

WHEREAS, an agreement has been reached on terms and conditions of employment which include a one percent (1.0%) lump sum payment to all active part-time employees for hours worked from November 2, 2014 through October 31, 2015, and a two percent (2.0%) wage increase for part-time employees effective January 1, 2016, and

WHEREAS, the agreement also provides for the position of Nurse Aide within the Department of Nursing Homes to be paid at the established rate of Nurse Aide, cancelling the heretofore use of a \$9.50 per hour starting rate for the first 90 days of employment, and

WHEREAS, these wage increases represent the total wage package settled upon by the parties, and

WHEREAS, the items agreed upon for the Articles of Agreement have heretofore been disclosed to the County Legislature for information, and

WHEREAS, the Cattaraugus County Part-Time Employee Unit of Civil Service Employees Association, Inc. Local 1000, AFSCME AFL-CIO has heretofore ratified such agreement, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed, on behalf of the County of Cattaraugus, to execute the Articles of Agreement with the Cattaraugus County Part-Time Employee Unit.

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

<sup>1</sup>The following Legislator requested his name be listed as an additional sponsor: "Mr. Felton".

Adopted November 24, 2015 by voice vote.

**ACT NO. 637-2015** by Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Klancer, Mr. Marsh, 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 who ask immediate consideration

**CONGRATULATING PORTVILLE GIRLS' VOLLEYBALL TEAM  
FOR WINNING NEW YORK STATE CLASS D CHAMPIONSHIP**

Pursuant to Section 153 of the County Law.

WHEREAS, the Portville girls' volleyball team (22-0) won the New York State Class D Championship on November 22, 2015 with a victory over Haldane at the Glens Falls Civic Center, and

WHEREAS, Portville first won the Section VI Class D girls' volleyball championship defeating Randolph on November 9, 2015 at Jamestown Community College, and

WHEREAS, Portville then advanced to the Class D Far West Regionals held at Pioneer on November 14, 2015, with a sweeping victory over Honeoye, and

WHEREAS, the Portville Panthers won the Class D State Championship title after going five sets with Haldane, the same team they beat last year, making this a back-to-back championship for the undefeated team, and

WHEREAS, the team and coach should be commended for their hard work and dedication, which led to this successful season and the NYS Class D Championship, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby congratulates Coach Kelly Unverdorben and the Portville Girls' Volleyball Team on the team's New York State Public High School Athletic Association Class D Championship, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Portville Superintendent of Schools Thomas Simon and Coach Kelly Unverdorben.

MR. HALE moved, seconded by Mr. Snyder, Jr. to waive Rule 12. Carried.

Adopted November 24, 2015 by voice vote.

MR. TEACHMAN moved, seconded by Mr. Sprague to adjourn until December 9, 2015 at 3:00 p.m. Carried.

Meeting adjourned at 3:52 p.m.

Ann M. Giglio  
Journal Clerk