

October 10, 2018

The meeting was called to order by Chairman Snyder.

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed four Legislators absent – Boberg, Hastings, Klancer, Koch.

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CHAIRMAN SNYDER noted that the minutes of the September 26, 2018 session stand approved as presented.

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PRIVILEGE OF THE FLOOR:

CHAIRMAN SNYDER introduced JCC President, Dr. Daniel DeMarte.

CHAIRMAN SNYDER granted Privilege of the Floor to Scott Anderson, President and General Manager, and Joseph T. Pillittere, Communication Manager, of CHBWV, who presented an update on the decommissioning of the West Valley Demonstration Project.

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ACT NO. 432-2018 by Mr. Giardini and Mr. Helmich

**BID ACCEPTANCE FOR PRECAST CONCRETE BOX CULVERT FOR
GREAT VALLEY CULVERT NO. 62
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and
Sections 215 and 450 of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of a precast concrete box culvert for Great Valley Culvert No. 62, located in the Town of Great Valley, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications was the bid of Binghamton Precast & Supply Corp., 18 Phelps Street, Binghamton, New York 13901, for the provision of a precast concrete box culvert for Great Valley Culvert No. 62, for an amount of \$56,580.72, to be paid on a percent-of-completion basis, as invoiced and approved by the Department of Public Works, and

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

RESOLVED, that the bid of Binghamton Precast & Supply Corp., be, and the same hereby is, accepted, for a term commencing upon Notice of Award with shop drawings submitted within twenty (20) working days after the execution of the contract for approval and delivery to be made within 45 consecutive days from approval of the shop drawings, 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.
Three bids were received.

Approved by 6 members of the Finance Committee and 5 members of the Public Works Committee.

Adopted October 10, 2018 by voice vote.

ACT NO. 433-2018 by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
MICHELE BORRELLO, D/B/A TPS SUPPLY CORP. FOR
PROPANE GAS FOR ONOVILLE MARINA AND MARKHAMS HIGHWAY BARN**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Department of Public Works has solicited proposals from seven (7) companies for the provision of propane gas for heating at the Department of Public Works-Highway Division at Markhams and the Onoville Marina, and

WHEREAS, Michele Borrello, d/b/a TPS Supply Corp., 1820 Route 20, P.O. Box 287, Silver Creek, New York 14136, submitted the only proposal and can provide propane gas for heating at the aforementioned facilities as follows: Method #2 - fixed price of \$1.3790 per gallon, 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 a contract, on behalf of Cattaraugus County, with Michele Borrello, d/b/a TPS Supply Corp., for the provision of propane gas, for a term commencing October 1, 2018 and terminating September 30, 2019, according to the above-described terms.

Approved by 6 members of the Finance Committee and 5 members of the Public Works Committee.

Adopted October 10, 2018 by voice vote.

ACT NO. 434-2018 by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSIONS
WITH UNITED STATES DEPARTMENT OF AGRICULTURE
NATURAL RESOURCES CONSERVATION SERVICE
FOR SUPPLEMENTAL WATERSHED WORK PLANS
(Conewango Creek Watershed Site #13 Dam and
Ischua Creek Watershed Site #2 Dam)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 416-2014, as amended by Acts 474-2014, 354-2016 and 457-2017, authorized contracts with the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), for Supplemental Watershed Work Plan and Environmental Assessment funding for the following dams, which were originally constructed with assistance from USDA Watershed programs, the terms of which expire December 31, 2018:

Conewango Creek Watershed Site #13 Dam

Project Agreement 68-2C31-4-0027

Reimbursable Agreement 68-2C31-5-0001

Ischua Creek Watershed Site #2 Dam

Project Agreement 68-2C31-4-0028

Reimbursable Agreement 68-2C31-5-0002,

and

WHEREAS, it is necessary to extend the terms of the aforementioned contracts to December 31, 2019, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contract extensions, on behalf of Cattaraugus County, with the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), extending the terms of the original contracts to December 31, 2019, 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 Public Works Committee.

Adopted October 10, 2018 by voice vote.

ACT NO. 435-2018 by Ms. Vickman and Mr. Snyder, Jr.

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
MEDTRITION FOR NUTRITIONAL SUPPLEMENTS AND PRODUCTS
FOR DEPARTMENT OF NURSING HOMES**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Nursing Homes is in need of nutritional supplements and products for the residents of The Pines Healthcare and Rehabilitation Centers, and

WHEREAS, Medtrition, P.O. Box 5387, 2733 Lititz Pike, Lancaster, Pennsylvania 17606, can supply protein and other nutritional supplements and products for the Department of Nursing Homes for an amount not to exceed \$17,000.00 per year, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned products, 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 Medtrition, for the provision of the above-described nutritional supplements and products, 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 4 members of the Human Services Committee.

Adopted October 10, 2018 by voice vote.

ACT NO. 436-2018 by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE DOCUMENTS WITH
NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR
UNDERTAKING IN CONNECTION WITH HIGHWAY WORK PERMITS**

Pursuant to Sections 52, 103, 203, 249 and 250 of the Highway Law and
Section 450 of the County Law.

WHEREAS, the County periodically receives permits from the New York State Department of Transportation (NYSDOT) allowing the County to temporarily obstruct, install, construct, maintain, operate or replace any facilities within the bounds of a State highway right-of-way, and haul loads that require divisible load overweight permits and/or restricted vehicle permits, and

WHEREAS, undertakings to secure the County's faithful performance and indemnify the State of New York may be required, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute documents, on behalf of Cattaraugus County, with the New York State Department of Transportation, for undertakings in connection with highway work permits, for a term commencing September 1, 2018 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 Public Works Committee.

Adopted October 10, 2018 by voice vote.

ACT NO. 437-2018 by Mr. Boberg, Mr. Breton, Mr. Hale, Mr. Helmich, Mr. Higgins,
Mr. Klancer, Mr. Snyder, Jr., Mr. Snyder, Sr., Mr. VanRensselaer, Ms. Vickman,
Mr. Giardini, Mr. Koch, Ms. Hastings, Mrs. Labuhn and Mr. Padlo

**LOCAL LAW NUMBER 8 - 2018
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 215 of the County Law and
Section 24 of the Municipal Home Rule Law.

**A LOCAL LAW AUTHORIZING LEASE AGREEMENT FOR
CONEWANGO REFUSE TRANSFER STATION SITE**

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

Section 1. Legislative Intent. It is the intent of this local law to enter into a long term lease agreement for the property currently occupied by the County Department of Public Works for the Conewango Refuse Transfer Station site.

Section 2. Property Description. Cattaraugus County hereby leases from Wayne H. McGuire, 4664 NYS Route 241, Randolph, New York 14772, the property identified as being part of Tax Map No. 61.003-1-28.1, described as follows:

ALL THAT PARCEL OF LAND, situate in the Town of Conewango, County of Cattaraugus, State of New York, being part of Lot 27, Town 3, Range 9 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point lying at the intersection of the centerline of NYS Route 241 and the southerly bounds of the lands of Wayne H. McGuire (reputed owner) as described in deed recorded in the Cattaraugus County Clerk's Office in Liber 1032 at Page 602, said southern bounds also being the northerly bounds of the lands of Cheryl Vaninetti (reputed owner) as described in deed recorded in the Cattaraugus County Clerk's Office in Liber 988 at Page 620;

THENCE easterly along the southerly bounds of Town (northerly bounds of Vaninetti) a distance of 355.00 feet to a point;

THENCE northerly through the lands of Town, turning an interior angle of 90 00'00", a distance of 240.03 feet to a point;

THENCE westerly through the lands of Town, turning an interior angle of 90 18'36", a distance of 183.51 feet to a point;

THENCE southwesterly through the lands of Town, turning an interior angle of 167 55'31", a distance of 100.00 feet to a point lying on the centerline of NYS Route 241;

THENCE southwesterly through the lands of Town, turning an interior angle of 169 31'41", a distance of 186.12 feet to a point lying on the centerline of NYS Route 241;

THENCE southeasterly along the centerline of NYS Route 214 following a curve to the left having a radius of 1,356.25 feet and an arc length of 179.85 feet to the point of beginning, containing 91,623.91 square feet (2.103 acres) of land, more or less.

This lease is subject to rights of the public and others to that portion lying within the bounds of NYS Route 241.

Section 3. Term of Lease. The term of this lease shall commence February 1, 2019 and terminate January 31, 2029, with an option by the County to renew for additional five-year terms.

Section 4. Lease Payments. Payments shall be made by Cattaraugus County to Wayne H. McGuire in accordance with the following terms:

Years	Payment
1-5	\$2,500.00 annually
6-10	\$2,600.00 annually
11-15 and thereafter	\$2,700.00 annually

Section 5. Severability. If any clause, sentence, paragraph, section, subdivision or other part of this

Local Law or its applications shall be adjudged by a Court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or otherwise invalidate the remainder of this Local Law which shall remain in full force and effect except as limited by such order or judgment.

Section 6. Effective Date. This Local Law shall take effect February 1, 2019.

Section 7. Supersession. This Local Law supersedes Local Law 1-2004 (Intro No. 24-2003).

Approved by 6 members of the Finance Committee.

No further action taken at this time.

ACT NO. 438-2018 by Mr. Boberg, Mr. Breton, Mr. Hale, Mr. Helmich, Mr. Higgins,
Mr. Klancer, Mr. Snyder, Jr., Mr. Snyder, Sr., Mr. VanRensselaer, Ms. Vickman,
Mr. Giardini, Mr. Koch, Ms. Hastings, Mrs. Labuhn and Mr. Padlo

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 8 - 2018

Pursuant to Section 10 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on October 10, 2018, a proposed Local Law entitled "A Local Law Authorizing Lease Agreement for Conewango Refuse Transfer Station Site", and

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

RESOLVED, that a public hearing shall be held on the proposed local law by this County Legislature on the 24th day of October, 2018, at 4:02 p.m. at the Legislature's Chambers, County Office Building, 303 Court Street, Little Valley, New York, and that at least five days' notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Approved by 6 members of the Finance Committee.

Adopted October 10, 2018 by voice vote.

ACT NO. 439-2018 by Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
VARIOUS AGENCIES FOR EMERGENCY MEDICAL DIRECTOR SERVICES**

Pursuant to Article 30-A of the Public Health Law.

WHEREAS, Act 76-2017 authorized contracts with various agencies for emergency medical director services, the terms of which expire December 31, 2018, and

WHEREAS, the New York State Department of Health (NYSDOH) recommends that every emergency medical services (EMS) agency providing pre-hospital emergency medical care have a physician medical director, and

WHEREAS, various EMS agencies desire to have the County provide the services of a qualified physician to act as their medical director, and

WHEREAS, the County Office of Emergency Services has the ability to provide the services of a qualified physician to act as a medical director for EMS agencies, and

WHEREAS, each EMS agency agrees to pay the County an annual fee based on the average number of patient care reports generated through each EMS agency, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with various EMS agencies, for the provision of EMS medical director services, for a program term commencing January 1, 2019, with individual contracts to be effective on different dates, and all contracts terminating December 31, 2020, according to the above-described terms.

Approved by 6 members of the Finance Committee and 7 members of the County Operations/Public Safety Committee.

Adopted October 10, 2018 by voice vote.

ACT NO. 440-2018 by Mr. Klancer

AMENDING ACT 216-1979 REGARDING FIRE INVESTIGATION UNIT

Pursuant to Section 153 of the County Law and
Section 91-a of the General Municipal Law.

WHEREAS, Act 216-1979, as amended by Acts 297-1982 and 534-2007, established the Fire Investigation Unit under the Sheriff's Department, and

WHEREAS, the Fire Investigation Unit is comprised of five (5) at-large members, one (1) deputy sheriff and two (2) firefighters, and

WHEREAS, the five (5) at-large members and the one (1) deputy sheriff are appointed by the Cattaraugus County Sheriff, and

WHEREAS, the two (2) firefighters are currently appointed by the Sheriff upon the recommendation of the Fire Advisory Board, and

WHEREAS, inasmuch as the Fire Advisory Board is no longer active, the two (2) firefighters should be appointed by the Sheriff upon the recommendation of the Cattaraugus County Fire Investigation Team, now, therefore, be it

RESOLVED, that the two (2) firefighters shall be appointed by the Sheriff, upon the recommendation of the Cattaraugus County Fire Investigation Team, and be it further

RESOLVED, that effective immediately, Act 216-1979, as amended, is hereby superseded to the extent that it is inconsistent herewith.

Approved by 6 members of the Finance Committee and 7 members of the County Operations/Public Safety Committee.

Adopted October 10, 2018 by voice vote.

ACT NO. 441-2018 by Mr. Klancer**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
LEGAL ASSISTANCE OF WESTERN NEW YORK, INC. FOR
FAMILY COURT LEGAL REPRESENTATION OF INDIGENT PERSONS**

Pursuant to Sections 450 and 722 of the County Law.

WHEREAS, Act 511-2015 authorized a contract with Legal Assistance of Western New York, Inc., 104 East Steuben Street, Bath, New York 14810, for the provision of legal representation in Family Court to those who are financially unable to obtain counsel pursuant to New York State County Law Section 722, where there exists a conflict with the Public Defender's Office, the term of which expires December 31, 2018, and

WHEREAS, the County Public Defender's Office is desirous of renewing the aforementioned contract, and

WHEREAS, Legal Assistance of Western New York, Inc., agrees to provide the aforementioned legal services for approximately 540 cases referred to Family Court for an amount as follows:

2019	\$403,705.00
2020	\$411,779.00
2021	\$420,015.00,

and

WHEREAS, it is understood that Legal Assistance of Western New York, Inc., shall continue to provide legal representation at the appellate level for its cases that are appealed, at no additional cost, 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 Legal Assistance of Western New York, Inc., for the provision of the above-described services, contingent upon and subject to the inclusion in the 2019 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2019 and terminating December 31, 2021, according to the above-described terms.

Approved by 6 members of the Finance Committee and 7 members of the County Operations/Public Safety Committee.

Adopted October 10, 2018 by voice vote.

ACT NO. 442-2018 by Ms. Vickman and Mr. Giardini**ADOPTION OF CATTARAUGUS COUNTY DRESS POLICY**

Pursuant to Section 153 of the County Law.

WHEREAS, the Cattaraugus County Legislature is desirous of establishing a policy which requires the appearance of County employees to be consistent with the professional image of Cattaraugus County, now, therefore, be it

RESOLVED, that the following Cattaraugus County Dress Policy is hereby adopted by the Cattaraugus County Legislature:

CATTARAUGUS COUNTY DRESS POLICY

Attire worn by County employees shall be clean, neat and customary to the job duties associated with each respective employee's work environment.

1. Acceptable Attire Includes:

- a) Skirts, pants, and clothing that cover the back, midriff, and undergarments.
- b) Footwear must be worn at all times. Shoes should be clean and in good condition. Shoes must have hard soles (e.g. rubber, leather, or other synthetic material).
- c) Jewelry must not interfere with job performance or job safety.
- d) Attire should be neat and professional.
- e) Denim may be worn if it is not dirty, ripped, frayed, tattered or torn. However, denim is not acceptable attire if an employee, as a representative of the County, is engaged in one of the following: (1) appearing or testifying before a legislative body, court, or quasi-judicial hearing; (2) representing the County in press briefings or press conferences; or (3) providing formal presentations on behalf of the County to a community forum or group of County residents. If an employee has advance notice that they will be participating in any of the three aforementioned functions, or a similar function, the employee shall not wear denim to work on that particular day.
- f) Where "Business Casual" attire has been the practice, it will continue to be observed.
- g) When County employees are off County property and on official business, their County identification badge must be visible.

2. Unacceptable Attire Includes:

- a) Clothing that is soiled, stained, torn, patched, ripped or frayed.
- b) Flip-flops or shoes not intended for wear outdoors.
- c) Sweatpants.
- d) Shorts or Skirts that rest more than 3 inches above the knee.
- e) Clothing that reveals undergarments (or where undergarments typically are).
- f) Any Clothing that would violate Cattaraugus County's Corporate Compliance Policy.

3. Employees with specific clothing requests should see their manager/designee. Reasonable exceptions will be made to accommodate injuries, disabilities, ethnic or religious reasons, or as required by law.

4. These guidelines do not apply to employees whose job duties require uniforms, OSHA required safety clothing, coveralls, employees of the Department of the Nursing Homes that are required to wear uniforms, or law enforcement personnel. Department of Public Works employees working outside of an office setting (in the field) may wear mildly stained, torn, patched, ripped or frayed clothing as long as the clothing does not provide a safety hazard.

Approved by 6 members of the Finance Committee and 4 members of the Labor Relations Committee.

Adopted October 10, 2018 by voice vote.

ACT NO. 443-2018 by Mr. Hale, Mr. Higgins, Mr. Snyder, Jr., Mr. VanRensselaer,
Ms. Hastings, Mr. Koch, Mrs. Labuhn and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE LOAN DOCUMENTS
WITH MONROE TABLE COMPANY, INC.
FOR JOB TRAINING ASSISTANCE**

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, the County is desirous of retaining and expanding employment in Cattaraugus County, and

WHEREAS, Monroe Table Company, Inc., 270 Rochester Street, Salamanca, New York 14755, has purchased a new CNC machine and needs technical training on the new CNC machine and the onboard software, 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 Monroe Table Company, Inc., the sum of \$5,000.00, with the following conditions:

- Monroe Table would be eligible for loan principal forgiveness in the amount of \$5,000.00 after loan #1105 is paid in full through on-time monthly payments by July 2023; In order to maintain eligibility for loan principal forgiveness, loan repayments for loan #1105 must be made on time; in the event of an untimely monthly payment, such eligibility for loan principal forgiveness will be null and void;
- In the event Monroe Table Company, Inc., defaults and is no longer eligible for loan principal forgiveness, then, the first monthly payment of this \$5,000 loan is due August 1, 2023, at 5% fixed interest rate per annum, to be repaid in monthly installments over a one (1) year period,

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 Monroe Table Company, Inc., for a term commencing upon signing of the loan documents, according to the above-described terms.

Approved by 6 members of the Finance Committee.

ACT NO. 444-2018 by Mr. Boberg, Mr. Helmich, Mr. Klancer,
Ms. Vickman, Mr. Koch and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
VARIOUS MUNICIPALITIES FOR ASSESSMENT SERVICES**

Pursuant to Section 1537(4) of the Real Property Tax Law
and Section 450 of the County Law.

WHEREAS, Real Property Tax Law Section 1537(4) authorizes municipalities which have adopted a resolution subject to permissive referendum providing for a single appointed assessor to enter into an agreement with a county for assessment services, and

WHEREAS, the Cattaraugus County Real Property Tax Service Office has the ability to provide assessment services to municipalities within the County that request such services, and

WHEREAS, a municipal cooperation agreement between the municipality requesting such assessment services and the County is necessary, and

WHEREAS, the County Real Property Tax Service Office shall provide the aforementioned assessment services to the municipalities for a lump sum amount to be agreed upon between the parties, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with various municipalities, for the provision of the above-described assessment services, for a term to be agreed upon between the parties, according to the above-described terms.

Approved by 6 members of the Finance Committee and 7 members of the County Operations/Public Safety Committee.

Adopted October 10, 2018 by voice vote.

ACT NO. 445-2018 by Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE LICENSE AGREEMENT WITH
PICTOMETRY INTERNATIONAL CORP. FOR
AERIAL PHOTOGRAPHY SOFTWARE SUPPORT SERVICES AND LICENSES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 585-2017 authorized a License Agreement with Pictometry International Corp. for the provision of software support services and licenses for aerial photography software, the term of which expires December 31, 2018, and

WHEREAS, the Office of Real Property Tax Services is desirous of continuing the software support services and licenses, and

WHEREAS, Pictometry International Corp., 100 Town Centre Drive, Suite A, Rochester, New York 14623, can provide software support services and licenses to the County for an amount of \$2,950.00, 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 License Agreement, on behalf of Cattaraugus County, with Pictometry International Corp., for the provision of the above-described software support services and licenses, contingent upon and subject to the inclusion in the 2019 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2019 and terminating December 31, 2019, according to the above-described terms.

Approved by 6 members of the Finance Committee and 7 members of the County Operations/Public Safety Committee.

Adopted October 10, 2018 by voice vote.

ACT NO. 446-2018 by Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SYSTEMS DEVELOPMENT GROUP, INC. FOR
REAL PROPERTY TAX SERVICES
IMAGE MATE ONLINE SUPPORT AGREEMENT**

Pursuant to Section 1532 of the Real Property Tax Law and
Section 450 of the County Law.

WHEREAS, Act 584-2017 authorized a contract with Systems Development Group, Inc., 441 Trenton Avenue, Utica, New York 13502, for the provision of imaging software and services for the County Real Property Tax Services online support, the term of which expires December 31, 2018, and

WHEREAS, the County Office of Real Property Tax Services is desirous of continuing the aforementioned technical support for the Image Mate Online, and

WHEREAS, Systems Development Group, Inc., can provide the necessary online support of the Image Mate Online System for an amount as follows:

Annual Fee	\$25,000.00
Software Support	\$85.00/hr., including travel time
Custom Software Enhancement	\$100.00/hr.,

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 Systems Development Group, Inc., for the provision of the above-described services, contingent upon and subject to the inclusion in the 2019 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2019 and terminating December 31, 2019, according to the above-described terms.

Approved by 6 members of the Finance Committee and 7 members of the County Operations/
Public Safety Committee.

Adopted October 10, 2018 by voice vote.

ACT NO. 447-2018 by Ms. Vickman and Mr. Snyder, Jr.

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
BOISE STATE UNIVERSITY FOR
EDUCATIONAL CLINICAL EXPERIENCE PROGRAMS**

Pursuant to Section 450 of the County Law.

WHEREAS, Boise State University, 1910 University Drive, Boise, Idaho 83725, is desirous of implementing a field instruction program component in its Clinical Mental Health Program, and

WHEREAS, the Department of Community Services is desirous of working collaboratively with the Clinical Mental Health Program at Boise State University for training and educational clinical experience programs to mental health program students who would benefit from field placement experience in the Cattaraugus County Department of Community Services, and

WHEREAS, the Department of Community Services has agreed to allow the program to be conducted at the Department's facilities at no cost to the County, and

WHEREAS, in the event other County departments are desirous of participating in a clinical experience program with Boise State University, then additional contracts may be entered into pursuant to this act, 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 Boise State University, for the provision of the above-described educational clinical experience program, for a term commencing January 1, 2019 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 4 members of the Human Services Committee.

Adopted October 10, 2018 by voice vote.

ACT NO. 448-2018 by Ms. Vickman and Mr. Snyder, Jr.

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
OLEAN GENERAL HEALTHCARE SYSTEMS FOR RESPIRATORY EQUIPMENT**

Pursuant to 10 NYCRR Section 415.12(k) and
Section 450 of the County Law.

WHEREAS, Act 406-2013, as amended by Acts 440-2014, 69-2017 and 403-2017, authorized a contract with Olean General Healthcare Systems, 234 Homer Street, Olean, New York 14760, for the provision of respiratory equipment and related services to the County Department of Nursing Homes, the term of which expired September 30, 2018, and

WHEREAS, the County is desirous of extending the aforementioned contract until December 31, 2018, in order to rebid the services, and

WHEREAS, Olean General Healthcare Systems shall continue to provide the aforementioned respiratory equipment and related services for the Department of Nursing Homes, and any other County Department that may need such equipment, in accordance with the following rate schedule:

<u>Description</u>	<u>Rate Per Unit</u>	<u>Comments</u>
Oxygen Concentrators, 5 liter	\$1.60/day	
Portable Oxygen Concentrator	\$5.00/day	
BiPAP-S	\$3.00/day	Equipment "caps" after 13 months and becomes property of the facility *
CPAP	\$2.35/day	Equipment "caps" after 13 months and becomes property of the facility *
CiPAP-S/T (ventilator)	\$6.50/day	
Air Compressors (50 psi)	\$1.00/day	
Miscellaneous Supplies	25% off list	
Pulse Oximeter	\$20.00/month	

Oxygen Conservers \$10.00/month

Ventilators BiPAP-S/T \$295.00/month

RT Visit for facility-owned equipment \$100.00

Repairs on facility-owned equipment Repair estimate will be given

*Capped equipment becomes the property of the facility after 13 rental payments. During the rental period, repairs are included. After the rental period, repairs and clinician consults can be requested and will be billed to the facility.

Services for a respiratory therapist for clinical support and routine maintenance/calibration of equipment shall be included by the vendor.

In-service training and documentation will also be provided by the vendor.

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 a contract extension, on behalf of Cattaraugus County, with Olean General Healthcare Systems, for the provision of the above-described services, for a term commencing October 1, 2018 and terminating December 31, 2018, according to the above-described terms.

Approved by 6 members of the Finance Committee and 4 members of the Human Services Committee.

Adopted October 10, 2018 by voice vote.

* * * * *

MR. SNYDER, JR., moved, seconded by Mr. Helmich, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 449-2018 through Act No. 459-2018, inclusive. Carried.

* * * * *

ACT NO. 449-2018 by Mr. Snyder, Sr., Mr. Snyder, Jr. and Ms. Vickman
who ask immediate consideration

APPOINTMENT TO COMMUNITY SERVICES BOARD

Pursuant to Section 41.11 of the Mental Hygiene Law.

RESOLVED, that the following individual is appointed to the Community Services Board effective April 6, 2018, to fill the unexpired term of Daniel Piccioli, which term expires December 31, 2020:

Anthony Turano
4566 East Bucktooth Run Road
Little Valley, New York 14755.

Adopted October 10, 2018 by voice vote.

ACT NO. 450-2018 by Mr. Snyder, Sr., Mr. Snyder, Jr. and Ms. Vickman
who ask immediate consideration

**APPOINTMENT TO COMMUNITY SERVICES BOARD
ALCOHOL & SUBSTANCE ABUSE SUBCOMMITTEE**

Pursuant to Section 41.11 of the Mental Hygiene Law.

RESOLVED, that the following individual is appointed to the Community Services Board Alcohol and Substance Abuse Subcommittee effective April 6, 2018:

Anthony Turano
4566 East Bucktooth Run Road
Little Valley, New York 14755,
to fill the unexpired term of Daniel Piccioli, which term expires December 31, 2020.

Adopted October 10, 2018 by voice vote.

ACT NO. 451-2018 by Mr. Snyder, Jr.
who asks immediate consideration

**APPOINTMENT TO COUNTY OF CATTARAUGUS
INDUSTRIAL DEVELOPMENT AGENCY BOARD OF DIRECTORS**

Pursuant to Section 856 of the General Municipal Law.

RESOLVED, that the following individual is hereby appointed to the County of Cattaraugus Industrial Development Agency Board of Directors:

John Stahley
Dresser-Rand
500 Paul Clark Drive
Olean, New York 14760
(replacing Gregory Fitzpatrick, who resigned),

and be it further

II. RESOLVED, that the Clerk of the Legislature be, and hereby is, directed to forward a certified copy of this resolution to the County of Cattaraugus Industrial Development Agency.

Adopted October 10, 2018 by voice vote.

ACT NO. 452-2018 by Mr. Giardini and Mr. Helmich
who ask immediate consideration

**BID ACCEPTANCE FOR REPLACEMENT OF FRANKLINVILLE BRIDGE NO. 22
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the replacement of Franklinville Bridge No. 22 in the Town of Franklinville, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications was the bid of Keleman-Bauer Construction, Inc., d/b/a Edbauer Construction, 2790 Clinton Street, West Seneca, New York 14224, in the amount of \$1,910,917.00, to be paid periodically based on a percentage of completion, as invoiced and approved by the Department of Public Works, and

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

RESOLVED, that the bid of Keleman-Bauer Construction, Inc., d/b/a Edbauer Construction, be, and the same hereby is, accepted, for a term commencing within ten (10) days of the effective date of the contract, with completion on or before October 25, 2019, with a contract termination date of December 31, 2019, and be it further

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

No State Bid.

Eight sets of specifications were sent out.

Six bids were received meeting specifications.

Adopted October 10, 2018 by voice vote.

ACT NO. 453-2018 by Public Works Committee:

Mr. Giardini, Mr. Helmich, Mr. Boberg, Mr. Breton,
Mr. Klancer, Mr. Snyder, Jr. and Mr. Koch
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE SUPPLEMENTAL CONTRACT NO. 2 WITH
POPLI DESIGN GROUP FOR CONSTRUCTION ADMINISTRATION SERVICES FOR
FRANKLINVILLE BRIDGE NO. 22 REPLACEMENT PROJECT**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 54-2017, as amended by Acts 574-2017 and 286-2018, authorized a contract with Popli Design Group, 555 Penbrooke Drive, Penfield, New York 14526, with local offices at 374 Delaware Avenue, Suite 306, Buffalo, New York 14202, for the provision of engineering design services necessary for the replacement of Franklinville Bridge No. 22, and the inclusion of Parts 1 through 5, with the addition of wetlands delineation, the term of which expires December 31, 2018, and

WHEREAS, an amendment of the aforementioned contract is necessary in order to include construction administration services, and

WHEREAS, Popli Design Group has agreed to provide construction administration services for the aforementioned replacement project, for an additional amount not to exceed \$15,000.00, to be paid as invoiced and approved by the Department of Public Works, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute Supplemental Contract No. 2, on behalf of Cattaraugus County, with Popli Design Group, for the provision of the above-described construction administration services, which amends the original contract dated February 17, 2017 and extends the term to December 31, 2019, according to the above-described terms.

Adopted October 10, 2018 by voice vote.

ACT NO. 454-2018 by Mr. Giardini and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
GREENMAN-PEDERSEN, INC. FOR
FRANKLINVILLE BRIDGE NO. 22 REPLACEMENT PROJECT
CONSTRUCTION INSPECTION SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, construction inspection services are necessary for the Franklinville Bridge No. 22 replacement project, located on Five Mile Road (County Road No. 19) over Ischua Creek, and

WHEREAS, Greenman-Pedersen, Inc., 4950 Genesee Street, Suite 100, Buffalo, New York 14225, can provide the necessary construction inspection services for the construction phase of the aforementioned project for an amount not to exceed \$151,000.00 to be paid periodically on a cost-plus basis as determined by the Department of Public Works, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Greenman-Pedersen, Inc., for the provision of the above-described construction inspection services for the construction phase of the above-described replacement project, for a term commencing October 10, 2018 and terminating December 31, 2019, according to the above-described terms.

Adopted October 10, 2018 by voice vote.

ACT NO. 455-2018 by Mr. Giardini and Mr. Helmich
who ask immediate consideration

**REJECTING CERTAIN BIDS FOR
SHERIFF'S OFFICE CALL CENTER FIRE PROTECTION IMPROVEMENTS
(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 Sheriff's Office Call Center Fire Protection Improvement Project, 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 28, 2018, were higher than expected and, due to budgetary constraints, should be rejected and the project rebid, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby rejects the bids received for the Sheriff's Office Call Center Fire Protection Improvement Project, and authorizes the project to be rebid.

Adopted October 10, 2018 by voice vote.

ACT NO. 456-2018 by Ms. Vickman
who asks immediate consideration

**ADJUSTING VARIOUS APPROPRIATION ACCOUNTS FOR PURCHASE
OF CONVECTION STEAMER FOR DEPARTMENT OF NURSING HOMES**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, the Department of Nursing Homes is in need of a new convection steamer for The Pines Healthcare and Rehabilitation Center-Olean Campus, and

WHEREAS, a Cleveland Range Model No. 24CGA10.2 Steamcraft Gemini 10 convection steamer is being purchased from Supplies on the Fly, a Sysco Company, for an amount of \$15,310.47, and

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

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

Decrease Appropriation Account:

EF.453.4530.1190.20101	Capital Equipment Purchase-Vehicles	\$15,310.47
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Increase Appropriation Account:

EF.453.4530.1190.20203	Capital Equipment Purchase-Kitchen Equipment	\$15,310.47.
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Adopted October 10, 2018 by voice vote.

ACT NO. 457-2018 by Mr. Snyder, Sr.
who asks immediate consideration

**UPDATING SEXUAL HARASSMENT POLICY FOR CATTARAUGUS COUNTY
AND RESCINDING ACT 269-1998**

Pursuant to Section 153 of the County Law.

WHEREAS, Act 269-1998 established the Cattaraugus County Sexual Harassment Policy, and

WHEREAS, the 2018-2019 New York State Budget included new requirements intended to combat sexual harassment in the workplace, and

WHEREAS, Cattaraugus County should update its sexual harassment policy, now, therefore, be it

RESOLVED, that Act 269-1998 be, and hereby is, rescinded, and be it further

RESOLVED, the Cattaraugus County Legislature hereby adopts the Cattaraugus County Sexual Harassment Policy as set forth below to be effective October 9, 2018:

CATTARAUGUS COUNTY
SEXUAL HARASSMENT POLICY

1. Statement of Purpose and Scope

Cattaraugus County is committed to maintaining a work environment free of unlawful discrimination and harassment, and therefore, has zero tolerance for workplace sexual harassment.

Sexual harassment consists of any unwelcome conduct, whether verbal, visual or physical, that is based upon a person's gender. Such conduct is unlawful and prohibited whenever it affects tangible job benefits, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive working environment.

Sexual harassment undermines the integrity of the employment relationship. All employees have the right to work in an environment free from unsolicited and unwelcome sexual overtures. Cattaraugus County will not tolerate any form of gender-based or sex-based discrimination, including any kind of sexual harassment against any employee or applicant for employment. Such discrimination violates federal and state law, and Cattaraugus County's Sexual Harassment Policy.

2. Definition

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal, visual, and physical conduct of a sexual nature whenever:

- a. Submission to the conduct is made either in explicit or implicit condition of employment;
- b. Submission to or rejection of the conduct is used as the basis for an employment decision affecting the harassed employee; or
- c. Harassing conduct unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or offensive working environment.

3. Examples of Conduct Constituting Sexual Harassment

Sexual harassment can involve an almost infinite variety of conduct. Such examples include, but are not limited to, the following:

- a. Unwelcome physical contact with sexual overtones;
- b. Sexually offensive comments such as slurs, jokes, epithets, and innuendo;
- c. Inappropriate, repeated, or unwelcome sexual flirtations, advances, or propositions;
- d. Inappropriate or suggestive comments about another person's physical appearance, characteristics or dress;

- e. Exchanging or offering to exchange any kind of employment benefit for a sexual concession, e.g., promising a promotion or raise in exchange for sexual favors; or
- f. Withdrawing or threatening the withdrawal of any kind of employment benefit for refusing to grant a sexual favor.

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. A perpetrator of sexual harassment can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises or not during work hours.

4. Applicability of Policy

The prohibition against sexual harassment applies to everyone – managers, supervisors, salaried and hourly workers, temporary employees, paid and unpaid interns, contractors, vendors and visitors. Cattaraugus County will not tolerate sexual harassment of any kind by anyone or directed at anyone.

5. Reporting Sexual Harassment

Any employee who believes that he or she has been sexually harassed should report the incident to their immediate supervisor. If you consider a discussion with your immediate supervisor inappropriate, you may bypass your supervisor and report the incident directly to Human Resources. Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf.

Complaints of sexual harassment will be investigated thoroughly and quickly. Upon receipt of complaint, a supervisor will inform Human Resources. Human Resources will conduct an immediate review of the allegations and take any interim actions, as appropriate. If documents, emails or phone records are relevant to the allegations, Human Resources will take steps to obtain and preserve them. Human Resources will request and review all relevant documents, including all electronic communications. Human Resources will interview all parties involved, including any relevant witnesses. Human Resources will document the steps taken in the investigation and the information learned. Human Resources will consider other relevant information such as any prior similar events whether reported or unreported. Based on the information learned in the investigation, Human Resources will determine whether any inappropriate conduct occurred and, whenever appropriate, disciplinary action will be taken against the harassing party, up to and including termination. Cattaraugus County will also take appropriate action to deter further sexual harassment. You will be advised of the results of the investigation and of any action taken, if appropriate.

Employees, supervisors, and managers must report any incident of sexual harassment they may observe, even if they are not the target or victim of such harassment. Such reports will be handled in the same fashion as complaints by victims of sexual harassment.

6. Confidentiality

Any allegation of sexual harassment brought to the attention of their immediate supervisor or Human Resources will be promptly investigated. Confidentiality will be maintained throughout the investigatory process, to the extent practicable under the circumstances.

7. Discipline for Engaging in Sexual Harassment

Any employee found to have engaged in misconduct constituting sexual harassment will be subject to appropriate discipline, up to and including termination. Additional action may include: referral to counseling, withholding of a promotion, reassignment, temporary suspension without pay or financial penalties.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

This policy is designed to protect all employees from sexual harassment in any way associated with the workplace or work environment, regardless of the identity or status of the harasser. Although Cattaraugus County's ability to discipline a non-employee harasser may be limited by the degree of control, if any, that it has over the alleged harasser, any employee who believes that they have been subjected to sexual harassment should file a complaint and be assured that appropriate action will be taken.

8. Protection Against Retaliation

Cattaraugus County will not in any way retaliate against any employee who makes a complaint of sexual harassment or against any participant in the investigation, nor will it permit any supervisor or employee to do so. Retaliation is a serious violation of this sexual harassment policy and should be reported immediately in the same method that sexual harassment is to be reported. Any employee found to have retaliated against another employee for reporting sexual harassment will be subject to the same disciplinary action described above.

Further, any employee who makes an intentionally false complaint also will be subject to the same disciplinary action as described above.

9. Legal Protections and External Remedies

Sexual harassment is not only prohibited by Cattaraugus County, but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at Cattaraugus County, employees may also choose to pursue legal remedies with the following governmental entities:

New York State Division of Human Rights (DHR)

The Human Rights Law (HRL), codified as N.Y. Executive Law, Article 15, §290 et seq., applies to employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns, and non-employees regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with DHR or in New York State Supreme Court.

Complaints with DHR may be filed any time **within one year** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** of the alleged discrimination. An individual may not file with DHR if they have already filed a HRL complaint in state court.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR. DHR will investigate your complaint and determine whether there is probable cause to believe that discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying monetary damages, attorney's fees and civil fines.

You can contact DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

United States Equal Employment Opportunity Commission (EEOC)

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. §2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred.

Contact the EEOC by calling 1-800-669-4000 (1-800-669-6820 (TTY)), visiting their website at www.eeoc.gov or via email at info@eeoc.gov

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists.

Contact the Local Police Department

If the harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

Complaint Form for Reporting Sexual Harassment

New York State Labor Law requires all employers to adopt a sexual harassment prevention policy that includes a complaint form for employees to report alleged incidents of sexual harassment. If you believe that you have been subjected to sexual harassment, you are encouraged to complete this form and submit it to your Department Head/Supervisor/Manager. Once you submit this form, your employer must follow its sexual harassment prevention policy and investigate any claims. If you are more comfortable reporting verbally or in another manner, your employer is still required to follow its sexual harassment prevention policy by investigating the claims as outlined at the end of this form. For additional resources, visit: ny.gov/combating-sexual-harassment.

COMPLAINANT INFORMATION

Name: _____

Home Address: _____

Phone: _____

Job Title: _____

Select Preferred Communication Method: Written _____ Verbal _____

MANAGEMENT INFORMATION

Department Head/Supervisor/Manager's Name: _____

Title: _____

Work Phone: _____

COMPLAINT INFORMATION

1. Your complaint of Sexual Harassment is made against:

Name: _____

Title: _____

Phone: _____

Relationship to you: Department Head/Supervisor/Manager _____ Co-Worker _____ Other _____

2. Please describe the conduct or incident(s) that is the basis of this complaint and your reasons for concluding that the conduct is sexual harassment. Please use additional sheets of paper if necessary and attach any relevant documents or evidence. _____

3. Date(s) sexual harassment occurred: _____

Is the sexual harassment continuing? Yes _____ No _____

4. Please list the name and contact information of any witnesses or individuals that may have information related to your complaint: _____

5. Have you previously complained or provided information (verbal or written) about sexual harassment to us as your employer? Yes ____ No ____

6. Have you filed a claim regarding this complaint with a federal, state or local government agency? Yes _____ No _____

Have you instituted a legal suit or court action regarding this complaint? Yes _____ No _____

Have you hired an attorney with respect to this complaint? Yes _____ No _____

7. Additional information:

I request that you, as my employer investigate this complaint of sexual harassment in a timely and confidential manner as outlined below and advise me of the results of the investigation.

Signature: _____ Date: _____

Instructions for Employers: If you receive a complaint about alleged sexual harassment, you must follow your sexual harassment prevention policy by investigating the allegations through actions such as: *Speaking with the employee; *Speaking with the alleged harasser; *Interviewing witnesses; *Collecting and reviewing any related documents. You should create a written document of the findings of the investigation, along with any corrective actions taken and notify the employee and the individual(s) against whom the complaint was made. This may be done via email.

Adopted October 10, 2018 by voice vote.

ACT NO. 458-2018 by Mr. Snyder, Jr.
who asks immediate consideration

APPOINTMENT OF CATTARAUGUS COUNTY CAPITAL RESOURCE CORPORATION MEMBER

Pursuant to Section 153 of the County Law.

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

John Stahley, Dresser-Rand
500 Paul Clark Drive
Olean, New York 14760
(replacing Gregory Fitzpatrick),

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Cattaraugus County Capital Resource Corporation.

Adopted October 10, 2018 by voice vote.

ACT NO. 459-2018 by Ms. Vickman and Mr. Snyder, Jr.
who ask immediate consideration

**AUTHORIZING PUBLIC HEARING ON
SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION
(Health Department)**

Pursuant to Section 10 of the Municipal Home Rule Law.

WHEREAS, the County Health Department wishes to assess the advisability of submitting a Small Cities Community Development Block Grant ("CDBG") application to the New York State Office of Community Renewal for funding to replace unsafe and unsanitary wells and septic systems on a county-wide basis (the "Project"), and

WHEREAS, the County is required to hold a public hearing to provide information to the public and to consider citizen comments regarding the CDBG program and the Project prior to submitting an application for CDBG funding, now, therefore, be it

RESOLVED, that a public hearing shall be held by Cattaraugus County on the potential submission of an application to the New York State Office of Community Renewal for Community Development Block Grant funding to support the funding to replace unsafe and unsanitary wells and septic systems on a county-wide basis on the 24th day of October, 2018, at 3:00 p.m. at the Cattaraugus County Health Department Conference Room, One Leo Moss Drive, Olean, New York, and that at least five (5) days' notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the Olean Times Herald.

Adopted October 10, 2018 by voice vote.

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MR. BURR moved, seconded by Mr. Padlo, to adjourn until October 24, 2018 at 4:00 p.m.
Carried.

Meeting adjourned at 4:41 p.m.

Ann M. Giglio
Journal Clerk