



October 25, 2017

The meeting was called to order by Chairman Paula J. Stockman.

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed one Legislator absent – Snyder, Jr.

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CHAIRMAN STOCKMAN noted that the minutes of the October 11, 2017 session stand approved as presented.

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**ACT NO. 405-2017** by Mr. Giardini and Mr. Helmich

**REJECTING CERTAIN DEPARTMENT OF PUBLIC WORKS BIDS FOR  
FIVE POINTS CANOPY REPLACEMENT PROJECT  
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law.

WHEREAS, the Department of Public Works advertised for sealed bids for the Five Points Canopy Replacement project for the Department of Public Works, according to bid specifications and general information provided by the Public Works Committee, and

WHEREAS, bids received for the aforementioned project, which were opened on September 29, 2017, were higher than expected and, due to budgetary constraints, should be rejected, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby rejects the bids received for the Five Points Canopy Replacement project for the Department of Public Works.

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

Adopted October 25, 2017 by voice vote.

**ACT NO. 406-2017** by Mr. Giardini and Mr. Helmich  
*and Mr. Koch<sup>1</sup>*

**BID ACCEPTANCE FOR REPLACEMENT OF GREAT VALLEY BRIDGE NO. 9  
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and  
Section 131-b of the Highway Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the replacement of Great Valley Bridge No. 9, located on Martin Road over Forks Creek in the Town of

Great Valley, according to bid specifications and general information provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications for the replacement of Great Valley Bridge No. 9 was the bid of Union Concrete and Construction Corp., P.O. Box 410, 105 Center Road, West Seneca, New York 14224, in the amount of \$977,007.00, to be paid on a percent-of-completion basis as invoiced and approved by the County Department of Public Works, and

WHEREAS, the term of the contract for the aforementioned bridge replacement project shall commence upon Notice to Proceed and shall be completed on or before October 31, 2018, and

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

RESOLVED, that the bid of Union Concrete and Construction Corp. be, and the same hereby is, accepted, and be it further

RESOLVED, that the vouchers accordingly certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.  
No State Bid.

Eight sets of specifications were sent out.

Seven bids were received that met specifications.

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

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

Adopted October 25, 2017 by voice vote.

**ACT NO. 407-2017** by Mr. Giardini and Mr. Helmich

**BID ACCEPTANCE FOR HOT DIP GALVANIZATION OF STEEL  
(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 hot dip galvanization of steel, according to specifications and general information provided by the Public Works Committee, and

WHEREAS, the only bid received meeting specifications for hot dip galvanization of steel was the bid of Frontier Hot Dip Galvanizing, Inc., 1740 Elmwood Avenue, P.O. Box 199, Buffalo, New York 14207-0199, in an amount as follows:

<u>Job Size</u>	<u>2016-2017 Amount</u>	<u>2017-2018 Amount</u>
Single Dip up to 27 feet in length:		
Less than 1,000 lbs	\$0.45/lb	\$0.45/lb
1,000 – 2,000 lbs	\$0.40/lb	\$0.40/lb
2,000 – 5,000 lbs	\$0.35/lb	\$0.35/lb
5,000 – 10,000 lbs	\$0.30/lb	\$0.30/lb
10,000 lbs & greater	\$0.23/lb	\$0.23/lb

Double Dip up to 40 feet in length:

Less than 1,000 lbs	\$0.68/lb	\$0.68/lb
1,000 – 2,000 lbs	\$0.60/lb	\$0.60/lb
2,000 – 5,000 lbs	\$0.53/lb	\$0.53/lb
5,000 – 10,000 lbs	\$0.45/lb	\$0.33/lb
10,000 lbs & greater	\$0.35/lb	\$0.26/lb

Additional Charges:

1. Surcharge for double dip - For materials which are longer than tank length and which must be dipped first one end and then the other (double dip), any additional charges are included in the above pricing.	Included in above pricing	Included in above pricing
2. Handrails	\$ 0.75/lb	\$ 0.75/lb
3. Tanks	\$ 1.00/lb	\$ 1.00/lb
4. Additional Venting/Holes	\$50.00/hr	\$50.00/hr

and

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

RESOLVED, that the aforementioned bid of Frontier Hot Dip Galvanizing, Inc., be, and the same hereby is, accepted, for a term commencing November 1, 2017 and terminating October 31, 2018, 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.

Six sets of specifications were sent out.

One bid was received.

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

Adopted October 25, 2017 by voice vote.

**ACT NO. 408-2017** by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
GREENMAN-PEDERSEN, INC. FOR ENGINEERING SERVICES FOR  
REPLACEMENT OF ASHFORD CULVERT NO. 22 AND  
FOUR CULVERTS ON COUNTY ROAD NO. 85**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, the Department of Public Works is desirous of replacing Ashford Culvert No. 22, along with four (4) additional culverts, located on County Road No. 85 in the Town of Ashford, and

WHEREAS, Greenman-Pedersen, Inc., 4950 Genesee Street, Suite 100, Buffalo, New York 14225, can provide the aforementioned engineering services for an amount of \$44,900.00, as follows:

Part III – Project Initiation/Design Report	\$14,000.00
Part IV – Design Development & Construction Documents	\$21,000.00
Part V – Administration During Construction	\$ 9,900.00,

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Greenman-Pedersen, Inc., for the provision of the above-described services, for a term commencing October 26, 2017 and terminating December 31, 2018, according to the above-described terms.

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

Adopted October 25, 2017 by voice vote.

**ACT NO. 409-2017** by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
NUSSBAUMER & CLARKE, INC. FOR ENGINEERING SERVICES FOR  
RECONSTRUCTION AND OVERLAY OF COUNTY ROAD NO. 32 (NYS ROUTE 240)**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, engineering design services are necessary for the reconstruction and overlay of County Road No. 32 in the Town of Ashford, and

WHEREAS, Nussbaumer & Clarke, Inc., 3556 Lake Shore Road – Suite 500, Buffalo, New York 14219, can provide the aforementioned engineering design services for an amount of \$42,850.00, as follows:

Part III – Project Initiation Report	\$12,750.00
Part IV – Design Development & Construction Documents	\$13,500.00
Part V – Administration During Construction	\$ 6,600.00
Miscellaneous: Right of Way - 5 parcel maps @ \$2,000.00 each	\$10,000.00,

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Nussbaumer & Clarke, Inc., for the provision of the above-described engineering design services, for a term commencing October 26, 2017 and terminating December 31, 2018, according to the above-described terms.

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

Adopted October 25, 2017 by voice vote.

**ACT NO. 410-2017** by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
NYSDOT AND AUTHORIZING CATTARAUGUS COUNTY TO PARTICIPATE IN  
THE FEDERAL-AID PROJECT ADMINISTERED BY THE NYSDOT AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(County Road No. 6 over Mud Creek Bridge Replacement – Bridge NY Funds)**

Pursuant to Title 23 U.S. Code and Sections 363, 366 and 450 of the County Law.

WHEREAS, a project for the replacement of County Road No. 6 over Mud Creek Bridge (Leon Bridge No. 7), BIN 3-32211-0, in the Town of Leon, Cattaraugus County, PIN 5758.49 (the "Project"), is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 95% Federal funds and 5% Non-Federal funds, and

WHEREAS, the County desires to advance the above project by making a commitment of 100% of the non-federal share of the costs of the Construction & Construction Inspection phases of the Project, PIN 5758.49, and

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

RESOLVED, that the Cattaraugus County Legislature hereby approves the above-described project, and be it further

RESOLVED, that the Cattaraugus County Legislature hereby authorizes the County of Cattaraugus to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Construction & Construction Inspection phases of the Project, or portions thereof, and be it further

RESOLVED, that the Cattaraugus County Legislature hereby agrees that the County of Cattaraugus shall be responsible for all costs of the project which exceed the amount of the Bridge NY funding awarded to the County of Cattaraugus, and be it further

RESOLVED, that the sum of \$1,025,000 is hereby appropriated and made available to cover the cost of participation in the Construction & Construction Inspection phases of the Project, and be it further

RESOLVED, that in the event the amount required to pay 100% of the full Federal and Non-Federal shares of the cost of the Project's Construction phases exceeds the amount appropriated (\$1,025,000), the County of Cattaraugus shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof, and be it further

RESOLVED, that the County of Cattaraugus hereby agrees that construction of the Project shall begin no later than eighteen (18) months after award and that the project shall be completed within three (3) years of commencing construction, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute all necessary documents, on behalf of Cattaraugus County, with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project, and be it further

RESOLVED, that this Resolution shall take effect immediately, and be it further

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

Increase Estimated Revenue Account:

H.504.5197.5195.4597.02	MAP-21 Program	\$ 973,750.00
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Decrease Appropriation Account:

H.504.5197.5198.25070.41603	Mansfield Bridge No. 58	\$ 51,250.00
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Increase Appropriation Account:

H.504.5197.5195.25027	Leon Bridge No. 7	\$1,025,000.00.
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Approved by 6 members of the Finance Committee and 6 members of the Public Works Committee.

Adopted October 25, 2017 by voice vote.

**ACT NO. 411-2017** by Ms. Vickman and Ms. Hastings

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

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

WHEREAS, Act 378-2017 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the provision of child abuse prevention services for the Department of Social Services, the term of which expires September 30, 2018, and

WHEREAS, the Department of Social Services is desirous of amending the aforementioned contract to increase the contracted amount from \$101,719.75 to \$172,568.75<sup>1</sup>, and

WHEREAS, Cattaraugus Community Action, Inc., can provide additional child abuse prevention services for a total amount not to exceed \$172,568.75<sup>1</sup>, to be paid in monthly installments as invoiced, and

WHEREAS, this program is 62% state funded and 38% county funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Cattaraugus Community Action, Inc., for the provision of the aforementioned child abuse prevention services, for a term commencing November 1, 2017 and terminating *October 31, 2018*<sup>1</sup>, according to the above-described terms.

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

<sup>1</sup>MS. VICKMAN moved, seconded by Mr. VanRensselaer, to amend as follows: In the Second and Third Whereas, delete: "\$169,166.75", and replace with: "\$172,568.75"; in the First Resolved, delete: "October 30, 2018", and replace with: "October 31, 2018". Carried.

Adopted, as amended, October 25, 2017 by voice vote.

**ACT NO. 412-2017** by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
OLEAN MEDICAL GROUP, LLP FOR HEALTH DEPARTMENT  
CONTINGENT MEDICAL DIRECTOR SERVICES**

Pursuant to Section 352 of the Public Health Law and  
Section 450 of the County Law.

WHEREAS, Act 506-2016 authorized a contract with the Olean Medical Group, LLP, 535 Main Street, Olean, New York 14760, for the provision of a contingent medical director, in the event the County Health Department's medical director is unavailable, the term of which expires December 31, 2017, and

WHEREAS, the County Health Department is desirous of renewing the aforementioned contract at the same rates, and

WHEREAS, the Olean Medical Group, LLP, can provide the aforementioned medical director services, in the event the County Health Department's current medical director is unavailable, for an amount of \$172.55 per hour to be paid as invoiced, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Olean Medical Group, LLP, for the provision of the above-described services, contingent upon and subject to inclusion in the 2018 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2018 and terminating December 31, 2018, according to the above-described terms.

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

Adopted October 25, 2017 by voice vote.

**ACT NO. 413-2017** by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CAROLYN C. RUFFNER, P.T. FOR HEALTH DEPARTMENT  
PHYSICAL THERAPY SERVICES**

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

WHEREAS, Act 505-2016 authorized a contract with Carolyn C. Ruffner, P.T., 3676 Buffalo Road, Allegany, New York 14706, for the provision of physical therapy services for the patients of the County Health Department's Long-Term Home Health Care Program, the term of which expires December 31, 2017, and

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

WHEREAS, Carolyn C. Ruffner, P.T., has agreed to renew the aforementioned contract for an amount as follows:

<u>Service</u>	<u>2017 Rate</u>	<u>2018 Rate</u>
Physical Therapist	\$73.92 per visit	\$75.40 per visit



Evaluations	\$73.92 per evaluation	\$75.40 per evaluation
PT only admission visit	\$100.00 per visit	\$102.00 per visit
Attendance at Meetings	\$28.00 per hour	\$28.56 per hour
Recruitment & Retention to be determined by NYSDOH,		

and

WHEREAS, this program is funded through a variety of sources, including, but not limited to, state and federal funding, private pay, private and third-party insurance and the County, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Carolyn C. Ruffner, P.T., for the provision of the above-described physical therapy services, contingent upon and subject to inclusion in the 2018 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2018 and terminating December 31, 2018, according to the above-described terms, and be it further

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

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

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

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

Adopted October 25, 2017 by voice vote.

**ACT NO. 414-2017** by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
ELLCOTTVILLE PHARMACY, INC. FOR HEALTH DEPARTMENT  
PHARMACY CONSULTANT SERVICES**

Pursuant to 10 NYCRR Section 752.5 and  
Section 450 of the County Law.

WHEREAS, Act 507-2016 authorized a contract with Ellicottville Pharmacy, Inc., 6133 Route 219, Ellicottville, New York 14731, for the provision of a pharmacy consultant for assistance in the development of policies and procedures related to the provision of drugs and vaccines and advising professional and para-professional staff on drug interactions, side effects, and recall procedures as required by Article 28 of the Public Health Law, the term of which expires December 31, 2017, and

WHEREAS, the County Health Department is desirous of renewing the aforementioned contract for pharmacy consultant services, and

WHEREAS, Ellicottville Pharmacy, Inc., has agreed to provide the aforementioned pharmacy consultant services at the rate of \$70.00 per hour, to be paid as invoiced, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Ellicottville Pharmacy, Inc., for the

provision of the above-described services, contingent upon and subject to inclusion in the 2018 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2018 and terminating December 31, 2018, according to the above-described terms, and be it further

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

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

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

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

Adopted October 25, 2017 by voice vote.

**ACT NO. 415-2017** by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH  
NATIONAL ASSOCIATION OF CHRONIC DISEASE DIRECTORS FOR  
REACHING PEOPLE WITH DISABILITIES THROUGH HEALTHY COMMUNITIES PROJECT**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Health Department has been awarded funding in the amount of \$16,250.00 through the National Association of Chronic Disease Directors for the Reaching People with Disabilities through Healthy Communities program, and

WHEREAS, the aforementioned grant program will promote linkages between disability services and public health to increase awareness and support for the inclusion of people with disabilities in existing health promotion programs, and

WHEREAS, the project will yield healthier policies, systems and environments to address poor nutrition, physical inactivity, tobacco use, and chronic conditions with a priority on disability inclusion, and

WHEREAS, this project is 100% federally funded (CFDA #93.524), now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the National Association of Chronic Disease Directors, in order to receive the aforementioned grant, for a term commencing October 1, 2017 and terminating June 30, 2018, according to the above-described terms, and be it further

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

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

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

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

Adopted October 25, 2017 by voice vote.

**ACT NO. 416-2017** by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
WILLCARE, INC. FOR HOME HEALTH CARE SERVICES**

Pursuant to Section 3602 of the Public Health Law and  
Section 450 of the County Law.

WHEREAS, Act 562-2016 authorized a contract with Willcare, Inc., 346 Delaware Avenue, Buffalo, New York 14202, for the provision of home health care services, the term of which expires December 31, 2017, and

WHEREAS, the County Departments of Health, Aging and Social Services are desirous of continuing the aforementioned services, and

WHEREAS, Willcare, Inc., has agreed to provide home health care services to Cattaraugus County in accordance with the following rate limits and terms:

<u>Level of Care</u>	<u>2017 Rates**</u>	<u>2018 Rates**</u>
Home Attendant/Housekeeper (Personal Care 1)	\$19.30/hr.	\$19.30/hr.
Personal Care Aide (Personal Care 2)	\$19.80/hr.	\$19.80/hr.
Shared Aide –1/4 hour (Personal Care 1)	\$4.82/¼ hr.	\$4.82/¼ hr.
Shared Aide –1/4 hour (Personal Care 2)	\$4.96/¼ hr.	\$4.96/¼ hr.
Certified Home Health Aide	\$20.38/hr.	\$20.38/hr.
Registered Nurse (RN) (Health Dept)	\$38.05/hr.++	\$38.05/hr.++
Registered Nurse (RN) (DSS)	\$26.52/hr.	\$26.52/hr.
Licensed Practical Nurse (LPN) (Health Dept)	\$26.78/hr.++	\$26.78/hr.++
Licensed Practical Nurse (LPN) (DSS)	\$21.42/hr.	\$21.42/hr.
Nursing Supervision Visit	\$66.07/hr.	\$66.07/hr.
Show-up policy clause if we do not attempt to contact you for cancellation and we are aware patient will not be there	Payment for one (1) hour work	Payment for one (1) hour work

++Initial Visit which is less than, or equal to, 1 hour will be billed at 1 hour rate.

\*\*Actual base Medicaid rates as initially established by the State Department of Health to be billed, if lower than caps to all Departments. In addition to the base rate, any recruitment and retention add-on established by the State Department of Health shall be billed to the Department of Social Services only. Cattaraugus County Department of Health has applied for and receives recruitment and retention add-on funds.

***Assumptions:***

- In the event the initial Medicaid rates for 2018 as established by the State Department of Health exceed the County rate limits set forth above, the Contractor agrees to submit rate revision requests to the NYSDOH and request the rate(s) be lowered to comply with the Cattaraugus County rate limits set forth above.
- Rates billed to the Medicaid Management Information System (MMIS) for the DSS personal care program are subject to any limitations of the MMIS and will reflect the requirements of 18 NYCRR 505.14.

now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Willcare, Inc. for the provision of the above-described services, contingent upon and subject to inclusion in the 2018 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2018 and terminating December 31, 2018, 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 October 25, 2017 by voice vote.

**ACT NO. 417-2017** by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
BRIAN GARIEPY, P.T. FOR HEALTH DEPARTMENT  
PHYSICAL THERAPY SERVICES**

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

WHEREAS, Act 549-2016 authorized a contract with Brian Gariepy, P.T., 1426 Promised Land Acres, Olean, New York 14760, for the provision of physical therapy services for the patients of the County Health Department's Long-Term Home Health Care Program, the term of which expires December 31, 2017, and

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

WHEREAS, Brian Gariepy, P.T., has agreed to provide the aforementioned physical therapy services for an amount as follows:

<u>Service</u>	<u>2017 Rate</u>	<u>2018 Rate</u>
Physical Therapist	\$73.92 per visit	\$75.40 per visit
Evaluations	\$73.92 per evaluation	\$75.40 per evaluation
PT only admission visit	\$100.00 per visit	\$102.00 per visit
Attendance at Meetings	\$28.00 per hour	\$28.56 per hour
Recruitment & Retention to be determined by NYSDOH,		

and

WHEREAS, this program is funded through a variety of sources, including, but not limited to, state and federal funding, private pay, private and third-party insurance and the County, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Brian Gariepy, P.T., for the provision of the above-described physical therapy services, contingent upon and subject to inclusion in the 2018 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2018 and terminating December 31, 2018, according to the above-described terms, and be it further

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

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

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

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

Adopted October 25, 2017 by voice vote.

**ACT NO. 418-2017** by Ms. Vickman and Ms. Hastings

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

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

WHEREAS, Act 557-2016 authorized a contract with Jamestown Rehab Services, PT, OT, SLP, PLLC, 4482 Kathaleen Street, Hamburg, New York 14075, for the provision of various therapy services for the patients of the Health Department Home Health Care Program, the term of which expires December 31, 2017, and

WHEREAS, the County Department of Health is desirous of continuing the provision of physical, occupational and speech therapy services, and

WHEREAS, Jamestown Rehab Services, PT, OT, SLP, PLLC, has agreed to provide physical, occupational and speech therapy services to Cattaraugus County Health Department patients at the following rates:

<u>Service</u>	<u>2017 Rate</u>	<u>2018 Rate</u>
Physical Therapist	\$76.53/visit <sup>1</sup>	\$77.68/visit <sup>1</sup>
Occupational Therapist	\$76.53/visit <sup>1</sup>	\$77.68/visit <sup>1</sup>
Speech Therapist	\$76.53/visit <sup>1</sup>	\$77.68/visit <sup>1</sup>
Certified Occupational Therapy Assistant	\$76.53/visit <sup>1</sup>	\$77.68/visit <sup>1</sup>
Attendance at Meetings	\$30.61/hour <sup>1</sup>	\$30.61/hour
Evaluations	\$76.53/visit <sup>1</sup>	\$76.53/visit
PT only admission visit	\$107.18/visit <sup>1</sup>	\$107.18/visit
Recruitment & Retention (to be determined by NYSDOH),		

and

WHEREAS, if Jamestown Rehab Services, PT, OT, SLP, PLLC, refuses any physical therapy home care cases, occupational therapy visits or speech therapy services during the term of the 2018 contract, then the rates for such services shall revert back as follows for the duration of the contract:

Physical Therapy Services	Base Rate of \$68/visit
Occupational Therapy Services	Base Rate of \$68/visit
Speech Therapy Services	Base Rate of \$68/visit
Physical Therapy Assistant Services	Base Rate of \$45/visit,

and

WHEREAS, this program is funded through a variety of sources, including, but not limited to, state and federal funding, private pay, private and third-party insurance and the County, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Jamestown Rehab Services, PT, OT, SLP, PLLC, for the provision of the above-described services, contingent upon and subject to inclusion in the 2018 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2018 and terminating December 31, 2018, according to the above-described terms, and be it further

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

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

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

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

<sup>1</sup>MS. VICKMAN moved, seconded by Mr. Hale, to amend as follows: In the Third Whereas, delete: "\$75.40", and replace with "\$76.53"; delete: "\$76.53", and replace with: "\$77.68"; delete: "\$30.16", and replace with: "\$30.61"; and delete: "\$105.60", and replace with: "\$107.18". Carried.

Adopted, as amended, October 25, 2017 by voice vote.

**ACT NO. 419-2017** by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
OLEAN MEDICAL GROUP, LLP FOR HEALTH DEPARTMENT  
FAMILY PLANNING MEDICAL CONSULTANT SERVICES**

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

WHEREAS, Act 551-2015 authorized a contract with the Olean Medical Group, LLP, 535 Main Street, Olean, New York 14760, for the provision of family planning medical consultant services through its Family Planning and Reproductive Health programs, the term of which expires December 31, 2017, and

WHEREAS, the County Health Department is required to have medical direction, preceptorship and collaboration by a physician who specializes in obstetrics and gynecology, and

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

WHEREAS, the Olean Medical Group, LLP, has agreed to continue providing the aforementioned family planning consultant services for an amount of \$400.00 per month, which is the same rate as the previous contract, to be paid as invoiced, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Olean Medical Group, LLP, for the provision of the above-described services, contingent upon and subject to inclusion in the 2018 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2018 and terminating December 31, 2019, according to the above-described terms.

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

Adopted October 25, 2017 by voice vote.

**ACT NO. 420-2017** by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
REHABILITATION TODAY, PT, OT, REGISTERED NURSING, PLLC, FOR  
HEALTH DEPARTMENT HOME HEALTH CARE PROGRAM OCCUPATIONAL SERVICES**

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

WHEREAS, Act 546-2016 authorized a contract with Rehabilitation Today, PT, OT, Registered Nursing, PLLC, 2416 Constitution Avenue, Olean, New York 14760, for the provision of occupational therapy services to patients of the County Health Department Home Health Care Program, the term of which expires December 31, 2017, and

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

WHEREAS, Rehabilitation Today, PT, OT, Registered Nursing, PLLC, has agreed to provide occupational therapy services to Cattaraugus County Health Department patients at the following rates:

<u>Service</u>	<u>2017 Rate</u>	<u>2018 Rate</u>
Occupational Therapist	\$76.00 per visit	\$76.00 per visit
Occupational Therapy Assistant	\$76.00 per visit	\$76.00 per visit
Attendance at Meetings	\$31.00 per hour	\$31.00 per hour
Office Visits:		
per standard visit - (any combination of modalities and/or procedures; CHAA or patient to provide all dressings and ointments)	\$60.00 per visit	\$60.00 per visit
per short visit - (less than 15 minutes)	\$40.00 per visit	\$40.00 per visit
Office Visit Evaluations	\$75.40 per visit	\$75.40 per visit
Recruitment & Retention (to be determined by NYSDOH),		

and

WHEREAS, if Rehabilitation Today, PT, OT, Registered Nursing, PLLC, refuses any occupational therapy visits during the term of the 2018 contract, then the rates for such services shall revert back to the base rate of \$68/visit for the duration of the contract, and

WHEREAS, this program is funded through a variety of sources, including, but not limited to, state and federal funding, private pay, private and third-party insurance and the County, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Rehabilitation Today, PT, OT, Registered Nursing, PLLC, for the provision of the above-described services, contingent upon and subject to inclusion in the 2018 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2018 and terminating December 31, 2018, according to the above-described terms, and be it further

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

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

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

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

Adopted October 25, 2017 by voice vote. Mrs. Labuhn abstained from vote.

**ACT NO. 421-2017** by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
OLEAN GENERAL HOSPITAL FOR  
LABORATORY, RADIOLOGY AND MAMMOGRAPHY SERVICES  
FOR HEALTH DEPARTMENT FAMILY PLANNING CLINIC**

Pursuant to 10 NYCRR Part 763 and Section 450 of the County Law.

WHEREAS, Act 551-2016 authorized a contract with Olean General Hospital, 515 Main Street, Olean, New York 14760, for the provision of laboratory, radiology and mammography services for the County Health Department, the term of which expires December 31, 2017, and

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

WHEREAS, the Olean General Hospital can provide the aforementioned laboratory, radiology and mammography services at the Olean General Hospital's approved Medicaid rate, and

WHEREAS, this program is 37%<sup>1</sup> federal (CFDA #93.217 and #93.994) and 63%<sup>1</sup> state funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Olean General Hospital, for the provision of the above-described services, contingent upon and subject to inclusion in the 2018 budget of sufficient



funds to cover the costs of the aforementioned services, for a term commencing January 1, 2018 and terminating December 31, 2018, according to the above-described terms, and be it further

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

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

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

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

<sup>1</sup>MS. VICKMAN moved, seconded by Mr. Neal, to amend as follows: In the Fourth Whereas, delete: "31%", and replace with "37%"; and delete: "69%", and replace with: "63%". Carried.

Adopted, as amended, October 25, 2017 by voice vote.

**ACT NO. 422-2017** by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
OLEAN GENERAL HOSPITAL FOR HEALTH DEPARTMENT  
NUTRITION, PHYSICAL, OCCUPATIONAL AND SPEECH THERAPY SERVICES**

Pursuant to 10 NYCRR Section 763.3 and Section 450 of the County Law.

WHEREAS, Act 547-2016 authorized the Chair to execute a contract with Olean General Hospital, 515 Main Street, Olean, New York 14760, for the provision of outpatient physical therapy services for patients in the Health Department's Home Care Program, the term of which expires December 31, 2017, and

WHEREAS, the Health Department is desirous of continuing the aforementioned services, and

WHEREAS, Olean General Hospital can provide nutrition, physical, occupational and speech therapy services, as follows:

**OUTPATIENT**

Outpatient Physical Therapy	\$48/standard office visit
	\$21/short office visit
	(less than 15 min.)

**HOME VISITS**

Physical Therapy Home Visits	\$68/visit
Physical Therapy Evaluations	\$70/each
Occupational Therapy Home Visits	\$68/visit
Occupational Therapy Evaluations	\$70/each
Speech Therapy Home Visits	\$68/visit
Speech Therapy Evaluations	\$70/each
Nutritionist Education/Counseling	\$90/visit
Nutritionist Evaluations/Assessment	\$90/visit

## CONSULTING SERVICES

Qualified Medical Record Practitioner	\$68/hour
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## MEETINGS

Attendance at meetings	\$28/hour,
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and

WHEREAS, Olean General Hospital shall be paid on a monthly basis, as invoiced, in accordance with the rates listed above for services rendered, which are inclusive of all costs, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Olean General Hospital, for the provision of the above-described services, contingent upon and subject to inclusion in the 2018 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2018 and terminating December 31, 2018, according to the above-described terms, and be it further

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

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

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

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

Adopted October 25, 2017 by voice vote.

**ACT NO. 423-2017** by Ms. Vickman and Ms. Hastings  
and Mr. Koch<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
SENECA NATION AREA OFFICE OF AGING FOR  
DEPARTMENT OF HEALTH HOME DELIVERED MEALS PROGRAM**

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

WHEREAS, Act 554-2016 authorized a contract with the Seneca Nation Area Office of Aging, 28 Thomas Indian School Drive, Irving, New York 14081, for the preparation and delivery of a noon meal in the areas contiguous to Cattaraugus County, the term of which expires December 31, 2017, and

WHEREAS, the County Health Department is desirous of continuing the provision of home delivered meals to clients of the Long Term Home Health Care Program who reside on or near the Cattaraugus Territory of the Seneca Nation of Indians, and

WHEREAS, the Seneca Nation Area Office of Aging has agreed to provide for the preparation and delivery of a noon meal in the areas contiguous to Cattaraugus County five (5) days per week, at the current Medicaid rate per delivered meal, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Seneca Nation Area Office of Aging, for the provision of the above-described services, contingent upon and subject to inclusion in the 2018 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2018 and terminating December 31, 2018, according to the above-described terms, and be it further

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

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

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

Approved by 6 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. Koch".

Adopted October 25, 2017 by voice vote.

**ACT NO. 424-2017** by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
DOYLE SECURITY SYSTEMS, INC. FOR  
PERSONAL EMERGENCY RESPONSE UNITS MONITORING SERVICES  
FOR DEPARTMENTS OF HEALTH, AGING AND SOCIAL SERVICES**

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

WHEREAS, Act 556-2016 authorized a contract with Doyle Security Systems, Inc., 792 Calkins Road, Rochester, New York 14623, for the provision of various services to the County Departments of Health, Aging and Social Services, the term of which expires December 31, 2017, and

WHEREAS, the County Departments of Health, Aging and Social Services are desirous of continuing the aforementioned services, and

WHEREAS, Doyle Security Systems, Inc., has agreed to provide services to the County Departments of Health, Aging and Social Services, as follows:

<u>Category of Service</u>	<u>2017 Rate</u>	<u>2018 Rate</u>
<b>HEALTH DEPARTMENT</b>		
PERS Monitoring	\$18/month/unit	\$18/month/unit
Electronic Medication Monitoring	\$49/month/unit	\$49/month/unit
Telguard TG-P Cellular Communicator Monitoring	\$10/month/unit	\$10/month/unit
Fall Prevention PERS Monitoring Unit	\$23/month/unit	\$23/month/unit
GPS PERS monitoring Unit	\$35/month/unit	\$35/month/unit

SOCIAL SERVICES

PERS Monitoring	\$18/month/unit	\$18/month/unit
Electronic Medication Monitoring	\$49/month/unit	\$49/month/unit
Telguard TG-P Cellular Communicator Monitoring	\$10/month/unit	\$10/month/unit
Fall Prevention PERS Monitoring Unit	\$23/month/unit	\$23/month/unit
GPS PERS monitoring Unit	\$35/month/unit	\$35/month/unit

DEPARTMENT OF AGING

PERS Monitoring	\$15/month/unit	\$15/month/unit
Telguard TG-P Cellular Communicator Monitoring	\$25/month/unit	\$25/month/unit
Fall Prevention PERS Monitoring Unit	\$20/month/unit	\$20/month/unit
GPS PERS monitoring Unit	\$35/month/unit	\$35/month/unit

and

WHEREAS, this program is 75% state and 25% county funded for the Department of Aging's portion of expenses, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Doyle Security Systems, Inc., for the provision of the above-described services, contingent upon and subject to inclusion in the 2018 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2018 and terminating December 31, 2018, according to the above-described terms, and be it further

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

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

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

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

Adopted October 25, 2017 by voice vote.

**ACT NO. 425-2017** by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CHAUTAUQUA COUNTY FOR HEALTH DEPARTMENT  
LEAD RISK ASSESSMENT SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 561-2016 authorized a contract with Chautauqua County, County Office Building, 7 North Erie Street, Mayville, New York 14757, for the provision of lead risk assessment services, the term of which expires December 31, 2017, and

WHEREAS, the County Health Department is responsible for investigating possible lead poisoning situations, and

WHEREAS, Chautauqua County has equipment and personnel trained for the provision of lead risk assessment services, and

WHEREAS, the County Health Department is desirous of contracting with Chautauqua County for the provision of the aforementioned services, and

WHEREAS, Chautauqua County can perform the aforementioned lead risk assessment services, on an as-needed basis, for an amount of \$30.00 per hour, plus work-related mileage at the prevailing IRS rate, not to exceed a total contract amount of \$3,000.00, to be paid as invoiced, and

WHEREAS, the County shall also reimburse Chautauqua County a maximum amount of \$10.00 (including tip) for meals and shipping or analytical fees associated with any required dust wipe, soil or water samples, and

VII. WHEREAS, this program is 36.04% federal (CFDA #93.994) and 63.96% state funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Chautauqua County, for the provision of the above-described services, contingent upon and subject to inclusion in the 2018 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2018 and terminating December 31, 2018, according to the above-described terms, and be it further

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

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

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

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

Adopted October 25, 2017 by voice vote.

**ACT NO. 426-2017** by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH  
VARIOUS ENTITIES FOR HEALTH DEPARTMENT WIC CLINIC SPACE**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 559-2016 authorized contracts with various entities for the utilization of space for the Health Department's WIC Program, the terms of which expire December 31, 2017, and

WHEREAS, the County Health Department is desirous of continuing the WIC program in various areas of Cattaraugus County, and

WHEREAS, the entities listed below have agreed to allow the County Health Department to utilize space in their facilities for WIC clinics:

	<u>2017 Rate</u>	<u>2018 Rate</u>
Franklinville Free Methodist Church	\$300/year	\$300/year
41 South Main Street		
Franklinville, New York 14737		

Gowanda Free Methodist Church 149 West Main Street Gowanda, New York 14070	\$75/day of use	\$75/day of use
Roberts Memorial Free Methodist Church 111 South Street Cattaraugus, New York 14719	\$100/year	\$100/year
Town of Randolph 72 Main Street Randolph, New York 14772	No Cost	No Cost
United Methodist Church of Little Valley 109 Court Street Little Valley, New York 14755	\$50/month	\$50/month
Delevan Baptist Church P.O. Box 335, 18 Church Street Delevan, New York 14042,	No Cost	No Cost

and

WHEREAS, this program is 97.6% federal (CFDA #10.557) and 2.4% state funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with the above-listed various entities for the utilization of the aforementioned space, contingent upon and subject to inclusion in the 2018 budget of sufficient funds to cover the costs of the aforementioned space, for a term commencing January 1, 2018 and terminating December 31, 2018, according to the above-described terms, and be it further

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

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

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

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

Adopted October 25, 2017 by voice vote.

**ACT NO. 427-2017** by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
UNDERWOOD MANOR FOR  
DEPARTMENT OF HEALTH IN-HOME NURSING AND THERAPY SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 630-2016 authorized a contract with Underwood Manor, 4040 Union Hill Road, Hinsdale, New York 14743, for the provision of in-home nursing and therapy services for its assisted living program residents, the term of which expires December 31, 2017, and

WHEREAS, Underwood Manor has requested a renewal of the aforementioned contract, and

WHEREAS, the County Department of Health, through its Home Health Care Program, can provide in-home nursing and therapy services for the residents of the Underwood Manor assisted living program, in accordance with NYS approved Medicaid rates for Cattaraugus County CHHA services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Underwood Manor, for the provision of the above-described in-home nursing and therapy services, for a term commencing January 1, 2018 and terminating December 31, 2018, according to the above-described terms.

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

Adopted October 25, 2017 by voice vote.

**ACT NO. 428-2017** by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
TOTAL SENIOR CARE, INC. FOR  
HOME CARE THERAPY SERVICES**

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

WHEREAS, Act 555-2016 authorized a contract with Total Senior Care, Inc., 519 North Union Street, Olean, New York 14760, for the operation of the PACE Program for the Health Department, the term of which expires December 31, 2017, and

WHEREAS, Total Senior Care, Inc., is authorized by New York State Department of Health and the Centers for Medicare and Medicaid Services to operate a Program for All Inclusive Care for the Elderly (PACE Program) as a comprehensive program of services to participants, and

WHEREAS, Total Senior Care, Inc., is desirous of obtaining home care therapy services from the County Department of Health for PACE Program participants, and

WHEREAS, the Department of Health has agreed to provide the following home care therapy services to PACE Program participants in accordance with current New York State Medicaid rates, and a negotiated rate of \$82.00 per visit for LPN services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Total Senior Care, Inc., for the provision of the above-described in-home nursing and therapy services, for a term commencing January 1, 2018 and terminating December 31, 2018, according to the above-described terms.

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

Adopted October 25, 2017 by voice vote. Mr. Padlo abstained from vote.

**ACT NO. 429-2017** by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
ALLEGANY COUNTY FOR HEALTH DEPARTMENT  
LEAD RISK ASSESSMENT SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 520-2014, as amended by Act 646-2014, authorized a contract with Allegany County for the provision of lead risk assessment services for the County Health Department, the term of which expires December 31, 2017, and

WHEREAS, the County Health Department is responsible for investigating possible lead poisoning situations, and

WHEREAS, Allegany County, County Office Building, 7 Court Street, Belmont, New York 14813, has equipment and personnel trained for the provision of lead risk assessment services, and

WHEREAS, the County Health Department is desirous of contracting with Allegany County for the provision of the aforementioned services, and

WHEREAS, *Allegany County can perform the aforementioned lead risk assessment services, on an as-needed basis, for an amount as follows:*

2018    *\$32.50/hour*

*\$47.75/hour for overtime if needed outside normal work hours*

*Plus work-related mileage at the prevailing IRS rate in effect at the time services are provided*

*Total not to exceed \$3,000.00*

2019    *\$33.00/hour*

*\$49.00/hour for overtime if needed outside of normal work hours*

*Plus work-related mileage at the prevailing IRS rate in effect at the time services are provided*

*Total not to exceed \$3,000.00*

2020    *\$33.75/hour*

*\$50.25/hour for overtime if needed outside of normal work hours*

*Plus work-related mileage at the prevailing IRS rate in effect at the time services are provided*

*Total not to exceed \$3,000.00*

*Plus reimbursement for lunch not to exceed \$11.50*

*Plus equipment usage for an amount of \$150.00 per each completed assessment,<sup>1</sup>*

and

WHEREAS, this program is 36.04% federal (CFDA #93.994) and 63.96% state funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Allegany County, for the provision of the above-described services, contingent upon and subject to inclusion in the 2018 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2018 and terminating December 31, 2020, 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.

<sup>1</sup>MS. VICKMAN moved, seconded by Mr. Klancer, to amend as follows: delete the entire Fifth Whereas, and replace with the italicized information above. Carried.

Adopted, as amended, October 25, 2017 by voice vote.

**ACT NO. 430-2017** by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
HEALTHY COMMUNITY ALLIANCE, INC. FOR  
HEALTH DEPARTMENT REPRODUCTIVE HEALTH EDUCATOR**

Pursuant to 10 NYCRR Part 40-1 and  
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 552-2016 authorized a contract with Healthy Community Alliance, Inc., 1 School Street, Suite 100, Gowanda, New York 14070, for the provision of services of a Reproductive Health Educator for the County Health Department family planning clinics, the term of which expires December 31, 2017, and

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

WHEREAS, Healthy Community Alliance, Inc., has agreed to perform the aforementioned reproductive health educator services for the family planning clinics, for a total amount not to exceed \$63,985.00, which includes all work-related expenses:

\*Approved work-related expenses will be reimbursed at cost, including approved work-related cell phone usage;

\*Mileage will be reimbursed at the established rate of \$0.485/mile;

\*Any overnight travel must have prior approval of the County Public Health Director or the Director's designee, and must have an authorization attached, prior to reimbursement,

and

WHEREAS, this program is 31% federal (CFDA #93.217 and #93.994) and 69% state funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Healthy Community Alliance, Inc., for the provision of the above-described services, contingent upon and subject to inclusion in the 2018 budget

of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2018 and terminating December 31, 2018, according to the above-described terms, and be it further

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

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

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

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

Adopted October 25, 2017 by voice vote.

**ACT NO. 431-2017** by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATTARAUGUS REHABILITATION CENTER, INC.  
FOR EARLY INTERVENTION SERVICE COORDINATOR**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 631-2016 authorized a contract with the Cattaraugus Rehabilitation Center, Inc., 1439 Buffalo Street, Olean, New York 14760, for the provision of a service coordinator for the Health Department's Early Intervention Program, the term of which expires December 31, 2017, and

WHEREAS, the Health Department is desirous of continuing the aforementioned services, and

WHEREAS, the Cattaraugus Rehabilitation Center, Inc., can provide a service coordinator for the Health Department's Early Intervention Program for an amount not to exceed \$64,551.00 annually, to be paid on a monthly basis as invoiced, and

WHEREAS, this program is 100% federally funded, (CFDA# 93.069), now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Cattaraugus Rehabilitation Center, Inc., for the provision of the above-described services, contingent upon and subject to inclusion in the 2018 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2018 and terminating December 31, 2018, according to the above-described terms, and be it further

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

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

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

Approved by 5 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted October 25, 2017 by voice vote. Mrs. Labuhn abstained from vote.

**ACT NO. 432-2017** by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH THE REHABILITATION CENTER, INC.  
FOR LINWOOD SOCIAL DAY CARE PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 553-2016 authorized a contract with The Rehabilitation Center, Inc., 1439 Buffalo Street, Olean, New York 14760, for the provision of social day care services through the Linwood Center Adult Day Care Program, the term of which expires December 31, 2017, and

WHEREAS, the Department of Health, through its Long-Term Home Health Care Program, hereinafter referred to as "LTHHCP", is charged with the responsibility, insofar as funds are available for the purpose, to administer such care, treatment and services in the home that might be necessary to maintain eligible patients, and

WHEREAS, social day care, transportation, and congregate meal services qualify as additional services provided under Federal waiver to address other currently unmet social, nutritional and environmental needs of the patients, and

WHEREAS, The Rehabilitation Center, Inc., shall provide social day care services through the Linwood Center Adult Day Care Program, for an amount in accordance with the established Medicaid rate for social day care services (currently at \$39.88 per day), and

WHEREAS, these programs are funded by NYS Medicaid LTHHCP, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with The Rehabilitation Center, Inc., for the provision of the above-described social day care services, contingent upon and subject to inclusion in the 2018 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2018 and terminating December 31, 2018, according to the above-described terms, and be it further

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

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

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

Approved by 5 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted October 25, 2017 by voice vote. Mrs. Labuhn abstained from vote.

**ACT NO. 433-2017** by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATTARAUGUS COUNTY SOIL AND WATER CONSERVATION DISTRICT  
FOR HEALTH DEPARTMENT WATER RESOURCE SPECIALIST**

Pursuant to Sections 224 (8)(e) and 450 of the County Law.

WHEREAS, Act 560-2016 authorized a contract with the Cattaraugus County Soil and Water Conservation District, USDA Service Center Building, 8 Martha Street, Ellicottville, New York 14731, for the provision of a Water Resource Specialist to coordinate the public water supply inspection, monitoring and surveillance program and ensure fulfillment of all NYS drinking water enhancement grant work plan deliverables, the term of which expires December 31, 2017, and

WHEREAS, the County Health Department is desirous of continuing the provision of the aforementioned services, and

WHEREAS, the Cattaraugus County Soil and Water Conservation District can provide a Water Resource Specialist to provide the aforementioned services for a total amount not to exceed \$75,872.97, which includes all work-related expenses:

- \*Approved work-related expenses will be reimbursed at cost, including approved work-related cell phone usage;

- \*Mileage will be reimbursed at the rate of \$0.54/mile;

- \*Any overnight travel must have prior approval of the County Public Health Director or the Director's designee, and must have an authorization attached, prior to reimbursement,

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Cattaraugus County Soil and Water Conservation District, for the provision of the above-described services, contingent upon and subject to inclusion in the 2018 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2018 and terminating December 31, 2018, according to the above-described terms, and be it further

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

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

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

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

Adopted October 25, 2017 by voice vote.

ACT NO. 434-2017 by Mr. Snyder, Jr.

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS  
WITH GENERATIONS FORESTRY, INC.  
FOR FORESTRY MANAGEMENT SERVICES**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, the County Department of Public Works is in need of professional forestry services to manage the County's forest lands within Cattaraugus County, and

WHEREAS, Generations Forestry, Inc., P.O. Box 319, 26 Paynes Road, Kane, Pennsylvania 16735, has agreed to provide professional forestry management services for Cattaraugus County reforestation properties, and shall receive from the County a 10% commission on all timber sold for Cattaraugus County, which fee also includes the following services:

- Selectively mark all trees to be harvested;
- Prepare Timber Sale Prospectus which will include all details of the timber sale, including an inventory by diameter class, species and volume of the trees to be sold, and GPS map of defined sale area, which is subject to the approval of the County Legislature;
- Market sale to all reputable buyers in the area;
- Organize a sealed bid opening under the supervision of the Clerk of the County Legislature and the County Legislature shall award timber cutting contract to high bidder;
- Assure best management practices for New York State are implemented during harvesting, the sale and clean-up process;
- Hold performance bond from the timber buyer and close the contract after consultation and approval from the County;
- Develop a written long-term forestry management plan, and submit the plan to the County Legislature for approval no later than December 31, 2019;

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 Generations Forestry, Inc., for the provision of the above-described professional forestry management services for specific reforestation properties, for a term commencing October 26, 2017 and terminating December 31, 2019, according to the above-described terms.

Approved by 6 members of the Finance Committee and 7 members of the Public Works Committee.

Adopted October 25, 2017 by voice vote.

**ACT NO. 435-2017** by Mr. Klancer**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH  
VARIOUS INDIVIDUALS FOR EMERGENCY MEDICAL SERVICES INSTRUCTORS**

Pursuant to Article 30-A of the Public Health Law and  
Act 290-2011, as amended, of the Cattaraugus County Legislature.

WHEREAS, Act 431-2015 authorized the County Administrator to execute contracts with various individuals for emergency medical services instructors, the terms of which expire December 31, 2017, and

WHEREAS, the Office of Emergency Services is desirous of renewing the aforementioned contracts for a term commencing January 1, 2018 and terminating December 31, 2019, and

WHEREAS, it is proposed that the County contract with various individuals to provide instruction services according to the following rate schedule:

<u>Title</u>	<u>2018-2019 Hourly Rate</u>
NYS Certified Instructor Coordinator (CIC)	\$35.00
NYS Certified Lab Instructor (CLI)	\$25.00
AHA Certified Instructor	\$20.00
EMS/First Aid/CPR Course Assistant	\$15.00
Medical & Health Professionals	\$35.00

(Physicians, Registered Nurses, competent in the management  
of patients requiring advanced life support care),  
now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with various individuals, for the provision of emergency medical services training, contingent upon and subject to inclusion in the 2018 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2018 and terminating December 31, 2019, according to the above-described terms.

Approved by 6 members of the Finance Committee and 6 members of the County Operations/  
Public Safety Committee.

Adopted October 25, 2017 by voice vote.

**ACT NO. 436-2017** by Mr. Klancer and Mr. Neal**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH  
NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES  
FOR ALTERNATIVE TO INCARCERATION SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 303-2017 authorized the Chair to apply for funding through the New York State Division of Criminal Justice Services for programs designed to reduce recidivism through the use of targeted interventions and evidence-based practices, and

WHEREAS, the County Department of Probation has been awarded funding in the amount of \$127,245.00 for the Native American Focused Alternative to Incarceration Program, and

WHEREAS, the alternative to incarceration programs will screen, assess and provide services to criminal justice involved individuals, which can include specialized and underserved populations, with the main goal being the reduction of recidivism through the use of targeted interventions and evidence-based programming, and

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

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Division of Criminal Justice Services, in order to accept and receive the aforementioned funding, for a term commencing January 1, 2018 and terminating December 31, 2018, with the option to renew for four (4) additional one-year periods under the same terms, 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 County Operations/Public Safety Committee.

Adopted October 25, 2017 by voice vote.

**ACT NO. 437-2017** by Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR  
SHERIFF'S OFFICE VIOLENCE AGAINST WOMEN GRANT PROGRAM**

Pursuant to 28 CFR Part 66 and Section 450 of the County Law.

WHEREAS, Act 114-2015 authorized the Chair to execute grant documents in order to receive funding through the Violence Against Women Grant Program, and

WHEREAS, the Sheriff's Office has been awarded \$20,726.32 per year in federal funding for the 2018-2020 program years through the New York State Division of Criminal Justice Services for the continuation of the Violence Against Women Grant Program, and

WHEREAS, the purpose of the aforementioned grant funding is to assist the Criminal Bureau with domestic violence investigation issues, and

WHEREAS, it is necessary to execute a contract each year in order to obtain the aforementioned funding, and

WHEREAS, this program is 100% federally funded (CFDA# 16.588), now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract each year, on behalf of Cattaraugus County, with the New York State Division of Criminal Justice Services, in order to accept the above-described funding, for a term commencing January 1, 2018 and terminating December 31, 2020, 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 County Operations/Public Safety Committee.

Adopted October 25, 2017 by voice vote.

**ACT NO. 438-2017** by Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CH2M HILL BWXT WEST VALLEY, LLC FOR  
ON-SITE SECURITY LAW ENFORCEMENT SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 574-2016 authorized a contract with CH2M Hill BWXT West Valley, LLC, 10282 Rock Springs Road, West Valley, New York 14171-9799, for the provision of on-site security law enforcement services for its facility and surrounding areas, the term of which expired September 30, 2017, and

WHEREAS, CH2M Hill BWXT West Valley, LLC, is desirous of renewing the aforementioned contract, and

WHEREAS, the Cattaraugus County Sheriff's Office can provide the aforementioned on-site security law enforcement services for an amount based on actual costs, which are estimated to be \$178,848.00 for the period October 1, 2017 through September 30, 2018, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with CH2M Hill BWXT West Valley, LLC, for the provision of the above-described security law enforcement services, for a term commencing October 1, 2017 and terminating September 30, 2018, according to the above-described terms.

Approved by 6 members of the Finance Committee and 6 members of the County Operations/Public Safety Committee.

Adopted October 25, 2017 by voice vote.



**ACT NO. 439-2017** by Mr. VanRensselaer and Mr. Padlo

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
FY 2018 EPA COMMUNITY-WIDE BROWNFIELDS ASSESSMENT GRANTS**

Pursuant to Section 450 of the County Law.

WHEREAS, funding is available through the United States Environmental Protection Agency Community-Wide Brownfields Assessment Grants, and

WHEREAS, the County Department of Economic Development, Planning and Tourism is desirous of applying for the aforementioned funding, and

WHEREAS, this funding will be used for developing inventories of brownfields, prioritizing sites, conducting community involvement activities, conducting site assessments and cleanup planning related to brownfield sites in Cattaraugus County, and

WHEREAS, it is necessary to apply to the United States Environmental Protection Agency for the aforementioned funding, and

WHEREAS, this program is 80% federally funded (CFDA #66.818) and 20% County funded, and

WHEREAS, the County Department of Economic Development, Planning and Tourism is eligible to apply for a \$300,000.00 grant with a 20% match for related program development and implementation activities, 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 United States Environmental Protection Agency, in order to apply for the above-described funding, 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 5 members of the Development and Agriculture Committee.

Adopted October 25, 2017 by voice vote.

**ACT NO. 440-2017** by Mr. Helmich, Mr. Higgins, Mr. Koch and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH CATTARAUGUS COUNTY LAND BANK CORPORATION  
FOR SALE OF REHABILITATED PROPERTIES**

Pursuant to Section 450 of the County Law.

WHEREAS, the County has title to certain parcels of property that are in a deteriorated condition and that need to be rehabilitated and returned to the tax rolls, and

WHEREAS, it is beneficial to the taxpayers of Cattaraugus County to have these properties rehabilitated and returned to the tax rolls, and

WHEREAS, the Cattaraugus County Land Bank Corporation (Land Bank) shall select homes within the County requiring rehabilitation, locate buyers for these properties and arrange for the County to sell these properties for a reduced price with the stipulation that the buyer will complete renovations within a specific time period, and

WHEREAS, in the event the buyer fails to complete the required renovations, the property will revert to the Cattaraugus County Land Bank Corporation for resale, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Cattaraugus County Land Bank Corporation, for the provision of the above-described services, for a term commencing October 1, 2017 to continue in full force and effect until terminated by either party hereto, according to the above-described terms.

Approved by 6 members of the Finance Committee and 5 members of the Development and Agriculture Committee.

Adopted October 25, 2017 by voice vote.

**ACT NO. 441-2017** by Mr. VanRensselaer and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE LOAN DOCUMENTS  
WITH *J&S BRYANT, INC., D/B/A*<sup>1</sup> LITTLE ROCK RESTAURANT & BAR, LLC  
FOR THE PURCHASE OF MACHINERY AND EQUIPMENT**

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

WHEREAS, Cattaraugus County has designated casino funds for economic development in the approved spending plan to address projects such as business retention and expansion by providing incentives to companies that retain and expand employment within Cattaraugus County, and

WHEREAS, *J&S Bryant, Inc., d/b/a*<sup>1</sup> Little Rock Restaurant & Bar, LLC, located at 8981 Reed Hill Road, East Otto, New York 14729, is in need of \$31,600.00 to help defray costs associated with purchasing the restaurant, machinery and equipment, and

WHEREAS, *J&S Bryant, Inc., d/b/a*<sup>1</sup> Little Rock Restaurant & Bar, LLC, will employ three (3) full-time equivalent positions and five (5) part-time equivalent positions, and

WHEREAS, the County administers its economic development loan program, using casino funds for economic development projects in the County, and

WHEREAS, it is proposed that the County loan to *J&S Bryant, Inc., d/b/a*<sup>1</sup> Little Rock Restaurant & Bar, LLC, the sum of \$31,600.00, at a 5% fixed interest rate per annum, to be repaid in monthly installments over a seven (7) year period, with the following conditions:

- Payments for months 1 (one) through 84 (eighty-four) shall be principal and interest in the amount of \$446.63, and
- The County's security interest in *J&S Bryant, Inc., d/b/a*<sup>1</sup> Little Rock Restaurant & Bar, LLC, and its machinery and equipment will be subordinate to a first lien position held by Northwest Bank,

and

WHEREAS, sufficient funds are included in the economic development fund from casino proceeds for this project, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute loan documents, on behalf of Cattaraugus County, with *J&S Bryant, Inc., d/b/a*<sup>1</sup> Little Rock Restaurant & Bar, LLC, for a term commencing upon signing of the loan documents and terminating seven (7) years thereafter, according to the above-described terms.

Approved by 6 members of the Finance Committee and 5 members of the Development and Agriculture Committee.

<sup>1</sup>MR. VANRENSELAER moved, seconded by Mr. Hale, to amend as follows: In the Title, First Whereas, Third Whereas, Fifth Whereas, and Resolved, before "Little Rock Restaurant & Bar, LLC", add: "J&S Bryant, Inc., d/b/a". Carried.

Adopted, as amended, October 25, 2017 by voice vote.

**ACT NO. 442-2017** by Mr. VanRensselaer and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
DMOPRŌZ FOR DEPARTMENT OF ECONOMIC DEVELOPMENT,  
PLANNING AND TOURISM COMMUNITY DEVELOPMENT INITIATIVE**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 301-2017 authorized a contract to accept funding through the Appalachian Regional Commission for the implementation of a Community Development Initiative that will provide an opportunity for all municipalities in Cattaraugus County to develop a community vision, motivate community members and business owners to think about positive changes, and to develop a community improvement plan, and

WHEREAS, the County Department of Economic Development, Planning and Tourism (EDP&T) has been awarded funding through the Appalachian Regional Commission to offset the cost of the aforementioned Community Development Initiative, and

WHEREAS, EDP&T is desirous of contracting with a consultant to assess Cattaraugus County as a tourism destination, and

WHEREAS, the consulting firm DMOPrōz (formerly known as Zeitgeist Consulting), 801 Woodward Drive, Madison, Wisconsin 53704, can provide an assessment and asset inventory for the County and provide an understanding of the County's readiness to welcome visitors and identify opportunities to enhance the County's position and magnetism as a destination, and

WHEREAS, the consulting firm DMOPrōz can provide the aforementioned services for an amount of \$40,000.00, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with DMOPrōz, for the provision of the above-described consultant services, for a term commencing November 1, 2017 and terminating September 30, 2018, according to the above-described terms.

Approved by 6 members of the Finance Committee and 5 members of the Development and Agriculture Committee.

Adopted October 25, 2017 by voice vote.

**ACT NO. 443-2017** by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE AGREEMENT WITH  
JAMES B. SCHWAB CO., INC. FOR RENTAL OF  
COUNTY OFFICE PHOTOCOPIERS**

Pursuant to Sections 208 and 450 of the County Law.

WHEREAS, Act 659-2015, as amended by Act 581-2016, authorized an agreement with James B. Schwab Co., Inc., 223 West Main Street, P.O. Box 6, Falconer, New York 14733-0006, for the provision of photocopiers to Cattaraugus County, the term of which expires December 31, 2017, and

WHEREAS, the Department of Information Services is desirous of obtaining new photocopiers, and

WHEREAS, James B. Schwab Co., Inc., has agreed to provide office photocopiers to the County, according to specifications provided by the Department of Public Works, in accordance with the following rate schedule:

Black and White – base price per copy	\$0.0193
Automatic Document Feeder	included
Duplexer	included
RADF	included
Sheet Drawer	included
Stapler	included
Sheet LCT	included
Print/Scan per page	included
Total Cost for Black and White copies	\$0.0193
Color Copiers – base price per copy	\$0.0270
RADF	included
Sheet Drawer	included
Stapler	\$0.0025
Sheet LCT	\$0.0018
Total Cost for Color copies	\$0.0313,

which includes all parts, labor, drums, developer and OEM toner, until December 31, 2021, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a rental agreement, on behalf of Cattaraugus County, with James B. Schwab Co., Inc., for the provision of the above-described equipment, contingent upon and subject to inclusion in the 2018 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2018 and terminating December 31, 2021, according to the above-described terms.

Approved by 6 members of the Finance Committee and 6 members of the County Operations/Public Safety Committee.

Adopted October 25, 2017 by voice vote.

**ACT NO. 444-2017** by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
BERGMANN ASSOCIATES, P.C. FOR ENGINEERING DESIGN SERVICES FOR  
GREAT VALLEY BRIDGE NO. 9 FEDERAL-AID REPLACEMENT PROJECT**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 569-2009, as amended by Acts 623-2010, 509-2011, 550-2013, 630-2014, 525-2015 and 615-2016, authorized a contract with Bergmann Associates, P.C., 200 First Federal Plaza, 28 East Main Street, Rochester, New York 14614, for the provision of engineering design services for the Great Valley Bridge No. 9 Federal Aid Replacement Project, the term of which expires December 31, 2017, and

WHEREAS, due to unanticipated and varying field conditions, construction support services are necessary for the aforementioned project, and

WHEREAS, Bergmann Associates, P.C. has agreed to provide the necessary construction support services for an additional amount of \$33,324.00, to be paid as invoiced, and

WHEREAS, the County Department of Public Works is also desirous of extending the term of the aforementioned contract to December 31, 2018, in order to allow for more time to complete the project, 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 an amended contract, on behalf of Cattaraugus County, with Bergmann Associates, P.C., for the provision of the above-described additional services and to extend the term of the original contract, which commenced October 20, 2009, as amended, to terminate December 31, 2018, according to the above-described terms.

Approved by 6 members of the Finance Committee and 7 members of the Public Works Committee.

Adopted October 25, 2017 by voice vote.

**ACT NO. 445-2017** by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
GREENMAN-PEDERSEN, INC. FOR CONSTRUCTION INSPECTION SERVICES FOR  
GREAT VALLEY BRIDGE NO. 9 RECONSTRUCTION PROJECT**

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

WHEREAS, Act 569-2009, as amended, authorized a contract with Bergmann Associates, P.C., for the provision of engineering design services for the Great Valley Bridge No. 9 Federal Aid Replacement Project, and

WHEREAS, construction inspection services are needed for the aforementioned project, and

WHEREAS, Greenman-Pedersen, Inc., 4950 Genesee Street, Suite 100, Buffalo, New York 14225, can provide the aforementioned construction inspection services for an amount of \$154,000.00, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Greenman-Pedersen, Inc., for the provision of the above-described construction inspection services, for a term commencing October 25, 2017 and terminating December 31, 2018, according to the above-described terms.

Approved by 6 members of the Finance Committee and 7 members of the Public Works Committee.

Adopted October 25, 2017 by voice vote.

**ACT NO. 446-2017** by Ms. Vickman and Ms. Hastings

**SUPPORTING APPLICATION OF CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD TO  
APPLY FOR FUNDING THROUGH NEW YORK STATE DEPARTMENT OF HEALTH  
FOR BEHAVIORAL HEALTH VALUE BASED PAYMENT READINESS GRANT**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Department of Community Services is a member of Integrity Partners for Behavioral Health (IPBH), a consortium established for the oversight, administration and delivery of mental health services, and

WHEREAS, funding is available through the New York State Department of Health for the Behavioral Health Value Based Payment Readiness Grant Program, and

WHEREAS, the Department of Community Services is desirous of applying for the aforementioned grant funding, as a member of the Consortium, which would be used for the oversight of the IPBH, working directly with the managed care organizations and the development and implementation of systems necessary to meet the criteria for data analytics, quality oversight and clinical integration, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents between the Cattaraugus County Community Services Board and the New York State Department of Health, to signify the County's approval, for the Department of Community Services to apply for the above-described grant funding, as a member of the Consortium, 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 October 25, 2017 by voice vote.

**ACT NO. 447-2017** by Mrs. Stockman, Mr. VanRensselaer and Mr. Neal  
*and Mr. Boberg, Mr. Breton, Mr. Hale, Mr. Helmich, Mr. Klancer,*  
*Ms. Vickman, Ms. Hastings, Mr. Koch and Mr. Padlo<sup>1</sup>*

**SUPPORTING INCREASED STATE FUNDING FOR CORNELL COOPERATIVE EXTENSION  
COUNTY ASSOCIATIONS IN NEW YORK STATE**

Pursuant to Section 153 of the County Law.

WHEREAS, Cornell Cooperative Extension is a formal collaboration between the National Institute of Food and Agriculture at USDA, the State of New York, county governments and the citizens of New York State that has served to apply unbiased, research-based knowledge from Cornell University, New York's Land Grant University, to the needs of New Yorkers and their communities for over 100 years, and

WHEREAS, local extension educators are key community partners in helping to implement state initiatives including maximizing agriculture and local food systems, strengthening the economy, promoting healthier eating habits and access to good nutrition, fighting poverty particularly in rural areas, protecting water quality and stewardship of New York's natural resources, building opportunity through STEM-based youth education and leadership skills in 4-H, promoting renewable energy options while protecting farmland resources, and partnering where appropriate in Taste NY initiatives to promote tourism and local food and farm businesses, and

WHEREAS, support from federal, state and county sources is essential to the continued success of locally-governed county cooperative extension associations, and

WHEREAS, state appropriations for county cooperative extension associations to match county government appropriations as authorized by Section 224(8) of the County Law have remained stagnant for seventeen years, and

WHEREAS, state funding is needed to ensure that the Cornell Cooperative Extension system can equitably work for all New York residents through increased resources to support rural, suburban and urban community development needs, now therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby supports increasing the state appropriation for Cornell Cooperative Extension associations to \$8 million, such funds to be distributed directly to the associations through Cornell University as agent for the State as provided by law, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Governor Cuomo, Senator Catharine Young, Assemblyman Joseph Giglio, the New York State Association of Counties, and the Western New York Inter-County Association.

Approved by 6 members of the Finance Committee and 5 members of the Development and Agriculture Committee.

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: “Mr. Boberg, Mr. Breton, Mr. Hale, Mr. Helmich, Mr. Klancer, Ms. Vickman, Ms. Hastings, Mr. Koch and Mr. Padlo”.

Adopted October 25, 2017 by voice vote.

**ACT NO. 448-2017** by Mrs. Stockman, Ms. Vickman, Ms. Hastings and Mrs. Labuhn  
*and Mr. Boberg, Mr. Breton, Mr. Hale, Mr. Helmich, Mr. Higgins, Mr. Neal,  
Mr. Snyder, Sr., Mr. VanRensselaer, Mr. Giardini, Mr. Koch and Mr. Padlo*<sup>1</sup>

**RESOLUTION HONORING 2017 AS THE 100<sup>TH</sup> ANNIVERSARY OF  
WOMEN'S SUFFRAGE IN NEW YORK STATE**

Pursuant to Section 153 of the County Law.

WHEREAS, this year, 2017, celebrates the 100<sup>th</sup> anniversary of the passage of the Suffrage Act in New York State, which granted women in New York State the right to vote in local and state elections, and

WHEREAS, New York State is home to the first Women's Rights Convention, which was held in Seneca Falls on July 19-20, 1848, being organized by Lucretia Mott and Elizabeth Cady Stanton, and

WHEREAS, on Nov. 6, 1917, 69 years later, women in New York State won the right to vote, and

WHEREAS, New York was the first State in the eastern United States to successfully approve women's suffrage, an act that led to the passage of the 19th Amendment to the United States Constitution recognizing the right for women to vote across the nation in 1920, and

WHEREAS, the story of how women won the right to vote is an integral part of New York State and its counties, and

WHEREAS, women have made a significant contribution as leaders in New York's counties, and

WHEREAS, this year, the New York State Association of Counties (NYSAC) established the NYSAC Women's Leadership Council to provide resources for and support to women holding county office and to engage women in seeking leadership positions in their communities and within NYSAC, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby recognizes and celebrates the crucial role that women of all races and ethnic and political backgrounds have played in New York's history, as well as their important role in NYSAC today, and be it further

RESOLVED, that the Cattaraugus County Legislature recognizes and celebrates 2017 as the 100<sup>th</sup> anniversary of women's suffrage in New York State, and be it further

RESOLVED, that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to Senator Catharine Young, Assemblyman Joseph Giglio and the New York State Association of Counties.

Approved by 6 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. Boberg, Mr. Breton, Mr. Hale, Mr. Helmich, Mr. Higgins, Mr. Neal, Mr. Snyder, Sr., Mr. VanRensselaer, Mr. Giardini, Mr. Koch and Mr. Padlo”.

Adopted October 25, 2017 by voice vote.

\* \* \* \* \*

MR. HALE moved, seconded by Mr. Klancer, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 449-2017 through Act No. 451-2017. Carried.

\* \* \* \* \*

**ACT NO. 449-2017** by Mr. Snyder, Sr. and Mrs. Stockman  
who ask immediate consideration

**DEFERRED COMPENSATION COMMITTEE RESOLUTION  
TO ADOPT FUND CHANGES**

Pursuant to Section 405 of the County Law and  
Section 5 of the State Finance Law.

WHEREAS, the Cattaraugus County Deferred Compensation Committee is required from time-to-time to review fund options within the Cattaraugus County 457 Deferred Compensation Plan, and

WHEREAS, the Cattaraugus County Deferred Compensation Committee previously met and discussed, and now recommends certain fund option alternatives, including replacing the PIMCO Total Return Bond Fund with the MassMutual Select Western Strategic Bond Fund, the Loomis Sayles Bond Admin Fund with the Pioneer Strategic Income Bond Fund, and the Hotchkis Wiley Mid-Cap Value Fund with the Perkins Mid-Cap Value Fund, now, therefore, be it

RESOLVED, that effective immediately, Cattaraugus County hereby adopts the fund changes described above, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute all documents necessary, on behalf of Cattaraugus County, with MassMutual Retirement Services, for the fund changes described above.

Adopted October 25, 2017 by voice vote.

**ACT NO. 450-2017** by Mr. Giardini and Ms. Hastings  
who ask immediate consideration

**AUTHORIZING THE CHAIR TO ACCEPT OFFER PRESENTED  
FOR SALE OF PROPERTY IN THE TOWN OF ALLEGANY  
(Five Mile Road)**

Pursuant to Section 215 of the County Law.

WHEREAS, Cattaraugus County has title to certain property situate in the Town of Allegany located at 3675 Five Mile Road, designated as Tax Map No. 75.004-1-54, and

WHEREAS, the County has received an offer in the amount of \$45,000.00 from Robert Granger, Jr., which is contingent upon the buyer obtaining financing, and

WHEREAS, it would be beneficial to the County to accept the offer of \$45,000.00, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to accept the above-described offer and execute a purchase contract, along with an early entry agreement, on behalf of Cattaraugus County, with Robert Granger, Jr., 1683 Allegany Street, Olean, New York 14760, according to the above-described terms.

Adopted October 25, 2017 by voice vote.

**ACT NO. 451-2017** by Mr. Giardini, Ms. Hastings, Mr. Koch, Mrs. Labuhn and Mr. Padlo  
who ask immediate consideration

**AUTHORIZING THE CHAIR TO PURCHASE VOICE RECORDING EQUIPMENT  
FOR THE AUDIO RECORDING OF LEGISLATIVE MEETINGS**

Pursuant to Section 450 of the County Law.

WHEREAS, the purchase and installation of voice recording equipment will facilitate the audio recording of legislative meetings, and

WHEREAS, the County's Purchasing Policy allows for the purchase of equipment up to \$20,000.00 without legislative approval, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to purchase voice recording equipment in the event it is in excess of \$20,000.00.

MR. PADLO and MR. KOCH requested a Roll Call Vote, which disclosed as follows:

Ayes: Giardini, Hastings, Koch, Labuhn, Padlo – 5.

Nays: Boberg, Breton, Hale, Helmich, Higgins, Klancer, Neal, Snyder, Sr., Stockman, VanRensselaer, Vickman – 11.

Act No. 451-2017 failed to receive a majority vote.

\* \* \* \* \*

MR. BOBERG moved, seconded by Mr. Helmich, to adjourn until November 8, 2017 at 4:00 p.m.  
Carried.

Meeting adjourned at 4:30 p.m.

Ann M. Giglio  
Journal Clerk